

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION
NOTICE OF MEETING

NOTICE IS HEREBY GIVEN that the **Advisory Planning Commission** of the Tahoe Regional Planning Agency will conduct its regular meeting at **9:30 a.m.** on **Wednesday, December 7, 2016** at the **TRPA Offices**, located at **128 Market Street, Stateline, NV**. The agenda for the meeting is attached hereto and made a part of this notice.

November 30, 2016

A handwritten signature in blue ink, appearing to read "Joanne S. Marchetta", with a long horizontal flourish extending to the right.

Joanne S. Marchetta
Executive Director

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

TRPA
Stateline, NV

December 7, 2016
9:30 a.m.

AGENDA

- I. CALL TO ORDER AND DETERMINATION OF QUORUM
- II. APPROVAL OF AGENDA
- III. PUBLIC INTEREST COMMENTS

Any member of the public wishing to address the Advisory Planning Commission on any item listed or not listed on the agenda 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.

All public comments should be as brief and concise as possible so that all who wish to speak may do so; testimony should not be repeated. The Chair shall have the discretion to set appropriate time allotments for individual speakers (3 minutes for individuals and 5 minutes for group representatives as well as for the total time allotted to oral public comment for a specific agenda item). No extra time for speakers will be permitted by the ceding of time to others. Written comments of any length are always welcome. So that names may be accurately recorded in the minutes, persons who wish to comment are requested to sign in by Agenda Item on the sheets available at each meeting. In the interest of efficient meeting management, the Chair reserves the right to limit the duration of each public comment period to a total of 2 hours. In such an instance, names will be selected from the available sign-in sheet. Any individual or organization that is not selected or otherwise unable to present public comments during this period is encouraged to submit comments in writing to the Advisory Planning Commission. All such comments will be included as part of the public record.

NOTE: THE ADVISORY PLANNING COMMISSION IS PROHIBITED BY LAW FROM TAKING IMMEDIATE ACTION ON, OR DISCUSSING ISSUES RAISED BY THE PUBLIC THAT ARE NOT LISTED ON THIS AGENDA.

- IV. DISPOSITION OF MINUTES
- V. PUBLIC HEARINGS
 - A. Certification of Placer County Tahoe Basin
Area Plan and Tahoe City Lodge Final
Environmental Impact Statement and

Recommendation **Page 1**

Approval of Placer County Tahoe Basin Area Plan

B.	Issuance of 2015 Threshold Evaluation Report	Recommendation	<u>Page 109</u>
VI.	REPORTS		
A.	Executive Director	Informational Only	
	1) Strategic Initiatives Monthly Status Report	Informational Only	<u>Page 119</u>
B.	General Counsel	Informational Only	
C.	APC Members	Informational Only	
VII.	PUBLIC COMMENT		
VIII.	ADJOURNMENT		

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

TRPA
Stateline, NV

November 9, 2016

Meeting Minutes

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Mr. Teshara called the meeting to order at 9:31 a.m.

Members presents: Mr. Donohue, Mr. Drew, Mr. Esswein, Mr. Guevin, Ms. Hill, Mr. Hitchcock, Mr. Hymanson, Ms. Krause, Mr. Plemel, Mr. Teshara, Mr. Kuchnicki for Ms. Carr, Mr. Trout

Members absent: Ms. Brekke-Read, Mr. Larsen, Mr. Lefevre, Mr. Patterson, Mr. Riley, Washoe Tribe Representative, Mr. Weavil

II. APPROVAL OF AGENDA

Mr. Plemel moved approval.
Mr. Guevin seconded the motion.
Motion carried unanimously.

III. PUBLIC INTEREST COMMENTS

None

IV. DISPOSITION OF MINUTES

Mr. Teshara said he provided his minor edits to Ms. Ambler.
Mr. Plemel moved approval of the October 12, 2016 minutes as amended.
Mr. Drew seconded the motion.
Motion carried unanimously.

V. PUBLIC HEARINGS

A. Implementing Ordinance to Adopt Amendments to Code of Ordinances Chapter 84 for Essential Public Safety Facilities within the Shorezone

TRPA team member Ms. McMahon said these Code Amendments were recommended for approval by the Advisory Planning Commission on July 13 and approved by the Governing Board on September 28, 2016. Today, staff is requesting recommendation for adoption of the implementing ordinance for these Code Amendments.

Public Comments & Questions

None

Commission Comments & Questions

Mr. Teshara read the Ordinance title into the record.

Mr. Hymanson made a motion to recommend adoption of Ordinance 2016-, amending Ordinance 87-9, as previously amended, to amend Code of Ordinances Chapter 84, as shown in Attachment A.

Mr. Drew seconded the motion.

Ayes: Mr. Donohue, Mr. Drew, Mr. Esswein, Mr. Guevin, Ms. Hill, Mr. Hitchcock, Mr. Hymanson, Mr. Plemel, Mr. Teshara, Mr. Kuchnicki

Absent: Ms. Brekke-Read, Mr. Larsen, Mr. Lefevre, Mr. Patterson, Mr. Riley, Washoe Tribe, Mr. Weavil, Mr. Trout, Ms. Krause

Motion carried unanimously.

- B. Proposed Amendments to Update Chapter 10, TRPA Regional Plan Maps, of the TRPA Code of Ordinances to integrate Geographic Information System (GIS) Mapping and Corresponding Technical Correction Updates to Chapters 11, 12, 14, 30, 60, 61, 62, 66, 67, 68, and 90 of the TRPA Code of Ordinances

TRPA team member Ms. Cannon provided an overview of the proposed amendments.

These updates are primarily administrative and will be part of the same amendment review process for any possible regulatory boundary changes. This will move TRPA from paper maps to GIS computer based maps that have the ability for data backups and improved analysis that is not available with Mylar mapping. This will provide the opportunity for better alignment with partner agencies, more transparency and accountability, and more convenient access for the public. The purpose of these amendments is to add more clarity, streamline updates by removing unnecessary reviews and use the best available science.

The official GIS mapping is defined as mapping that is produced and maintained by TRPA that has regulatory implications. This type of mapping would have the complete plan amendment review process. For example, town center boundaries, area plan boundaries, and regional land classification boundaries. The "other" types of GIS mapping would merit regular updates using best available information and science. The third part of the proposed amendments is the applicant initiated process to amend TRPA regulatory boundaries. It would require a plan review amendment process and be certified by an Engineer or Surveyor. Boundary amendments would go before the Advisory Planning Commission, the Regional Plan Implementation Committee, and the Governing Board. The Initial Environmental Checklist found no environmental effects.

Presentation can be viewed at:

<http://www.trpa.org/wp-content/uploads/Agenda-Item-No.-V.B.-GIS-Mapping.pdf>

Commission Comments & Questions

Mr. Drew asked for further information on how changes to land capability districts and land coverage as a part of projects will be handled within this new process.

Ms. Cannon said there are no changes proposed for the land capability overlay maps.

Mr. Drew said when a site assessment is done on a project there is new and more up to date site specific information. One of the challenges has been is the inability to take this new information and integrate it with the land capability district map for the basin. Is the plan to be able to do that on a site by site basis so boundaries are constantly being updated or is it a separate project specific process and you would have to go to that project application if someone was doing an adjacent project to get that information?

Ms. Hester said the plan is to have each parcels land capability online with the parcel data.

Mr. Drew suggested that there is the ability to have an updated map layer so that the most current information is available. Often with larger projects there are a lot of resources spent to try and reconcile that larger land capability district and land coverage map. For example, someone may have to pull in 50 or 60 project applications and update that information on an Environmental Improvement Program project that covers a large area within a community.

Mr. Hester said an example where this was done was in the last area plan that the City of South Lake did. When it went to the Governing Board for approval, they wanted assurance that project by project was being verified in person.

Mr. Hitchcock said TRPA's Code Ordinance has a map that indicates all land capability verifications and challenges that have been adopted. He suggested that a layer be created to visually show where these amendments have occurred.

Ms. Cannon said there have not been any changes with the land capability map in the Code of Ordinances. The Research and Analysis Division scanned all the land capability verifications and are integrating those into one map.

Mr. Hester asked if an index map would be helpful.

Mr. Drew said yes, possibly. For example, it could cost tens of thousands of dollars to rectify the latest information on both land capability district boundaries and the land coverage boundaries on larger infrastructure improvement projects or Environmental Improvement Program projects with multiple parcels that may have right-of-way's, public land, and private land. This is so the land banks in Nevada and California can determine if coverage should be provided to the project or taken away.

Mr. Donohue asked if staff uses information from the Assessor's Parcel Data Base.

Ms. Cannon said yes, it is updated every six months.

Ms. Hill said in the past the land capability maps were available at TRPA's front counter. Will they be available on the website?

Mr. Hester said the land capability maps are being put into LT Info and will be available on line. They can also be found on the website under the Plan Area Statements.

Mr. Hymanson asked if the GIS work is done by in house staff.

Ms. Cannon said yes there are currently five staff members that are trained. Staff also utilizes partner agency data.

Mr. Hymanson asked if these amendments would create more need that could not be met by existing staff.

Ms. Cannon said no, staff has been working over the past decade to digitize all the mapped information into a GIS format and regularly updates it.

Mr. Marshall said these amendments will recognize that the official map is the GIS layer as opposed to Mylar in the Code of Ordinances.

Mr. Hitchcock asked if the amendment to allow a boundary line change is to address the boundary lines that go through properties such as the ones on Kingsbury Grade.

Ms. Cannon said staff is generating a process that will be more reliable with better safeguards to ensure we are moving forward with the best quality information on what the boundary line should be.

Public Comments & Questions

None

Commission Comments & Questions

Mr. Drew made a motion to recommend approval of the required findings, including a finding of no significant effect, for adoption of the amendments to update Chapters 10, 11, 12, 14, 30, 60, 61, 62, 66, 67, 68, and 90 of the TRPA Code of Ordinances as provided in Attachments C and D.

Mr. Guevin seconded the motion.

Ayes: Mr. Donohue, Mr. Drew, Mr. Esswein, Mr. Guevin, Ms. Hill, Mr. Hitchcock, Mr. Hymanson, Mr. Plemel, Mr. Teshara, Mr. Kuchnicki, Ms. Krause

Absent: Ms. Brekke-Read, Mr. Larsen, Mr. Lefevre, Mr. Patterson, Mr. Riley, Washoe Tribe, Mr. Weavil, Mr. Trout

Motion carried unanimously.

Ms. Krause made a motion to recommend adoption of Ordinance 2016-, amending Ordinance 87-9, as previously amended, to amend Chapters 10, 11, 12, 14, 30, 60, 61, 62, 66, 67, 68, and 90 of the Code of Ordinances to integrate Geographic Information System (GIS) mapping as provided in Attachment D.

Mr. Drew seconded the motion.

Ayes: Mr. Donohue, Mr. Drew, Mr. Esswein, Mr. Guevin, Ms. Hill, Mr. Hitchcock, Mr. Hymanson, Mr. Plemel, Mr. Teshara, Mr. Kuchnicki, Ms. Krause

Absent: Ms. Brekke-Read, Mr. Larsen, Mr. Lefevre, Mr. Patterson, Mr. Riley, Washoe Tribe, Mr. Weavil, Mr. Trout

Motion carried unanimously.

VI. PLANNING MATTERS

A. Area Plan Status Report

Ms. Krause said in October, Washoe County provided an outline of their plan at the Incline Village General Improvement District's Board meeting and held a citizen's advisory board meeting to receive public comments on the plan. There is one plan for the entire area including town centers in North Stateline, the old Incline Village commercial and tourist areas. They will be zoning these areas for tourist commercial zoning and commercial zoning. There was public concern that TRPA was not allowing them more coverage and there are not a lot of development rights to transfer into their community plans. They hope to have more movement on this towards the end of 2016.

Mr. Hitchcock said the City of South Lake Tahoe has adopted two area plans; the Tourist Core and Tahoe Valley Area Plans. There has been new development and redevelopment happening within the Tahoe Valley area. The Bijou Al Tahoe Area Plan is postponed until the Summer of 2017. Their focus is on amending the parking code in the Harrison Avenue District. Property owners in that area are interested in expanding their commercial uses and have had some issues with inadequate parking. The City is also working on a major Code update that will require a lot of their resources.

Mr. Teshara asked if the City of South Lake Tahoe is planning to move forward with the Al Tahoe Boulevard bikeway safe passage to school project in 2017.

Mr. Hitchcock said yes.

Mr. Trout said the Meyers Area Plan was originally adopted in 1993 and amended in 1999. This current amendment has been controversial; therefore, El Dorado County went back to the drawing board to work on what is known as Alternative 4. The California Environmental Quality Act (CEQA) negative declaration document is under review with County staff and General Counsel and should be ready for release by December 2016. It would then go to the County's Planning Commission in January or February and the Board of Supervisors in approximately February or March, and then onto TRPA tentatively in April or May of 2017.

Mr. Teshara said there is also the Meyers Corridor Plan; Highway 50 through the commercial district area. The County has been working with the local business community on the issues raised. Caltrans is going through the public process for an intersection improvement at Highway's 89 and 50 in Meyers with a roundabout as one of the considerations.

Mr. Hymanson asked if there is any intention for additional area plans to cover the other portions of El Dorado County in the Basin.

Mr. Trout said El Dorado's County General Plan contemplates a Tahoma Area Plan but there are no intentions of proceeding with that at this time. The County will most likely do an area plan over the remainder of the County. The balance of the County is mostly single family residential. The cost of an area plan for the remainder will be a difficult sell to their Board of Supervisors.

Mr. Hymanson said one rational for the County to make that investment would be to implement a code that allows residences that are less than one acre and within one quarter mile of the transit corridor to have an option for a second residence possibly above a garage that could be used as a long-term rental. This is one way to address housing issues with the work force.

Ms. McMahan said Douglas County completed the South Shore Area Plan in 2013 that included lower Kingsbury and the Casino core. They followed that with the Tahoe Douglas Area Plan which included all properties within Douglas County in the Tahoe Basin outside of the South Shore Area Plan. The County is requesting an amendment to the South Shore Area Plan to include the entire boundary of the Kingsbury Manor Mobile Home Park that was originally split in half with the development of the South Shore Area Plan. The County is proposing new uses for the Kingsbury Middle School (Tahoe Douglas Area Plan) to help facilitate the sale of the property. Because of a time lapse, the County is updating and completing the environmental document and analysis for the Kingsbury Middle School site before submitting it back to TRPA for a conformance review.

Mr. Hester said the Placer County Tahoe Basin Area Plan is scheduled for an informational scoping at the Regional Plan Implementation Committee on November 16 and requesting a recommendation from both the Placer County Planning Commission on November 17, and TRPA's Advisory Planning Commission on December 7, and approval from TRPA's Governing Board in January 2017.

Presentation can be viewed at:

<http://www.trpa.org/wp-content/uploads/Agenda-Item-No.-VI.A-Area-Plan-Status.pdf>

Commission Comments & Questions

Mr. Guevin asked which Douglas County staff member is working on the Tahoe Douglas Area Plan.

Ms. McMahan said it is Mimi Moss, Community Development Director.

Mr. Hymanson asked how does the work that the Advisory Planning Commission does differ from what the Regional Plan Implementation Committee does.

Mr. Hester said their scoping meeting is an informational presentation and will be used to see if there are any issues relative to implementing the Regional Plan. Their recommendation to the Governing Board will be similar to the Advisory Planning Commission.

Mr. Teshara said the Placer County item also has a project included. Although, RPIC is not required to review projects, they could make comments, as could the APC but the APC's scope is to focus on the environmental portion.

B. Emerald Fire Update

TRPA team member Mr. Vollmer provided an update on the Emerald Fire.

Presentation can be viewed at:

<http://www.trpa.org/wp-content/uploads/Agenda-Item-No.-VI.B-Emerald-Fire.pdf>

Commission Comments & Questions

Mr. Donohue asked where the 250 tons of materials removed by Caltrans went to.

Mr. Vollmer said he was unsure where the material was moved to.

Mr. Hymanson asked if the Forest Service confines the work to only their land as the lead on the BAER program.

Mr. Vollmer said it is confined to the Forest Service land but since they are on site, they offered some recommendations for non-Forest Service land. TRPA, Lahontan, Cal Fire, and the Forest Service worked together to create a solution with one of the homeowners to get mastication and run contours to avoid preferential flow paths. TRPA generated a grading exception permit and coordinated with the Lahontan Water Board to get a waiver which was delivered to the Forest Service the following day.

Mr. Guevin asked if staff knew if the insurance companies are working with the homeowners or if there are funding issues.

Mr. Vollmer said they were looking at funding from Cal Fire's California Forest Improvement Program (CFIP). This funding is not intended for emergencies and therefore, would not be available immediately.

Mr. Guevin asked if it was correct that some of the sedimentation came from areas that were not treated.

Mr. Vollmer said under the conditions that this happened, it became a perfect storm. If a light rain would have followed, it may have broken up some of the hydrophobicity but the dousing of cold water while the area was hot, created the crust.

Public Comments & Questions

None

VII. REPORTS

A. Executive Director

1) 2016 Third Quarter Report, July – September

Mr. Hester said page 135 of the Quarterly Report lists some of the GIS maps that are available in the Parcel Tracker.

2) Strategic Initiatives Monthly Status Report

No additional report.

B. General Counsel

Mr. Marshall said a lawsuit was filed against Placer County for the Martis Valley West Specific Plan. A panel of three judges for the Ninth Circuit Court of Appeals issued a unanimous decision in favor of TRPA for the 2012 Regional Plan Update litigation. The panel found that the plaintiffs had standing and their claims were ripe. There were two parts to the merits argument that were focused on; the concentration of coverage and reliance on BMPs for environmental gain as a result of incentivizing additional projects within the town centers. They found that TRPA did an adequate analysis as part of the Final Environmental Impact Statement to address comments on the Draft EIS and the Pollutant Load Reduction Model (PLRM) analysis and that various other assumptions and analysis were rational. There was a disagreement between TRPA and the Sierra Club as to where Bailey properly applies as a standard of significance and threshold. The plaintiffs wanted a standard of significance that used Bailey on a smaller scale rather than a Tahoe Basin regional level such as a sub-watershed or a parcel basis. If it couldn't be concluded that coverage on a sub-watershed basis would be in compliance with the Bailey coefficients than there was a significant impact. The Court disagreed with this programmatic document. They commended TRPA for disclosing that there had been past issues with installation and maintenance of BMPs. But it was reasonable to rely on BMPs to offset some of the increases in concentration of coverage within town centers because of additional policies in the BMP handbook and permitting requirements for maintenance of BMPs. TRPA's Rules of Procedure states that if TRPA is sued, the plaintiff must pay the cost of the administrative record upfront. The Ninth Circuit Court upheld the US District Courts decision to assign costs to TRPA.

Commission Comments & Questions

Mr. Teshara asked what the time limit is for other lawsuits to be filed.

Mr. Marshall said it is usually 30 days.

Mr. Teshara asked if it would be a sizeable investment for the plaintiff to take something with this little significance nationally to the Supreme Court.

Mr. Marshall said it may depend on if they had to pay attorney fees upfront.

Ms. Hill said the Regional Plan Update was deemed adequate, what were the primary issues of this litigation.

Mr. Marshall said the issues before the court at this stage was whether or not the environmental review was appropriately certified. The Ninth Circuit Court felt the environmental document supported the decision made to approve the Regional Plan Update.

Ms. Hill asked if that changed anything with the Code of Ordinances or day to day dealings with TRPA.

Mr. Marshall said no it doesn't.

Mr. Teshara is concerned about the individual representing the California Clean Energy Committee who is challenging the standards of criteria of how greenhouse gas is addressed. He may present some challenges in terms of how some of these things are mitigated.

Mr. Marshall said this person would operate under the California Environmental Quality Act (CEQA) and would be working against Placer County's approval of the area plan as opposed to TRPAs approval.

C. APC Members

Mr. Kuchnicki said the Lahontan Regional Water Quality Control Board and the Nevada Division of Environmental Protection have a continuous improvement adaptive management system for the Lake Tahoe TMDL program. Annually they complete a draft findings and recommendations memorandum that has recent technical research and monitoring findings. This document is used for recommendations for programmatic adjustments to the TMDL program. The 2016 Findings and Recommendations Memorandum is available for public comment through November 30, 2016. The focus is on seven recommendations for the urban stormwater policies, protocols, and stormwater tools used for the crediting program. There were no new findings or recommendations for non-urban source categories. There were some recommendations for adjustments to the regional stormwater monitoring program and an assessment of the lake wide monitoring approaches and how to best leverage the investment and ensure these programs are integrated and effective. They have released a draft of the TMDL 2017 Annual Strategy. The findings and recommendations feed into this annual strategy. It broadly frames the actions and objectives for the TMDL program for the coming year.

Mr. Guevin said the Nevada Division of Forestry (NDF) has taken responsibility for the escaped Little Fire in Washoe Valley. Tahoe Douglas Fire Protection District is working on a fire boat program for lake shore properties. From Cave Rock to Uppaway Estates there is no water system and no funding for any system that is outside of a previously developed system. The North Tahoe Fire Prevention District is also looking at a boat program that would have new developments provide funding towards a water supply program or boat.

Mr. Donohue asked where the vessel would be stationed.

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Mr. Guevin said currently there is the ability to moor it at Zephyr Cove. They plan to evaluate other avenues in the future.

Mr. Donohue the Nevada Department of Conservation and Natural Resources has a new Director, Bradley Crowell starting on December 12.

Mr. Drew said there is a lot of interest from the residents and business community about version four of the Meyers Area Plan. The development rights issue is important and will be a challenge to get investment because of the bonus allocations and incentives within that plan. The corridor will be an area of focus over the next several months. There is a lot of consternation from the community with Caltrans about the Highway 89 and 50 roundabout and Echo Summit projects. There is concern with the community that there could be a significant shut down for a second time within five years. What happens within El Dorado County at Meyers will inform many discussions about development rights and how the implementation of large infrastructure projects can be done without having significant economic impacts on the local communities.

Mr. Hitchcock said the City of South Lake Tahoe will be doing some amendments to fine tune standards in early 2017 to the Tahoe Valley and Tourist Core Area Plan's. On November 8, Brooke Laine and Jason Collin were elected to the City Council along with the passage of Measure P that approved a new recreation facility.

Ms. Krause said Washoe County, the City of Reno, and the City of Sparks are now on the Accela permitting system and will activate the public interface in the future. Washoe County has identified areas in the Truckee Meadows and the North Valleys as part of the Northern Nevada Lands Act bill. In addition, the Incline Village General Improvement District has requested 833 acres near Diamond Peak to be included in that.

Mr. Teshara said all three of the transportation related funding measures for the region failed in yesterday's election.

VIII. PUBLIC COMMENT

None

VIII. ADJOURNMENT

Chair Mr. Teshara adjourned the meeting at 11:13 a.m.

Respectfully Submitted,



Marja Ambler
Clerk to the Board

The above meeting was taped in its entirety. Anyone wishing to listen to the tapes of the above mentioned meeting may call for an appointment at (775) 588-4547. In addition, written documents submitted at the meeting are available for review

MEMORANDUM

Date: November 30, 2016
To: TRPA Advisory Planning Commission
From: TRPA Staff
Subject: Certification of Placer County Tahoe Basin Area Plan and Tahoe City Lodge Final Environmental Impact Statement and Approval of Placer County Tahoe Basin Area Plan

Requested Action: The Advisory Planning Commission (APC) is asked to review the materials provided in this packet to ensure that the Placer County Tahoe Basin Area Plan is in conformance with the Regional Plan and Chapter 13: Area Plans of the TRPA Code of Ordinances and recommend approval of the proposed Area Plan to the Regional Plan Implementation Committee (RPIC) and Governing Board.

1. **Recommend certification of the proposed Final Environmental Impact Statement (Final EIS):** To recommend certification of the proposed Final Environmental Impact Statement (Final EIS) for the Placer County Tahoe Basin Area Plan and Tahoe City Lodge project, the APC must make the following two motions. An affirmative recommendation requires a majority vote of the quorum present:
 - I. A finding of technical adequacy and a motion to recommend that the Governing Board certify the Placer County Tahoe Basin Area Plan and Tahoe City Lodge Project Final Environmental Impact Statement (State Clearinghouse No. 2014072039), as provided in **Attachment D**.

2. **Recommend approval of the proposed Placer County Tahoe Basin Area Plan (Alternative 1 as modified in the Final EIR/EIS):** To recommend approval of the proposed Area Plan as contained within **Attachment A**, the APC must make the following motions. An affirmative recommendation requires a majority vote of the quorum present:
 - I. A motion to make the findings required by Compact Articles IV and VII and Code of Ordinances Chapter 3, 4 and 13 for the Placer County Tahoe Basin Area Plan for adoption of the Placer County Tahoe Basin Area Plan, as provided in **Attachment E** thereto.

 - II. A motion to recommend Governing Board adoption of Ordinance 2017-___, amending Ordinance 87-9, as previously amended, to amend TRPA's Regional Plan to incorporate the Placer County Tahoe Basin Area Plan, as provided in **Attachment F** thereto.

Staff Recommendation: Staff recommends that the APC make the motions above, to recommend certification of the Final EIS and adoption of the Placer County Tahoe Basin Area Plan, based on this staff summary and the evidence in the record.

Project Description

Tahoe Basin Area Plan

The Placer County Tahoe Basin Area Plan (Area Plan) is a County-initiated update of its land use regulations in the Tahoe Basin portion of Placer County. Placer County and the Tahoe Regional Planning Agency (TRPA) are jointly proposing to adopt the Area Plan, which implements and achieves the environmental improvement and redevelopment goals of the Regional Plan and the TRPA/Tahoe Metropolitan Planning Organization (TMPO) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) as updated and adopted in 2012. The Area Plan would also satisfy California's comprehensive long-term general plan requirements, and would serve as the General Plan for the Tahoe Basin portion of Placer County. Adoption of the Area Plan would supersede the following general plans, community plans, Plan Area Statements, and related planning documents adopted to implement the 1987 Regional Plan, and relevant sections of the Placer County Zoning Ordinance:

- Tahoe City Community Plan
- Carnelian Bay Community Plan
- Tahoe Vista Community Plan
- Kings Beach Community Plan
- Kings Beach Industrial Community Plan
- California North Stateline Community Plan
- 51 PASs adopted for Placer County
- Placer County Standards & Guidelines for Signage, Parking and Design
- West Shore General Plan
- Tahoe City Area General Plan
- North Tahoe Area General Plan
- Placer County Zoning Ordinance, Sections 17.02.050(D) and 17.56.202, and Appendices B, C, D, and F

The proposed Area Plan largely carries forward the details of these existing documents into a single, consolidated Area Plan. Proposed changes to earlier plans included in the Area Plan implement the environmental, redevelopment, and transportation policies of the 2012 Regional Plan and are primarily focused within the TRPA-designated Town Centers of Kings Beach and Tahoe City. The Area Plan includes redevelopment incentives and new development and design standards for mixed-use areas to promote the redevelopment of existing Town Centers and improve aesthetic conditions, restore environmentally sensitive land, enhance recreation opportunities, and improve multi-modal transportation options.

The Area Plan's substantive changes related to zoning and development standards are largely focused within the mixed-use areas of the Town Centers. There are changes within mixed-use areas outside of the Town Centers as well. Zoning and development standards for lands designated as residential, tourist, recreation, conservation, wilderness, and backcountry are unchanged, except for the following map and land use changes:

Tahoe City Town Center Boundary: The Area Plan would modify the Tahoe City Town Center boundary to remove 7.2 acres of property surrounding the Fairway Community Center and Placer County Tahoe City Wetlands Basin, and add 4.2 acres surrounding the Tahoe City Golf Course clubhouse. These changes would result in the modification of the Regional Plan land use designations and zoning within the Tahoe City Town Center to change the land use designation of land added to the Town Center from Residential to Mixed-Use, and to change the land use designation of land being removed from the Town Center from Mixed-Use to Recreation, and to change the lands within the remainder portion of the Tahoe City Golf Course from Residential to Recreation.

Kings Beach Town Center Land Use Classification Cleanup Revision: The Area Plan proposes a land use classification change that is a cleanup revision from the Regional Plan. This change includes three parcels totaling approximately one acre that would be changed from Residential to Mixed-Use. In addition, the Kings Beach Town Center boundary map was corrected to maintain consistency with mapped parcel boundaries that were recently refined based on survey data and recorded documents.

Zoning Districts: Town Center zoning districts include several mixed-use sub-districts and areas zoned for Residential and Recreational uses. Allowable uses correspond to use definitions outlined in the TRPA Code of Ordinances. Allowable use changes outside of Town Centers are limited to the inclusion of residential uses in mixed-use districts and village centers.

Recreation and Conservation Lands: The Area Plan would amend the zoning designations to include approximately 200 acres of land acquired for environmental or recreational purposes in Conservation or Recreation.

Core and Transition Areas: Within Town Centers the Area Plan establishes zoning overlay districts for Core Areas, where the full range of Regional Plan development incentives would apply, and Transition Areas where transitional (more restrictive) building heights and sidewalk or multi-use trail connections would be required.

Special Planning Areas: The Area Plan designates six Special Planning Areas (SPAs) where projects must meet additional environmental standards to make use of Town Center redevelopment incentives. The SPAs include: Tahoe City Western Entry SPA, Tahoe City Golf Course SPA, Tahoe City River District SPA, Truckee River Corridor SPA, Kings Beach Entry SPA, and California-North Stateline SPA. The SPAs include provisions for more detailed future planning, or where additional environmental performance standards apply.

TRPA Regional Plan Implementation

The Area Plan proposes to carry forward the following TRPA Regional Plan implementation measures related to Area Plans:

Maximum Building Height and Density: The Area Plan largely carries forward the TRPA Regional Plan allowances for height and density, including up to 56 feet and four stories within Town Centers, as well as density allowances for 40 units per acre for tourist uses and 25 units per acre for residential uses. However, height allowances are reduced for the

periphery of Town Centers, called Transition Areas. For areas outside of Town Centers, the Area Plan carries forward height and density allowances in TRPA Code Chapter 37.

Maximum Transferred Coverage: Consistent with the Regional Plan allowances within Town Centers, project sites that are greater than 300 feet from Lake Tahoe or on the mountain side of State Route (SR) 89 or SR 28 could receive transferred coverage to a maximum of 70 percent coverage on high capability lands. Project sites within 300 feet of Lake Tahoe and on the lake side of SR 28 could receive transferred coverage to a maximum of 50 percent coverage on high capability lands.

Mixed-Use Development and Land Use Changes: Consistent with the Regional Plan Land Use Map, the Area Plan would allow housing within existing commercial districts, near employment and multi-modal transportation facilities. Mixed-use development would be allowed in Town Centers and in the mixed-use and commercial areas of Carnelian Bay, Tahoe Vista, Lake Forest Glen, Dollar Hill, Sunnyside, Homewood, and Tahoma.

Building and Site Design Standards: The Area Plan would consolidate and update existing land development standards within the Tahoe Basin, including:

- Adding site design and building form standards to create visual interest and pedestrian-friendly activity with some mixed-use areas by including maximum building setbacks, limiting blank walls, requiring minimum amounts of windows on building frontage, and requiring minimum amounts of building articulation.
- Adding requirements for improvements to the street frontage between the building and public roads and sidewalks, addressing street trees, connections between buildings and sidewalks or backs, and pedestrian lighting.
- Enhancing lighting standards to prevent light pollution and trespass, and promote dark skies.

Area Plan Programs and Substitute Standards

The Area Plan includes programs and substitute standards that would modify portions of the TRPA Code within the Area Plan limits. Substitute standards include the following:

Limited Conversion of Commercial Floor Area (CFA) to Tourist Accommodation Units

(TAUs): The Area Plan would establish a pilot program for the limited conversion of CFA to TAUs for existing development (held by property owners) and for the CFA supply held by Placer County. Limitations on the program include:

- The conversion ratio shall be 450 square feet of CFA equals one TAU
- Converted units may only be used in Placer County Town Centers
- Sites must have best management practice (BMP) certificates
- Sites must have sidewalk access
- Sites must be within a quarter mile of a transit stop or mixed-use district
- No more than 200 additional TAUs may be established in Placer County through the pilot program and other programs combined
- The program would be periodically monitored for efficacy, possible extension, and consideration for program adjustments

Non-Contiguous Project Areas: The Area Plan would allow projects within Town Centers to use a non-contiguous project area with TRPA approval. To use a non-contiguous project area, all project components must be located on already developed mixed-use lands within a Town Center.

Revised Level of Service (LOS) Standard: The Area Plan proposes to modify the current LOS standards such that LOS F is acceptable during peak periods in the intersections and roadway segments within Town Center boundaries.

Revised Parking Regulations: The Area Plan modifies parking standards to reduce the minimum number of parking spaces that must be provided by some development projects, promote shared parking and public transit, and to consider the future development of parking assessment districts and/or in-lieu payment programs.

Implementation of the Tahoe Area Regional Transit (TART) Systems Plan: The Area Plan proposes to implement the April 2016 Placer County TART Systems Plan by funding public transit to make it a viable transportation alternative, implement transit improvements, implement developer funding mechanisms, and link increased transit services with increases in transit demand.

Secondary Residential Units: The Area Plan would expand upon TRPA Code to allow secondary residential units on residential parcels less than one acre in size. To qualify for the program properties must be deed restricted for affordability. Units will also be deed restricted for use; the units may not be used as tourist units, vacation rentals, or converted to TAUs.

View Corridors: The Area Plan would add view corridor standards that require four-story buildings in Town Centers on the lakeside of SR 89 and SR 28 to maintain 35 percent of the site as open view corridors, or increase existing view corridors by 10 percent.

Ridgeline Protections: In accordance with TRPA regulation, the Area Plan would require that all new buildings with three or more stories meet TRPA findings for additional height. This provision would prevent buildings from projecting above the forest canopy for ridgelines and would protect viewsheds.

Opportunity Sites

The proposed Area Plan contemplates one near-term redevelopment project, the Tahoe City Lodge, and one environmental redevelopment design concept, the Kings Beach Center, both identified as initial opportunities to incentivize and facilitate redevelopment in these Kings Beach and Tahoe City Town Centers.

Kings Beach Center: The Kings Beach Center is a conceptual mixed-use redevelopment design on parcels owned by Placer County.

Tahoe City Lodge: The Tahoe City Lodge is a stand-alone project application proposed by a private developer, Kila Tahoe LLC, and is being processed by Placer County and TRPA. The Tahoe City Lodge project redevelops the existing commercial complex into a 118-unit lodge

and redevelops and relocates the existing Tahoe City Golf Course clubhouse. Of the proposed 118 units, 78 one and two bedroom suites will operate as a “condo hotel”. These units will be sold to private individuals. The remaining 40 units would be retained by the lodge. In addition to tourist units, the lodge includes a ground floor restaurant and lobby area, and a rooftop terrace with a swimming pool and bar. The project component on the Tahoe City Golf Course include golf course enhancements, the relocation and expansion of the existing clubhouse, shared-use parking, and stream environment zone (SEZ restoration). The Tahoe City Lodge project has been analyzed at the project-level in the same EIR/EIS prepared for the Area Plan.

- Site Description: The Tahoe City Lodge project area is inclusive of the existing commercial complex located at 255 and 265 North Lake Boulevard and a portion of the Tahoe City Golf Course, in Placer County, California. The total project area is 3.9 acres, inclusive of two easements. The project area includes Placer County APNs 094-070-001 and -002, 094-540-03, and 094-020-006. Placer County APNs 094-070-001 and -002 are owned by Kila Tahoe, LLC and comprise the site formerly known as the “Henrickson Property.” The project site also includes two existing easements on adjacent properties, one from the Tahoe City Golf Course and one from the parcel to the west of the project site, known as the Bechdoldt easement. The project area is occupied by three buildings that make-up the existing two-story commercial center on the Kila Tahoe property.
- Relationship to the proposed Area Plan: The proposed Lodge project will be presented for approval in coordination with the Area Plan adoption as the proposed project relies on the policies and land use changes contemplated by the Area Plan. The project site is located within what will be a mixed-use town center pending Area Plan adoption. The lodge relies on the implementation of the mixed-use sub-districts and town center redevelopment policies set forth in the TRPA Regional Plan and implemented with the Area Plan. Without the Area Plan, the Tahoe City Lodge would require amendments to the Regional Plan and Code of Ordinances, as well as several planning documents associated with the 1987 Regional Plan.
- Threshold Improvement Projects: The proposed project includes BMPs for the Tahoe City Lodge, drainage and water quality improvements, reduction in land coverage on APNs 094-070-001 and 094-070-002 relative to existing conditions, maintenance and expansion of the Tahoe City Sidewalk Beautification Project, and 1.7 acres of SEZ restoration on the Tahoe City Golf Course.
- Regional Plan Compliance and Conformity: Based on the Final EIS analysis, the proposed project is in compliance with the proposed Area Plan and conforms to the Regional Plan, including the Goals and Policies and Code of Ordinances (as amended).

Final EIS Compliance with TRPA Compact Article VII, Chapter 3 of the Code of Ordinances, and Article 6 of the Rules of Procedure

The Final EIS was prepared for the Placer County Tahoe Basin Area Plan (program-level) and the Tahoe City Lodge project (project-level) pursuant to Article VII (d) *Environmental Impact Statements* of the TRPA Bi-State Compact. A Notice of Preparation (NOP) (State Clearinghouse No. 2014072039) for an EIR/EIS was issued by Placer County and TRPA on June 3, 2015 for a 60-day public comment period that ended on August 3, 2015. The NOP was sent to the California and Nevada State Clearinghouses, federal, state, and local agencies, and members of the public. Five public scoping meetings were held to provide agencies and the public with the opportunity to learn more about the Area Plan and to provide input as to the issues that would be addresses in the EIR/EIS. The scoping meetings were held as follows:

- June 10, 2015: TRPA APC, Stateline, Nevada;
- June 16, 2015: Placer County-hosted meeting, Kings Beach, California;
- June 16, 2015: Placer County-hosted meeting, Tahoe City, California;
- June 24, 2016: TRPA Regional Plan Implementation Committee, Stateline, Nevada;
- June 24, 2016: TRPA Governing Board, Stateline, Nevada;

At each of these meetings, Placer County, TRPA staff, and consultants made presentations to describe the proposed Area Plan and Tahoe City Lodge project, and to discuss key environmental issues identified. After the close of the NOP and June 2015 Draft Area Plan 60-day public comment period, TRPA and Placer County staff, and the EIR/EIS consultants (Ascent Environmental) prepared an NOP scoping summary report and formulated alternatives to be analyzed in the EIR/EIS. Following September 2015 input from the TRPA Regional Plan Implementation Committee (RPIC) on the EIR/EIS alternatives, preparation of the Draft EIR/EIS and refinements to the draft Area Plan began.

Accordingly, on June 15, 2016, the County and TRPA jointly released the Draft EIR/EIS and revised Public Review Draft Area Plan for a 60-day public review period. The public review comment period closed on August 15, 2016. The Draft EIR/EIS was submitted to the California State Clearinghouse; distributed to public agencies, interested parties, and organizations; and was made available for public review at the Kings Beach, Tahoe City, and Truckee Libraries, and at the Placer County Community Development Resource Agencies in both Tahoe City and Auburn, and at the TRPA offices in Stateline, Nevada. The Draft EIR/EIS was also available on both the TRPA and Placer County websites. During the public review comment period the following public meetings were conducted to receive public input on the Draft EIR/EIS and Draft Area Plan:

- July 13, 2016: TRPA Advisory Planning Commission
- July 27, 2016: TRPA Regional Plan Implementation Committee
- July 27, 2016: TRPA Governing Board
- July 28, 2016: Placer County Planning Commission
- August 11, 2016: Placer County North Tahoe Regional Advisory Council

The County and TRPA received 111 comment letters during the 60-day public review period. While most of the comments received were related to the Draft EIR/EIS, many comments received were related to the Area Plan documents. In response to stakeholder input and comments received on the Area Plan documents, TRPA has coordinated with Placer County and

consultants to revise the Area Plan where necessary. Discussion of Area Plan revisions are described in the Area Plan Revisions section below.

TRPA and Placer County released the updated Placer County Tahoe Basin Area Plan (PCTBAP) and Final EIR/EIS on November 4, 2016 for the PCTBAP and Tahoe City Lodge project pursuant to Article VII of the Tahoe Regional Planning Compact, Chapter 3 of the TRPA Code of Ordinances, and the California Environmental Quality Act (CEQA). The Final EIR/EIS responds to all written and oral comments received during the public comment period for the Draft EIR/EIS. The Draft EIR/EIS and the Final EIR/EIS together constitute the Final EIR/EIS for the Area Plan and the Tahoe City Lodge project. The Placer County Board of Supervisors is responsible under CEQA for certifying the Final EIR and the TRPA Governing Board is responsible under Article 7 of the TRPA Compact for certifying the Final EIS. Adoption of the necessary findings includes a Statement of Overriding Consideration and the Mitigation Monitoring Reporting Program. The Final EIR/EIS is provided within **Attachment B** of this Staff Summary.

Regional Plan Conformance Review: The Placer County Tahoe Basin Area Plan has been prepared by Placer County pursuant to Chapter 13 of the TRPA Code of Ordinances, which allows local governments to adopt conforming Area Plans that contain policies and development ordinances that are consistent with and further the goals and policies of the TRPA Regional Plan. Chapter 13 includes a conformity review process that:

- Allows local governments to adopt an Area Plan that supersedes TRPA plans and ordinances if the plan is found to be in conformance with the Regional Plan;
- Defines required content in an Area Plan that includes but is not limited to applicable policies, maps, ordinances and development and design standards; and
- Defines which development activities will not have a substantial effect on the natural resources in the Region and allows TRPA to transfer limited development permitting authority to local governments.

To ensure conformance with the Regional Plan and Chapter 13, Placer County and TRPA have prepared an Area Plan Finding of Conformance Checklist for the Area Plan. The Area Plan Finding of Conformance Checklist is provided as **Attachment G**.

Memorandum of Understanding

Chapter 13 of the TRPA Code of Ordinances requires a Memorandum of Understanding (MOU) be prepared within six months of the Governing Board's finding of conformity of the Area Plan (Code section 13.7.5). The MOU shall clearly specify the extent to which the activities within the Area Plan are delegated or exempt from TRPA review and approval, and describe all procedures and responsibilities to ensure effective implementation of the Area Plan. Preparation of the MOU will begin upon adoption of the Area Plan, and TRPA staff will coordinate with County staff to ensure the Code section 13.7.5 requirements with regard to timing of development of an MOU are met.

Technical Code Amendments

As has been completed for previously adopted Area Plans, technical amendments to the Code of Ordinances Chapters 34, 36, and 38 are under development. The purpose of the Code amendments is to make the Code of Ordinances consistent with the adoption of the Area Plan regarding substitute signage, design, and parking standards that will be superseded by the Area

Plan. These amendments will be brought to APC for consideration and recommendation in advance of Governing Board adoption of the Area Plan.

Findings: TRPA Code Chapter 3, 4, and 13 required findings have been prepared for the Area Plan and are included in **Attachment E**.

Threshold Indicators and Compliance Measures Tables: The Threshold Indicators and Compliance Measures Tables have been prepared to demonstrate compliance with the required Threshold-Related Findings in Section 4.4 of the TRPA Code to demonstrate that the Placer County Tahoe Basin Area Plan will not negatively impact a TRPA adopted threshold indicator or compliance measure. The Threshold Indicators and Compliance Measures Tables are provided as **Attachment C**.

Development of Alternatives and Environmental Analysis

Consistent with TRPA Compact Article 7, the EIS document considered a range of alternatives. The range of alternatives was evaluated for their ability to achieve or partially achieve the fundamental Area Plan and Tahoe City Lodge project objectives. The Draft EIS analyzed four project alternatives, including a no project alternative. In determining what alternatives should be considered for the Draft EIR/EIS, the objectives of the project, the project's significant effects, unique project considerations, and the feasibility of proposed alternatives were all considered.

The proposed Area Plan and Tahoe City Lodge project impacts were evaluated as Alternative 1 of the Final EIS. As discussed below, one or more of the alternatives would result in significant and unavoidable impacts related to transportation and circulation, air quality, greenhouse gas (GHG) emissions and climate change, and noise. However, the action alternatives, including Alternative 1: *Proposed Area Plan/Proposed Lodge*, are environmentally superior to Alternative 4: *No Project*. The potential environmental effects or benefits that would result from implementation of Alternatives 1, 2, and 3 are roughly equivalent

Alternatives: The Final EIR/EIS evaluated four project alternatives:

Alternative 1: Proposed Area Plan/Proposed Lodge

Alternative 2: Area Plan with no Substitute Standards/Reduced Scale Lodge

Alternative 3: Reduced Intensity Area Plan/Reduced Height Lodge

Alternative 4: No Project/No Project

Additional detail about the development of the range of alternatives and the impacts disclosed within the draft EIS can be found within the staff summaries for the September 2015 Regional Plan Implementation Committee packet, and the July 2016 Governing Board Packet¹.

Significant Environmental Effects: The Draft EIR/EIS identified significant or potentially significant effects of one or more of the four alternatives evaluated with respect to cultural and historic resources; scenic resources; transportation and circulation; air quality; greenhouse gas emissions and climate change; noise; geology, soils, land capability, and coverage; hydrology and water quality; and hazards, hazardous materials, and risk of upset. Environmental impact

¹ <http://www.trpa.org/governing-board-documents-september-23-2015/> and <http://www.trpa.org/governing-board-documents-july-27-2016/>

conclusions indicate that Area Plan Alternatives 1, 2, and 3 would have roughly equal environmental effects, and each would provide more environmental benefit than Alternative 4 (no project).

Significant and Unavoidable Adverse Impacts: Most adverse effects could be mitigated to less-than-significant levels. However, even with the application of feasible mitigation measures, implementation of one or more of the alternatives would result in significant and unavoidable impacts related to transportation and circulation, air quality, greenhouse gas emissions and climate change, and noise. These impacts are summarized below.

Transportation and Circulation: Roadway and intersection traffic congestion would increase for all alternatives on State Route (SR) 28 in Tahoe City east of the Wye and at the SR 28/Grove Street intersection. Although all alternatives would create a significant and unavoidable impact, the projected increase in vehicle congestion would be less for Alternatives 1, 2, and 3 than it would be for Alternative 4 (no project) because of increased mobility options, such as increased public transit services, provided with the action alternatives.

Air Quality: All alternatives (including Alternative 4) would result in significant and unavoidable impacts related to air quality, GHG, and traffic. Construction resulting from any alternative would result in short-term ROG, NO_x, PM₁₀ and PM_{2.5} emissions that cannot be fully mitigated and would have a significant and unavoidable impact. This is consistent with the air quality analysis included in the Regional Plan Update (RPU) EIS. All long-term or other air quality impacts would be less-than-significant or would be mitigated to a less-than-significant level.

Greenhouse Gas Emissions and Climate Change: GHG emissions resulting from construction activities could be substantial over the build-out period of the Area Plan and Regional Plan. The construction related GHG emissions would be greater than the potential reduction in GHG emissions created by the redevelopment land use patterns prescribed by the four alternatives, and would result in a significant impact that cannot be sufficiently mitigated. This finding is consistent with the RPU EIS analysis for GHGs.

Noise: Lodge Alternative 4 (no project) would result in an increase in traffic noise levels along affected highway transportation corridors. Lodge Alternative 4 would also expose the outdoor activity areas of noise-sensitive land uses to traffic noise levels that exceed applicable Placer County standards. Because mitigation cannot be required of a no-action alternative, this impact would be significant and unavoidable for the purposes of TRPA and CEQA environmental review at the project level for Alternative 4.

Response to Comments on the Draft EIS: Modifications to the Placer County Tahoe Basin Area Plan and the Tahoe City Lodge project were made in response to comments and as a result of ongoing planning refinements since publication of the Draft EIR/EIS. Revisions to the Draft EIR/EIS text were also made in response to comments, or to amplify, clarify, or make minor modifications or corrections to information in the Draft EIR/EIS. The revisions made to the PCTBAP, TCL project and EIR/EIS did not constitute “significant new information” requiring recirculation. The modifications to the Placer County Tahoe Basin Area Plan, Tahoe City Lodge Project, and the EIR/EIS are described in Chapter 2 of the Final EIR/EIS. Substantive modifications to the Area Plan, and revisions or additions to Mitigation Measures required by the EIR/EIS are summarized below.

Revisions to the Area Plan: In addition to clarifying edits and minor corrections, key revisions to the draft Area Plan include the following:

- Added language regarding the prioritization of SEZ restoration projects;
- A new policy related to the Public Trust (Policy R-P-11);
- A new policy to support protection of Tahoe yellow cress (Policy VEG-P-4);
- A new policy related to eradication of non-native terrestrial plants (Policy VEG-P-5);
- A new policy related to adaptive traffic management for highways (Policy T-P-10);
- A new policy requiring development projects to submit a transportation demand management plan (Policy T-P-12);
- A new policy related to parking management strategies (Policy T-P-18);
- A modification to Policy T-P-34 related to pedestrian and bicycle safety;
- A new policy related to parking and transit wayfinding signage (Policy T-P-37);
- A new policy related to future modifications to the county’s Trip Reduction Ordinance (Policy T-P-11);
- A new policy requiring that all new development projects within the Plan area prepare and implement an Emergency Preparedness and Evacuation Plan (EPEP) (Policy N-H-P-6);
- A new policy that incorporates the Placer Operational Area East Side Emergency Evacuation Plan (Policy N-H-P-7);
- Modified language and exhibits regarding the “missing link” of the lakeside trail in Tahoe City to clarify that there are multiple possible alignments, and that the Area Plan does not identify or approve a preferred alignment;
- Removed several allowed uses and clarified the applicability of Conditional Use Permits and Minor Use Permits in specific zoning districts;
- Modified the CFA to TAU conversion program to reduce the maximum number of TAUs that could be created under the program from 400 to 200; and
- Revised the secondary residential unit program to require that secondary residential units on parcels less than an acre be deed-restricted as affordable or moderate income units, and revised the location standards to allow approximately ten additional parcels to qualify for the program.

Revisions to the Final EIR/EIS: In addition to textual edits to clarify, amplify, or make minor modifications to information in the Draft EIR/EIS, mitigation measures were modified or added to the Final EIR/EIS in response to comments:

Scenic Resources

- Mitigation Measure 9-1: Limit visible mass near Lake Tahoe within non-contiguous project areas. This measure was revised to also specify that all non-contiguous project areas must comply with setback standards.

Transportation and Circulation

- Mitigation Measure 10-1a: Construct pedestrian crossing improvements at the Grove Street/SR 28 intersection. This measure was revised to specify that the crossing must be constructed within three years of adoption of the Area Plan.
- Mitigation Measure 10-1b: Establish a County Service Area Zone of Benefit to fund expansion of transit capacity. This measure was expanded to require that the Zone of Benefit provide sufficient funding to expand transit capacity by at least 16 vehicle-hours per day during both the peak summer and winter seasons. The text of the measure was also revised to provide additional detail on how the Zone of Benefit would function.

- Mitigation Measure 10-1d: Expand requirements for transportation demand management plans. This new mitigation measure requires that future development proposals that would employ more than 20 employees or include tourist or recreational uses must prepare Transportation Demand Management Plans.
- Mitigation Measure 10-1e: Prepare and implement a comprehensive wayfinding program for parking and multi-modal transportation. This new mitigation measure requires the preparation of a comprehensive parking and multi-modal transportation wayfinding within one year of Area Plan adoption.
- Mitigation Measure 10-1f: Long-term monitoring and adaptive management of mobility strategies. This new mitigation measure requires that TRPA and Placer County periodically assess the long-term effectiveness of mobility strategies within the Area Plan using monitoring data that is collected by partner agencies.
- Mitigation Measure 10-1g: Four-year review of vehicle trips and mobility strategies. This new mitigation measure requires a review of actual vehicle trips concurrent with the four-year recertification of the Area Plan. If actual vehicle trips exceed the traffic volumes projected in the EIR/EIS, Placer County and TRPA shall revise Area Plan mobility strategies and develop financing mechanisms to implement the new or revised strategies.
- Mitigation Measure 10-1h: Implement TRPA's Congestion Management Process. This new mitigation measure requires that TRPA and Placer County prioritize additional mobility strategies consistent with TRPA's Congestion Management Process, which will be implemented in 2017.

Air Quality

- Mitigation Measure 11-5: Reduce short-term construction-generated TAC emissions. This mitigation measure was revised to clarify the emission standards that must be met by future construction projects in the Plan area.

Greenhouse Gas Emissions

- Mitigation Measure 12-1: Implement all feasible energy, water, transportation, and vegetation measures recommended by PCAPCD. This mitigation measure was revised to clarify that projects may pay fees into ARB carbon offset programs when the offsets are sufficient to mitigate emissions during the full operational life of the project.

Noise

- Mitigation Measure 13-5a: Implement measures to ensure compliance of rooftop terrace activities with Placer County Noise Ordinance standards at the Tahoe Marina Lakefront Property. This new mitigation measure requires that the Tahoe City Lodge project include specific design features to ensure that rooftop activities do not exceed noise standards at the nearby Tahoe Marina Lakefront property.
- Mitigation Measure 13-5b: Implement measures to ensure compliance by outdoor events at the golf course clubhouse with exceedance of Placer County Noise Ordinance standards at nearby residential land uses. This mitigation measure was revised to clarify the noise standards that must be maintained.

Summary/Conclusion:

The County and TRPA have spent the last several years coordinating on the preparation of the Area Plan to ensure that it conforms to the TRPA Regional Plan, focuses on achieving environmental threshold gain and appropriately addresses stakeholder concerns, particularly those concerns related to reducing VMT within the Plan area. The proposed Area Plan contains policies that concentrate development and enhance mobility within the Kings Beach and Tahoe

City Town Centers ensure transit is a viable alternative to automobile travel, and encourage environmentally beneficial redevelopment and restoration of sensitive land. Placer County and TRPA are jointly proposing to adopt the Area Plan, which implements and achieves the environmental improvement, redevelopment, and transportation goals of the TRPA Regional Plan and the TRPA/TMPO Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). Based on the discussion in this staff summary and the analysis within the Area Plan and Tahoe City Lodge Final EIR/EIS, the Area Plan conforms to the TRPA Regional Plan and provides the regulatory framework to achieve environmental threshold gain and foster sustainability within the North Lake Tahoe community over the next 20 years.

Contact Information: If you have any questions or wish to submit comments regarding this agenda item, please contact:

Placer County Tahoe Basin Area Plan:

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Tahoe City Lodge project:

Tiffany Good, Senior Planner: tgood@trpa.org, (775) 589-5283

Attachments:

- A. Placer County Tahoe Basin Area Plan
- B. Final Environmental Impact Report/Environmental Impact Statement (Final EIR/EIS)
- C. Threshold Indicators and Compliance Measures Tables
- D. Findings for Certification of the Placer County Tahoe Basin Area Plan/Tahoe City Lodge Environmental Impact Statement
- E. Required Findings for Adoption of the Placer County Tahoe Basin Area Plan
- F. Ordinance 2017-__
- G. Area Plan Finding of Conformance Checklist

Attachments A, B, and C

Attachments A, B, & C are available on the websites below:

- A. Placer County Tahoe Basin Area Plan:
<https://www.placer.ca.gov/departments/communitydevelopment/envcoordsvcs/eir/tahoebasinap>
- B. Final Environmental Impact Report/Environmental Impact Statement (Final EIR/EIS)
<https://www.placer.ca.gov/departments/communitydevelopment/envcoordsvcs/eir/tahoebasinap>
- C. Threshold Indicators and Compliance Measures Tables
<http://www.trpa.org/advisory-planning-commission-documents-december-7-2016>:

Attachment D
Findings for Certification of the Placer County Tahoe Basin Area Plan/Tahoe City Lodge
Environmental Impact Statement

**Findings for Certification of the Placer County Tahoe Basin Area Plan/Tahoe City Lodge
Environmental Impact Statement**

Pursuant to TRPA Rules of Procedure, certification of the Final Environmental Impact Statement (Final EIS) is defined as a finding that the Final EIS is in compliance, procedurally and substantially, with Article VII of the Compact, Chapter 3 of the Code, and Article 6 of the Rules of Procedure. The following findings, when made affirmatively, certify that the PCTBAP/TCL Final EIS is in compliance with the applicable criteria.

1. Code Section 3.7.1 (see also TRPA Compact VII (a) (1, 3, 4, and 5), and TRPA Compact VII (b)) Preparation of EIS:

When preparing an EIS, TRPA shall:

1. Finding: Utilize a systematic interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and decision making which may have an impact on man's environment.

Rationale: The Final EIS utilizes a systematic interdisciplinary approach which insures the integrated use of the natural and social sciences and the environmental design arts in planning and in decision making which may have an impact on man's environment.

(See Draft EIS Chapter 1 Introduction; Chapter 2 Executive Summary; Chapter 3 Description of Proposed Project and Alternatives; and Chapter 19 Cumulative Impacts).

2. Finding: Study, develop and describe appropriate alternatives to recommended courses of action for any project which involves unresolved conflicts concerning alternative uses of available resources.

Rationale: The Final EIS developed and analyzed a range of policy and project alternatives which are described in Chapter 3 Description of Proposed Project and Alternatives, of the EIS. Pursuant to TRPA requirements for the consideration of alternatives, the Draft EIS evaluates the potential impacts of four different alternatives, which provide a range of policies, approaches, and Lodge project alternatives to accelerate the attainment and maintenance of threshold standards. The Draft Area Plan was reflected in the Draft EIS as "Alternative 1 Proposed Area Plan/Proposed Lodge."

3. Finding: Consult with and obtain the comments of any federal, state or local agency which has jurisdiction by law or special expertise with respect to any environmental impact involved. Copies of such states and the comments and views of the appropriate federal, state and local agencies which are authorized to develop and enforce environmental

standards shall be made available to the public and shall accompany the project through the review processes.

Rationale: The EIS consultant, TRPA staff and Placer County staff consulted with and obtained comments from representative federal, state and local agencies which have jurisdiction by law or special expertise with respect to any environmental impact involved with the Area Plan and Tahoe City Lodge's location and sphere of influence. The Draft EIS was circulated through the California State Clearinghouse of the Governor's Office of Planning and Research and the Nevada State Clearinghouse. In addition, TRPA staff and Placer County staff met with numerous relevant state, federal and local agencies to provide information on the alternatives, answer questions, and solicit written comments. Copies of written comments on the environmental analysis obtained from the various federal, state and local agencies which are authorized to enforce environmental standards have been made available to the public and were reviewed at the various stages of the environmental review and have been incorporated into the Final EIS.

(See Final EIS Chapter 3, Comments and Responses.)

4. Finding: Consult the public during the environmental impact statement process and solicit views during a public comment period of not less than 60 days.

Rationale: TRPA and Placer County used several methods to solicit input on the Draft EIR/EIS. A Notice of Preparation addressing the Area Plan only was initially issued on July 16, 2014, while the Area Plan was still under development. In response to public and stakeholder input, the lead agencies revised and reissued the NOP on June 3, 2015, when the Draft Area Plan was ready for concurrent release. The revised NOP addressed changes to the Area Plan made in response to stakeholder input and the newly added project level environmental review of the Tahoe City Lodge project. The NOP was circulated for 61 days, though August 3, 2015. Five public scoping meetings were held during this NOP scoping period to provide public agencies and the public with the opportunity to learn about the Area Plan and the Tahoe City Lodge project and to provide input on the issues that should be included in the EIR/EIS. Placer County also conducted two public workshops during the NOP period for the same purpose.

The Draft EIR/EIS was released on June 15, 2016 for public review and comment for a 60-day period (ending August 15, 2016). The Draft EIR/EIS was submitted to both the California and Nevada State Clearinghouses; the Draft EIR/EIS and/or a Notice of Availability was distributed directly to public agencies (including potential responsible and trustee agencies), interested parties, and organizations; and the Draft EIR/EIS was made available for review during normal business

hours at various public locations. The Draft EIR/EIS was made available on both Placer County's and TRPA's website. TRPA consulted the public with five public hearings that were held during this time.

(See Final EIS, Section 1.2 – Introduction; Chapter 2 – Corrections and Revisions to Draft EIR/EIS; and Chapter 3 – Comments and Responses.)

5. Finding: Make available to States, counties, municipalities, institutions, and individuals, advice and information useful in restoring, maintaining and enhancing the quality of the region's environment.

Rationale: The final EIS makes available to states, counties, municipalities, institutions and individuals, advice and information useful in restoring, maintaining and enhancing the quality of the Region's environment. Table 2-1 of Chapter 2 of the Draft EIR/EIS summarizes the potential environmental impacts that would result from implementation of Alternatives 1-4 of the Placer County Tahoe Basin Area Plan (PCTBAP) and the Tahoe City Lodge project. Chapters 5-19 of the Draft EIR/EIS describe in detail for each of 14 technical topics the environmental impacts that would result from implementation of Alternatives 1-4 for the PCTBAP and the Tahoe City Lodge project. These sections each contain information relevant to that topic on the regulatory background, affected environment, environmental consequences and feasible mitigation measures that could reduce potentially significant impacts.

(See also Draft EIR/EIS, Executive Summary, Table 2-1, Summary of Resource Topics/Impacts and Mitigation Measures, at pgs. 2-5 to 2-102, and Chapter 19, Cumulative Impacts).

(2) Code Section 3.7.2 (see also TRPA Compact VII (a) (2))

Contents of EIS: An EIS shall include, at a minimum, the following:

1. Finding: Description of project:

Rationale: The Final EIS includes a description of the Project.

(See Draft EIS Chapter 3, Description of Proposed Project and Alternatives; FEIS Chapter 2, Corrections and Revisions to the Draft EIR/EIS)

2. Finding: The significant environmental impacts of the proposed project.

Rationale: The Final EIS includes the identified significant environmental impacts of the proposed PCTBAP and Tahoe City Lodge project. The Draft EIS identified a number of significant and potentially significant environmental effects (or impacts) that each Area Plan and Tahoe City

Lodge alternative would cause or contribute to. These significant effects can generally be avoided or substantially lessened through the adoption of feasible mitigation measures.

(See Draft EIS Chapter 2 Executive Summary, Table 2-1 – Summary of Resource Topics/Impacts and Mitigation Measures and Chapter 19 Cumulative Impacts)

3. Finding: Any significant adverse environmental effects which cannot be mitigated should the project be implemented.

Rationale: Most adverse effects could be mitigated to less-than-significant levels. However, even with the application of feasible mitigation measures, implementation of one or more of the alternatives would result in significant and unavoidable impacts related to transportation and circulation, air quality, greenhouse gas emissions and climate change, and noise. These impacts are summarized below.

Transportation and Circulation: Roadway and intersection traffic congestion would increase for all alternatives on State Route (SR) 28 in Tahoe City east of the Wye and at the SR 28/Grove Street intersection. Although all alternatives would create a significant and unavoidable impact, the projected increase in vehicle congestion would be less for Alternatives 1, 2, and 3 than it would be for Alternative 4 (no project) because of increased mobility options, such as increased public transit services, provided with the action alternatives.

Air Quality: All alternatives (including Alternative 4) would result in significant and unavoidable impacts related to air quality, GHG, and traffic. Construction resulting from any alternative would result in short-term ROG, NO_x, PM₁₀ and PM_{2.5} emissions that cannot be fully mitigated and would have a significant and unavoidable impact. This is consistent with the air quality analysis included in the Regional Plan Update (RPU) EIS. All long-term or other air quality impacts would be less-than-significant or would be mitigated to a less-than-significant level.

Greenhouse Gas Emissions and Climate Change: GHG emissions resulting from construction activities could be substantial over the build-out period of the Area Plan and Regional Plan. The construction related GHG emissions would be greater than the potential reduction in GHG emissions created by the redevelopment land use patterns prescribed by the four alternatives, and would result in a significant impact that cannot be sufficiently mitigated. This finding is consistent with the RPU EIS analysis for GHGs.

Noise: Lodge Alternative 4 (no project) would result in an increase in traffic noise levels along affected highway transportation corridors. Lodge Alternative 4 would also expose the outdoor activity areas of

noise-sensitive land uses to traffic noise levels that exceed applicable Placer County standards. Because mitigation cannot be required of a no-action alternative, this impact would be significant and unavoidable for the purposes of TRPA and CEQA environmental review at the project level for Alternative 4.

(See Draft EIS Chapter 2, Executive Summary; Draft EIS Chapter 3, Table 3-8 Alternatives Comparison; and Final EIS Chapter 2 Corrections and Revisions to the Draft EIS)

4. Finding: Alternatives to the proposed project.
- Rationale: The Final EIS includes an analysis of alternatives to both the PCTBAP and the Tahoe City Lodge projects. See Certification Findings 1(2) above.

(See Draft EIS Chapter 2, Executive Summary; Draft EIS Chapter 3, Table 3-8 Alternatives Comparison; and Final EIS Chapter 2 Corrections and Revisions to the Draft EIS)

5. Finding: Mitigation measures which must be implemented to assure meeting standards of the region.

Rationale: The Final EIS includes an analysis of mitigation measures that must be implemented to assure meeting standards of the region. All required mitigation measures that are specific to the PCTBAP have been incorporated into the Final Draft PCTBAP and Final Draft Implementing Regulations. All required mitigation measures that are specific to the Tahoe City Lodge will be implemented upon acknowledgement of the project permit. In adopting these findings, the Final Draft Area Plan, and the Final Draft Implementing Regulations, the Governing Board hereby adopts and commits to implement the Mitigation Measures as incorporated into the Final Draft Area Plan. The measure incorporated into the Final Draft Area Plan and the Final Draft Implementing Regulations represent binding commitments with which TRPA must comply.

(See Draft EIS Chapter 2 Executive Summary, Table 2-1 Summary of Resource Topics/Impacts and Mitigation Measures; Draft EIS Chapter 19 Cumulative Impacts; and Final EIS Chapter 4, Table 4-1 Mitigation Monitoring and Reporting Program)

6. Finding: The relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity.

Rationale: The Final EIS includes an analysis of the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity.

(See Draft EIS, Chapter 20, Section 20.2, Relationship between the Short-Term Uses of the Environment and the Maintenance and Enhancement of Long-Term Productivity)

7. Finding: Any significant irreversible and irretrievable commitments of resources which would be involved in the proposed project should it be implemented.

Rationale: The Final EIS includes an analysis of any significant irreversible and irretrievable commitments of resources which would be involved in each of the alternatives should they be implemented.

(See Draft EIS, Chapter 20, Section 20.3, Irreversible and Irretrievable Commitments of Resources and Significant Irreversible Environmental Changes)

8. Finding: The growth-inducing impact if the proposed project.

Rationale: The Final EIS includes an analysis of the growth-inducing impact of the alternatives.

(See Draft EIS, Chapter 20, Section 20.1, Growth-Inducing Impacts)

(3) Code Section 3.7.3 (see also TRPA Compact VII(c))

Inclusion of Other Data and Information

1. Finding: An environmental impact statement need not repeat in its entirety any information or data which is relevant to such a statement and is a matter of public record or is generally available to the public, such as information contained in an environmental impact report prepared pursuant to the California Environmental Quality Act or a federal environmental impact statement prepared pursuant to the National Environmental Policy Act of 1969. However, such information or data shall be briefly described in the environmental impact statement and its relationship to the environmental impact statement shall be indicated.

Rationale: The Final EIS refers to the entirety of information and data which are relevant to the preparation of the document and are a matter of public record or are generally available to the public. Such information or data is briefly described in the EIS and its relationship to the EIS is so indicated.

(See EIS and Appendices, including Draft EIS, Chapter 22, References, and Final EIS, Chapter 6, References)

(4) Rules of Procedure 6.13

Draft EIS:

1. Finding: The draft EIS shall include, at a minimum, the elements listed in subsection 3.7.2 of the Code and a list of all federal, state and local agencies or other organizations and individuals consulted in preparing the draft.

Rationale: The Draft EIS includes the elements listed in subsection 3.7.2 of the Code and a list of all federal, state and local agencies or other organizations and individuals consulted in preparing the draft.

(See Section 2 Findings for Subsection 3.7.2 of the Code above regarding contents of the EIS, Section 1(3) Finding above regarding federal, state and local agencies consulted, and Final EIS, Chapter 1, Section 1.3 List of Commenters. Also, Final EIS Chapter 3 Comments and Responses)

2. Finding: Summary: A draft EIS in excess of 30 pages shall include a summary, preferably less than 10 pages in length, which identifies at a minimum: a brief project description; each significant adverse effect with a summary of proposed mitigation measures or alternatives that would reduce or avoid that effect; and areas of controversy known to TRPA.

Rationale: The Draft EIS includes a Summary which includes a brief description of the Proposed Project and Alternatives, including each significant adverse effect with a summary of proposed mitigation measures or alternatives that would reduce or avoid that effect, and areas of controversy know to TRPA.

(See Draft EIS, Executive Summary, pgs. 2-2 to 102)

3. Finding: Comment Period: The draft EIS shall be circulated for public comment for a period not less than 60 days. TRPA may not hold a public hearing in the draft EIS.

Rationale: TRPA made the Draft EIS available to public agencies, citizen groups, and interested individuals for a 60-day public review period, from June 15, 2016 through August 15, 2016. Copies of the Draft EIS were available for public review during normal business hours at TRPA, at four libraries in Placer County, and at the Placer County Planning Services in both Tahoe City, California and Auburn, California. Copies of the Draft EIS were also available for review on TRPA's and Placer County's websites. In addition, the public was consulted with in a series of five public hearings during the public comment period on the Draft EIS.

During the review period, the public was invited to public comment hearings held by TRPA APC, RPIC, and Governing Board as well as the North Tahoe Regional Advisory Council (NTRAC) and the Placer County

Planning Commission. Five public meetings were held to solicit comments on the Draft EIS: (1) TRPA APC Meeting on July 13, 2016; (2) TRPA Governing Board Meeting on July 27, 2016; (3) TRPA RPIC Meeting on July 27, 2016; (4) Placer County Planning Commission Meeting on July 28, 2016; and (5) North Tahoe Regional Advisory Council Meeting on August 11, 2016. The public was asked to provide written or oral comments at the meetings or written comments before closure of the public review period. In response to the call for review and comment, including 9 from public agencies, 9 from stakeholder organizations (including environmental and business organizations), 95 from individuals, and 117 comments during public hearings.

(See Final EIS, Chapter 1 Introduction; Final EIS, Chapter 2 Corrections and Revisions to the Draft EIS/EIS; and Final EIS, Chapter 3 Comments and Responses Section 3.5)

4. Finding: Notice of Comment Period: The comment period shall not commence before the date of publication of a notice in a newspaper whose circulation is general through the region. The notice shall include a brief description of the project or matter under consideration, the date the comment period commences the date by which comments must be received, and that copies of the draft EIS may be obtained by contacting TRPA and are available for public review at TRPA's offices. Copies of the draft EIS shall be mailed to California and Nevada state clearinghouses and appropriate federal agencies, on or before the beginning date of the comment period. Notice of the comment period shall be given to affected property owners pursuant to Article XII of these Rules.

Rationale: The Draft EIS Notice of Comment Period was properly noticed by Placer County and TRPA. All procedures were followed regarding the availability of the Draft EIS for the public's review, and copies of the Draft EIS were mailed to California and Nevada State Clearinghouses and appropriate federal agencies, on or before the beginning date of the comment period. Copies of the Draft EIS were available for public review during normal business hours at TRPA, two libraries in Placer County, and at the Placer County Community Development Resource Agency offices in Tahoe City and Auburn. Copies of the Draft EIS were also available for review on TRPA's and Placer County's websites. Notice of the Draft EIR/EIS was also published in the Sierra Sun on June 17, 2016. Notice of the comment period was given to the public in accordance with Article XII of TRPA's Rules of Procedure; notice to affected property owners was not required.

(See June 15, 2016 Notice of Availability)

5. Finding: Request for Comments: TRPA shall request comments on draft EIS's from any federal, state or local agency which has jurisdiction by law or special expertise with respect to any environmental impact involved.

Notice of a request for comments shall be given by deposit of the request, in the U.S. Mail, first class mail, postage prepaid. Notice shall be given no later than the date the comment period commences. Separate notice under this section is not necessary if notice of the draft EIS has been given to the agency pursuant to subsection 6.13.3 above.

Rationale: TRPA provided notice of the Draft EIS pursuant to subsection 6.13.3, as described in the Section 1(4) Finding above.

(See Final EIS, Chapter 3, Comments and Responses)

(5) Rules of Procedure 6.14

Final EIS:

1. Finding: At the conclusion of the comment period, TRPA shall prepare written responses to all written comments received during the comment period, and may respond to oral or late comments. The response to comments may be in the form of a revision to the draft EIS, or may be a separate section in the final EIS that shall note revisions to the draft EIS, if any. The final EIS shall include, at a minimum: the draft EIS, or a revision; comments received on draft, either verbatim or in summary; the response to comments; and a list of persons, organizations and agencies commenting in writing on the draft EIS.

The final EIS may incorporate by reference computer data recorded on disk, videotape, slides, models and similar items provided summaries of such items are included in the final EIS. The final EIS may also include oral testimony given at APC or Board hearings.

Rationale: At the conclusion of the comment period, TRPA prepared written responses to all written comments received during the comment period, and responded to all oral comments. The Final EIS includes a section (Chapter 2, Corrections and Revisions to the Draft EIR/EIS) that notes revisions to the Draft EIS. Additional revisions to the Draft EIS are incorporated by reference in Final EIS Chapter 3, Comments and Responses where a comment provides information or there is a correction that does not contribute substantively to the environmental analysis. The Final EIS includes:

- (a) List of Commenters (Final EIS, Chapter 1, Section 1.3). This includes a list of persons, organizations and agencies commenting in writing or through oral testimony on the Draft EIS and responses to these comments (Final EIS, Chapter 3 Comments and Responses).
- (b) Revisions and Corrections to the Draft EIS. This chapter notes revisions to the Draft EIS (Final EIS, Chapter 2 Corrections and Revisions to the Draft EIR/EIS).

(c) Public Comments on the Draft EIS. This includes all comments received on the Draft EIS, verbatim as to written comments and oral testimony (Final EIS, Chapter 3 Comments and Responses).

The Final EIS incorporates by reference computer data recorded on disk, videotape, slides, models and similar items and has provided summaries of such items in the Final EIS (See Draft EIS, Chapter 22 References and Final EIS, Chapter 6 References (on disk)).

Attachment E
Required Findings for Adoption of the Placer County Tahoe Basin Area Plan

Required Findings for Adoption of the Placer County Tahoe Basin Area Plan

Required Findings: The following Chapters 3, 4, and 13 findings must be made prior to adoption of the proposed Placer County Tahoe Basin Area Plan (PCTBAP or “Area Plan”):

Chapter 3 Findings: Prior to approving a project for which an EIS was prepared, TRPA shall make either of the following findings for each significant adverse effect identified in the EIS:

1. Finding: Changes or alterations have been required in or incorporated into such project avoid or reduce the significant adverse environmental effects to a less than significant level; or

Specific considerations, such as economic, social, or technical, make infeasible the mitigation measure or project alternatives discussed in the environmental impact statement on the project.

Rationale: The Findings provided in Table E-1 summarize the significant environmental effects presented in the EIR/EIS, the extent to which any applicable revisions would affect the environmental analysis, and a discussion of the rationale supporting these findings. Additional rationale supporting these findings is included below:

The Placer County Tahoe Basin Area Plan and Tahoe City Lodge Project EIR/EIS analyzed the environmental effects of four alternatives, including the proposed project and no project alternative. Separate findings will be made for the Tahoe City Lodge project so that the discussion herein is focused on the PCTBAP. Each of the Area Plan alternatives represented different approaches to implementing the Regional Plan; they differed in the development standards pertaining to redevelopment in Town Centers, the second unit residential program, and substitute standards, among other features. With consideration of the comments received on the Draft EIR/EIS and consultation meetings attended by representatives from TRPA and Placer County, environmental organizations, and other stakeholders, a series of policies and mitigation measures were added to the proposed Area Plan and Final EIR/EIS. These revisions included policies and/or mitigation measures related to traffic level of service, the second unit program, and emergency access and evacuation.

In considering revisions to the proposed Area Plan (i.e., Final EIR/EIS Alternative 1), TRPA has been cognizant of its legal obligation under the Compact to avoid or reduce the significant adverse environmental effects to a less-than-significant level, to the extent feasible. The Governing Board’s discretionary action to incorporate these revisions into the Final PCTBAP involve the consideration of whether the proposed suggestion relates to an environmental effect discussed in the Draft EIR/EIS; if the proposed language represents a clear improvement from an environmental standpoint, over the Draft Area Plan; that the

recommendations are feasible from an economic, technical, and legal standpoint; and that the proposed language is consistent with the objectives of the Area Plan. Chapter 2 of the Final EIR/EIS describes the changes in the proposed Area Plan, which was analyzed as Alternative 1 (as modified in the Final EIR/EIS).

Some comments on the Draft EIR/EIS proposed new mitigation measures or modifications of existing mitigation measures for impacts already found to be less than significant. The Final EIR/EIS reflects TRPA's response to all such proposals. The Governing Board hereby adopts the responses set forth in the Final EIR/EIS. The Governing Board notes that, because many impacts have already been determined to be less than significant, the TRPA need not adopt new or additional mitigation measures with respect to such impacts.

Implementation of any of the Area Plan alternatives would occur in conjunction with land use development and population growth anticipated during the Plan horizon. In response to comments on the Draft EIR/EIS, the Final EIR/EIS included additional mitigation measures or refinements to mitigation measures in the areas of Transportation and Circulation, Greenhouse Gas Emissions, Air Quality, and Scenic Resources. The Final EIR/EIS provided a detailed description of the rationale describing why other recommended measures were infeasible. No additional feasible mitigation is available.

All of the adverse environmental effects associated with the Final PCTBAP may be avoided or reduced to a less-than-significant level with the adoption of the mitigation measures set forth in these findings, with the exception of the following impacts: Impact 10-1, Roadway LOS; Impact 10-3, Intersection LOS; Impact 12-1, Generation of Greenhouse Gas (GHG) Emissions; Cumulative Impact 10-1, Roadway LOS under 2035 Cumulative Scenarios; and Cumulative Impact 10-3, Intersection LOS under Future Cumulative Scenarios.

Placer County and TRPA have prepared the PCTBAP to implement the TRPA Regional Plan and Regional Transportation Plan (RTP), adopted on December 12, 2012, and to implement the Placer County General Plan in the Tahoe Basin portion of Placer County. A key objective of the Regional Plan is to concentrate redevelopment within Town Centers. To achieve this goal, the 2012 Regional Plan provides incentives to encourage such redevelopment within Town Centers in exchange for providing environmental benefits such as improved stormwater controls, public transit facilities, stream environment zone (SEZ) restoration, and the like. This approach, to encourage redevelopment while aiming to achieve environmental threshold gain, has been termed "environmental redevelopment." Regional Plan incentives include allowing increased density and height. The Regional Plan provides that these incentives will be implemented through the adoption of Area Plans by local jurisdictions and TRPA. In accordance with Regional Plan objectives, the proposed Area Plan emphasizes redevelopment within the Kings Beach and Tahoe City Town Centers.

Alternatives Considered

The EIR/EIS evaluated four alternatives to present a reasonable range of options. The range of alternatives considered in the EIR/EIS complies with Article VII (a) (3) of the Tahoe Regional Planning Compact and Section 3.7 of the TRPA Code of Ordinances. Each alternative is potentially feasible, based on relevant economic, environmental, social, technological, and legal factors. The alternatives were presented and accepted by the Regional Plan Implementation Committee (RPIC) at the RPIC Meeting on September 24, 2015. A reasonable range of alternatives that best met the objectives of the PCTBAP, and that offered an environmental advantage over the proposed project by avoiding or reducing at least one significant impact, were selected.

The proposed PCTBAP is evaluated as Alternative 1 (as modified in the Final EIR/EIS). Other alternatives include reasonable variations in features of the Area Plan.

The Alternatives, described in detail below, are:

- Alternative 1 – Proposed Area Plan
- Alternative 2 – Area Plan with No Substitute Standards
- Alternative 3 – Reduced Intensity Area Plan
- Alternative 4 – No Project

A good faith effort was made to evaluate a range of feasible alternatives in the EIR/EIS that are reasonable alternatives to the proposed PCTBAP, even when the alternatives might not fully achieve the PCTBAP objectives or might be more costly. As a result, the scope of alternatives analyzed in the EIR/EIS is not unduly limited or narrow.

The EIR/EIS analyzed Alternatives 1, 2, 3, and 4. The EIR/EIS contains a detailed analysis of the impacts of each of these alternatives including detailed responses to all public comments on the adequacy or completeness of the environmental review. Table 2-1 in the Draft EIR/EIS summarizes the EIR/EIS conclusions concerning the impacts of, and mitigation measures applicable to, each alternative. Minor changes to Table 2-1 are included in Chapter 2, Corrections and Revisions to the Draft EIR/EIS, in the Final EIR/EIS. The EIR/EIS analysis of the alternatives is summarized as follows:

Alternative 1 – Proposed Area Plan

Alternative 1 reflects the county's proposed Area Plan. The proposed Area Plan incorporates substantive standards from the existing Placer County planning documents, but proposes targeted changes primarily in the Kings Beach and Tahoe City Town Centers. The proposed Area Plan includes measures that would allow the county to manage and plan development in accordance with requirements of the 2012 Regional Plan. The types of measures include: redevelopment incentives for Town Centers; mixed-use development in Town Centers and other areas designated for commercial uses; and updated design and parking standards. The Area Plan would also result in changes to the TRPA Code of Ordinances, and land use and zoning map changes.

The Final Area Plan (Alternative 1 as modified in the Final EIR/EIS) would result in six beneficial impacts, 88 less-than-significant impacts, five significant or potentially significant impacts that would be reduced to less-than-significant levels with mitigation, and five significant and unavoidable impacts. Alternative 1 would also result in environmental benefits that are not indicated by the impact conclusions, such as restoration of SEZ areas, preservation of open space, and environmental enhancement requirements for development within special planning areas. Alternative 1 would also have the most beneficial environmental impacts of all the alternatives and would best meet the project objectives of implementing the Regional Plan.

The Area Plan will implement the TRPA Lake Tahoe Regional Plan adopted in December 2012, for the Placer County portion of the Tahoe Basin, in the following ways, including but not limited to:

- The Area Plan will help to achieve environmental threshold gain, consistent with the objectives of the TRPA Lake Tahoe Regional Plan.
- The Area Plan focuses on improving the environment by reducing regional vehicle miles traveled (VMT); increasing mobility; expanding and enhancing transit; increasing SEZ restoration; decreasing the pollutant load carried in stormwater runoff in Town Centers; increasing public access to Lake Tahoe, public lands, and recreation areas; and reversing blight.
- The Area Plan will create a positive environment for private investment that is critical to achieving environmentally beneficial redevelopment in North Lake Tahoe while limiting sprawl.
- The Area Plan will help foster sustainable communities within North Lake Tahoe where the citizens can live, work, and play.

Alternative 2 – Area Plan with No Substitute Standards

Alternative 2 was developed in response to scoping comments concerned with the potential environmental effects of the substitute standards included in the proposed Area Plan. Rather than creating new development standards, Alternative 2 uses existing TRPA standards. This alternative would not include any new programs or Code revisions that were not specifically anticipated in the Regional Plan and analyzed in the RPU EIS.

Alternative 2 would result in five beneficial impacts, 89 less-than-significant impacts, four significant or potentially significant impacts that would be reduced to less-than-significant levels with mitigation, and five significant and unavoidable impacts. This alternative would result in the same significant and unavoidable impacts as Alternative 1 in the areas of Transportation and Circulation and Greenhouse Gas Emissions and Climate Change. Thus, this alternative would not avoid any of the significant and unavoidable impacts of the proposed Area Plan (Alternative 1). This alternative contributes incrementally less greenhouse gas emissions than for the PCTBAP.

The Area Plan with No Substitute Standards would further most of the Area Plan objectives. Alternative 2 differs from the project in that it would not include a

Tahoe City Town Center boundary change, new special planning areas and related environmental enhancement requirements such as additional SEZ restoration requirements, allow for conversion of commercial floor area (CFA) to Tourist Accommodation Units (TAUs), or development on non-contiguous parcels in Town Centers.

This alternative does not reduce the significant and unavoidable impacts of the PCTBAP and it would result in fewer beneficial effects.

Alternative 3 – Reduced Intensity Area Plan

Alternative 3 includes all the elements of Alternative 1, the proposed project, but certain aspects have been modified to respond to scoping comments related to potential effects on scenic resources, water quality, air quality, and affordable housing.

Alternative 3 would result in five beneficial impacts, 89 less-than-significant impacts, five significant or potentially significant impacts that would be reduced to less-than-significant levels with mitigation, and five significant and unavoidable impacts. This alternative would result in the same significant and unavoidable impacts as Alternative 1 in the areas of Transportation and Circulation and Greenhouse Gas Emissions and Climate Change. Thus, this alternative would not avoid any of the significant and unavoidable impacts of the project, although this alternative would incrementally reduce greenhouse gas emissions as compared to the project, and add incrementally more roadway congestion between the Tahoe City Wye and Grove Street and at the SR 28/Grove Street Intersection, than for Alternative 1.

The Reduced Intensity Area Plan Alternative would further most of the Area Plan objectives. It would also be feasible to implement. Alternative 3 primarily differs from the project in that it would limit coverage to a maximum of 50 percent in Town Centers and would reduce maximum heights and number of stories in Town Centers relative to Alternative 1 (proposed Area Plan). It would also result in significant and unavoidable impacts similar to the PCTBAP.

This alternative does not reduce the significant and unavoidable impacts of the PCTBAP and it would result in fewer beneficial effects.

Alternative 4 – No Project

Alternative 4 is the no project alternative. This alternative would include no Area Plan. The existing six community plans, 51 Plan Area Statements (PASs), and Placer County zoning regulations would remain unchanged.

Alternative 4 would result in one beneficial impact, 83 less-than-significant impacts, and 10 significant and unavoidable impacts. The No Project Alternative would have impacts generally similar to the PCTBAP, but without a mechanism for mitigation, future environmental conditions without the PCTBAP would be worse. This alternative would result in the same significant and unavoidable impacts in the areas of Transportation and Circulation and Greenhouse Gas

Emissions and Climate Change, but would also result in an additional five significant and unavoidable impacts, including additional impacts in the areas of Transportation and Circulation and Air Quality. Because mitigation cannot be required of a no project alternative, these impacts would be significant and unavoidable.

This alternative does not reduce the significant and unavoidable impacts of the PCTBAP; it would result in five additional significant and unavoidable impacts, and would result in fewer beneficial effects.

Chapter 4 Findings:

1. Finding:

The following findings must be made prior to adopting the PCTBAP:

The proposed Area Plan 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.

Rationale:

Land Use Policy 4.6 of TRPA's Goals and Policies encourages the development of Area Plans that improve upon existing PASs and Community Plans or other TRPA regulations to be responsive to the unique needs and opportunities of the various communities in the Tahoe Region. The PCTBAP includes all required elements identified in Land Use Policies 4.8, 4.9 and 4.10 as demonstrated in the Area Plan Finding of Conformance Checklist.

The PCTBAP was prepared in conformance with the substantive and procedural requirements of the Regional Plan Goals and Policies, as implemented through TRPA Code of Ordinances, Chapter 13: *Area Plans*. The PCTBAP is consistent with and furthers the Goals and Policies of the 2012 Regional Plan and Code, as shown in the Area Plan Finding of Conformance Checklist and as demonstrated by the EIR/EIS. The PCTBAP contains the required contents of an Area Plan and when implemented, it will have a beneficial impact on the Regional Plan's ability to achieve and maintain the thresholds; see Chapter 4 and 13 findings, below.

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 conditions 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 environmental review documents 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 consistent with compliance measures, indicators, and targets. 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 PCTBAP) on these items, if any, are identified and to the extent possible, described. TRPA cannot identify some target dates, status and trends 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 PCTBAP EIR/EIS, the 2015 Threshold Evaluation Report, the 2012 RPU EIS, the 2012 RTP EIR/EIS, the RPU and RTP findings made by TRPA in December 2012, Section 4.4.2 staff analysis, and using applicable measurement standards consistent with the available information, the PCTBAP 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 PCTBAP incorporates and/or implements relevant compliance measures, and with the implementation of the measures with respect to development within the PCTBAP, the effects are not adverse, and with respect to some measures, are positive. (See PCTBAP Threshold Indicators and Compliance Measures Worksheets.) Furthermore, TRPA anticipates that implementation of the PCTBAP will accelerate threshold gains as demonstrated below.

Because the principal beneficial environmental effects of implementation of the PCTBAP depend upon the number, design, and location of redevelopment projects, the utilization of transfer provisions and SEZ restoration, and available funding for the implementation of identified implementation projects, the specific extent and timing or rate of these beneficial effects of the PCTBAP cannot be determined at this time. However, pursuant to Code Chapter 13: *Area Plans*, TRPA will monitor all development projects within the Plan area through annual compliance reports. These reports will be presented to the Governing Board annually for Area Plan review and used every four years to consider Area Plan recertification and to assist with the evaluation of the status and trends of thresholds.

Code 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, and tourist accommodation units). As described in the accompanying staff report, the PCTBAP includes a pilot program that would allow limited conversions of CFA to TAUs. Conversions would be allowed at a rate of 450 square feet (sq. ft.) of CFA to one TAU, with a total maximum of up

to 200 TAUs. This conversion program is allowed as a substitute standard pursuant to Code Section 13.5.2, and it was evaluated in the PCTBAP EIR/EIS, which identified no significant environmental impacts that would result from implementation of the program. The PCTBAP does not otherwise affect the cumulative accounting of units of use as no additional residential, commercial, tourist, or recreation allocations are proposed to be allocated as part of this Regional Plan amendment. For specific development projects proposed within the PCTBAP, accounting for units of use, resource utilization and threshold attainment will occur as a part of the project 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 EIS for the Regional Plan and EIR/EIS for the Regional Transportation Plan. As documented in the PCTBAP Draft EIR/EIS, Chapter 16, *Public Services and Utilities*, the PCTBAP would not result in significant impacts related to public service or utility demand and does not affect the amount of the remaining capacities available, identified, and discussed in the RPU EIS. The PCTBAP does not allocate capacity or authorize any development. To the extent the PCTBAP enables the use of redevelopment incentives, those incentives are within the scope of the incentives analyzed by the PCTBAP EIR/EIS, RPU EIS, and RTP EIR/EIS.

TRPA therefore finds that the PCTBAP is not only consistent with, but will help further the implementation of the Regional Plan, including all applicable Goals and Policies, PASs and maps, the Code, other TRPA plans and programs, and will facilitate environmental threshold attainment and gain.

2. Finding: The proposed Area Plan will not cause the environmental threshold carrying capacities to be exceeded.

Rationale: As demonstrated in the PCTBAP EIR/EIS, no significant environmental effects were identified as a result of the proposed PCTBAP that would not occur without adoption of the Area Plan. The PCTBAP identified significant and unavoidable impacts related to vehicle level of service (LOS) and greenhouse gas emissions, however the EIR/EIS did not find any TRPA thresholds that would be adversely affected or exceeded. As found above, and described below, the proposed Area Plan is consistent with and will help to implement the 2012 Regional Plan and facilitate environmental threshold attainment and gain.

TRPA staff have reviewed the proposed PCTBAP against the 222 compliance measures and supplemental compliance measures, 178 indicators and additional factors that measure threshold progress and threshold target, and interim attainment dates. This review found that the PCTBAP will not adversely affect applicable compliance measures, indicators, additional factors and supplemental compliance measures and target dates as identified in the 2015 Threshold Evaluation Report. Implementation of the PCTBAP will accelerate threshold gains as described below. Because the principal beneficial impacts of implementation of the PCTBAP depend upon the number, location, and design

of redevelopment projects, utilization of transfer provisions, and funding for identified implementation projects, the specific extent and timing or rate of effects of the PCTBAP cannot be determined at this time. However, pursuant to Chapter 13: *Area Plans*, TRPA will monitor all development projects within the PCTBAP through annual reports. These reports will then be used to support recertification of the Area Plan and to evaluate the status and trend of the thresholds every four years.

Because the PCTBAP was evaluated in a joint EIR/ EIS that found that the PCTBAP would not cause thresholds to be exceeded, and because the PCTBAP includes an ongoing monitoring, evaluation, and recertification provision; TRPA finds that the PCTBAP will not cause the environmental threshold carrying capacities 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) PCTBAP EIR/EIS, (2) RPU EIS, (3) RTP EIR/EIS, and (4) 2015 Threshold Evaluation Report, adopted or issued by the Governing Board, no applicable federal, state or local air or water quality standard will be exceeded by adoption of the PCTBAP. The proposed Area Plan does not affect or change Federal, state or local air or water quality standards applicable for the Region. Projects developed under the PCTBAP will be required to meet the strictest applicable air or water quality standards and implement water quality improvements consistent with TRPA best management practices (BMP) requirements, the Lake Tahoe Total Maximum Daily Load (TMDL), and the county's Pollutant Load Reduction Plan (PLRP). Federal, state, and local air and water quality standards remain applicable for all parcels in the PCTBAP, thus ensuring environmental standards will be achieved or maintained pursuant to the Tahoe Regional Planning 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 to "achieve and maintain" these thresholds, and to "continuously review and maintain" implementation of the plan.

The 1980 Compact instated 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 these thresholds over time. In 1987, following years of negotiation and litigation, TRPA adopted its Regional Plan. The 1987 plan employed a three-pronged approach to achieve and maintain the adopted environmental standards. First, the plan established a ceiling on development in the Region 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. 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 Plan. Contemporary 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 Basin 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 maintained 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 facilitates transferring existing development from outlying, environmentally-sensitive areas into existing developed 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, pursuant to Chapter 13: *Area Plans* of the TRPA Code of Ordinances, for local jurisdictions in the Lake Tahoe Region in order to address the local issues and opportunities of unique communities in the Region, and to eliminate duplicative and unpredictable land use regulations that deterred improvement projects. Chapter 13 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 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 PCTBAP fulfills the role anticipated by the RPU and the expected threshold gain resulting from its implementation.

II. PCTBAP and Threshold Gain

The PCTBAP accelerates threshold gain, including water quality restoration and other ecological benefits, by supporting environmental redevelopment opportunities and EIP investments. The PCTBAP retains the Regional Plan established growth control system and provides incentives for property owners to hasten the transfer of development rights from sensitive lands or from outlying areas to the Town Center where redevelopment is better suited and will have beneficial or reduced adverse environmental impacts. The PCTBAP will help to promote environmental redevelopment within existing developed areas by allowing increased density and height within the Tahoe City and Kings Beach Town Centers (within the sideboards established under the Regional Plan) to serve as an incentive for private investment in redevelopment projects.

Significant threshold gain will result from the application of existing Codes and requirements for individual projects, as well as through the application of new environmental requirements embedded within the PCTBAP. 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 PCTBAP provisions.

The PCTBAP's proposed 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. The Special Planning Areas designated in the PCTBAP include new incentives and requirements for SEZ restoration and mobility improvements that will benefit the soil conservation, water quality, air quality, and recreation thresholds. Redevelopment of Town Centers is identified in the Regional Plan as a high priority, as many of the Region's environmental problems can be traced to existing developments that were constructed without recognition of the sensitivity of the Region's natural resources and impacts to Lake Tahoe. To correct this, environmentally beneficial redevelopment and rehabilitation of identified urban centers is a priority, and the policies, regulations, and implementation projects identified in the PCTBAP, along with application of existing county and TRPA codes and regulations encourage environmentally beneficial redevelopment and rehabilitation.

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

A. Water Quality

The PCTBAP benefits water quality thresholds by continuing to require installation of on-site BMPs and encouraging the development of area-wide BMPs to further BMP compliance, implementing water quality improvement projects, requiring additional SEZ restoration in Special Planning Areas, and facilitating the transfer and permanent retirement of development from sensitive lands. Under the PCTBAP, Placer County will also continue to implement projects under the county's PLRP. As provided in Part 2, "Conservation Plan," the PCTBAP includes the following policies to promote water quality threshold attainment:

WQ-P-1 Continue to participate in the Lake Tahoe Total Maximum Daily Load (TMDL) program, maintain Pollutant Load Reduction Plans (PLRPs), and implement the identified pollutant load reduction measures.

WQ-P-2 Continue to participate in the Lake Tahoe Environmental Improvement Program (EIP) and coordinate with other agencies to identify and secure funding for water quality improvement projects.

WQ-P-3 Continue to prioritize and seek funding assistance for the installation and long-term maintenance of Water Quality Best Management Practices (BMPs).

WQ-P-4 Reduce pollutant loading to Lake Tahoe by implementing incentives for redevelopment within Town Centers and the transfer of development to Town Centers in accordance with the Regional Plan.

WQ-P-5 Pursue Area-Wide water quality treatment districts in coordination with involved property owners and in accordance with the Regional Plan and TMDL. Within an approved district, water quality facilities may be jointly managed in lieu of certain parcel-specific BMP requirements. Priority will be given to sites with interested property owners, in high pollution loading catchments, on SEZ lands and within Town Centers.

WQ-P-6 Evaluate the feasibility of establishing one or more public stormwater districts to construct and maintain water quality improvements.

WQ-P-7 Implement the recommendations outlined in the Pollutant Load Reduction Plan (PLRP) to achieve the Lake Tahoe TMDL five-year load reduction target for year 2016.

WQ-P-8 Collaborate with the Lahontan Regional Water Quality Control Board to update and refine the Pollutant Load Reduction Strategy for load reduction targets beyond the year 2016 and update the Pollutant Load Reduction Plan as necessary to achieve the Lake Tahoe TMDL load reduction targets. The Placer County Tahoe Basin Area Plan hereby incorporates by reference all, monitoring, operations and maintenance, and reporting required by the county's NPDES permit, the adopted Pollutant Load Reduction Plan and the Stormwater Management Plan, which will also be utilized by TRPA in the 4-year Area Plan recertification process pursuant to TRPA Code Sections 13.8.2 and 13.8.5

WQ-P-9 All TRPA policies, ordinances and programs related to Water Quality will remain in effect.

The inclusion of these policies in the PCTBAP, as well as implementation strategies, (such as improved street sweeping and the use of specialized road abrasives) aimed at protecting water quality would benefit accelerated attainment and maintenance of the water quality thresholds. As discussed in Chapter 15, *Hydrology and Water Quality*, of the PCTBAP Draft EIR/EIS, the county also analyzed the impacts of concentrating development within the Area Plan's Town Centers on water quality using the Pollutant Load Reduction Model (PLRM), which is the model that was used to inform the Lake Tahoe TMDL. The modelling found that pollutant loadings to surface waters would be reduced overall when compared to baseline conditions. This reduction is due primarily to BMP implementation requirements that apply to redevelopment projects. Overall, the EIR/EIS found that the water quality impacts of concentrating development in Town Centers and removing development from outlying areas would be beneficial. (PCTBAP Draft EIR/EIS, Pages 15-28.)

B. Air Quality

The Tahoe Basin has made air quality gains. The majority of air quality indicators in the Lake Tahoe Basin were at or better than attainment with adopted thresholds and standards. In total 15 of 16 indicators were in attainment with almost all having improving trends. Two indicators had insufficient data to make a determination (2015 Threshold Evaluation Report,

Chapter 3, *Air Quality*). Federal and state tailpipe and industrial emission standards have likely contributed to this achievement along with local projects which delivered walkable, transit-friendly improvements such as the Heavenly Gondola (See 2011 Threshold Evaluation Report at pages 3-14, 3-16, and 3-18; Yang et al. 2010, Park Avenue/U.S. 50 Redevelopment Phase 1, Case Study, available at: <http://lafoundation.org/myos/my-uploads/2012/10/31/park-ave-methodology.pdf>). The Regional Plan and Regional Transportation Plan include a suite of strategies to help the Region meet air quality threshold standards (TRPA Goals and Policies: Air Quality Subelement at pages 2-33 to 2-35; Regional Transportation Plan Chapter 3, *Sustainable Communities Strategy*, Chapter 5, *Transportation Management Programs*, Chapter 6, *Funding and Implementation Strategy*). While there are many programs and policies that contribute to air quality threshold attainment, the two primary regional strategies are:

- 1) Supporting environmental redevelopment. Land Use policies outlined in the Regional Plan support clustering population and employment in compact Town Centers that are well served by transit, pedestrian, and bicycle infrastructure. The Regional Plan achieves this by incentivizing redevelopment and transfers of development from outlying and sensitive areas into existing Town Center areas. (TRPA Goals and Policies: Chapter 2, *Land Use*.)
- 2) Creating walkable communities and increased alternative transportation options. The Regional Plan and the Regional Transportation Plan: Mobility 2035, outlines the policies, programs and projects that provide a transportation system that supports this compact form of development and that will help to create an environment where walking, biking, and transit are convenient modes of transportation. (Mobility 2035: Funding and Implementation Strategy Chapter, page 6-1; Goals and Policies, page 2-1.)

The combination of compact land-uses and convenient, diverse transportation options is intended to allow more travel to be conducted on foot, by bike, or by transit, resulting in fewer and shorter vehicle trips per person and reducing negative impacts to air quality associated with motor vehicle travel. The benefits of these two strategies are further articulated in the Sustainable Communities Strategy chapter of Mobility 2035 (page 3-1). Additionally, the RPU EIS and Regional Transportation Plan EIR/EIS demonstrated that the combination of improvements would allow the Region to achieve and maintain air quality thresholds, including the vehicle miles traveled (VMT) threshold (see Regional Plan Update Draft EIS, Chapter 3.3: *Transportation*, and Chapter 3.4: *Air Quality*; Regional Transportation Plan Draft EIR/EIS, Chapters 3.3: *Transportation* and Chapter 3.4: *Air Quality*).

The approved Area Plans will represent an integral component of implementing these 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 PCTBAP lead to implementation of

the Regional Plan, they directly contribute to achieving and maintaining the Air Quality threshold.

The PCTBAP, Part 5: *Transportation Plan* includes policies and implementation measures that will improve the pedestrian and bikeway system, expand transit options, connect different travel modes, reduce VMT, improve air quality, and ensure the attainment of air quality standards. For example, PCTBAP policy T-P-1 requires that the county “Encourage use of non-auto modes of transportation by incorporating public transit, bicycle, and pedestrian travel amenities in transportation projects and other projects that impact or connect to the transportation network.” Policies T-P-2 through T-P-37, support attainment of the air quality thresholds by addressing the transportation network, parking, transit, pedestrian use, and bicycle facilities.

The PCTBAP also encourages a greater mixing of uses, which will result in fewer and shorter vehicle trips and associated improvements in air quality and traffic as research indicates that mixing of multiple uses can reduce daily vehicle trips over 20 percent (Sperry, B. R., Internal Trip Capture for Mixed-Use Developments, Texas A&M University, Presentation at 2007 Winter TextITE Meeting). The PCTBAP EIR/EIS evaluated the effects of the Area Plan’s land use pattern on transportation and circulation and made the following determination: “[the PCTBAP] would reduce vehicle miles traveled (VMT) as compared with the baseline condition, due to the more compact land use pattern and mobility improvements. As a result, the PCTBAP Draft EIR/EIS determined that Alternative 1 would have a beneficial impact related to VMT, and the alternative would promote continued attainment and maintenance of TRPA’s VMT threshold standard.” (PCTBAP Final EIR/EIS, page 3.1-2).

Furthermore, the PCTBAP encourages redevelopment of older buildings with newer, more energy efficient buildings that take advantage of new provisions in the California Green Building Code to improve air quality and ensure the attainment of air quality standards. The PCTBAP EIR/EIS evaluated the long-term emissions from operation of buildings consistent with PCTBAP policies and found that it would “result in a substantial net decrease in operational emissions of ROG, NOx, and CO...” (PCTBAP Draft EIR/EIS, page 2-25).

As described above, the PCTBAP includes new provisions that will build upon existing provisions of the Regional Plan and will support accelerated attainment and maintenance of air quality thresholds.

C. Soil Conservation

The Soil Conservation environmental thresholds include standards for each Land Capability District (LCD) and a standard for SEZs. The LCD standards are all in attainment (at or better than target, i.e. Bailey LCD limitations) with the exception of LCD 1b, which is considerably worse than target with a trend toward moderate improvement, and LCD 2, which is somewhat worse than target with little to no change. The SEZ standard, “Preserve and Restore Stream Environment Zones” is described as Considerably Worse than Target with a

trend toward moderate improvement. The threshold for SEZs is as follows: Preserve existing naturally functioning SEZ lands in their natural hydrologic condition, restore all disturbed SEZ lands in undeveloped, unsubdivided lands, and restore 25 percent of the SEZ lands that have been identified as disturbed, developed or subdivided, to attain a 5 percent total increase in the area of naturally functioning SEZ lands.

The Goals and Policies in the Regional Plan that provide direction for attainment of the SEZ Threshold are contained in the SEZ, Soils, and Land Use Subelements. (TRPA Goals and Policies: Chapter 4: *Conservation* at pages 4-14 to 4-16 and 4-24 to 4-27; TRPA Goals and Policies Chapter 2: *Land Use* at pages 2-2 to 2-19.) The SEZ Subelement currently contains one goal and eight associated policies. The goal calls for the long-term preservation, enhancement, and restoration of SEZ lands as a means of achieving various environmental thresholds. The policy statements direct the restoration, preservation, and management of SEZ lands by setting numeric goals for restoration of degraded/developed SEZ lands and requiring their protection and management for natural functions and values.

The TPRA Code implements this policy and includes regulatory strategies and measures to achieve the goals listed in the SEZ Subelement of the Regional Plan. The PCTBAP includes all existing TRPA SEZ protections and policies for enhancement designed to achieve threshold gain, as well as new provisions to help accelerate SEZ restoration. Part 2, *Conservation Plan*, of the PCTBAP includes the following policies regarding SEZs and land coverage:

S-P-1 Pursue coverage removal projects in coordination with the EIP and TMDL programs, the California Tahoe Conservancy, and other partner agencies. Priority will be given to sites in high pollution loading catchments and SEZ lands.

S-P-2 Accelerate sensitive land coverage removal and mitigation by implementing incentives for redevelopment within Town Centers and the transfer of development from SEZs and other sensitive lands to Town Centers in accordance with the Regional Plan.

S-P-3 Pursue Area-Wide land coverage management districts in coordination with involved property owners and in accordance with the Regional Plan. Within a district, area-wide coverage standards may be substituted for certain parcel level standards. Priority will be given to sites with interested property owners, in high pollution loading catchments and within Town Centers.

S-P-4 Update parking standards to more efficiently utilize parking lots and minimize land coverage.

S-P-5 All TRPA policies, ordinances and programs related to Land Coverage will remain in effect.

In addition to the policies above, Part 8, *Implementation Plan* of the PCTBAP includes specific projects that will reduce land coverage in SEZs. Through

implementation of these policies and projects, the PCTBAP will move the Soil Conservation standards for LCD 1b and 2 lands and the preservation and restoration of SEZs closer to attainment.

D. Scenic Quality

The Tahoe Basin continues to make gains in scenic quality (2015 Threshold Evaluation Report: Chapter 9: *Scenic Resources*.) All six of the scenic threshold categories are overall in attainment, with two categories showing an improving trend (2015 Threshold Evaluation Report, page ES-3). As described in the RPU EIS (at page 3.9-17), the increasing trend in scenic quality is primarily due to redevelopment activities that replace old structures with updated, more scenically compatible design and the undergrounding of utilities. Examples of documented scenic improvement from redevelopment activities include the Heavenly Village/Gondola, the Chateau, and South Lake Tahoe Safeway projects.

The following policies have been included in the PCTBAP to ensure environmental redevelopment and other activities pursuant to the PCTBAP contribute toward attainment of scenic thresholds:

SR-P-1 Continue to participate in the Lake Tahoe Environmental Improvement Program (EIP) and coordinate with other agencies to identify and secure funding for projects that improve scenic quality.

SR-P-2 Accelerate scenic resource improvement by implementing incentives for redevelopment within Town Centers and the transfer of development from outlying areas to Town Centers in accordance with the Regional Plan.

SR-P-3 Support undergrounding of overhead utility lines on a project-by-project basis, as well as through established Underground Districts.

SR-P-4 Protect and enhance existing scenic views and vistas.

SR-P-5 Implement site and building design standards to protect and enhance scenic views from Town Centers and nearby areas.

SR-P-6 Manage development located between designated scenic corridors and Lake Tahoe to maintain and improve views of Lake Tahoe from the corridors.

SR-P-7 Prioritize scenic improvement efforts at the gateways to Lake Tahoe in Tahoe City and Kings Beach.

SR-P-8 All TRPA policies, ordinances and programs related to Scenic Quality will remain in effect.

SR-P-9 To ensure viewshed protection and compatibility with adjacent uses, new construction of buildings must not project above the forest canopy, ridgelines, or otherwise detract from the viewshed.

In addition to the policies noted above, the PCTBAP identifies specific scenic quality improvement projects in Part 8: *Implementation Plan*. It should also be noted that while the incentives provided by the PCTBAP will likely result in increased rates of redevelopment in Centers and thereby help achieve and maintain scenic quality thresholds within the Centers, the transfer incentives of the Regional Plan will also beneficially affect scenic quality outside of the Centers. As discussed in the RPU DEIS (at page 3.9-22), transfer incentives will pull units from outside the urban centers into the urban centers. The removal and restoration of sending parcels to a natural condition will improve scenic quality of those outlying areas, potentially aiding scenic threshold achievement and maintenance.

As described in the PCTBAP Draft EIR/EIS and in the accompanying TRPA Conformance Checklist for the PCTBAP, the Area Plan includes detailed design standards and guidelines that will enhance the aesthetic character of the built environment and contribute to accelerated attainment and maintenance of the scenic quality thresholds. For the reasons described above, the Regional Plan as amended by the PCTBAP will result in accelerated attainment and maintenance of the scenic quality thresholds.

E. Vegetation

The Regional Plan and partner agencies have successfully protected sensitive plant species and kept those thresholds in attainment (2015 Threshold Evaluation Report: Chapter 6, *Vegetation Preservation*). A few uncommon plant communities fell short of attainment primarily because of non-native species.

Aquatic invasive species, noxious weeds, and beaver were identified as potential threats to the integrity of uncommon plant communities. Progress is being made on fuels reduction and forest ecosystem restoration. (2015 Threshold Evaluation Report: Chapter 6, *Vegetation Preservation*; Environmental Improvement Program Accomplishments 1997-2012 available at: http://www.trpa.org/wp-content/uploads/EIP_1pager_Summit2013_FINAL2.pdf).

The PCTBAP maintains Regional Plan programs related to vegetation and adds the following policies:

VEG-P-1 Pursue vegetation enhancement projects in coordination with the EIP and TMDL programs, the California Tahoe Conservancy, and other partner agencies. Priority will be given to disturbed sites with rare or threatened vegetation, in high pollution loading catchments, and in SEZs.

VEG-P-2 Support forest enhancement projects being completed by land management agencies and fire districts, including selective cutting and controlled burning projects that improve forest health and reduce the risk of catastrophic wildfire.

VEG-P-3 Accelerate the restoration of native vegetation by implementing incentives for redevelopment within Town Centers and the transfer of development from SEZs and other sensitive lands to Town Centers in accordance with the Regional Plan.

VEG-P-4 Support protection of the Tahoe yellow cress (*Rorippa subumbellata*) species consistent the Tahoe Yellow Cress Conservation Strategy.

VEG-P-5 Coordinate interagency efforts to detect and eradicate non-native terrestrial plants.

VEG-P-6 All TRPA policies, ordinances and programs related to Vegetation will remain in effect.

In addition to the policies described above, specific vegetation improvement projects are described in Part 8: *Implementation Plan*. Specific regulations are outlined in the Area Plan Implementing Regulations. The PCTBAP EIR/EIS determined that no significant impacts to vegetation would occur as a result of implementing the PCTBAP (PCTBAP Draft EIR/EIS, Table 2-1). For these reasons, the PCTBAP would accelerate the attainment and maintenance of vegetation thresholds.

F. Recreation

Both Recreation Thresholds have been implemented and are in attainment. (2015 Threshold Evaluation Report: Chapter 11, *Recreation*.) TRPA partners have made substantial progress in upgrading recreational facilities through the EIP. (2015 Threshold Evaluation Report at pages 11-11 to 11-16.)

The PCTBAP includes a recreation plan as part 6. This recreation plan incorporates Regional Plan policies, describes the inter-agency recreation management framework, describes a recreation strategy, and includes existing and planned recreation facilities. The PCTBAP, recreation plan includes the following policies that support continuous maintenance and improvement of the recreation thresholds:

R-P-1 Continue to manage recreation facilities and uses in accordance with the Regional Plan.

R-P-2 Continue to enhance recreation facilities through coordinated interagency planning and funding programs.

R-P-3 Ensure that recreational opportunities are available and accessible to visitors of all income levels.

R-P-4 Support the funding, construction, and maintenance of the multi-use bike trails identified in the Plan area.

R-P-5 Encourage funding and perform selective snow clearing of trails, particularly in high use areas, to enhance the “year-round” economy.

R-P-6 Protect and support existing public beach access as well as secure additional public access rights as opportunities arise.

R-P-7 Utilize all appropriate opportunities (land acquisition, obtaining easement rights, etc.) to increase opportunities for public access to the shoreline of Lake Tahoe.

R-P-8 Coordinate with State Parks and the California Tahoe Conservancy on management, operations, and maintenance of beaches within the Plan area.

R-P-9 Enhance winter recreational opportunities and improve access for cross country and back country skiers.

R-P-10 Prohibit snowmobile uses in important wildlife habitat, including Page Meadows.

R-P-11 Continue to protect and support the Public Trust as it relates to the shores of and access to Lake Tahoe, including various undeveloped public right-of-way/easements for lake access.

The PCTBAP EIR/EIS evaluated the effects of the Area Plan on recreation and determined that it would have no significant adverse effects on recreation. The EIR/EIS also found that the PCTBAP would have a beneficial effect on public access to Lake Tahoe, public lands, and recreation areas. The EIR/EIS found that the PCTBAP would result in recreation improvements including “proposed hiking trails, bike trails, beach access, improved parking, and alternative transportation programs that would improve access for pedestrians, bicyclists, transit riders, and drivers” (PCTBAP Draft EIR/EIS, page 2-53). The PCTBAP’s access improvements are consistent with recommendations to improve attainment and maintenance of the recreation thresholds related to the quality of the recreation experience and access to recreational opportunities in the 2015 Threshold Evaluation (page 11-11). For these reasons, the PCTBAP will accelerate attainment and maintenance of recreation thresholds.

G. Fisheries

TRPA and partner agencies have implemented a robust aquatic invasive species control and prevention program; however, aquatic invasive species continue to be a major area of concern because of their threat to fisheries and other aquatic biota (2015 Threshold Evaluation Report: Chapter 7, *Fisheries*).

The PCTBAP will not alter the resource management and protection regulations, Chapters 60 through 68, or shorezone regulations, Chapters 80 through 85, of the TRPA Code of Ordinances. Chapter 63: *Fish Resources*, of the Code of Ordinances includes the provisions to ensure the protection of fish habitat and provide for the enhancement of degraded habitat. The PCTBAP includes the following additional policies related to fisheries and aquatic resources:

FI-P-1 Support active management of Aquatic Invasive Species (AIS), including implementation of TRPA's Lake Tahoe AIS Management Plan, to prevent new introductions of AIS, limit the spread and control existing AIS populations and abate AIS impacts.

FI-P-2 Pursue aquatic resource enhancement projects in coordination with the EIP and TMDL programs, the California Tahoe Conservancy, and other partner agencies. Priority will be given to AIS management, removal of stream diversions and blockages, and projects that also reduce pollutant loading.

FI-P-3 Support efforts to reintroduce Lahontan Cutthroat trout to waterways in the Truckee River/Lake Tahoe watershed.

FI-P-4 All TRPA policies, ordinances and programs related to Fish and Aquatic Resources will remain in effect.

Specific fisheries and aquatic resource projects are described in Part 8: *Implementation Plan* of the PCTBAP. The PCTBAP EIR/EIS found that the Area Plan would not result in significant adverse effects on fisheries or other biological resources (PCTBAP Draft EIR/EIS Chapter 7, *Biological Resources*).

As described above, the PCTBAP would maintain and supplement Regional Plan policies related to fisheries, and would accelerate the attainment and maintenance of fisheries thresholds.

H. Wildlife

Indicators for special interest wildlife species show stable or improving conditions (2015 Threshold Evaluation Report: Chapter 8, *Wildlife*). TRPA's development regulations have protected riparian wildlife habitats, and partner agencies are making progress restoring these valuable habitats (2015 Threshold Evaluation Report at pages 8-34 to 8-36).

The PCTBAP will not alter the resource management and protection regulations, Chapters 60 through 68, of the TRPA Code of Ordinances. In addition, any future projects allowed within the PCTBAP would be subject to additional project-level environmental review and permitting. Consistent with existing conditions, permit applicants would be required to demonstrate that any proposals would occur consistent with TRPA Code provisions related to resource management, including specifically the provisions of Chapters 62 and 63 that address protection of wildlife and fish resources, respectively. In addition to existing Regional Plan provisions, the PCTBAP adds the following policies related to wildlife:

SE-P-1 Pursue wildlife habitat enhancement projects in coordination with the EIP program, the California Tahoe Conservancy, and other partner agencies.

SE-P-2 Coordinate with partner agencies to manage bear populations and minimize conflicts with people. Programs should emphasize public education and expand the use of bear-proof solid waste enclosures.

SE-P-3 All TRPA policies, ordinances and programs related to Wildlife will remain in effect.

Specific wildlife habitat enhancement projects are described in Part 8: *Implementation Plan*, of the PCTBAP. Regulations related to wildlife conservation are outlined in the Area Plan Implementing Regulations. The PCTBAP EIR/EIS evaluated the effects of implementing the Area Plan and determined that it would not result in significant adverse effects related to biological resources (PCTBAP Draft EIR/EIS Chapter 7, *Biological Resources*). Additionally, the PCTBAP may help to improve the wildlife threshold through the expansion of habitat made available through SEZ restoration projects. For these reasons, the Regional Plan as amended by the PCTBAP will accelerate attainment and maintenance of the wildlife thresholds.

I. Noise

TRPA has adopted noise standards for the Tahoe Basin. The noise thresholds are Community Noise Equivalent Level (CNEL) values for the various land use categories and single event (Lmax) standards for specific noise sources. CNEL is the metric used by TRPA for determining land use compatibility. The maximum CNEL standards for each subdistrict in the PCTBAP are described in the PCTBAP Implementing Regulations, Chapter 2, *District Standards*. No one activity, nor combination of activities, is allowed to exceed the applicable CNEL level. CNELs are calculated pursuant to Chapter 23 of the TRPA Code of Ordinances. The PCTBAP CNEL standards are consistent with the TRPA Noise Threshold Standards. Therefore, no impacts to the Noise Threshold are anticipated with the adoption of the Area Plan.

To assist in accelerating and attaining noise thresholds, the PCTBAP includes the following policies that are in addition to existing Regional Plan policies:

N-P-1 Work with TRPA, Caltrans, Tahoe Area Regional Transit (TART), USFS, and other partner agencies to minimize transportation-related noise impacts on residential and sensitive uses. Additionally, continue to limit hours for construction and demolition work to reduce construction-related noises.

N-P-2 Minimize passenger vehicle travel and roadway noise by implementing incentives for redevelopment within Town Centers and the transfer of development to Town Centers in accordance with the Regional Plan.

N-P-3 Support the reevaluation of TRPA's Community Equivalent Noise Level (CNEL) standards and evaluation approaches, as called for in the 2011 Threshold Evaluation Report.

N-P-4 All TRPA policies, ordinances and programs related to Noise will remain in effect.

Noise reduction projects are described in the Part 8 of the Area Plan, the

Implementation Plan. Implementation of the Area Plan was evaluated in the PCTBAP EIR/EIS, which found that the Area Plan would result in no significant impacts related to Noise (PCTBAP Draft EIR/EIS Chapter 13, *Noise and Vibration*). For the reasons described above, the Regional Plan as amended by the PCTBAP would attain and maintain Noise Thresholds.

III. Conclusion

Based on the rationale described above, the PCTBAP EIR/EIS, the attached PCTBAP conformance checklist, the previously certified RPU EIS and RTP EIR/EIS, 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 PCTBAP, achieves and maintains the thresholds. As described in more detail above, the Regional Plan will, over time, achieve and maintain the thresholds. The PCTBAP would maintain existing Regional Plan policies and programs and would result in no significant impacts to thresholds. The PCTBAP also includes specific policies and implementation measures that would accelerate attainment and maintenance of thresholds. Thus, the Regional Plan, as amended by the PCTBAP, will continue to achieve and maintain the thresholds.

Chapter 13 Findings: The following findings must be made prior to adopting the PCTBAP:

1. Finding: The proposed Area Plan, including all zoning and development Codes that are a part of the Area Plan 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 PCTBAP consists of applicable policies, maps, ordinances and related materials that conform to the Regional Plan. These policies, maps, and ordinances were developed with the specific intent of conforming to the Regional Plan. Development of the PCTBAP included close collaboration between Placer County and TRPA staff, members of the public, and other stakeholders over approximately five years. The proposed land use and zoning maps are consistent with Map 1, Conceptual Regional Land Use Map, of the Regional Plan, with modifications as described in the attached Area Plan Finding of Conformance Checklist. The PCTBAP modifies provisions that previously applied to plan area statements and community plans consistent with Code Section 13.5.2. It also proposes substitute development and design standards and guidelines. These changes have been evaluated in the PCTBAP Final EIR/EIS prepared for the PCTBAP, which found that the PCTBAP would result in no significant unmitigable impacts on the environment that would not also occur without adoption of the Area Plan (i.e., under the no project alternative). The TRPA ordinances that are not amended by the PCTBAP will continue to be in effect.

The PCTBAP was reviewed for consistency and conformity with the Regional Plan, as documented in the attached Area Plan Finding of Conformity Checklist. The Area Plan Finding of Conformity Checklist provides additional detail and

rationale to support the finding of conformity and the General Review Standards identified in sub-Section 13.6.5 of the Code, as summarized below:

A. General Review Standards for all Area Plans

1. Identify all zoning designations, allowed land uses, and development standards throughout the plan area.

The PCTBAP Implementing Regulations identify zoning designations (Section 2.01), allowed land uses (Section 2.02 through 2.08), and development standards throughout the entire Plan area (Chapters 2 and 3).

2. Be consistent with all applicable Regional Plan Policies, including but not limited to the regional growth management system, development allocations, and coverage requirements.

The PCTBAP does not propose additional growth, allocations, or coverage beyond that anticipated in the Regional Plan. The PCTBAP includes a pilot program that would allow limited conversions of CFA to TAUs. Conversions would be allowed at a rate of 450 sq. ft. of CFA to one TAU, with a total maximum of up to 200 TAUs. This conversion program is allowed as a substitute standard pursuant to Code Section 13.5.2, and it was evaluated in the PCTBAP EIR/EIS, which identified no significant environmental impacts would result from the program.

3. Demonstrate how the Area Plan is consistent with the Conceptual Regional Land Use Map, including any amendments to the Conceptual Regional Land Use Map that are proposed to be part of the Area Plan in order to more effectively implement the Regional Plan Policies and provide Threshold gain.

The PCTBAP includes proposed amendments to the Regional Land Use Map as part of an integrated plan to comply with Regional Plan policies and attain and maintain threshold standards. The proposed revisions have been analyzed in the EIR/EIS for the PCTBAP and were found to not result in significant environmental impacts. The proposed revisions are as follows:

- Tahoe City Town Center boundary modification: The PCTBAP would modify the boundary to remove 7.12 acres of property near the Fairway Community Center, and add 4.2 acres surrounding the Tahoe City Golf Course clubhouse. This modification reduces, the amount of land in the center, reduces the amount of sensitive land in the center, and is consistent with Code Section 13.5.3.G;

- Conservation and Recreation lands: The PCTBAP would revise land use designations for approximately 200 acres of publicly-owned lands from Residential to Conservation (approximately 138 acres) and Recreation

(approximately 61 acres);

- Kings Beach land use classification cleanup: The PCTBAP would amend land use designations to maintain consistency with recently surveyed parcel boundaries. The total area affected would be approximately 1 acre.

The proposed PCTBAP land use map is consistent with the TRPA Conceptual Regional Land Use Map adopted as part of the 2012 Regional Plan, except as described above.

4. 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.

The PCTBAP recognizes and supports new, planned, and enhanced Environmental Improvement Projects in Section 8.2, *Planned Environmental Improvement Projects*.

5. Promote environmentally beneficial redevelopment and revitalization within Centers.

The PCTBAP promotes environmentally beneficial redevelopment of the Tahoe City and Kings Beach Town Centers by promoting TRPA incentives for the transfer of development, and by providing capacity for redevelopment in Centers consistent with TRPA's coverage, height, and density limits.

6. Preserve the character of established residential areas outside of Centers, while seeking opportunities for environmental improvements within residential areas.

The PCTBAP does not alter zoning of established residential areas. It includes upper story setbacks and transitional areas with lower height limits along the interface between Town Centers and established residential areas (See PCTBAP Implementing Regulations Sections 2.09.A and B).

7. 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 Centers only if allowed development reduces coverage and enhances natural systems within the Stream Environment Zone.

The PCTBAP maintains existing Regional Plan protections for sensitive land and implements Regional Plan incentives for transfers of development out of

sensitive land. The PCTBAP also identifies restoration and projects and other implementation strategies in Part 8, *Implementation Plan*. In addition, the PCTBAP includes special planning areas with specific requirements for restoring disturbed SEZs within Centers (See PCTBAP Implementing Regulations Sections 2.09.B.1, 3, and 5).

8. Identify facilities and implementation measures to enhance pedestrian, bicycling, and transit opportunities along with other opportunities to reduce automobile dependency.

The PCTBAP includes identifies new and planned facilities and implementation measures to enhance non-automobile transportation in Part 5, *Transportation Plan*.

B. Utilization of Load Reduction Plans

1. 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.

The PCTBAP identifies TMDL implementation strategies and load reduction plans in Section 2.2, *Water Quality*, and in Part 8, *Implementation Plan*.

C. Additional Review Standards for Area Plans with Town Centers or Regional Centers.

The PCTBAP includes the Kings Beach and Tahoe City Town Centers. The PCTBAP includes all additional required review standards for Area Plans with Town Centers identified in Section 13.6.5.C of the Code as stated below:

1. 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.

As described in the attached Area Plan Finding of Conformity Checklist, the PCTBAP includes detailed design standards that reflect the unique character of each area, respond to local design considerations, and promote ridgeline and viewshed protection. The PCTBAP Implementing Regulations include a mix of unique standards that reflect the character of individual zoning subdistricts (see Chapter 2), as well as a series of area-wide standards and guidelines (see Chapter 3).

2. Promote walking, bicycling, transit use, and shared parking in Town Centers and the Regional Center, 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 the Regional Center, and to other major activity centers.

The PCTBAP includes a comprehensive network of existing and planned pedestrian and bicycle facilities that connect properties within Centers and to other multi-modal transportation options (See PCTBAP Figures 5-3 through 5-5). The PCTBAP development standards require that projects incorporate planned pedestrian and bicycle facilities with new development and substantial alteration of existing properties (see PCTBAP Policy T-P-19 and Implementing Regulations Sections 2.04.A.4.a; 2.04.B.4.a; 2.04.C.4.a; and 2.04.D.4.a). Specific mobility projects are identified in Part 8, *Implementation Plan*.

3. Use standards within Town Centers or the Regional Center addressing the form of development and requiring that projects promote pedestrian activity and transit use.

Detailed design standards included in the PCTBAP address pedestrian activity and transit use in Centers. The standards address building articulation, street frontage landscaping, stepped heights, and other building form requirements. The exact standards vary by Center. See for example, the Greater Tahoe City Mixed Use subdistrict standards in Implementing Regulations Section 2.04.A.4.

4. Ensure adequate capacity for redevelopment and transfers of development rights into Town Centers and the Regional Center.

The PCTBAP includes height, density, and coverage limits up to the maximum limits allowed by Chapter 13 of the Code of Ordinances. These standards would provide adequate capacity for redevelopment of the existing Town Centers and transfers of development from sensitive and/or outlying areas.

5. Identify an integrated community strategy for coverage reduction and enhanced stormwater management.

Part 8, *Implementation Plan*, of the PCTBAP includes specific projects necessary to implement an integrated strategy for coverage reduction and stormwater management. In addition, the PCTBAP includes special planning areas with specific requirements for SEZ restoration and coverage reduction (See PCTBAP Implementing Regulations Sections 2.09.B.1, 3, and 5).

6. 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.

The PCTBAP was reviewed in an EIR/EIS, which identified beneficial effects on threshold standards including water quality. The EIR/EIS identified no impacts that would interfere with attainment of threshold standards. See also the Chapter 4 findings included above.

**TABLE E-1: PLACER COUNTY TAHOE BASIN AREA PLAN
TABLE OF SIGNIFICANT IMPACTS, MITIGATION MEASURES, AND COMPACT AND CODE FINDINGS**

Significant Adverse Environmental Impact (Level of Significance Before Mitigation)	Adopted Mitigation Measure(s)	Level of Significance after Mitigation	Findings
Scenic Resources			
<p>Impact 9-1: Effects on scenic or visual quality. (LTS/PS) The proposed Area Plan would include policies, development standards, and other provisions that could result in changes to the location, intensity, and form of the built environment within the Plan area. The provisions of the Area Plan, including those related to town center boundaries, building height, density and coverage, secondary residential units, and limited conversions of CFA to TAUs would not have substantial effects on the mass and location of development allowed within the Plan area. In addition, any project proposed under the Area Plan would be required to comply with a series of existing requirements and proposed Area Plan standards that would minimize adverse effects on the existing visual character or quality of the Plan area, the TRPA scenic threshold ratings, scenic vistas, scenic resources, or views of Lake Tahoe. However, the provision in the Area Plan that would allow non-contiguous project areas could allow, in some areas, additional visual mass to be placed between major travel routes and Lake Tahoe, which could block or degrade views of Lake Tahoe or views toward the shore from Lake Tahoe. Therefore, the Area Plan would have a potentially significant impact on scenic</p>	<p>Mitigation Measure 9-1: Limit visible mass near Lake Tahoe within non-contiguous project areas Prior to approving a project that would use a non-contiguous project area, the county and TRPA shall revise the implementing ordinance to prevent a project from increasing visible mass between SR 28 or SR 89 and Lake Tahoe beyond what would be possible without the use of a non-contiguous project area. The revision to the implementing ordinance shall prohibit a project that uses a non-contiguous project area from locating land coverage or density on the lake side of SR 28 or SR 89 that would otherwise be allowed on the mountain side of SR 28 or SR 89. This mitigation measure could be implemented by revising Section 2.09.A.3 of the Area Plan implementing ordinances to include a version of the following text: Projects using a non-contiguous project area shall not increase the density or land coverage in any portions of the project area that are between SR 28 or SR 89 and Lake Tahoe, beyond the limits that would apply to those portions of the project area without the use of a non-contiguous project area. All non-contiguous project areas shall comply with the setbacks within town centers.</p>	LTS	<p>Finding: Changes or alterations have been required in or incorporated into such project which avoid or reduce the significant adverse environmental effects to a less than significant level.</p> <p>Rationale: The provision in the Area Plan that would allow non-contiguous project areas could allow, in some areas, additional visual mass to be placed between major travel routes and Lake Tahoe, which could block or degrade views of Lake Tahoe or views toward the shore from Lake Tahoe. Mitigation Measure 9-1 will require that projects using a non-contiguous project area not increase the density or land coverage in any portions of the project area that are between SR 28 or SR 89 and Lake</p>

Significant Adverse Environmental Impact (Level of Significance Before Mitigation)	Adopted Mitigation Measure(s)	Level of Significance after Mitigation	Findings
<p>and visual quality. Implementation of Mitigation Measure 9-1 would reduce potentially significant impacts to a less-than-significant level because it would prevent a non-contiguous project area from resulting in an increase in visual mass that could block or degrade views of Lake Tahoe from scenic travel routes or views of the shore from Lake Tahoe.</p>			<p>Tahoe, beyond the limits that would apply to those portions of the project area without the use of a non-contiguous project area, and to comply with the setbacks within town centers. This mitigation measure will reduce potential impacts to a less-than-significant level.</p> <p>(Draft EIR/EIS, pp. 9-15 to 9-37; Final EIR/EIS, p. 2-5, see also response to comment 13-7.)</p>
Transportation and Circulation			
<p>Impact 10-1: Roadway level of service. (S) Under the Area Plan, future development and redevelopment would occur in the Plan area that would cause the level of service (LOS) on SR 28 between the Tahoe City Wye and Grove Street to continue to operate at an unacceptable level. This impact would be significant. Implementation of Mitigation Measure 10-1a, 10-1b, and 10-1c would reduce LOS effects of the project by providing a pedestrian hybrid beacon crossing at the SR 28 and Grove Street intersection, which would reduce the influence of pedestrian crossings on LOS; by establishing a County Service Area Zone of Benefit to fund expansion of transit capacity, which would reduce traffic volumes; and by having development projects pay Tahoe area traffic mitigation fees to Placer County to fund identified</p>	<p>Mitigation Measure 10-1a: Construct pedestrian crossing improvements at the Grove Street/SR 28 intersection As described above, pedestrian crossings, particularly near the SR 28/Grove Street intersection contribute to vehicular congestion and the existing unacceptable LOS conditions at the SR 28/Grove Street intersection. To reduce traffic delays on SR 28 through the Tahoe City Town Center during peak summer periods, Placer County shall construct a pedestrian activated hybrid beacon crossing at the Grove Street and SR 28 intersection in Tahoe City within three years of adoption of the Area Plan. The Tahoe City Mobility Plan and the Proposed Area Plan already identify this pedestrian crossing as a needed improvement. Article 15.28.010 of the Placer County Code establishes a road network Capital Improvement Program. The</p>	SU	<p>Finding: Specific considerations, such as economic, social, or technical, make infeasible the mitigation measure or project alternatives discussed in the environmental impact report (EIR)/environmental impact statement (EIS) on the project.</p> <p>Rationale: Under the Area Plan, future development and redevelopment would occur in the Plan area that would cause the level of service (LOS) on SR 28 between the Tahoe City Wye and Grove Street to</p>

Significant Adverse Environmental Impact (Level of Significance Before Mitigation)	Adopted Mitigation Measure(s)	Level of Significance after Mitigation	Findings
<p>regional Capital Improvement Projects. While Mitigation Measures 10-1a, 10-1b, and 10-1c would reduce LOS deterioration, the roadway LOS after implementation of the mitigation measures would remain unacceptable and no additional mitigation is feasible. In recognition of the LOS conditions in the Tahoe City Town Center, the Area Plan would revise the LOS standards to allow LOS F during peak periods in town centers (Area Plan Policy T-P-6). The future LOS conditions would not exceed the proposed LOS standard for the Area Plan. However, because the Area Plan would result in LOS that exceeds existing TRPA standards and no additional mitigation is feasible, this impact is considered significant and unavoidable.</p>	<p>payment of traffic impact fees funds the Capital Improvement Program for area roadway improvements, such as the hybrid beacon pedestrian crossing. The implementation of the hybrid beacon pedestrian crossing would consolidate pedestrian crossings, which would reduce the impacts of pedestrian crossings on LOS at the Grove Street/SR 28 intersection.</p> <p>Mitigation Measure 10-1b: Establish a County Service Area Zone of Benefit to fund expansion of transit capacity</p> <p>The key constraint to expanding transit capacity is the availability of ongoing transit operating subsidy funding, as discussed in the recently completed System Plan Update for the Tahoe Truckee Area Regional Transit in Eastern Placer County (LSC, 2016). While the proposed Area Plan includes Policy T-P-22 (“Secure adequate funding for transit services so that transit is a viable transportation alternative”), this does not identify a specific mechanism to assure expansion of transit services to address increased peak demand. To provide an ongoing source of operating funding as well as transit bus seating capacity, Placer County shall establish one or more County Service Area Zones of Benefit encompassing the developable portions of the Plan area. Ongoing annual fees would be identified to fund expansion of transit capacity as necessary to expand seating capacity to accommodate typical peak-period passenger loads during both summer and winter peak periods. At a minimum, this would consist of four additional vehicle-hours of transit service per day throughout the winter season on each of the following three routes: North Shore (North Stateline to Tahoe City), SR 89 (Tahoe City to Squaw Valley), and SR 267 (North Stateline to Northstar), as well as the expansion of transit fleet necessary to operate this</p>		<p>continue to operate at an unacceptable level. The project has incorporated Mitigation Measures 10-1a, 10-1b, 10-1c, 10-1d, 10-1e, 10-1f, 10-1g, and 10-1h, which will lessen this impact. Specifically, the project shall provide a pedestrian hybrid beacon crossing at the SR 28 and Grove Street intersection, which would reduce the influence of pedestrian crossings on LOS; establish a County Service Area Zone of Benefit to fund expansion of transit capacity, which would reduce traffic volumes; by having development projects pay Tahoe area traffic mitigation fees to Placer County to fund identified regional Capital Improvement Projects; expand requirements for transportation demand management plans for a greater number of projects that generate employees; establish a comprehensive wayfinding program for parking and multi-modal transportation; conduct long-term monitoring and adaptive management and mobility strategies; provide a four-year review of vehicle trips and mobility strategies; and implement</p>

Significant Adverse Environmental Impact (Level of Significance Before Mitigation)	Adopted Mitigation Measure(s)	Level of Significance after Mitigation	Findings
	<p>additional service. In addition, ongoing annual fees would be sufficient to, at a minimum, provide 16 additional vehicle-hours of transit service per day throughout the summer season, as well as the expansion of transit fleet necessary to operate this additional service. The additional 16 vehicle-hours of transit service during the summer season would be provided on those routes that have the highest ridership levels and lowest LOS. Currently, SR 28 through Tahoe City has the highest ridership levels and lowest LOS. However, the county will determine the specific routes where additional transit service will be provided each year bases on observed changes in ridership and LOS.</p> <p>The new Zone of Benefit under the County Service Area would be established through action by the Board of Supervisors to fund increased public services within the Plan area. This is a very common means of funding the costs for expanded public services generated by development in California, though Zones of Benefit funding transit programs are relatively uncommon. In this case, the services to be funded would be expanded winter and summer TART transit services, and could also include capital expenses (such as additional buses). An Engineers Report is required under state law to identify the costs to be funded and the fee. Like traffic fee programs, fees are set on a “dwelling unit equivalent” (DUE) basis for various land use types, depending on the relative transit ridership generated by each type of land use. The total potential number of future development DUEs in the Plan area would be identified. The annual fee for each DUE would be calculated by dividing the annual costs of the</p>		<p>TRPA’s Congestion Management Process. The roadway LOS after implementation of the mitigation measures would remain unacceptable. The Governing Board finds that legal, economic, social, and technical considerations make further mitigation of this impact infeasible. Therefore, this impact is considered significant and unavoidable.</p> <p>The Governing Board further finds that specific considerations make infeasible, any reasonable alternatives that would both meet the objectives of the Area Plan and reduce the significant and unavoidable impact on the LOS on SR 28 between the Tahoe City Wye and Grove Street. To meet TRPA requirements for the consideration of alternatives, the Draft EIR/EIS evaluated the potential impacts of four Area Plan alternatives, including the no project alternative (Alternative 4). No feasible alternatives, in addition to those proposed in the Draft EIR/EIS, have been identified that would attain the objectives</p>

Significant Adverse Environmental Impact (Level of Significance Before Mitigation)	Adopted Mitigation Measure(s)	Level of Significance after Mitigation	Findings
	<p>additional transit service by the total DUEs. The fee would then be applied to all future development that increases ridership (residential, commercial, lodging, etc.). The fee would be an annual ongoing fee that is collected as part of property tax billing. As funds are received, they would be kept in a separate account, which can only be used for the specified purposes. Fee levels would be indexed to the regional rate of inflation, increasing as costs increase and these fees would be collected indefinitely.</p> <p>The actual amount of funding generated by the Zone of Benefit will depend on the actual level of development that occurs. Initially, when little development and little increased demand for transit has occurred, funds may be allowed to accumulate to a level at which they can be effectively used for the intended purpose. As expansion of existing transit service is relatively simple to implement in increments, the expansion of transit services funded through the Zone of Benefit can be expected. The new Zone of Benefit under the County Service Area would be established through action by the Board of Supervisors to fund increased public services within the Plan area. This is a very common means of funding the costs for expanded public services generated by development in California, though Zones of Benefit funding transit programs are relatively uncommon. In this case, the services to be funded would be expanded winter and summer TART transit services, and could also include capital expenses (such as additional buses). An Engineers Report is required under state law to identify the costs to be funded</p>		<p>of the Area Plan and reduce the significant and unavoidable impact on roadway LOS. The Final Area Plan and mitigation measures in the Final EIR/EIS reduce the roadway LOS impact to the extent feasible. Thus, the Governing Board finds that all reasonable alternatives were reviewed, analyzed, and discussed in the EIR/EIS review process.</p> <p>(Draft EIR/EIS, pp. 10-16 to 10-32; Final EIR/EIS, pp. 2-5 to 2-9; see also Master Response 1, and response to comment 12-37.)</p>

Significant Adverse Environmental Impact (Level of Significance Before Mitigation)	Adopted Mitigation Measure(s)	Level of Significance after Mitigation	Findings
	<p>and the fee. Like traffic fee programs, fees are set on a “dwelling unit equivalent” (DUE) basis for various land use types, depending on the relative transit ridership generated by each type of land use. The total potential number of future development DUEs in the Plan area would be identified. The annual fee for each DUE would be calculated by dividing the annual costs of the additional transit service by the total DUEs. The fee would then be applied to all future development that increases ridership (residential, commercial, lodging, etc.). The fee would be an annual ongoing fee that is collected as part of property tax billing. As funds are received, they would be kept in a separate account, which can only be used for the specified purposes. Fee levels would be indexed to the regional rate of inflation, increasing as costs increase and these fees would be collected indefinitely.</p> <p>The actual amount of funding generated by the Zone of Benefit will depend on the actual level of development that occurs. Initially, when little development and little increased demand for transit has occurred, funds may be allowed to accumulate to a level at which they can be effectively used for the intended purpose. As expansion of existing transit service is relatively simple to implement in increments, the expansion of transit services funded through the Zone of Benefit can be expected to occur relatively soon and long before buildout of the Plan area. A good example of Zones of Benefit funding transit expansion can be found in the Martis Valley area. As a result of the Martis Valley Community Plan process, Zones of</p>		

Significant Adverse Environmental Impact (Level of Significance Before Mitigation)	Adopted Mitigation Measure(s)	Level of Significance after Mitigation	Findings
	<p>Benefit have been established by the Placer County Board of Supervisors for all subsequent developments over the past ten years, tied to the cost of expanding transit service and funding an additional bus purchase. These generate approximately \$40 per DUE per year. In initial years, funds were allowed to accumulate. More recently, as additional development has occurred, annual funding levels have risen and this source is now an important element of the recent expansion of TART's 267 Route to year-round service.</p> <p>Mitigation Measure 10-1c: Payment of traffic mitigation fees to Placer County</p> <p>Prior to issuance of any Placer County Building Permits, projects within the Area Plan shall be subject to the payment of established Placer County traffic impact fees that are in effect in this area, pursuant to applicable county Ordinances and Resolutions. Traffic mitigation fees shall be required and shall be paid to the Placer County Department of Public Works and Facilities subject to the County Wide Traffic Limitation Zone: Article 15.28.010, Placer County Code. The fees will be calculated using the information supplied. If the use or the square footage changes, then the fees will change. The actual fees paid will be those in effect at the time the payment occurs.</p> <p>Mitigation Measure 10-1d: Expand requirements for transportation demand management plans</p> <p>To reduce peak-period vehicle trips and improve LOS, future development project proposals which will employ between 20 and 100 employees and/or include tourist accommodation or recreational uses will be required to submit to Placer County a</p>		

Significant Adverse Environmental Impact (Level of Significance Before Mitigation)	Adopted Mitigation Measure(s)	Level of Significance after Mitigation	Findings
	<p>Transportation Demand Management Plan (TDM) upon Development Review. The current threshold for preparation of a TDM or Employee Transportation Plan (TRPA Code Section 65.5.2.B) and compliance with the Placer County Trip Reduction Ordinance (Placer County Code 10.20) is 100 or more employees in a single location which applies to a very limited number of sites in the Plan area. This existing requirement also does not address trips that are generated from sources other than employee commutes, and in the Plan area, a large proportion of peak period trips are the result of tourist or visitor trips rather than employee trips.</p> <p>Development of the expanded requirements for transportation demand management plans will consider trip sources and characteristics in the Plan area during peak periods. This mitigation measure will expand the requirements for transportation demand management plans with criteria that would require some employers with fewer than 100 employees to prepare such plans and implement through project mitigation for LOS impacts.</p> <p>A menu of measures that could be included in transportation demand management plans is provided in TRPA Code section 65.5.3 and Placer County Code 10.20. These measures include but are not limited to:</p> <ul style="list-style-type: none"> ▲ preferential carpool/vanpool parking; ▲ shuttle bus program; ▲ transit pass subsidies; ▲ paid parking; and ▲ direct contributions to transit service. <p>Mitigation Measure 10-1e: Prepare and implement a comprehensive wayfinding program for parking and multi-modal</p>		

Significant Adverse Environmental Impact (Level of Significance Before Mitigation)	Adopted Mitigation Measure(s)	Level of Significance after Mitigation	Findings
	<p>transportation</p> <p>Within one year of adoption of the Area Plan, Placer County will coordinate with partner agencies and organizations and ensure the preparation of a comprehensive wayfinding program for parking and multi-modal transportation. The program will identify specific improvements, responsible parties, and a timeline for implementation. The program will be consistent with Area Plan Policy T-P-37, which states “Develop a coordinated wayfinding signage program to enhance awareness of alternative transportation modes including transit (TART), pedestrian and bicycle facilities. The wayfinding program should also include parking management strategies, see Policy T-P-18. Wayfinding signs should be consistent within all areas of the Plan to provide clear recognition in congested periods.” The program would encourage additional transit, bicycle, and pedestrian use by increasing travelers’ awareness of the location and availability of these alternative modes. Wayfinding signage for parking facilities would be incorporated into the program and be consistent within all areas of the Plan to provide clear recognition in congested periods.</p> <p>Mitigation Measure 10-1f: Long-term monitoring and adaptive management of mobility strategies</p> <p>Utilizing monitoring data continuously collected by various partner agencies, Placer County and TRPA will periodically assess the effectiveness of the long-term implementation of mobility strategies within the Plan area.</p> <p>Mitigation Measure 10-1g: Four-year review of vehicle trips and mobility strategies</p> <p>Concurrent with TRPA’s four-year Area Plan recertification process,</p>		

Significant Adverse Environmental Impact (Level of Significance Before Mitigation)	Adopted Mitigation Measure(s)	Level of Significance after Mitigation	Findings
	<p>should actual vehicle trips surpass the Area Plan vehicle trips projected for travel into and within the Plan area, as shown in Chapter 19 of the Draft EIR/EIS for the Tahoe Basin Area Plan, the County and TRPA shall jointly revise mobility strategies in the Area Plan transportation chapter to address the increased vehicle trips. Placer County and its partners shall develop financing mechanisms to ensure implementation of new or modified mobility strategies within a feasible period of time. Placer County shall submit the revised Area Plan to TRPA for approval.</p> <p>Mitigation Measure 10-1h: Implement TRPA’s Congestion Management Process Placer County and TRPA shall prioritize additional mobility strategies in a manner consistent with TRPA’s Congestion Management Process required by federal regulation (23 CFR 450.320) for urban metropolitan planning organizations. TRPA’s CMP is currently under development and will be implemented in 2017 in collaboration with local jurisdictions and public transit providers.</p>		
<p>Impact 10-3: Intersection level of service. (S) Under the Area Plan, future development and redevelopment would occur in the Plan area that would affect the LOS of intersection operations. All study intersections would operate at an acceptable LOS under build-out conditions, with the exception of the SR 28/Grove Street intersection. Implementation of the Area Plan would result in increased vehicular delays at this intersection, thereby exacerbating the existing LOS F condition and creating a significant impact. Implementation of Mitigation Measures 10-3a, 10-3b would lessen the effect on intersection LOS by providing a</p>	<p>Mitigation Measure 10-3a: Construct and maintain a pedestrian activated hybrid beacon crossing at the Grove Street/SR 28 intersection pursuant to Mitigation Measure 10-1a, create a transit service expansion funding source pursuant to Mitigation Measure 10-1b, and require payment of traffic mitigation fees to Placer County pursuant to Mitigation Measure 10-1c, expand the requirements for transportation demand management plans pursuant to Mitigation Measure 10-1d, prepare and implement a comprehensive wayfinding program for parking and multi-modal transportation pursuant to Mitigation Measure 10-1e, implement long-term monitoring and adaptive management of mobility</p>	SU	<p>Finding: Specific considerations, such as economic, social, or technical, make infeasible the mitigation measure or project alternatives discussed in the environmental impact statement on the project.</p> <p>Rationale: Under the Area Plan, future development and redevelopment would occur in the Plan area that would affect the</p>

Significant Adverse Environmental Impact (Level of Significance Before Mitigation)	Adopted Mitigation Measure(s)	Level of Significance after Mitigation	Findings
<p>pedestrian hybrid beacon crossing at the SR 28 and Grove Street intersection, with the approval of Caltrans for work proposed within the State highway, which would reduce the influence of pedestrian crossings on LOS; by establishing a County Service Area Zone of Benefit to fund expansion of transit service, which would reduce traffic volumes; and by having development projects pay Tahoe area traffic mitigation fees to Placer County to fund identified regional Capital Improvement Projects. While Mitigation Measures 10-3a and 10-3b would lessen the effect on intersection operations, implementation of the project would still result in increased vehicular delays at the Grove Street/SR 28 intersection and no additional mitigation is feasible. In recognition of the LOS conditions in the Tahoe City Town Center, the Area Plan would revise the LOS standards to allow LOS F during peak periods in town centers (Area Plan Policy T-P-6), and the future LOS conditions would not exceed the proposed LOS standard. However, because the project would result in LOS that exceeds existing standards and no additional mitigation is feasible, this impact is considered significant and unavoidable.</p>	<p>strategies pursuant to Mitigation Measure 10-1f, implement a four-year review of vehicle trips and mobility strategies pursuant to Mitigation Measure 10-1g, and implement TRPA’s Congestion Management Process pursuant to Mitigation Measure 10-1h. This impact would be minimized through the implementation of Mitigation Measures 10-1a, 10-1b, and 10-1c, 10-1d, 10-1e, 10-1f, 10-1g, and 10-1h described under Impact 10-1, above. These same mitigation measures would be required to address this impact.</p> <p>Mitigation Measure 10-3b: Obtain a Caltrans Encroachment Permit for Work within the State Highway Prior to Improvement Plan approval, the applicant for any development project proposing work within the State Highway right-of-way shall obtain an Encroachment Permit from Caltrans. A copy of said Permit shall be provided to the Placer County Engineering and Surveying Division prior to the approval of the Improvement Plans. Right-of-way dedication to the State, as required, shall be provided to accommodate the existing and future highway improvements.</p> <p>Caltrans will not issue an Encroachment Permit for work within their right-of-way for improvements (other than signals, road widening, striping and signing) without first entering into a Landscape Maintenance Agreement with the county. This agreement allows for private installation and maintenance of concrete curb/gutters, sidewalks, trails, landscaping and irrigation within Caltrans’ right-of-way. A similar agreement between the county and the applicant is required prior to the county entering into the agreement with Caltrans. If applicable, both of these maintenance agreements shall</p>		<p>LOS of intersection operations. All study intersections would operate at an acceptable LOS under build-out conditions, with the exception of the SR 28/Grove Street intersection. Implementation of the Area Plan would result in increased vehicular delays at this intersection, thereby exacerbating the existing LOS F condition. The project has incorporated Mitigation Measures 10-3a and 10-3b, which will lessen the impact. Specifically, the project will provide a pedestrian hybrid beacon crossing at the SR 28 and Grove Street intersection, which would reduce the influence of pedestrian crossings on LOS; establish a County Service Area Zone of Benefit to fund expansion of transit capacity, which would reduce traffic volumes through regional Capital Improvement projects funded by payment of Tahoe area traffic mitigation fees to Placer County; expand requirements for transportation demand management plans for a greater number of projects that generate employees; establish a</p>

Significant Adverse Environmental Impact (Level of Significance Before Mitigation)	Adopted Mitigation Measure(s)	Level of Significance after Mitigation	Findings
	<p>be executed prior to approval of the Improvement Plans.</p>		<p>comprehensive wayfinding program for parking and multi-modal transportation; conduct long-term monitoring and adaptive management and mobility strategies; provide a four-year review of vehicle trips and mobility strategies; and implement TRPA's Congestion Management Process. The intersection LOS after implementation of the mitigation measures would remain unacceptable. The Governing Board finds that legal, economic, social, and technical considerations make further mitigation of this impact infeasible. Therefore, this impact is considered significant and unavoidable.</p> <p>The Governing Board further finds that specific considerations make infeasible, any reasonable alternatives that would both meet the objectives of the Area Plan and reduce the significant and unavoidable impact on the SR 28/Grove Street intersection LOS. To meet TRPA requirements for the consideration of alternatives, the Draft EIR/EIS evaluated the</p>

Significant Adverse Environmental Impact (Level of Significance Before Mitigation)	Adopted Mitigation Measure(s)	Level of Significance after Mitigation	Findings
			<p>potential impacts of four Area Plan alternatives, including the no project alternative (Alternative 4). No feasible alternatives, in addition to those proposed in the Draft EIR/EIS, have been identified that would attain the objectives of the Area Plan and reduce the significant and unavoidable impact on intersection LOS. The Final Area Plan and mitigation measures in the Final EIR/EIS reduce the intersection LOS impact to the extent feasible. Thus, the Governing Board finds that all reasonable alternatives were reviewed, analyzed, and discussed in the EIR/EIS review process.</p> <p>(Draft EIR/EIS, pp. 10-35 to 10-38; Final EIR/EIS, pp. 2-8 to 2-9; see also Master Response 1.)</p>
<p>Impact 10-5: Transit service and operations. (PS) The Area Plan is expected to result in increased transit ridership during the peak-hour period. As some TART transit runs between Squaw Valley – Tahoe City, Tahoe City – North Stateline and Northstar – North Stateline in winter currently exceed the seating capacity, this increase in transit ridership would result in a potentially significant impact for the project. Implementation of</p>	<p>Mitigation Measure 10-5: Create a transit service expansion funding source pursuant to Mitigation Measure 10-1b This impact would be minimized through the implementation of Mitigation Measure 10-1b described under Impact 10-1, above. This same mitigation measure would be required to address this impact.</p>	<p>LTS</p>	<p>Finding: Changes or alterations have been required in or incorporated into such project which avoid or reduce the significant adverse environmental effects to a less than significant level.</p> <p>Rationale: The Area Plan is expected to</p>

Significant Adverse Environmental Impact (Level of Significance Before Mitigation)	Adopted Mitigation Measure(s)	Level of Significance after Mitigation	Findings
<p>Mitigation Measure 10-5 would establish a funding mechanism that would facilitate increased transit service during peak periods. This increased transit service would accommodate typical peak-period transit loads that would occur with the Area Plan, which would reduce the impact to a less-than-significant level.</p>			<p>result in increased transit ridership during the peak-hour period. As some TART transit runs between Squaw Valley – Tahoe City, Tahoe City – North Stateline and Northstar – North Stateline in winter currently exceed the seating capacity, this increase in transit ridership would result in a potentially significant impact for the Area Plan. Mitigation Measure 10-5 will require that County Service Area Zone of Benefit be established to fund expansion of transit capacity to meet this unmet demand. This mitigation measure will reduce potential impacts to a less-than-significant level.</p> <p>(Draft EIR/EIS, pp. 10-41 to 10-45.)</p>
Air Quality			
<p>Impact 11-2: Short-term construction emissions of ROG, NO_x, PM₁₀, and PM_{2.5}.</p> <p>(S) Implementation of the proposed Area Plan and subsequent projects would involve construction that would result in the temporary generation of ROG, NO_x, PM₁₀ and PM_{2.5} emissions from site preparation (e.g., excavation, grading, and clearing); diesel-powered off-road equipment, trucks hauling materials to and from the site, worker commute exhaust emissions, the application of</p>	<p>Mitigation Measure 11-2a: Reduce short-term construction-generated emissions of ROG, NO_x, and PM₁₀</p> <p>Proponents of individual land use development projects in the Plan area subject to TRPA and/or CEQA environmental review shall be required to demonstrate that construction-related emissions of ROG, NO_x, and PM₁₀ for each project would be less than PCAPCD's significance standards of 82 lb/day. Every project applicant shall require its prime construction contractor to implement the following</p>	LTS	<p>Finding: Changes or alterations have been required in or incorporated into such project which avoid or reduce the significant adverse environmental effects to a less than significant level.</p> <p>Rationale: Emissions associated with the construction of future individual</p>

Significant Adverse Environmental Impact (Level of Significance Before Mitigation)	Adopted Mitigation Measure(s)	Level of Significance after Mitigation	Findings
<p>architectural coatings, and paving. The anticipated short-term construction emissions of individual development projects under the Area Plan is not anticipated to result in more severe impacts than those identified in the RPU EIS. Emissions associated with the construction emissions of future individual development projects would have the potential to exceed PCAPCD-recommended significance criteria, thereby potentially violating or contributing substantially to the nonattainment status of the LTAB with respect to the CAAQS for ozone and PM₁₀. Thus, the short-term construction emissions in the region would be a significant impact. Like other individual projects, construction activity associated with the Lodge would result in the temporary generation of ROG, NO_x, PM₁₀ and PM_{2.5} emissions. Construction activity would generate emissions of ROG that exceed the PCAPCD-recommended significance criterion of 82 lb/day, thereby potentially violating or contributing substantially to the nonattainment status of the LTAB with respect to the CAAQS for ozone. Thus, the short-term construction emissions of ROG would be significant at the project level for the Lodge.</p>	<p>measures:</p> <ul style="list-style-type: none"> ▲ Submit to PCAPCD a comprehensive inventory (e.g., make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower or greater) that would be used for 40 or more hours, in aggregate, during a construction season. If any new equipment is added after submission of the inventory, the prime contractor shall contact PCAPCD before the new equipment is used. At least three business days before the use of subject heavy-duty off-road equipment, the project representative shall provide PCAPCD with the anticipated construction timeline including start date, name, and phone number of the property owner, project manager, and onsite foreman; ▲ Before approval of Grading or Improvement Plans, whichever occurs first, the prime contractor shall submit for PCAPCD approval, a written calculation demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased, and subcontractor vehicles, will achieve a project wide fleet-average 20 percent reduction in NO_x emissions as compared to ARB statewide fleet average emissions. Acceptable options for reducing emissions may include use of late-model engines, low-emission diesel products, alternative fuels, 		<p>development projects would have the potential to exceed PCAPCD-recommended significance criteria, thereby potentially violating or contributing substantially to the nonattainment status of the LTAB with respect to the CAAQS for ozone and PM₁₀. Mitigation Measures 11-2a would require that measures be incorporated into projects to reduce short-term construction-generated emissions of ROG, NO_x, and PM₁₀ to levels below PCAPCD's significance standards. This mitigation measure will reduce potential impacts to a less-than-significant level.</p> <p>(Draft EIR/EIS, pp. 11-17 to 11-23.).</p>

Significant Adverse Environmental Impact (Level of Significance Before Mitigation)	Adopted Mitigation Measure(s)	Level of Significance after Mitigation	Findings
	<p>engine retrofit technology, after-treatment products, and/or other options as they become available. The calculation shall be provided using PCAPCD's Construction Mitigation Calculator;</p> <ul style="list-style-type: none"> ▲ Use existing power sources (e.g., power poles) or clean fuel (e.g., gasoline, biodiesel, natural gas) generators during construction rather than temporary diesel power generators to the extent feasible; ▲ During construction, minimize idling time to a maximum of 5 minutes for all diesel-powered equipment; and/or ▲ Post signs in the designated queuing areas of the construction site to remind off-road equipment operators that idling is limited to a maximum of 5 minutes. <p>Every project applicant shall require additional measures, as necessary, to ensure that construction-related emissions would not exceed PCAPCD's significance standards for of ROG, NO_x, and PM₁₀ of 82 lb/day. These additional measures may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> ▲ Use of Tier 3 or better engines for construction equipment, ▲ Use of no- or low-solids content (i.e., no- or low-VOC) architectural coatings that meet or exceed the VOC-requirements of PCAPCD Rule 218. Implementation of 		

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	<p>this measure would reduce ROG emissions from architectural coating by 90 percent, and/or</p> <ul style="list-style-type: none"> ▲ Participate in PCAPCD's offsite mitigation program, the Land Use Air Quality Mitigation Fund, by paying the equivalent amount of fees for the project's contribution of ROG or NO_x that exceeds the 82 lb/day significance criteria, or the equivalent as approved by PCAPCD. The applicable fee rates of the program change over time. The actual amount to be paid shall be determined, and satisfied per current guidelines, at the time of approval of the Grading or Improvement Plans. 		
<p>Impact 11-5: Exposure of sensitive receptors to toxic air contaminant emissions.</p> <p>(S) Consistent with the Regional Plan, the proposed Area Plan would not site sensitive receptors near any major roadways or stationary sources of toxic air contaminants (TACs), nor would the proposed project result in the siting of new stationary sources of TACs. However, implementation of projects under the Area Plan could potentially result in exposure of sensitive receptors to substantial TAC concentrations during construction. This would be significant impact at the program-level.</p>	<p>Mitigation Measure 11-5: Reduce short-term construction-generated TAC emissions</p> <p>TRPA shall require proponents of every individual land use development project proposed in the Plan area to demonstrate that its construction activities would follow PCAPCD's recommended BMPs and to ensure that construction-generated TAC emissions would not expose nearby sensitive receptors to TAC emissions that would exceed 10 in 1 million for the carcinogenic risk (i.e., the risk of contracting cancer) or a non-carcinogenic Hazard Index of 1 for the maximally exposed individual). Every project applicant shall require its prime construction contractor to implement the following measures prior to project approval:</p> <ul style="list-style-type: none"> ▲ Work with PCAPCD staff to determine if project construction would result in release of diesel emissions 	LTS	<p>Finding: Changes or alterations have been required in or incorporated into such project which avoid or reduce the significant adverse environmental effects to a less than significant level</p> <p>Rationale: Implementation of projects under the Area Plan could potentially result in exposure of sensitive receptors to substantial TAC concentrations during construction. Mitigation Measure 11-5 will require proponents of individual development projects to demonstrate that construction activities would follow</p>

Significant Adverse Environmental Impact (Level of Significance Before Mitigation)	Adopted Mitigation Measure(s)	Level of Significance after Mitigation	Findings
	<p>in areas with potential for human exposure, even if overall emissions would be low. Factors considered by PCAPCD when determining significance of a project include the expected emissions from diesel equipment including operation time, location of the project, and distance to sensitive receptors. (PCAPCD 2012:2-6).</p> <ul style="list-style-type: none"> ▲ Use PCAPCD's guidance to determine whether construction of an individual project would require detailed evaluation with a health risk assessment (HRA) (PCAPCD 2012: Appendix E). If an HRA is required, model emissions, determine exposures, and calculate risk associated with health impacts, per PCAPCD guidance. Coordinate with PCAPCD to determine the significance of the estimated health risks. 		<p>PCAPCD's recommended BMPS and to ensure construction-related TAC emissions would not expose nearby sensitive receptors to TAC emissions that would cause an unacceptable health risk. This mitigation measure will reduce potential impact to a less-than-significant level.</p> <p>(Draft EIR/EIS, pp. 11-35 to 11-39.)</p>
Greenhouse Gas Emissions and Climate Change			
<p>Impact 12-1: Generation of GHG emissions. (PS) Implementation of the Area Plan would result in a modest level of population growth from existing conditions in 2015, and development/redevelopment would result in construction- and operation-related GHG emissions. Construction-related emissions would primarily be associated with heavy-duty construction equipment and truck and vehicle exhaust associated with project development. Long-term operational sources of GHG emissions associated with the Area Plan would include area sources (e.g.,</p>	<p>Mitigation Measure 12-1: Implement all feasible energy, water, transportation, and vegetation measures recommended by PCAPCD</p> <p>Require, as feasible, new construction to implement energy, water, transportation, and vegetation measures recommended by PCAPCD available in Appendix F-1 of the District's CEQA Handbook. This would apply to new construction occurring under the Area Plan. Also, initiate a funding program to apply these measures to existing facilities within the Plan area, as feasible (PCAPCD 2012).</p>	SU	<p>Finding: Specific considerations, such as economic, social, or technical, make infeasible the mitigation measure or project alternatives discussed in the environmental impact statement on the project.</p> <p>Rationale: Implementation of the Area Plan would result in a modest level of population growth from existing conditions in 2015, and</p>

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<p>landscaping equipment, snow removal equipment, wood-burning appliances), mobile sources (e.g., vehicle exhaust), energy consumption (e.g., electricity and natural gas), solid waste (e.g., emissions that would occur at a landfill associated with solid waste decomposition), and water consumption (e.g., electricity used to deliver and treat water to serve the region).</p> <p>Buildout of the Area Plan would result in slightly more building square footage than considered in the RPU EIS (as shown in Table 12-5). Conversely (as explained in Section 12.4.1), vehicle activity in the Plan area would be lower, when compared to that evaluated in the RPU EIS. By 2035, the combination of increased building area and decreased vehicle activity under the Area Plan would result in a net decrease in long-term operational GHG emissions from existing 2015 conditions and lower emissions than would have occurred under the RPU EIS analyses under the project. Generally, because a substantial portion of “new” development would actually be redevelopment, that is, new, more energy-efficient buildings would replace older, less efficient ones, GHG emissions per unit of development would be reduced. The level of construction-generated GHG emissions from all new development and redevelopment in accordance with the Area Plan cannot be known at the time of writing this EIR/EIS. Although construction activities in the Plan area would be subject to TRPA’s Best Construction Practices Policy that were compiled pursuant to RPU EIS mitigation measures, emissions from construction activities over the buildout period of the Area Plan could still be substantial. While an overall reduction in GHG emissions from existing conditions is anticipated, it would not, however, be sufficient to</p>	<p>These recommended measures include, but are not limited to:</p> <ul style="list-style-type: none"> ▲ Installing Tank-less or Energy Efficiency water heaters (E5) ▲ Installing solar water heaters (E3) ▲ Installing energy efficient roofing (E4) ▲ Require Energy Star-rated appliances in new construction (E9) ▲ Pre-Plumb new construction for Solar Energy and design for load (E12) ▲ Install low-flow water fixtures (W1) ▲ Use reclaimed water for irrigation (W3) ▲ Provide bus shelters and lanes and provide bike parking (T1, T2, and T3) ▲ Plant drought tolerant plants (V2) ▲ Prohibit gas-powered landscaping equipment (V3) <p>In addition, ground source heat pumps would reduce the need for natural gas in the winter. Fees may also be paid into carbon offset programs that are adopted by ARB. Offsets purchased to mitigate operational emissions shall be sufficient to offset emissions during the full operational life of the new construction project.</p>		<p>development/redevelopment would result in construction- and operation-related GHG emissions. Construction-related emissions would primarily be associated with heavy-duty construction equipment and truck and vehicle exhaust associated with project development. Long-term operational sources of GHG emissions associated with the Area Plan would include area sources, mobile sources, energy consumption, solid waste, and water consumption.</p> <p>Buildout of the Area Plan would result in slightly more building square footage than considered in the RPU EIS. Conversely, vehicle activity in the Plan area would be lower. By 2035, the combination of increased building area and decreased vehicle activity under the Area Plan would result in a net decrease in long-term operational GHG emissions from existing 2015 conditions and lower emissions than would have occurred under the RPU EIS analyses under the project. Generally, because a substantial portion of “new” development would actually be redevelopment, that is, new, more energy-</p>

Significant Adverse Environmental Impact (Level of Significance Before Mitigation)	Adopted Mitigation Measure(s)	Level of Significance after Mitigation	Findings
<p>meet California’s GHG reduction goals. Thus, anticipated future GHG emissions in the Plan area would not result in more severe impacts than already analyzed in the RPU but the GHG impact in the region and would remain significant and unavoidable. Implementation of Mitigation Measure 12-1 would reduce GHG emissions further, but the extent of this additional reduction depends on market conditions, available technology, and general participation rates, and does not guarantee that Area Plan emissions would meet California GHG reduction goals.</p>			<p>efficient buildings would replace older, less efficient ones, GHG emissions per unit of development would be reduced. Emissions from construction activities over the buildout period of the Area Plan could still be substantial. While an overall reduction in GHG emissions from existing conditions is anticipated, it would not, however, be sufficient to meet California’s GHG reduction goals. Thus, anticipated future GHG emissions in the Plan area would not result in more severe impacts than already analyzed in the RPU but the GHG impact in the region and would remain significant.</p> <p>Implementation of Mitigation Measure 12-1 would reduce GHG emissions further, but the extent of this additional reduction depends on market conditions, available technology, and general participation rates, and does not guarantee that Area Plan emissions would meet California GHG reduction goals. The Governing Board finds that legal, economic, social, and technical considerations make further mitigation of this impact infeasible. Therefore, this</p>

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			<p>impact is considered significant and unavoidable.</p> <p>To meet TRPA requirements for the consideration of alternatives, the Draft EIR/EIS evaluated the potential impacts of four Area Plan alternatives, including the no project alternative (Alternative 1). No feasible alternatives, in addition to those proposed in the Draft EIR/EIS, have been identified that would attain the objectives of the Area Plan and reduce the significant and unavoidable impact of increased overall GHG emissions. The Final Area Plan and mitigation measures in the Final EIR/EIS reduce the rate of GHG emissions per capita to the extent feasible. Thus, the Governing Board finds that all reasonable alternatives were reviewed, analyzed, and discussed in the EIR/EIS review process.</p> <p>(Draft EIR/EIS, pp. 12-15 to 12-28; Final EIR/EIS, p. 2-34; see also response to comment 10-6.)</p>

Significant Adverse Environmental Impact (Level of Significance Before Mitigation)	Adopted Mitigation Measure(s)	Level of Significance after Mitigation	Findings
Cumulative Impacts			
Cumulative Transportation and Circulation			
<p>Cumulative Impact 10-1: Roadway LOS under 2035 cumulative scenarios. (S) Table 19-3 shows existing roadway directional volume and LOS and the cumulative peak-hour directional roadway traffic volumes and LOS for the project, which includes buildout of the Area Plan. In future cumulative conditions for the Area Plan, LOS on the segment of SR 28 east of the SR 89 between the Wye intersection and Grove Street in Tahoe City would worsen from LOS E (for four hours per day or less) in the westbound direction to LOS F. The eastbound direction, which is currently at LOS F, would worsen. Because this roadway segment would operate at an unacceptable level, this would be a significant cumulative impact. As described in Impact 10-1, the proposed Area Plan would have a significant impact related to LOS in this roadway segment, thus the Area Plan would make a considerable contribution to a cumulatively significant impact. As described under Impact 10-1, after implementation of all feasible mitigation, this impact would remain significant and unavoidable. As this is a recognized problem, the Area Plan proposes to adopt a substitute standard as allowed by the Regional Plan, to modify the current LOS standards as described in Area Policy T-P-6. If this policy is adopted, the LOS impact at SR 28 in Tahoe City would be consistent with the adopted LOS standard.</p>	<p>As described in Impact 10-1, no additional mitigation is feasible.</p>	<p>SU</p>	<p>Finding: Specific considerations, such as economic, social, or technical, make infeasible the mitigation measure or project alternatives discussed in the environmental impact statement on the project.</p> <p>Rationale: In future cumulative conditions for the project, LOS on the segment of SR 28 east of the SR 89 between the Wye intersection and Grove Street in Tahoe City would worsen from LOS E (for four hours per day or less) in the westbound direction to LOS F. The eastbound direction, which is currently at LOS F, would worsen. To lessen these impacts, the project is required to implement Mitigation Measures 10-1a, 10-1b, 10-1c, 10-1d, 10-1e, 10-1f, 10-1g, and 10-1h. Specifically, the project shall provide a pedestrian hybrid beacon crossing at the SR 28 and Grove Street intersection, which would reduce the influence of pedestrian crossings on LOS; establish a County Service Area Zone of Benefit to fund expansion of</p>

Significant Adverse Environmental Impact (Level of Significance Before Mitigation)	Adopted Mitigation Measure(s)	Level of Significance after Mitigation	Findings
			<p>transit capacity, which would reduce traffic volumes; require payment of Tahoe area traffic mitigation fees to Placer County to fund identified regional Capital Improvement Projects; expand requirements for transportation demand management plans for a greater number of projects that generate employees; establish a comprehensive wayfinding program for parking and multi-modal transportation; conduct long-term monitoring and adaptive management and mobility strategies; provide a four-year review of vehicle trips and mobility strategies; and implement TRPA's Congestion Management Process. The roadway LOS after implementation of these mitigation measures would remain unacceptable. The Governing Board finds that legal, economic, social, and technical considerations make further mitigation of this impact infeasible. Therefore, this impact is considered significant and unavoidable.</p> <p>The Governing Board further finds that</p>

Significant Adverse Environmental Impact (Level of Significance Before Mitigation)	Adopted Mitigation Measure(s)	Level of Significance after Mitigation	Findings
			<p>specific considerations make infeasible, any reasonable alternatives that would both meet the objectives of the Area Plan and reduce the significant and unavoidable impact on the LOS on SR 28 between the Tahoe City Wye and Grove Street. To meet TRPA requirements for the consideration of alternatives, the Draft EIR/EIS evaluated the potential impacts of four Area Plan alternatives, including the no project alternative (Alternative 4). No feasible alternatives, in addition to those proposed in the Draft EIR/EIS, have been identified that would attain the objectives of the Area Plan and reduce the significant and unavoidable impact on roadway LOS. The Final Area Plan and mitigation measures in the Final EIR/EIS reduce the roadway LOS impact to the extent feasible. Thus, the Governing Board finds that all reasonable alternatives were reviewed, analyzed, and discussed in the EIR/EIS review process.</p> <p>(Draft EIR/EIS, pp. 19-15 to 19-16.)</p>

Significant Adverse Environmental Impact (Level of Significance Before Mitigation)	Adopted Mitigation Measure(s)	Level of Significance after Mitigation	Findings
<p>Cumulative Impact 10-2: Impact on local residential streets under 2035 cumulative scenarios.</p> <p>(S) In future cumulative peak summer traffic periods, the capacity of SR 28 in the Tahoe City Town Center will continue to be exceeded, resulting in long traffic queues, particularly in the westbound direction. Long traffic queues can result in the diversion of some traffic onto local residential streets. In this case, Fairway Drive could be affected by diverted traffic. Given the Placer County guideline regarding traffic volumes on residential streets (2,500 vehicles per day) and the existing traffic volume (600 vehicles per day), daily traffic volume on Fairway Drive would have to increase by 1,900 vehicles per day to exceed capacity. Table 19-4 shows the average daily trips (ADT) likely to occur on study roadway segments under future cumulative conditions the project. Under cumulative conditions, ADT on SR 28 in Tahoe City between Grove Street and Jackpine Street is expected to increase by a total of 2,300 vehicles per day under the proposed Area Plan. While there are factors that indicate actual diversion volumes will be substantially below the ADT figures discussed above, such as the proportion of traffic that is bound to Tahoe City or to SR 89 south and the proportion of daily traffic increase that will occur during periods of traffic congestion, this impact is still considered to be a potentially significant cumulative impact. As discussed in Impact 10-2 in Chapter 10, the Area Plan would contribute to the increase in ADT on this roadway segment. While the Area Plan by itself would not result in significant impacts, it would make a considerable contribution to a potential cumulatively significant impact related to traffic diversion onto local streets.</p>	<p>Cumulative Mitigation Measure 10-2: Fairway Drive monitoring and traffic management program</p> <p>At least every 5 years, Placer County would conduct traffic counts on Fairway Drive between Bunker Drive and Grove Street for a two-week period in early August (peak summer traffic season). These counts will be summarized by day and by direction. If on any one day the daily two-way total traffic volume exceeds 1,700 vehicles, the County will implement traffic management measures to reduce diversion traffic on Fairway Drive and connecting local residential streets to maintain daily two-way total traffic volumes below 2,500 vehicles. Traffic management measures could include, but are not limited to: additional signage, increased traffic speed enforcement, speed cushions, and turn prohibitions.</p>	LTS	<p>Finding: Changes or alterations have been required in or incorporated into such project which avoid or reduce the significant adverse environmental effects to a less than significant level.</p> <p>Rationale: Under cumulative conditions, ADT on SR 28 in Tahoe City between Grove Street and Jackpine Street is expected to increase by a total of 2,300 vehicles per day under the proposed Area Plan. While there are factors that indicate actual diversion volumes will be substantially below the ADT figures discussed above, such as the proportion of traffic that is bound to Tahoe City or to SR 89 south and the proportion of daily traffic increase that will occur during periods of traffic congestion, the Area Plan would contribute to the increase in ADT on Fairway Drive. While the Area Plan by itself would not result in significant impacts, it would make a considerable contribution to a potential cumulatively significant impact related to traffic diversion onto local streets. Cumulative Mitigation Measure 10-</p>

Significant Adverse Environmental Impact (Level of Significance Before Mitigation)	Adopted Mitigation Measure(s)	Level of Significance after Mitigation	Findings
			<p>2 will require monitoring on Fairway Drive and implementation of a traffic management plan. This mitigation measure plan will reduce potential impacts to a less-than-significant level.</p> <p>(Draft EIR/EIS, pp. 19-16 to 19-17.)</p>
<p>Cumulative Impact 10-3: Intersection LOS under future cumulative scenarios.</p> <p>(S) Table 19-4 shows existing LOS at study intersections within the Plan area and summarizes the intersection LOS conditions under future cumulative conditions, including both the Area Plan and Lodge. Under existing conditions all study intersections operate at acceptable levels except for the SR 28/Grove Street intersection, which operated at an unacceptable LOS F under summer peak PM conditions. As shown in Table 19-4, under future cumulative conditions, existing unacceptable LOS F conditions at the SR 28 and Grove Street intersection in Tahoe City would be exacerbated. Because already unacceptable intersection LOS would be degraded, this would be a significant cumulative impact. As described in Impact 10-3 in Chapter 10, the proposed Area Plan would have a significant impact related to LOS at this intersection, this would make a considerable contribution to a cumulatively significant impact. As described under Impact 10-3, after implementation of all feasible mitigation, this impact would remain significant and unavoidable. As this is a recognized problem, the Area Plan proposes to include a substitute standard that would</p>	<p>As described in Cumulative Impact 10-3, no additional mitigation is feasible.</p>	<p>SU</p>	<p>Finding: Specific considerations, such as economic, social, or technical, make infeasible the mitigation measure or project alternatives discussed in the environmental impact statement on the project.</p> <p>Rationale: Under future cumulative conditions, existing unacceptable LOS F conditions at the SR 28 and Grove Street intersection in Tahoe City would be exacerbated. The project has incorporated Mitigation Measures 10-3a and 103-b, which will less this impact. Specifically, the project shall provide a pedestrian hybrid beacon crossing at the SR 28 and Grove Street intersection, which would reduce the influence of pedestrian crossings on LOS; establish a County Service Area Zone of Benefit to fund expansion of transit capacity, which would reduce traffic</p>

Significant Adverse Environmental Impact (Level of Significance Before Mitigation)	Adopted Mitigation Measure(s)	Level of Significance after Mitigation	Findings
<p>modify the current LOS standards as described in Area Policy T-P-6. If this policy is adopted, the LOS impact at SR 28 and Grove Street intersection in Tahoe City would be consistent with the adopted LOS standard.</p>			<p>volumes; require payment of Tahoe area traffic mitigation fees to Placer County to fund identified regional Capital Improvement Projects; expand requirements for transportation demand management plans for a greater number of projects that generate employees; establish a comprehensive wayfinding program for parking and multi-modal transportation; conduct long-term monitoring and adaptive management and mobility strategies; provide a four-year review of vehicle trips and mobility strategies; and implement TRPA's Congestion Management Process. The intersection LOS after implementation of these mitigation measures would remain unacceptable. The Governing Board finds that legal, economic, social, and technical considerations make further mitigation of this impact infeasible. Therefore, this impact is considered significant and unavoidable.</p> <p>The Governing Board further finds that specific considerations make infeasible, any reasonable alternatives that would both meet the objectives of the Area Plan and reduce the significant and unavoidable</p>

Significant Adverse Environmental Impact (Level of Significance Before Mitigation)	Adopted Mitigation Measure(s)	Level of Significance after Mitigation	Findings
			<p>impact on the SR 28/Grove Street intersection LOS. To meet TRPA requirements for the consideration of alternatives, the Draft EIR/EIS evaluated the potential impacts of four Area Plan alternatives, including the no project alternative (Alternative 4). No feasible alternatives, in addition to those proposed in the Draft EIR/EIS, have been identified that would attain the objectives of the Area Plan and reduce the significant and unavoidable impact on intersection LOS. The Final Area Plan and mitigation measures in the Final EIR/EIS reduce the intersection LOS impact to the extent feasible. Thus, the Governing Board finds that all reasonable alternatives were reviewed, analyzed, and discussed in the EIR/EIS review process. (Draft EIR/EIS, p. 19-17)</p>

Attachment F
Tahoe Regional Planning Agency
ORDINANCE 2017-

TAHOE REGIONAL PLANNING AGENCY
ORDINANCE 2017-

**AN ORDINANCE AMENDING ORDINANCE 87-9, AS AMENDED, TO ADOPT THE PLACER COUNTY
TAHOE BASIN AREA PLAN**

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

Section	Findings
<u>1.00</u>	
1.05	The Tahoe Regional Planning Compact (P. L. 96-551, 94 Stat. 3233, 1980) created the Tahoe Regional Planning Agency (TRPA) and empowered it to set forth environmental threshold carrying capacities (“threshold standards”) for the Tahoe Region.
1.10	The Compact directs TRPA to adopt and enforce a Regional Plan that, as implemented through agency ordinances, rules and regulations, will achieve and maintain such threshold standards while providing opportunities for orderly growth and development consistent with such thresholds.
1.15	The Compact further requires that the Regional Plan attain and maintain federal, state, or local air and water quality standards, whichever are strictest, in the respective portions of the region for which the standards are applicable.
1.20	Compact Art. V(c) states that the TRPA Governing Board and Advisory Planning Commission shall continuously review and maintain the Regional Plan.
1.25	In June 1987, the TRPA Governing Board adopted Ordinance 87-9, which established the Regional Plan and included, amongst other things, the Goals & Policies and the Code of Ordinances (“Code”).
1.30	It is necessary and desirable to amend TRPA Ordinance 87-9, as previously amended, as it relates to the Regional Plan of the TRPA by amending the Regional Plan pursuant to Article VI (a) and other applicable provisions of the Tahoe Regional Planning Compact in order to accelerate attainment and ensure maintenance of the threshold standards.
1.35	TRPA has made the necessary findings required by Article V of the Compact, Chapter 4 of the Code, and all other applicable rules and regulations, and incorporates these findings fully herein.
1.45	The Advisory Planning Commission (APC) and Regional Plan Implementation Committee (RPIC) conducted public hearings on the amendments and

recommended adoption of these amendments. The Governing Board has also conducted a noticed public hearing on the amendments. At these hearings, oral testimony and documentary evidence were received and considered.

1.50 The Governing Board finds that the amendments adopted here 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.

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

Section Amendment of TRPA Regional Plan
2.00

2.10 Ordinance 87-9 is hereby amended to include the Placer County Tahoe Basin Area Plan, as set forth in Attachment A and fully incorporated herein.

Section Interpretation and Severability
3.00

3.10 The provisions of this ordinance adopted hereby shall be liberally construed to affect their purpose. If any section, clause, provision or portion thereof is declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby. For this purpose, the provisions of this ordinance are hereby declared respectively severable

Section Effective Date
5.00

5.10 The provisions of this ordinance shall be effective immediately upon adoption.

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at a regular meeting held January 25, 2017 by the following vote:

Ayes:

Nays:

Abstain:

Absent:

_____, Chair
Tahoe Regional Planning Agency
Governing Board

Attachment G
Area Plan Finding of Conformance Checklist

Area Plan Finding of Conformance Checklist

Area Plan Name: Placer County Tahoe Basin Area Plan

Lead Agency: Placer County

Submitted to TRPA: June 3, 2015

TRPA File No:

Lead Agency Area Plan Approval Date: December 6, 2016 (anticipated)

APC Hearing Date: December 7, 2016

Governing Board Hearing Date: January 25, 2017

Appeal Deadline: March 27, 2017

MOU Approval Deadline: July 26, 2017

Geographic Area and Description: The Placer County Tahoe Basin Area Plan addresses that portion of Placer County that is also within the jurisdiction of TRPA, encompassing an area of 46,162 acres (72.1 square miles) that includes the communities of Kings Beach/Stateline, Tahoe City, Carnelian Bay, Dollar Point, Sunnyside, Homewood, Tahoe Vista, and Tahoma.

Land Use Classifications Included in Area Plan: Residential, Recreation, Mixed-Use, Tourist, Backcountry, Conservation, Town Center.

Alternative Development Specific Standards: The alternative, or substitute standards described below are included in the PCTBAP. In addition, the PCTBAP Implementing Regulations include development and design standards that would supersede Chapter 36, Design Standards of the Code of Ordinances within mixed use subdistricts. The PCTBAP Implementing Regulations would also supersede Chapter 34, Driveway and Parking Standards, and Chapter 38, Signs, for the entire Plan area.

- ▲ **Limited Conversion of CFA to TAUs.** The Area Plan would establish a pilot program for the limited conversion of commercial floor area (CFA) to tourist accommodation units (TAUs) for existing development (held by property owners) and for the CFA supply held by Placer County. The program builds upon the conversion standards currently being developed for the TRPA bonus pool of CFA and TAUs. Limitations include:

- (1) The conversion ratio shall be 450 square feet of CFA = 1 TAU;
- (2) no more than 200 additional TAUs may be established in Placer County through this pilot program and other actions combined;
- (3) converted units may only be used in Placer County Town Centers;
- (4) sites must have best management practices (BMP) certificates;
- (5) sites must have sidewalk access;
- (6) sites must be within 0.25 mile of a transit stop; and
- (7) the program will be periodically monitored for efficacy and future consideration of program adjustments.

(See Implementing Regulations Section 3.13.B)

- ▲ **Allow a Project Area to Include Non-Contiguous Parcels.** This program would allow a project site to include non-contiguous parcels within Town Centers. To utilize this program, all project components must be located on developed land in a mixed-use zoning district within a Town Center, and all applicable development standards would still apply. Projects proposing this option would require TRPA approval (see Implementing Regulations Section 2.09.A.3).

- Secondary Residences.** This program would expand upon Section 21.3.2 of the TRPA Code to allow market-rate secondary residential units on certain residential parcels less than 1 acre in size, subject to BMP certification, TRPA Code requirements (including allocations), and supplemental design standards. To qualify for the program, either the primary or secondary residence must be occupied at least 10 months per year. Secondary units may not be used as tourist units or converted to TAUs. (See Implementing Regulations Section 3.01.A & B).

Contents of Area Plans	Code	Conformance
<p>General</p> <p>An Area Plan shall consist of applicable policies, maps, ordinances, and any other related materials identified by the lead agency, sufficient to demonstrate that these measures, together with TRPA ordinances that remain in effect, are consistent with and conform to TRPA's Goals and Policies and all other elements of the Regional Plan. In addition to this Section 13.5, additional specific requirements for the content of Area Plans are in subsection 13.6.5.A. The Memorandum of Understanding (MOU) that is associated with an approved Area Plan is a separate, but related, approval and is not part of the Area Plan.</p>	13.5.1	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<p>Notes: The Placer County Tahoe Basin Area Plan (PCTBAP) consists of applicable policies, maps, ordinances and related materials that conform to the Regional Plan. These policies, maps, and ordinances were developed with the specific intent of conforming with the Regional Plan. Development of the PCTBAP included close collaboration between Placer County and TRPA staff, members of the public, and other stakeholders over approximately five years. The proposed land use and zoning maps are consistent with Map 1, Conceptual Regional Land Use Map, of the Regional Plan, with modifications, as follows:</p> <ul style="list-style-type: none"> Tahoe City Town Center boundary modification: The PCTBAP would modify the boundary to remove 7.12 acres of property near the Fairway Community Center, and add 4.2 acres surrounding the Tahoe City Golf Course clubhouse. This modification reduces, the amount of land in the center, reduces the amount of sensitive land in the center, and is consistent with Code Section 13.5.3.G; Conservation and Recreation lands: The PCTBAP would revise land use designations for approximately 200 acres of publicly-owned lands from Residential to Conservation (approx. 138 acres) and Recreation (approx. 61 acres); Kings Beach land use classification cleanup: The PCTBAP would amend land use designations to maintain consistency with recently surveyed parcel boundaries. The total area affected would be approximately 1 acre. <p>The FEIR/FEIS prepared for the PCTBAP found no significant unmitigable impacts on the environment that would not also occur without adoption of the Area Plan (i.e., under the no project alternative). The TRPA ordinances that are not amended by the PCTBAP will continue to be in effect.</p>		

<p>Relationship to Other Sections of the Code</p> <p>This section is intended to authorize development and design standards in Area Plans that are different than otherwise required under this Code. In the event of a conflict between the requirements in this section and requirements in other parts of the Code, the requirements in this section shall apply for the purposes of developing Area Plans. Except as otherwise specified, Code provisions that apply to Plan Area Statements (Chapter 11), Community Plans (Chapter 12), and Specific and Master Plans (Chapter 14) may also be utilized in a Conforming Area Plan. If an Area Plan proposes to modify any provision that previously applied to Plan Area Statements, Community Plans, or Specific and Master Plans, the proposed revision shall be analyzed in accordance with Code Chapters 3 and 4.</p>	13.5.2	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<p>Notes: The PCTBAP modifies provisions that previously applied to Plan Area Statements and Community Plans consistent with Code Section 13.5.2. It also proposes substitute development and design standards and guidelines. These changes have been evaluated in an Environmental Impact Statement consistent with the Tahoe Regional Planning Compact, Chapter 3 of the Code of Ordinances, and the rules of procedure. Chapter 3, 4 and 13 findings have been prepared for the PCTBAP and are included in the Governing Board packet.</p>		

Development and Community Design Standards for Area Plans		
Area Plans shall have development standards that are consistent with those in Table 13.5.3-1.		
Maximum Building Height	Code	Conformance
Area Plans shall have development standards that are consistent with those in Table 13.5.3-1.		
Outside of Centers building height standards consistent with Code Section 37.4	13.5.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The PCTBAP does not propose any changes to existing height ordinances outside of the Town Center. Existing TRPA height standards in Chapter 37 of the TRPA Code will remain in effect outside of Town Centers (see PCTBAP Implementing Regulations Section 3.10).		
Within Town Centers up to 4 stories (56 ft.) maximum	13.5.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The PCTBAP proposes more restrictive height standards within Town Centers than allowed for in Table 13.5.3-1. Within portions of Town Centers designated as core areas, building height is restricted to 56 ft. and four stories. Within portions of Town Centers designated as transition areas, building height is limited to 46 ft. and three stories. (see PCTBAP Implementing Regulations Section 2.09.A & B).		
Within the Regional Center up to 6 stories (95 ft.) maximum	13.5.3	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes: The PCTBAP does not include the Regional Center.		
Within the High-Density Tourist District up to 197 feet maximum	13.5.3	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes: The PCTBAP does not include the High-Density Tourist District.		

Density	Code	Conformance
Single Family Dwelling consistent with Code Section 31.3	13.5.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The PCTBAP proposed density standards for single-family dwellings is consistent with Section 31.3 (see PCTBAP Implementing Regulations Section 3.04).		
Multiple-Family Dwelling outside of Centers consistent with Code Section 31.3	13.5.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The PCTBAP proposed density standards for multiple-family dwellings outside of Town Centers is consistent with Section 31.3 (see PCTBAP Implementing Regulations Section 3.04).		
Within Centers Multi-Family Dwelling Residential 25 units/acre maximum Tourist (other than bed & breakfast) 40 units/acre maximum	13.5.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The PCTBAP proposed density standards for multiple-family dwellings outside of Town Centers is consistent with Section 31.3 (see PCTBAP Implementing Regulation Section 3.04).		
Land Coverage	Code	Conformance
Land coverage consistent with Section 30.4 of the TRPA Code	13.5.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The PCTBAP proposed land coverage standards are consistent with Section 30.4. The PCTBAP would not change coverage standards outside of Town Centers. Maximum transferred coverage limits within Town Centers are consistent with Code section 30.4.2.B (see PCTBAP Implementing Regulations Section 3.03).		
Alternative Comprehensive Coverage Management System (see below)	13.5.3.B.1	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes: The PCTBAP does not propose an alternative comprehensive coverage management system. Future development of an alternative development comprehensive coverage management system would require an amendment to the PCTBAP and approval by TRPA.		
Complete Streets	Code	Conformance
Area Plan conforms to Section 36.5 of the Code of Ordinances.	13.5.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The PCTBAP conforms with the complete streets provisions of Section 36.5, and provides additional requirements to implement complete street concepts. The PCTBAP includes streetscape design standards (See PCTBAP Implementing Regulations Section 3.06), development standards that require complete street improvements with new development and substantial alteration of existing properties (see PCTBAP Implementing Regulations Sections 2.04.A.4.a; 2.04.B.4.a; 2.04.C.4.a; and 2.04.D.4.a), as well as design guidelines that promote street frontage designs that are compatible with complete streets concepts (see PCTBAP Implementing Regulations Section 2.04.A.5.a and 2.04.B.5.a). The exact requirements vary by zoning subdistrict. Within some mixed-use areas, the development standards modify existing setback standards and require pedestrian improvements between the building frontage and the sidewalk. The development standards also require the incorporation of planned bicycle and pedestrian trails and improvements, and in some areas they specify minimum sidewalk widths. Additional requirements apply to properties in mixed use areas fronting SR 28 and 89, including requirements for street trees and pedestrian lights.		
Within Centers plan for sidewalks, trails, and other pedestrian amenities providing safe and convenient non-motorized circulation within Centers, as applicable, and incorporation the Regional Active Transportation Plan	13.5.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Notes: The PCTBAP has incorporated the Regional Active Transportation Plan and appropriately plans for bicycle and pedestrian amenities within Centers as well as throughout the Plan area. In addition to the planned improvements and requirements for implementation of complete streets (described above), the PCTBAP includes numerous policies that support safe and convenient non-motorized circulation. These policies include policy T-P-1, which states “Encourage the use of non-auto modes of transportation by incorporating public transit, bicycle, and pedestrian travel amenities in transportation projects and other projects that impact or connect to the transportation network.” In addition, the PCTBAP includes 19 separate policies that provide direction on specific approaches to improve the safety, convenience, and function of non-motorized circulation within centers and throughout the Plan area (See PCTBAP Policies T-P-19 through T-P-37).

Alternative Development Standards and Guidelines Authorized in Area Plans		
Comprehensive Coverage Management Systems	Code	Conformance
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.	13.5.3.B.1	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes: The PCTBAP does not propose an alternative comprehensive coverage management system. Future development of an alternative development comprehensive coverage management system would require an amendment to the PCTBAP and approval by TRPA.		
Alternative Parking Strategies	Code	Conformance
Area Plan includes shared or area-wide parking strategies to reduce land coverage and make more efficient use of land for parking and pedestrian uses. Shared parking strategies may consider and include the following.	13.5.3.B.2	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<ul style="list-style-type: none"> o Reduction or relaxation of minimum parking standards; o Creation of maximum parking standards; o Shared parking; o In-lieu payment to meet parking requirements; o On-street parking; o Parking along major regional travel routes; o Creation of bicycle parking standards; o Free or discounted transit; o Deeply discounted transit passes for community residents; 		

and		
o Paid parking management		

Notes: The PCTBAP includes parking strategies intended to reduce land coverage, make more efficient use of land, and encourage non-auto transportation modes (See PCTBAP Policies T-P-13 through T-P-18). Specific parking strategies include, but are not limited to, a reduction in minimum parking standards for some land uses, establishment of parking maximums, allowing for a 20 percent reduction in parking within Centers and for properties within 300 feet of transit, and calling for the development of an in-lieu fee program to meet parking requirements (see PCTBAP Implementing Regulations Section 3.07A.5).

Area-wide Water Quality Treatments and Funding Mechanisms	Code	Conformance
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<p>Area Plan includes water quality treatments and funding mechanisms in lieu of certain site-specific BMPs, subject to the following requirements.</p> <ul style="list-style-type: none"> o 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; o Plans should be developed in coordination with TRPA and applicable state agencies, consistent with applicable TMDL requirements; o Area-wide BMP project areas shall be identified in Area Plans and shall address both installation and ongoing maintenance; o Strong consideration shall be given to areas connected to surface waters; o Area-wide BMP plans shall consider area-wide and parcel level BMP requirements as an integrated system; o 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. o 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. 	<p>13.5.3.B.3</p>	<p><input type="checkbox"/>Yes <input type="checkbox"/>No <input checked="" type="checkbox"/>N/A</p>
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Notes: The PCTBAP does not propose new area-wide water quality treatment programs in-lieu of site-specific BMPs. The PCTBAP includes policies WQ-P-5 and WQ-P-6, which call for evaluating the feasibility of and pursuing Area-Wide water quality districts and public stormwater districts. However,

these districts have not been developed and would not be approved as part of the PCTBAP. The future establishment of such districts would require a separate evaluation for conformance with the Regional Plan.

Alternative Transfer Ratios for Development Rights	Code	Conformance
<p>Within a Stream Restoration Plan Area as depicted in Map 1 in the Regional Plan, an Area Plan may propose to establish alternative transfer ratios for development rights based on unique conditions in each jurisdiction, as long as the alternative transfer ratios are determined to generate equal or greater environment gain compared to the TRPA transfer ratios set forth in Chapter 51: Transfer of Development.</p>	13.5.3.B.4	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<p>Notes: The PCTBAP does not propose alternative transfer ratios for development rights within a Stream Restoration Plan Area.</p>		

Development Standards and Guidelines Encouraged in Area Plans	Code	Conformance
<p>Urban Bear Strategy</p> <p>In Area Plans, lead agencies are encouraged to develop and enforce urban bear strategies to address the use of bear-resistant solid waste facilities and related matters.</p>	13.5.3.C.1	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<p>Notes: The PCTBAP includes policy SE-P-2, which states “Coordinate with partner agencies to manage bear populations and minimize conflicts with people. Programs should emphasize public education and expand the use of bear-proof solid waste enclosures.”</p>		
<p>Urban Forestry</p> <p>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.</p>	13.5.3.C.2	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<p>Notes: The PCTBAP includes policy VEG-P-2, which states “Support forest enhancement projects being completed by land management agencies and fire districts, including selective cutting and controlled burning projects that improve forest health and reduce the risk of catastrophic wildfire.” In addition, the PCTBAP includes requirements for the planting of street trees along SR 89 and SR 28 within mixed-use areas (see PCTBAP Implementing Regulations Section 2.04.A.4.a.ii(1)).</p>		

Development on Resort Recreation Parcels	Code	Conformance
<p>In addition to recreation uses, an Area Plan may allow the development and subdivision of tourist, commercial, and residential uses on the Resort Recreation District parcels depicted on Map 1 of the Regional Plan and subject to the following conditions:</p> <ul style="list-style-type: none"> ○ The parcels must become part of an approved Area Plan; ○ Subdivisions shall be limited to “air space condominium” divisions with no lot and block subdivisions allowed; ○ Development shall be transferred from outside the area designated as Resort Recreation; and ○ Transfers shall result in the retirement of existing development. 	13.5.3.D	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A

Notes: There are no Resort Recreation parcels within the PCTBAP.

Greenhouse Gas Reduction Strategy	Code	Conformance
<p>To be found in conformance with the Regional Plan, Area Plans shall include a strategy to reduce emissions of Greenhouse Gases from the operation or construction of buildings. The strategy shall include elements in addition to those included to satisfy other state requirements or requirements of this code. Additional elements included in the strategy may include but are not limited to the following:</p> <ul style="list-style-type: none"> ○ A local green building incentive program to reduce the energy consumption of new or remodeled buildings; ○ A low interest loan or rebate program for alternative energy projects or energy efficiency retrofits; ○ Modifications to the applicable building code or design standards to reduce energy consumption; or ○ Capital improvements to reduce energy consumption or incorporate alternative energy production into public facilities. 	13.5.3.E	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Notes: The PCTBAP includes the continued implementation of the mPOWER (money for property owner water and energy efficiency retrofitting) program. This program provides residential and non-residential property owners with financing to retrofit existing buildings with energy efficiency, water conservation, and renewable energy systems (See PCTBAP policy AQ-P-6).

Community Design Standards

To be found in conformance with the Regional Plan, Area Plans shall require that all projects comply with the design standards in this subsection. Area Plans may also include additional or substitute requirements not listed below that promote threshold attainment.

Site Design	Code	Conformance
<p>Development in All Areas</p> <p>All new development shall consider, at minimum, the following site design standards:</p> <ul style="list-style-type: none"> ○ Existing natural features retained and incorporated into the site design; ○ Building placement and design that are compatible with adjacent properties and designed in consideration of solar exposure, climate, noise, safety, fire protection, and privacy; ○ Site planning that includes a drainage, infiltration, and grading plan meeting water quality standards, and ○ Access, parking, and circulation that are logical, sage, and meet the requirements of the transportation element. 	13.5.3.F.1.a	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<p>Notes: The PCTBAP includes detailed design standards and guidelines. These standards address retention of natural features; building placement that is compatible with adjacent properties and considers sun, climate, noise, safety, and privacy; and site planning that includes a drainage, infiltration, and grading plan that meets water quality standards (see PCTBAP Implementing Regulations Section 3.09). The PCTBAP also includes detailed parking and access design standards that are logical and consistent with the transportation element of the Regional Plan (See PCTBAP Implementing Regulations Section 3.07).</p>		
<p>Development in Regional Center or Town Center</p> <p>In addition to the standards above, development in Town Centers or the Regional Center shall address the following design standards:</p> <ul style="list-style-type: none"> ○ Existing or planned pedestrian and bicycle facilities shall connect properties within Centers to transit stops and the Regional Bicycle and Pedestrian network. ○ Area Plans shall encourage the protection of views of Lake Tahoe. ○ Building height and density should be varied with some buildings smaller and less dense than others. ○ Site and building designs within Centers shall promote pedestrian activity and provide enhanced design features along public roadways. Enhanced design features to be considered include increased setbacks, stepped heights, increased building articulation, and/or higher quality building materials along public roadways. ○ Area Plans shall include strategies for protecting undisturbed sensitive lands and, where feasible, establish park or open space corridors connecting 	13.5.3.F.1.b	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

<p>undisturbed sensitive areas within Centers to undisturbed areas outside of Centers.</p>		
<p>Notes: The PCTBAP includes a comprehensive network of existing and planned pedestrian and bicycle facilities that connect properties within Centers to other multi-modal transportation options (See PCTBAP Figures 5-3 through 5-5). The PCTBAP development standards require that projects incorporate planned pedestrian and bicycle facilities with new development and substantial alteration of existing properties (see PCTBAP policy T-P-19 and Implementing Regulations Sections 2.04.A.4.a; 2.04.B.4.a; 2.04.C.4.a; and 2.04.D.4.a).</p> <p>The PCTBAP includes a series of policies that call for the protection and enhancement of scenic views, including views of Lake Tahoe (See PCTBAP policies SR-P-1 through SR-P-9). In addition, the PCTBAP Implementing Regulations includes a new requirement that four-story buildings located in Centers between Lake Tahoe and SR 28 or 89 must maintain at least 35 percent of the site as an open view corridor or increase existing view corridors by at least 10 percent (see Section 2.09.A.1.a.ii).</p> <p>Building height (and therefore the density that can be achieved within a project area) are varied within Town Centers. The PCTBAP establishes core areas within Centers that allow for greater height, and transition areas within Centers where building height is more limited (See PCTBAP Implementing Regulations Section 2.09.A.1 and 2).</p> <p>Detailed design standards are included in the PCTBAP, which address pedestrian activity and enhanced design features along public roadways in Centers. The standards address building articulation, street frontage landscaping, stepped heights, and other building form requirements. The exact standards vary by Center. See for example, the Greater Tahoe City Mixed Use subdistrict standards in Implementing Regulations Section 2.04.A.4.</p> <p>The PCTBAP includes special planning areas with specific requirements for protecting undisturbed open space, restoring disturbed SEZs, and creating open space corridors connecting undisturbed sensitive areas within Centers to undisturbed areas outside of Centers (See PCTBAP Implementing Regulations Sections 2.09.B.1, 3, and 5).</p>		
<p>Building Height</p> <ul style="list-style-type: none"> ○ Area Plans may allow building heights up to the maximum limits in Table 13.5.3-1 of the Code of Ordinances ○ Building height limits shall be established to ensure that buildings do not project above the forest canopy, ridge lines, or otherwise detract from the viewshed. ○ Area Plans that allow buildings over two stories in height shall, where feasible, include provisions for transitional height limits or other buffer areas adjacent to areas not allowing buildings over two stories in height. 	<p>13.5.3.F.2</p>	<p><input checked="" type="checkbox"/>Yes <input type="checkbox"/>No <input type="checkbox"/>N/A</p>
<p>Notes: The PCTBAP allows building heights up to the limits allowed in Table 13.5.3-1 of the Code, and it includes transitional height limits and upper story setbacks. Within portions of Town Centers designated as core areas, building height is restricted to 56 ft. and four stories. Within portions of Town Centers</p>		

designated as transition areas, building height is limited to 46 ft. and three stories. (see PCTBAP Implementing Regulations Section 2.09.A & B). Existing TRPA height standards in Chapter 37 of the TRPA Code will remain in effect outside of Town Centers (see PCTBAP Implementing Regulations Section 3.10).

Policy SR-P-9 states that “To ensure viewshed protection and compatibility with adjacent uses, new construction of buildings must not project above the forest canopy, ridgelines, or otherwise detract from the viewshed”. In addition, PCTBAP Implementing Regulations sections 2.09.A.1 and 2, and section 3.09.A require that any three or four story building in a Town Center must meet the findings listed in section 37.7.16 of the TRPA Code of Ordinances, which ensure that buildings do not project above the forest canopy, ridge lines, or otherwise detract from the viewshed.

<p>Building Design</p> <p>Standards shall be adopted to ensure attractive and compatible development. The following shall be considered:</p> <ul style="list-style-type: none"> ○ Buffer requirements should be established for noise, snow removal, aesthetic, and environmental purposes. ○ The scale of structures should be compatible with existing and planned land uses in the area. ○ Viewsheds should be considered in all new construction. Emphasis should be placed on lake views from major transportation corridors. ○ Area Plans shall include design standards for building design and form. Within Centers, building design and form standards shall promote pedestrian activity. 	<p>13.5.3.F.3</p>	<p><input checked="" type="checkbox"/>Yes <input type="checkbox"/>No <input type="checkbox"/>N/A</p>
<p>Notes: The PCTBAP includes detailed standards for building design and form that have been developed to ensure attractive and compatible development. These standards address compatibility with adjacent properties, including scale and design for noise, snow removal, aesthetic, and environmental purposes (see PCTBAP Implementing Regulations Section 3.09). Section 3.09.A.2 requires the consideration of viewsheds in the design of buildings, and the PCTBAP includes a new requirement that four-story buildings located in Centers between Lake Tahoe and SR 28 or 89 must maintain at least 35 percent of the site as an open view corridor or increase existing view corridors by at least 10 percent (see Section 2.09.A.1.a.ii). The PCTBAP includes specific building design and form standards for Centers that are intended to promote pedestrian activity. The exact standards vary between subdistricts within Centers (See PCTBAP Implementing Regulations Sections 2.04.A.4 and 2.04.B.4).</p>		
<p>Landscaping</p> <p>The following should be considered with respect to this design component of a project:</p> <ul style="list-style-type: none"> ○ Native vegetation should be utilized whenever possible, consistent with Fire Defensible Space Requirements. ○ Vegetation should be used to screen parking, alleviate long strips of parking space, and accommodate 	<p>13.5.3.F.4</p>	<p><input checked="" type="checkbox"/>Yes <input type="checkbox"/>No <input type="checkbox"/>N/A</p>

<p>stormwater runoff where feasible.</p> <ul style="list-style-type: none"> ○ Vegetation should be used to give privacy, reduce glare and heat, deflect wind, muffle noise, prevent erosion, and soften the line of architecture where feasible. 		
<p>Notes: The PCTBAP includes landscaping standards and guidelines that require the use of vegetation on the TRPA Recommended Native and Adapted Plant List, except for accent plantings. The standards require consistency with defensible space requirements, and encourages the use of vegetation to create and separate spaces, give privacy, screen heat and glare, deflect wind, muffle noise, articulate circulation, inhibit erosion, purify air, and soften the lines of architecture and paving (See PCTBAP Implementing Regulations Section 3.09.C). Additional design standards and guidelines require parking lot landscaping to screen parking, break up long strips of parking, and accommodate stormwater (See PCTBAP Implementing Regulations Section 3.07.C).</p>		
<p>Lighting</p> <p>Lighting increases the operational efficiency of a site. In determining the lighting for a project, the following should be required:</p> <ul style="list-style-type: none"> ○ Exterior lighting should be minimized to protect dark sky views, yet adequate to provide for public safety, and should be consistent with the architectural design. ○ Exterior lighting should utilize cutoff shields that extend below the lighting element to minimize light pollution and stray light. ○ Overall levels should be compatible with the neighborhood light level. Emphasis should be placed on a few, well-placed, low-intensity lights. ○ Lights should not blink, flash, or change intensity except for temporary public safety signs. 	<p>13.5.3.D.5</p>	<p><input checked="" type="checkbox"/>Yes <input type="checkbox"/>No <input type="checkbox"/>N/A</p>
<p>Notes: The PCTBAP includes detailed lighting standards that are more stringent than required by TRPA Code section 13.5.3.D.5. The PCTBAP lighting standards include general lighting standards, prohibited lighting, allowable fixture types (limited to “full-cut-off” luminaries), prohibitions on glare, prohibitions on light trespass, and lighting design standards (See PCTBAP Implementing Regulations Section 3.07.D).</p>		
<p>Signing</p> <p>Area Plans may include alternative sign standards. For Area Plans to be found in conformance with the Regional Plan, the Area Plan shall demonstrate that the sign standards will minimize and mitigate significant scenic impacts and move toward attainment or achieve the adopted scenic thresholds for the Lake Tahoe region.</p>	<p>13.5.3.F.6</p>	<p><input checked="" type="checkbox"/>Yes <input type="checkbox"/>No <input type="checkbox"/>N/A</p>
<p>Notes: The PCTBAP includes alternative sign standards that would supersede Chapter 38 of the TRPA Code of Ordinances (See PCTBAP Implementing Regulations section 3.11). The sign standards are</p>		

generally consistent with the TRPA sign standards with targeted revisions to improve clarity and reflect the community character of the Plan area. These sign standards were reviewed in the EIR/EIS prepared for the plan, and found to have a less than significant effect on scenic quality. The sign standards include a requirement for amortization of non-conforming signs, which will move toward attainment or maintenance of scenic threshold standards.

<p>Signing</p> <p>In the absence of a Conforming Area Plan that addresses sign standards, the following policies apply, along with implementing ordinances:</p> <ul style="list-style-type: none"> ○ Off-premise signs should generally be prohibited; way-finding and directional signage may be considered where scenic impacts are minimized and mitigated. ○ Signs should be incorporated into building design; ○ When possible, signs should be consolidated into clusters to avoid clutter. ○ Signage should be attached to buildings when possible; and ○ Standards for number, size, height, lighting, square footage, and similar characteristics for on-premise signs shall be formulated and shall be consistent with the land uses permitted in each district. 	<p>13.5.3.F.6</p>	<p><input type="checkbox"/>Yes <input type="checkbox"/>No <input checked="" type="checkbox"/>N/A</p>
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Notes: The PCTBAP addresses sign standards. The sign standards in the PCTBAP are consistent with the policies outlined in TRPA Code Section 13.5.3.F.6.

<p>Modification to Centers (Town Center, Regional Center and High Density Tourist District Boundary)</p> <p>When Area Plans propose modifications to the boundaries of a Center, the modification shall comply with the following:</p> <ul style="list-style-type: none"> ○ Boundaries of Centers shall be drawn to include only properties that are developed, unless undeveloped parcels proposed for inclusion have either at least three sides of their boundary adjacent to developed parcels (for four-sided parcels), or 75 percent of their boundary adjacent to developed parcels (for non-four-sided parcels). For purposes of this requirement, a parcel shall be considered developed if it includes any of the following: 30 percent or more of allowed coverage already existing on site or an approved but unbuilt project that proposes to meet this coverage standard. ○ Properties included in a Center shall be less than ¼ mile 	<p>13.5.3.G</p>	<p><input checked="" type="checkbox"/>Yes <input type="checkbox"/>No <input type="checkbox"/>N/A</p>
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<p>from existing Commercial and Public Service uses.</p> <ul style="list-style-type: none"> ○ Properties included in a Center shall encourage and facilitate the use of existing or planned transit stops and transit systems. 		
<p>Notes: The PCTBAP would modify the Tahoe City Town Center boundary to remove 7.12 acres of property near the Fairway Community Center and add 4.2 acres surrounding the Tahoe City Golf Course clubhouse. This modification reduces the amount of land in the Center and reduces the amount of sensitive land in the Center. The area to be included in the Center includes portions of the existing Tahoe City Golf Course, the golf course clubhouse, parking areas, and related amenities. This area meets the definition of a developed area pursuant to TRPA Code Section 13.5.3.G. The area added to the Center is adjacent to existing commercial and public service uses and is within ¼ mile from transit stops.</p>		

Conformity Review Procedures For Area Plans		
<p>Initiation of Area Planning Process by Lead Agency</p> <p>The development of an Area Plan shall be initiated by a designated lead agency. The lead agency may be TRPA or a local, state, federal, or tribal government. There may be only one lead agency for each Area Plan.</p>	13.6.1	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<p>Notes: Placer County is the lead agency for development of the PCTBAP.</p>		
<p>Initial Approval of Area Plan by Lead Agency</p> <p>When TRPA is Not the Lead Agency If the lead agency is not TRPA, then the Area Plan shall be approved by the lead agency prior to TRPA’s review of the Area Plan for conformance with the Regional Plan under this section. In reviewing and approving an Area Plan, the lead agency shall follow its own review procedures for plan amendments. At a minimum, Area Plans shall be prepared in coordination with local residents, stakeholders, public agencies with jurisdictional authority within the proposed Area Plan boundaries, and TRPA staff.</p> <p>When TRPA is the Lead Agency If the lead agency is TRPA, the Area Plan shall require conformity approval under this section by TRPA only. No approval by any other government, such as a local government, shall be required.</p>	13.6.2	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<p>Notes: The PCTBAP was prepared in a collaborative fashion led by Placer County over the course of five years. Development of the Area Plan included numerous formal and informal public meetings, input from citizen “Area Plan Teams”, public agencies, stakeholder groups, and the North Tahoe Regional Advisory Council. The PCTBAP was recommended for approval by the Placer County Planning Commission on November 17, 2016, and scheduled for action by the Placer County Board of Supervisors on December 6, 2016.</p>		

<p>Review by Advisory Planning Commission The TRPA Advisory Planning Commission shall review the proposed Area Plan and make recommendations to the TRPA Governing Board. The commission shall obtain and consider the recommendations and comments of the local government(s) and other responsible public agencies, as applicable. jurisdictional authority within the proposed Area Plan boundaries, and TRPA staff.</p>	13.6.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			
Notes: The Advisory Planning Commission (APC) reviewed the draft PCTBAP, and considered input from public agencies, staff and the public on July 13, 2016. On December 7, 2016, the APC is scheduled to review the PCTBAP and make recommendations to the TRPA Governing Board.					
<p>Approval of Area Plan by TRPA For Area Plans initiated and approved by a lead agency other than TRPA, the Area Plan shall be submitted to and reviewed by the TRPA Governing Board at a public hearing. Public comment shall be limited to issues raised by the public before the Advisory Planning Commission and issues raised by the Governing Board. The TRPA Governing Board shall make a finding that the Area Plan, including all zoning and development Codes that are part of the Area Plan, is consistent with and furthers the goals and policies of the Regional Plan. This finding shall be referred to as a finding of conformance and shall be subject to the same voting requirements as approval of a Regional Plan amendment.</p>	13.6.4	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			
Notes: The TRPA Governing Board is scheduled to review the PCTBAP and act regarding a finding of conformance on January 25, 2017.					
<p>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:</p>					
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">General Review Standards For All Area Plans</th> <th style="text-align: center;">Code</th> <th style="text-align: center;">Conformance</th> </tr> </thead> </table>			General Review Standards For All Area Plans	Code	Conformance
General Review Standards For All Area Plans	Code	Conformance			
The submitted Area Plan shall:					
Identify zoning designations, allowed land uses and development standards throughout the plan area.	13.6.5.A.1	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			
Notes: The PCTBAP Implementing Regulations identifies zoning designations (Section 2.01), allowed land uses (Section 2.02 through 2.08), and development standards throughout the entire Plan area (Chapters 2 and 3).					
Be consistent with all applicable Regional Plan policies, including but not limited to the regional growth management system, development allocations and coverage requirements.	13.6.5.A.2	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			
Notes: The PCTBAP does not propose additional growth, allocations, or coverage beyond that anticipated in the Regional Plan.					
Either be consistent with the Regional Land Use Map or recommend and adopt amendments to the Regional Land Use	13.6.5.A.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			

Map as part of an integrated plan to comply with Regional Plan policies and provide threshold gain.		
<p>Notes: The PCTBAP includes proposed amendments to the Regional Land Use Map as part of an integrated plan to comply with Regional Plan policies and attain and maintain threshold standards. The proposed revisions have been analyzed in the EIR/EIS for the PCTBAP and were found to not result in significant environmental impacts. The proposed revisions are as follows:</p> <ul style="list-style-type: none"> • Tahoe City Town Center boundary modification: The PCTBAP would modify the boundary to remove 7.12 acres of property near the Fairway Community Center, and add 4.2 acres surrounding the Tahoe City Golf Course clubhouse. This modification reduces, the amount of land in the center, reduces the amount of sensitive land in the center, and is consistent with Code Section 13.5.3.G; • Conservation and Recreation lands: The PCTBAP would revise land use designations for approximately 200 acres of publicly-owned lands from Residential to Conservation (approx. 138 acres) and Recreation (approx. 61 acres); • Kings Beach land use classification cleanup: The PCTBAP would amend land use designations to maintain consistency with recently surveyed parcel boundaries. The total area affected would be approximately 1 acre. 		
Recognize and support planned, new, or enhanced Environmental Improvement Projects. Area Plans may also recommend enhancements to planned, new, or enhanced Environmental Improvement Projects as part of an integrated plan to comply with Regional Plan Policies and provide threshold gain.	13.6.5.A.4	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<p>Notes: The PCTBAP recognizes and supports new, planned, and enhanced Environmental Improvement Projects in section 8.2, Planned Environmental Improvement Projects.</p>		
Promote environmentally beneficial redevelopment and revitalization within town centers, regional centers and the High Density Tourist District.	13.6.5.A.5	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<p>Notes: The PCTBAP promotes environmentally beneficial redevelopment of the Tahoe City and Kings Beach Town Centers by promoting TRPA incentives for the transfer of development, and by providing capacity for redevelopment in Centers consistent with TRPA's coverage, height, and density limits.</p>		
Preserve the character of established residential areas outside of town centers, regional centers and the High Density Tourist District, while seeking opportunities for environmental improvements within residential areas.	13.6.5.A.6	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<p>Notes: The PCTBAP does not alter zoning of established residential areas. It includes upper story setbacks and transitional areas with lower height limits along the interface between Town Centers and established residential areas (See PCTBAP Implementing Regulations Sections 2.09.A & B).</p>		
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	13.6.5.A.7	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Include estimated acres of coverage/ SEZ restoration from transfers and EIP

Stream Environment Zone.				projects in the table below																													
<table border="1"> <thead> <tr> <th rowspan="2"></th> <th colspan="3">Inside Centers*</th> <th colspan="3">Outside Centers*</th> </tr> <tr> <th>SEZ</th> <th>Other sensitive lands</th> <th>Non-sensitive lands</th> <th>SEZ</th> <th>Other sensitive lands</th> <th>Non-sensitive lands</th> </tr> </thead> <tbody> <tr> <td>A. Max coverage changes from transfers</td> <td>-59.67 acres</td> <td>-4.97 acres</td> <td>+21.3 acres</td> <td>-21.3 acres</td> <td>-21.3 acres</td> <td>-42.6 acres</td> </tr> <tr> <td>B. Coverage/disturbed SEZ restoration in EIP projects</td> <td><i>Up to 2 acres of coverage removal from 1b lands and SEZ restoration is planned as part of the Kings Beach Watershed Improvement Project and the Griff Creek Corridor Public Access Project</i></td> <td></td> <td></td> <td><i>Up to 6.5 acres of coverage removal from 1b lands and SEZ restoration is planned from the Burton Creek Justice Relocation Project and the Pomin Park Recreation Facilities Relocation Project.</i></td> <td></td> <td></td> </tr> </tbody> </table>								Inside Centers*			Outside Centers*			SEZ	Other sensitive lands	Non-sensitive lands	SEZ	Other sensitive lands	Non-sensitive lands	A. Max coverage changes from transfers	-59.67 acres	-4.97 acres	+21.3 acres	-21.3 acres	-21.3 acres	-42.6 acres	B. Coverage/disturbed SEZ restoration in EIP projects	<i>Up to 2 acres of coverage removal from 1b lands and SEZ restoration is planned as part of the Kings Beach Watershed Improvement Project and the Griff Creek Corridor Public Access Project</i>			<i>Up to 6.5 acres of coverage removal from 1b lands and SEZ restoration is planned from the Burton Creek Justice Relocation Project and the Pomin Park Recreation Facilities Relocation Project.</i>		
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Notes: *Centers include town centers, regional centers, and high density tourist districts (GIS data: Special Districts). SEZs include 1b capability areas, other sensitive lands include 1a, 1c, 2, and 3 land capability classes, and non-sensitive lands include 4-7 land capability classes pursuant the Sinclair-Bailey Land Capability GIS data layer.																																	
Identify facilities and implementation measures to enhance pedestrian, bicycling and transit opportunities along with other opportunities to reduce automobile dependency.				13.6.5.A.8	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A																												
Notes: The PCTBAP includes identifies new and planned facilities and implementation measures to enhance non-automobile transportation in Part 5, Transportation Plan.																																	
TRPA Utilization of Load Reduction Plans				Code	Conformance																												
TRPA shall utilize the load reduction plans for all registered catchments or TRPA default standards when there are no registered catchments, in the conformance review of Area				13.6.5.B	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A																												

Plans.		
Notes: The PCTBAP identified TMDL implementation strategies in Section 2.2, Water Quality, and in the Implementation Plan in Part 8.		
Additional Review Standards for Town Centers and the Regional Center	Code	Conformance
Include building and site design standards that reflect the unique character of each area, respond to local design issues and consider ridgeline and viewshed protection.	13.6.5.C.1	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: As described above, the PCTBAP includes detailed design standards that reflect the unique character of each area, respond to local design considerations, and promote ridgeline and viewshed protection. The PCTBAP Implementing Regulations include a mix of unique standards that reflect the character of individual zoning subdistricts (see Chapter 2), as well as a series of area-wide standards and guidelines (see Chapter 3).		
Promote walking, bicycling, transit use and shared parking in town centers and regional centers, which at a minimum shall include continuous sidewalks or other pedestrian paths and bicycle facilities along both sides of all highways within town centers and regional centers, and to other major activity centers.	13.6.5.C.2	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The PCTBAP includes a comprehensive network of existing and planned pedestrian and bicycle facilities that connect properties within Centers and to other multi-modal transportation options (See PCTBAP Figures 5-3 through 5-5). The PCTBAP development standards require that projects incorporate planned pedestrian and bicycle facilities with new development and substantial alteration of existing properties (see PCTBAP policy T-P-19 and Implementing Regulations Sections 2.04.A.4.a; 2.04.B.4.a; 2.04.C.4.a; and 2.04.D.4.a). Specific mobility projects are identified in Part 8, Implementation Plan.		
Use standards within town centers and regional centers addressing the form of development and requiring that projects promote pedestrian activity and transit use.	13.6.5.C.3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: Detailed design standards are included in the PCTBAP, which address pedestrian activity and enhanced design features and transit use in Centers. The standards address building articulation, street frontage landscaping, stepped heights, and other building form requirements. The exact standards vary by Center. See for example, the Greater Tahoe City Mixed Use subdistrict standards in Implementing Regulations Section 2.04.A.4.		
Ensure adequate capacity for redevelopment and transfers of development rights into town centers and regional centers.	13.6.5.C.4	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The PCTBAP includes height, density, and coverage limits up to the maximum limits allowed by Chapter 13 of the Code of Ordinances. These standards would provide adequate capacity for redevelopment of the existing Town Centers and transfers of development from sensitive and/or outlying areas.		
Identify an integrated community strategy for coverage reduction and enhanced stormwater management.	13.6.5.C.5	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: Part 8, Implementation Plan, of the PCTBAP includes specific projects necessary to implement an integrated strategy for coverage reduction and stormwater management. In addition, the PCTBAP includes special planning areas with specific requirements for SEZ restoration and coverage reduction		

(See PCTBAP Implementing Regulations Sections 2.09.B.1, 3, and 5).		
Demonstrate that all development activity within Town Centers and the Regional Center will provide for or not interfere with Threshold gain, including but not limited to measurable improvements in water quality.	13.6.5.C.6	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes: The PCTBAP was reviewed in an EIR/EIS, which identified beneficial effects on threshold standards including water quality. The EIR/EIS identified no impacts that would interfere with attainment of threshold standards. See also the Chapter 4 findings included in the Governing Board Packet.		
Additional Review Standards for the High Density Tourist District	Code	Conformance
Include building and site design standards that substantially enhance the appearance of existing buildings in the High Density Tourist District.	13.6.5.D.1	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes: The PCTBAP does not include the High Density Tourist District.		
Provide pedestrian, bicycle and transit facilities connecting the High Density Tourist District with other regional attractions.	13.6.5.D.2	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes:		
Demonstrate that all development activity within the High-Density Tourist District will provide or not interfere with Threshold gain, including but not limited to measurable improvements in water quality. If necessary to achieve Threshold gain, off-site improvements may be additionally required.	13.6.5.D.3	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes:		
Conformity Review for Amendments to Area Plans	Code	Conformance
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.	13.6.6	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes: No amendments to the PCTBAP are proposed at this time		
Conformity Review for Amendments Made by TRPA to the	Code	Conformance

Regional Plan that Affect an Area Plan		
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.	13.6.7.A	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes: No amendments to the Regional Plan are proposed at this time		
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.	13.6.7.B	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes:		
Effect of Finding of Conformance of Area Plan	Code	Conformance
By finding that an Area Plan conforms with the Regional Plan pursuant to the requirements of this chapter and upon adoption of an MOU pursuant to Section 13.7, the Area Plan shall serve as the standards and procedures for implementation of the Regional Plan. The standards and procedures within each Area Plan shall be considered and approved individually and shall not set precedent for other Area Plans.	13.6.8	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes: An MOU for the PCTBAP has not been prepared at this time. An MOU is expected to be prepared within six months of a finding of conformance for the PCTBAP, consistent with Code section 13.7.5.		

Procedures for Adoption of Memorandum of Understanding	Code	Conformance
Area Plan is consistent with Procedures for Adoption of Memorandum of Understanding	13.7	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes: An MOU for the PCTBAP has not been prepared at this time. An MOU is expected to be prepared within six months of a finding of conformance for the PCTBAP, consistent with Code section 13.7.5.		

Monitoring, Certification, and Enforcement of Area Plan	Code	Conformance
Area Plan includes Notification, Monitoring, Annual Review, and Recertification procedures consistent Code Section 13.8	13.8	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes: Notification, monitoring, annual review, and recertification procedures would be specified in the MOU, which is expected to be submitted within six months of a finding of conformance for the PCTBAP.		

Appeals	Code	Conformance
Area Plan Appeal Procedure is consistent with Code Section 13.9	13.9	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Notes: Appeal procedures would be specified in the MOU, which is expected to be submitted within six months of a finding of conformance for the PCTBAP.		

MEMORANDUM

Date: November 30, 2016
To: TRPA Advisory Planning Commission
From: TRPA Staff
Subject: Recommend that the TRPA Governing Board Issue the Final 2015 Threshold Evaluation Report

Requested Action: Recommendation to the TRPA Governing Board that the attached resolution issuing the Final 2015 Threshold Evaluation Report be adopted.

Staff Recommendation: Staff recommends that the Advisory Planning Commission makes a recommendation that the TRPA Governing Board adopt the resolution and issue the Final 2015 Threshold Evaluation Report.

Required Motion: To make the recommendation, the Advisory Planning Commission must make the following motion, based on this staff report and the evidence in the record:

A motion to recommend that the Governing Board adopt Resolution 2016-___ issuing the Final 2015 Threshold Evaluation Report.

In order for the motion to pass an affirmative vote of a simple majority of the APC members is required.

Background: The 1980 TRPA Compact (PL-96-551, 1980) directed TRPA to adopt environmental threshold carrying capacities (threshold standards). They are “*environmental standard(s) necessary to maintain a significant scenic, recreational, educational, scientific or natural value of the region or to maintain public health and safety within the region*” (TRPA Compact, Art. II(i)). In 1982, the TRPA Governing Board adopted through TRPA Resolution 82-11 more than 100 threshold standards in nine categories: water quality, air quality, noise, vegetation, wildlife, scenic resources, soil conservation, fisheries and recreation. In addition to the adoption of threshold standards, TRPA Governing Board Resolution 82-11 also directed the agency to establish a monitoring program to track progress in attainment of adopted threshold standards.

Chapter 16 of the TRPA Code of Ordinances provides implementation guidance to the Agency on reporting requirements associated with threshold evaluations. The purpose of the threshold evaluation is to:

- Assess the status of environmental conditions relative to the adopted threshold standards.
- Summarize progress on the implementation of the Regional Plan.
- Provide recommendations on additional actions that can be implemented to facilitate threshold standard attainment and maintenance, or otherwise improve the effectiveness of the agency.

The Draft 2015 Threshold Evaluation Report and a brief presentation of the report's results and recommendations were presented to the Governing Board in September 2016 and to the Advisory Planning Commission in October 2016. The peer review findings and recommendations were included as an appendix in the Draft and Final 2016 Threshold Evaluation Report.

The Final 2015 Threshold Evaluation Report can be found at <http://www.trpa.org/regional-plan/threshold-evaluation/>.

Contact Information: If you have any questions regarding this agenda item please contact Jeanne McNamara, Principal Planning Analyst, at jmcnamara@trpa.org, (775) 589-5252, or Dan Segan, Principal Natural Resource Analyst, at dsegan@trpa.org, (775) 589-5233

Attachments:

- A. Resolution
- B. Required Findings

Attachment A
Resolution

TAHOE REGIONAL PLANNING AGENCY

RESOLUTION 2016 - ____

RESOLUTION ISSUING THE 2015 THRESHOLD EVALUATION PURSUANT TO CHAPTER 16 OF THE TRPA
CODE OF ORDINANCES

WHEREAS, Article V of the Tahoe Regional Planning Compact (P.L. 96-551, 94 Stat.3233, 1980) requires that the Tahoe Regional Planning Agency (TRPA) establish environmental threshold carrying capacities (“threshold standards”) and develop a Regional Plan that achieves and maintains such threshold standards; and

WHEREAS, Chapter 16 of the TRPA Code of Ordinances (“Code”) was enacted as an element of the Regional Plan pursuant to the requirement in Article V(c) of the Tahoe Regional Planning Compact that the planning commission and governing body (i.e., TRPA) continuously review and maintain the Regional Plan; and

WHEREAS, Chapter 16 is designed to implement and coordinate the monitoring provisions of the Regional Plan and to provide guidance to the Governing Board during the ongoing planning process and maintenance of the Regional Plan; and

WHEREAS, Chapter 16 requires the preparation of “periodic progress reports” every four years to monitor progress towards attainment and maintenance of threshold standards, including, but not limited to, recommendations on supplemental compliance measures and control measures; and

WHEREAS, TRPA’s Governing Board has previously issued the 1991, 1996, 2001, 2006, and 2011 Threshold Evaluation Reports pursuant to Code Chapter 16; and

WHEREAS, TRPA staff, in collaboration with partners from the scientific community and various other public agencies in the Tahoe Region, drafted the 2015 Threshold Evaluation Report pursuant to Code Chapter 16; and

WHEREAS, the 2015 Threshold Evaluation Report identifies “indicators” to assist in the measurement of progress towards the attainment and maintenance of threshold standards, “interim targets” and “target dates” for the anticipated attainment and maintenance of threshold standards, recommendation on “supplemental compliance measures” and “compliance measures” to assist the attainment and maintenance of threshold standards, and other related items pursuant to Chapter 16; and

WHEREAS, the Draft 2015 Threshold Evaluation Report was released by TRPA for public review in its discretion in September 2016 and public comment was considered and changes were incorporated; and

WHEREAS, the 2015 Threshold Evaluation Report was peer-reviewed by an independent panel of scientific experts coordinated by Conservation Science Partners; and

WHEREAS the Advisory Planning Commission and Governing Board have conducted publicly noticed meetings on the 2015 Threshold Evaluation Report at which oral testimony and documentary evidence were received and considered; and

WHEREAS TRPA has made the necessary attached findings pursuant to the Compact and Code of Ordinances, and such findings are supported by substantial evidence in the record.

NOW, THEREFORE BE IT RESOLVED THAT the Governing Board of the Tahoe Regional Planning Agency hereby issues the 2015 Threshold Evaluation Report in satisfaction of and pursuant to Chapter 16 of the TRPA Code of Ordinances.

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at its regular meeting held on December 14, 2016, by the following vote”

Ayes:

Nays:

Abstain:

Absent:

Casey Beyer, Chair
Tahoe Regional Planning Agency
Governing Board

Attachment B
Required Findings

FINDINGS FOR GOVERNING BOARD ISSUANCE OF THE FINAL 2015 THRESHOLD EVALUATION REPORT

The Code of Ordinances (Code) – Chapter 16 sets forth guidelines for TRPA’s monitoring program and reporting elements that should be addressed in “periodic progress reports” that, over-time, have become known as “threshold evaluations.” TRPA produced and released the Draft 2015 Threshold Evaluation Report in September 2016. The Draft 2015 Threshold Evaluation Report was produced on the course of 2015 and early 2016 and released for scientific peer review in April 2016. Following the scientific peer review, staff and other report contributors incorporated constructive input provided by the peer review panel into the Draft 2015 Threshold Evaluation Report. The Draft 2015 Threshold Evaluation Report and a brief presentation of the report’s results and recommendations were presented to the Governing Board and the public for further comment and review in September 2016. The peer review findings and recommendations were included as an appendix in the Draft and Final 2016 Threshold Evaluation Report. Since the September 2016 Governing Board meeting, public comments were received and addressed either in response to comments or through the inclusion of additional data, analysis and/or narrative in the report.

The following findings and rationale related to TRPA Regional Plan – Code of Ordinances, Chapter 16 are provided to aid in the Governing Board’s decision to issue the Final 2015 Threshold Evaluation Report.

1. **Finding:** Section 16.9.1 states that no later than four years from the effective date of the Regional Plan, and every four years thereafter, and more frequently if necessary to ensure adequate monitoring of progress toward attainment and maintenance of thresholds and standards, TRPA shall issue a progress report.

Rationale: The timing of the 2015 Threshold Evaluation Report meets Code Section 16.9.1 where TRPA is required to produce threshold evaluation reports (i.e., progress reports) every four years starting in 1987. Note that this Code Section was amended in 2012 to change this from every five years to four years. To date, TRPA has now produced and publicly released threshold evaluation reports representing evaluations ending in 1991, 1996, 2001, 2006, 2011, and now 2015.

2. **Finding:** Periodic progress reports shall report on the degree (status) and rate of progress (trends) toward attainment of: 1) adopted threshold standards, 2) applicable local, state and federal air and water quality standards, and 3) interim targets pursuant to Code Sections 16.4.3 (Identification of Current Status), 16.9 (Reports), 16.9.1.A (Progress in Threshold Attainment), 16.9.1.D (Target Dates and Interim Targets), and 16.10 (Local, State and Federal Standards).

Rationale: The status and trends of threshold standard-related indicators are reported in the “Status” and “Trend” subsections of each indicator summary along with supporting status graphics and trend charts that are based on empirically derived data. Personnel responsible for addressing the status of indicators related to adopted standards were technical experts in the

threshold categories or topical area for which they contributed. The *Implementation and Effectiveness* chapter of the Final 2015 Threshold Evaluation Report characterizes the implementation of the Regional Plan and to the extent practical addresses the effectiveness of various Regional Plan elements in achieving threshold standards (see also finding 6). Together, reporting elements included in the Final 2015 Threshold Evaluation Report satisfy Code Sections 16.4.3, 16.9, 16.9.1.A, 16.9.1.D, and 16.10.

3. Finding: Section 16.9.1.B directs the agency to report on the current cumulative impacts on each threshold of projects approved by TRPA from the effective date of the Regional Plan and from the date of the previous periodic report, including but not limited to 1) Units of Use: residential, commercial, tourist, and recreation allocations (Code Section 16.8.2.A), 2) Resource Utilization: additional vehicle miles traveled, vehicle trip ends, impervious coverage, water demand, sewage disposal capacity, area of SEZ disturbance (Code Section 16.8.2.B), and 3) Threshold Attainment and Maintenance: value of investments in water quality, air quality, transportation and coverage mitigation programs; area of SEZ restoration (Code Section 16.8.2.C).

Rationale: The *Implementation and Effectiveness* chapter of the Final 2015 Threshold Evaluation Report provides a detailed cumulative accounting of units of use, resources utilization, and value of threshold investments consistent with Code Sections 16.8.2.A, 16.8.2.B, and 16.8.2.C respectively, and reporting requirements found in Code Section 16.9.1.B related to the effectiveness of the Regional Plan in achieving and maintaining threshold standards. Trend analysis include in each of the threshold category chapters provides additional evidence of the potential response of various threshold standard-related indicators to the implementation of the Regional Plan.

4. Finding: Pursuant to Code Section 16.4.5, TRPA shall identify and report on the status of additional factors which may be useful as short-term or indirect measures of attainment or maintenance of thresholds and standards. Such factors shall not substitute for or override the indicators identified pursuant to 16.4.1 (Identification and Monitoring of Indicators), but may be used to evaluate progress toward threshold attainment or maintenance.

Rationale: Where appropriate, the Final 2015 Threshold Evaluation Report reports on the status of “*additional factors*” (i.e., alternative ways to measure a resources status/condition) consistent with Code Section 16.4.4 (Reliance on Indicators), 16.4.5 (Additional Factors) and 16.9.1.C (Reporting of Additional Factors) in the “*Status*” subsection of indicator summaries prepared for each threshold standard or applicable local, state, and/or federal air and water quality standard. Threshold standard attainment status was not based on “*additional factors*” as detailed in the *Methodology* chapter of the Final 2015 Threshold Evaluation Report and in compliance with Code Section 16.4.5.

5. Finding: TRPA shall address Code Section 16.6 ('Compliance Measures' – measures currently implemented through the Regional Plan that contribute to threshold attainment and maintenance) and 16.7 ('Supplemental Compliance Measures' – measures that could be implemented through the Regional Plan to aid in threshold attainment and maintenance) as part of periodic progress reporting (Code Section 16.9.1.A).

Rationale: The Final 2015 Threshold Evaluation Report provides a discussion on the contribution of compliance measures implemented to aid in the achievement and maintenance of each threshold standard to the extent practical in the *Implementation and Effectiveness* chapter and in the *"Programs and Actions Implemented to Improve Condition"* subsection of each indicator summary page pursuant to Code Sections 16.9.1.A and 16.6. A detailed list of compliance measures in place and supplemental compliance measures is provided in the Report in Appendix I pursuant to Code Sections 16.6.1. and 16.7.1. The adequacy of existing compliance measures is addressed in each threshold standard-specific indicator summary page under the *"Effectiveness of Programs and Actions"* subsection and further discussed in the *Implementation and Effectiveness* and the *Conclusions and Recommendations* chapters of the Final 2015 Threshold Evaluation Report pursuant to Code Section 16.6.4. The *Recommendations* section of each indicator summary and the *"Conclusions and Recommendations"* chapter address requirements associated with *'supplemental compliance measures'* (Code Section 16.7). See also finding 7.

6. Finding: Pursuant to Code Sections 16.9.1.D, 16.5.1, and 16.5.2, TRPA shall establish and maintain an updated list of 'Target Dates' and 'Interim Targets', and report on the status of indicators relative to established dates.

Rationale: The *'target attainment date'* and *'interim target'* subsections of each indicator summary found in the 2015 Threshold Evaluation Report includes estimates of *'target dates'* and *'interim targets'* for each threshold related indicator, where appropriate, to Code Sections 16.5.1 and 16.5.2, respectively.

7. Finding: According to Code Section 16.9.1.E, TRPA shall include recommendations in periodic progress reports.

Rationale: The 2015 Threshold Evaluation Report provides recommendations in the *Conclusions and Recommendations* chapter on additional actions that can be implemented to facilitate threshold standard attainment and maintenance, or otherwise improve the effectiveness of the TRPA Regional Plan pursuant to Code Section 16.9.1.E. In addition, for each indicator summary, more specific recommendations are found in the *"Recommendations"* section of each summary.

Strategic Initiatives Monthly Report – December 2016

Strategic Initiatives	Status
1. Development Rights	Progress/Accomplishments: <ul style="list-style-type: none"> • Held second working group meeting and defined criteria and goals for evaluating alternatives • Interviewed and hired a consultant team to help with best practices research and alternative development • Awarded technical assistance grant from the California Strategic Growth Council to gain an assessment of fiscal impacts associated with different land use scenarios
	Future Focus: <ul style="list-style-type: none"> • Research and summarize best practices related to the scope of work
	Team Lead: Jennifer Cannon, Senior Planner, (775) 589-5297 or jcannon@trpa.org
2. Forest Health & Fuels Management	Progress/Accomplishments: <ul style="list-style-type: none"> • TRPA joined the core team for the Lake Tahoe West Collaborative project • Six of the Tahoe Forest Fuels Team (TFFT) coordinated SNPLMA proposals were awarded a total \$27,397,653 • Mike Vollmer was named the Task Leader for the Tahoe Basin Tree Mortality Task Force and will be leading this effort going forward
	Future Focus: <ul style="list-style-type: none"> • The Lake Tahoe West Collaborative core team is moving forward under the direction of the new Project Coordinator • The TFFT will be strategizing for the next round of SNPLMA (White Pine Bill) funding at their annual winter retreat this February • TRPA will continue to work with partners toward a sustainable forestry program for the Tahoe Basin through coordination among partners and development of working groups as needed to develop and implement process improvements
	Team Lead: Mike Vollmer, Environmental Improvement Program Manager, (775) 589-5268 or mvollmer@trpa.org

Strategic Initiatives	Status
<p data-bbox="201 365 532 445">3. Aquatic Invasive Species Control</p>	<p data-bbox="570 302 951 331">Progress/Accomplishments:</p> <ul data-bbox="570 338 1403 674" style="list-style-type: none"> • Funding from the following sources has been awarded to AIS Program partners: <ul data-bbox="711 407 1403 642" style="list-style-type: none"> ○ SB 630 (CTC) ○ Prop 1 (CTC) ○ License Plate (NDSL) ○ USFWS ○ Truckee River Fund ○ Tahoe Fund ○ Integrated Regional Water Management (CA DWW) <p data-bbox="586 646 1247 674">Total funding awarded is approximately \$1.3 million.</p>
	<p data-bbox="570 709 753 739">Future Focus:</p> <ul data-bbox="570 745 1442 1346" style="list-style-type: none"> • Continue to pursue funds through the following: <ul data-bbox="711 785 1110 884" style="list-style-type: none"> ○ Bureau of Reclamation ○ US Army Corps of Engineers ○ NDEP • TRPA, Lahontan and other stakeholders continue to work with the Tahoe Keys POA on their efforts to control invasive aquatic weeds in the lagoons and channels • USFWS funds awarded to TRPA for AIS control in the Tahoe Keys (West Channel) was approved to be used to reimburse costs associated with “Boat Back-up Stations” (intended to remove plants from props prior to leaving entering the Lake proper), plant fragment collection trials and sampling. These efforts were approximately \$48,000. • AIS Control projects implemented by Tahoe RCD in 2016 include the following locations, treating a total of 4.5 acres: Lakeside Marina and swim area, Truckee River, Fleur de Lac, and Crystal Shores Condominiums
	<p data-bbox="570 1379 1403 1444">Team Lead: Dennis Zabaglo, Aquatic Resources Program Manager, (775) 589-5255 or dzabaglo@trpa.org</p>
<p data-bbox="201 1526 472 1688">4. Stormwater Management Operations & Maintenance</p>	<p data-bbox="570 1463 951 1493">Progress/Accomplishments:</p> <ul data-bbox="570 1499 1235 1562" style="list-style-type: none"> • Concluded Phase I of the Strategic Initiative • Commenced Phase II to draft the Survey Instrument
	<p data-bbox="570 1570 753 1600">Future Focus:</p> <ul data-bbox="570 1606 1435 1808" style="list-style-type: none"> • Consulting team to address agency and local government comments from October 28, 2016 Stormwater Funding Partnership meeting and finalize the draft survey instrument. • The next phases of the initiative involve administering the survey, analyzing the data to evaluate public support for potential revenue options and seeking stakeholder input following results.
	<p data-bbox="570 1816 1442 1881">Team Lead: Shay Navarro, Stormwater Program Manager, (775) 589-5282 or snavarro@trpa.org</p>

Strategic Initiatives	Status
5. Shoreline	Progress/Accomplishments: <ul style="list-style-type: none"> • Hosted public workshops on 9/21 on the North Shore and 11/3 on the South Shore • Worked with the Shoreline Steering Committee to develop policy proposals • Presented initial policy proposals to RPIC in November
	Focus: <ul style="list-style-type: none"> • Continue to bring forward Steering Committee policy recommendations to RPIC in December and January • Develop goals, policies, and code and the alternatives to be evaluated in the environmental analysis based on the policy proposals endorsed by RPIC
	Team Lead: Brandy McMahon, Principal Planner, (775) 589-5274 or bmcMahon@trpa.org
6. Transportation	Progress/Accomplishments: <ul style="list-style-type: none"> • Administrative draft of Regional Transportation Plan (RTP) in progress
	Future Focus: <ul style="list-style-type: none"> • Release Public Draft RTP in January / February of 2016 • Present Draft RTP at multiple association meetings, GB, TTC, and APC
	Team Lead: Morgan Beryl, Senior Transportation Planner, (775) 589-5208 or mberyl@trpa.org
7. Streamline Monitoring & Update Thresholds	Progress/Accomplishments: <ul style="list-style-type: none"> • Draft 2015 Threshold Evaluation Report released 10/3
	Future Focus: <ul style="list-style-type: none"> • Continue to work with the Tahoe Science Advisory Council to refine the work plan • Issue final 2015 Threshold Evaluation Report in December
	Team Lead: Dan Segan, Principal Natural Resource Analyst, (775) 589-5233 or dsegan@trpa.org

