Regional Plan Update Committee * February 21, 2012

ACTION Sheet Summary

Actions are listed for the agenda items covered at the February 21, 2012 RPU Committee meetings.

Committee membership at the February 21, 2012 meeting session included, Shute (CA), Reedy (NV), Aldean (NV), Sevison (CA), and Robinson (NV) via phone. Fortier (CA) was absent. Please note that Robinson (NV) was absent starting at Action Item #22 on Code Amendments related to Relocation of Accessory Commercial Uses.

All actions noted in the summary sheet are “straw votes”. “Straw votes” provide policy direction to staff regarding what changes to include in the Draft Regional Plan Update. “Straw Votes” are non-binding and do not obligate Committee members to vote the same way in the future. Only official votes by the TRPA Governing Board are binding.

February 21, 2012 Action items

1. Discussion and Possible Action on RPUC Meeting Agenda

   Committee Action: The RPU Committee voted unanimously (5-0) to approve the February 21, 2012 RPUC Meeting Agenda.

2. Discussion and Possible Action on RPUC Meeting Minutes

   Committee Action: The RPU Committee voted unanimously (5-0) to approve RPUC Meeting Minutes for January 10, 24, 31 and February 1, 2012 with modification. The Committee voted (4-0), with one abstention by Shute (CA) due to his absence, to approve RPUC Meeting Minutes for January 26, 2012 with modification.

3. Discussion and Possible Action on RPUC Action sheets and Attachment As

   Committee Action: The RPU Committee voted unanimously (5-0) to approve the January 24, 26, 31 and February 1, 2012 RPUC Action Sheets and Attachment As, with the addition of dissenting opinions submitted by Shute (CA) for items addressed on January 26, 2012.

4. Discussion and Possible Action on Biomass Facilities

   Committee Action: The RPU Committee voted (2-3) (AYE: Shute (CA), Reedy (NV); NAY: Aldean (NV), Sevison (CA), Robinson (NV)) to support alternative language submitted by the environmental community for Air Quality Policy AQ-1.6. This action did not pass and language previously endorsed on February 1, 2012 language remains. Approved language is reflected on page 6 of Attachment A.

5. Discussion and Possible Action on Suspending Approval of Future Biomass Facilities Pending Further Research

   Committee Action: The RPU Committee voted (4-1) (AYE: Aldean (NV), Sevison (CA), Shute (CA), Reedy (NV); NAY: Robinson (NV)) to support suspending approval of future biomass facilities pending further research.
6. **Discussion and Possible Action on Community Design Policy CD-2.1 E Signing**

   **Committee Action:** The RPU Committee voted unanimously (5-0) to support language endorsed by the Local Government Committee for Community Design Policy CD-2.1 E Signing. Approved language is reflected on page 6 of Attachment A.

7. **Discussion and Possible Action on Air Quality AQ-2 Implementation Measures related to Mitigation Fees**

   **Committee Action:** The RPU Committee voted (4-1) (AYE: Reedy (NV), Aldean (NV), Sevison (CA), Robinson (NV); Nay: Shute (CA)) to support Air Quality AQ-2 Implementation Measures related to Mitigation Fees. Approved language is reflected on page 6 of Attachment A. Minority opinion cited support of the original proposed 50 percent split of mitigation fees for the dissenting opinion.

8. **Discussion and Possible Action on the Implementation Element Introduction through Inter-Agency Partnership Subelement Policy IAP-2**

   **Committee Action:** The RPU Committee voted unanimously (5-0) to support the Implementation Element Introduction through Inter-Agency Partnership Subelement Policy IAP-1.5 with modification. Approved language is reflected on pages 7-9 of Attachment A.

9. **Discussion and Possible Action on the Development and Implementation Priorities Subelement Goal DP-1 and Associated Policies**

   **Committee Action:** The RPU Committee voted unanimously (5-0) to support the Development and Implementation Priorities Subelement Goal DP-1 and associated policies with modification. Approved language is reflected on pages 9-14 of Attachment A.

10. **Discussion and Possible Action on Development and Implementation Priorities Subelement Goal DP-2 and Associated Policies**

    **Committee Action:** The RPU Committee voted unanimously (5-0) to approve the Development and Implementation Priorities Subelement Goal DP-2 and associated policies with modification. Approved language is reflected on pages 14-20 of Attachment A.

11. **Discussion and Possible Action on Development and Implementation Priorities Subelement Goal DP-3 and Associated Policies with the exception of DP-3.4 Introduction through DP-3.4 A and DP-3.5**

    **Committee Action:** The RPU Committee voted unanimously (5-0) to approve the Development and Implementation Priorities Subelement Goal DP-3 and Associated Policies, with the exception of DP-3.4 Introduction through DP-3.4 A and DP-3.5. Approved language is reflected on pages 20-23 of Attachment A.
12. Discussion and Possible Action on Development and Implementation Priorities Subelement Policy DP-3.4 and Subparagraph A

Committee Action: The RPU Committee voted (4-1) (AYE: Reedy (NV), Aldean (NV), Sevison (CA), Robinson (NV); Nay: Shute (CA)) to support the Development and Implementation Priorities Subelement Policy DP-3.4 and subparagraph A. Approved language is reflected on page 23 of Attachment A. Minority opinion cited removal of hydrologic boundaries for the dissenting opinion.

13. Discussion and Possible Action on Development and Implementation Priorities Subelement Goal DP-4 and Policies DP-4.1 B and DP-4.2

Committee Action: The RPU Committee voted unanimously (5-0) to support language for Development and Implementation Priorities Subelement Goal DP-4 and Policies DP-4.1 B and DP-4.2 with modification. Approved language is reflected on pages 23-24 of Attachment A.

14. Discussion and Possible Action on Development and Implementation Priorities Subelement Policy DP-4.1 A

Committee Action: The RPU Committee initially voted (4-1) (AYE: Reedy (NV), Aldean (NV), Sevison (CA), Robinson (NV); Nay: Shute (CA)) to support language for Development and Implementation Priorities Subelement Policy DP-4.1 A with modification. Minority opinion cited implementation of off-site improvements for the dissenting opinion. The committee later returned and voted unanimously (5-0) to support modified language. Approved language is reflected on page 24 of Attachment A.

15. Discussion and Possible Action on Financing Subelement Goals and Policies

Committee Action: The RPU Committee voted unanimously (5-0) to support Financing Subelement Goals and Policies with modification. Approved language is reflected on pages 24-28 of Attachment A.

16. Discussion and Possible Action on Monitoring and Evaluation Subelement Goals and Policies with the exception of ME-3.1 A

Committee Action: The RPU Committee voted unanimously (5-0) to support Monitoring and Evaluation Subelement Goals and Policies, with the exception of ME-3.1 A, which the Committee directed to hold for modified language to be submitted by Sierra Club representative Laurel Ames at a later date. Approved language is reflected on page 28-33 of Attachment A.

17. Discussion and Possible Action on Development and Implementation Priorities Subelement Policy DP-3.5

Committee Action: The RPU Committee voted unanimously (5-0) to support language for Development and Implementation Priorities Subelement Policy DP-3.5 with modification. Approved language is reflected on pages 33-34 of Attachment A.
18. Discussion and Possible Action on Attachment I – Preliminary List of Priority Projects

Committee Action: The RPU Committee voted unanimously (5-0) to support Attachment I – Preliminary List of Priority Projects with modification. Approved language is reflected on page 34 of Attachment A.

19. Discussion and Possible Action on Map 1 - Draft Regional Land Use

Committee Action: The RPU Committee discussed Map 1 - Draft Regional Land Use and directed staff to modify the map and hold action until Claire Fortier is present.

20. Discussion and Possible Action on Map 2 – Draft Ratios for Transfer of Existing Development through Map 6 – Draft Stream Corridor Impediments

Committee Action: The RPU Committee voted unanimously (5-0) to support Map 2 – Draft Ratios for Transfer of Existing Development through Map 6 – Draft Stream Corridor Impediments with modifications.

21. Discussion and Possible Action on Additional Code Amendments – Certified Contractor Program

Committee Action: The RPU Committee voted unanimously (5-0) to support the Certified Contractor Program. Approved language is reflected on page 35 of Attachment A. The Committee also directed staff to add the Certified Contractor Program and to the Post Regional Plan Update “To-Do” list.

22. Discussion and Possible Action on Code Amendments – Relocation of Accessory Commercial Uses

Committee Action: The RPU Committee voted unanimously (4-0) to support the relocation of accessory commercial uses. Approved language is reflected on page 35 of Attachment A.

23. Discussion and Possible Action on Code Amendments – Eliminating Requirements for Original Signatures

Committee Action: The RPU Committee voted unanimously (4-0) to support eliminating requirements for original signatures on documents. Approved language is reflected on page 36 of Attachment A.

24. Discussion and Possible Action on Code Amendments – Removal of Large Trees if necessary for EIP Projects

Committee Action: The RPU Committee voted unanimously (4-0) to support removal of large trees, if necessary for EIP projects. Approved language is reflected on page 36 of Attachment A.

**Committee Action:** The RPU Committee voted unanimously (4-0) to support deletion of tapered transition and overall driveway widths standards for single-family homes. Approved language is reflected on page 37 of Attachment A.


**Committee Action:** The RPU Committee voted unanimously (4-0) to support the reorganization of the Rules of Procedure. Approved language is reflected on page 37 of Attachment A.

27. Discussion and Possible Action on Code Amendments – Text Clarifications.

**Committee Action:** The RPU Committee voted (3-1) (AYE: Reedy (NV), Aldean (NV), Sevison (CA); Nay: Shute (CA)) to support text clarifications. Approved language is reflected on page 37 of Attachment A. Minority opinion cited needing more detail on text clarifications before being able to support them.
RPU Committee members voted to approve the following language:

**02/21/2012 Action Item #4:**

AQ-1.6 PROMOTE TECHNOLOGIES THAT REDUCE THE AIR QUALITY IMPACTS OF PRESCRIBED BURNING, OR NON-BURNING METHODS OF REDUCING HAZARDOUS FOREST FUELS, WHERE PRACTICAL.

**02/21/2012 Action Item #6:**

E. Signing:

Area Plans may include alternative sign standards. For Area Plans to be found in conformance with the Regional Plan, the Area Plan must 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.

In the absence of a conforming Area Plan that addresses sign standards, the following policies apply, along with implementing ordinances:

1) Off premise signs **are** should generally be prohibited; way-finding and directional signage may be considered where scenic impacts are minimized and mitigated.

2) Signs should be incorporated into building design

3) When possible, signs should be consolidated into clusters to avoid clutter

4) Signage should be attached to buildings when possible

5) 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.

**02/21/2012 Action Item #7:**

AQ-2 Implementation Measures

- Amend the TRPA Code of Ordinances to allow distribution of a portion of air quality mitigation funds across jurisdictional boundaries to support projects of Regional priority established as part of a regional capital improvement program developed in cooperation with local jurisdictions such as the Five Year Environmental Improvement Program (EIP) Priority Project List.
CHAPTER VII
IMPLEMENTATION ELEMENT

Implementation of the Regional Plan depends upon the success of multi-sector participants (federal, bi-state, local, and private) and a broad inter-agency partnership to support it. The Implementation Element provides for necessary commitment, and coordination of effort, and development of collaborative management and financial programs. The Element also, and incorporation of, outlines a monitoring program to measure progress of Plan implementation. It is also a function of this Element to indicate a schedule for attaining environmental thresholds consistent with the programs, strategies, and costs specified by the goals and policies of this Plan. The Subelements are: 1) Institutional Inter-Agency Partnerships, 2) Development and Implementation Priorities, 3) Financing, and 4) Monitoring and Evaluation.

INTER-AGENCY PARTNERSHIPS INSTITUTIONAL

The institutional responsibilities of Plan development and implementation are shared among numerous agencies and individuals. This Subelement establishes a framework for the coordination, responsibilities, and commitments necessary to implement the goals and policies of the Plan. The partnerships needed to perform planning, design, contracting, cost sharing, and evaluation can shift over time with the needs of each Plan Element and each Program.

GOAL #IAP-1

COORDINATE ALL PLANNING AND DEVELOPMENT REVIEW ACTIVITIES WITH THE AFFECTED JURISDICTIONS AND AGENCIES.

Implementation of the Regional Plan follows two broad approaches. The approaches range from the TRPA establishing and enforcing regulatory standards of TRPA and other jurisdictions to TRPA establishing regional programs, regulations to be carried out by the affected jurisdictions and agencies, local governments. Successful implementation of the Plan requires coordination of all phases of planning and program implementation among TRPA, the affected jurisdictions and the public.

POLICIES

IAP-1.1 TRPA SHALL IDENTIFY THE PLANNING AND REVIEW RESPONSIBILITIES OF LOCAL, STATE, AND FEDERAL JURISDICTIONS.

This policy is consistent with Article VI(a) of the Compact which states: "Whenever possible, without diminishing the effectiveness of the Regional Plan, TRPA ordinances, rules, regulations and policies shall be confined to matters which are general and regional in application, leaving to the jurisdiction of the respective states, counties, and cities the enactment of specific and local ordinances, rules, regulations, and policies which conform to the Regional Plan." General planning and implementation responsibilities are shared among TRPA, and local, state, and

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federal agencies as set forth in the Compact, the Regional Plan, the Development Code or agreed to in a Memorandum of Understanding.

IAP-1.23. THE AGENCY SHALL PRESCRIBE BY ORDINANCE THOSE ACTIVITIES WHICH HAVE NO SUBSTANTIAL EFFECT ON THE LAND, AIR, SPACE, OR ANY OTHER NATURAL RESOURCES OF THE REGION. SUCH IDENTIFIED ACTIVITIES WILL BE EXEMPT FROM TRPA REVIEW AND APPROVAL.

Ordinance 81-1, the TRPA ordinance implementing Article VI (a) which lists activities that are exempt from Agency review and approval, shall be reconsidered and possibly expanded.

IAP-1.3. THE AGENCY SHALL COORDINATE WITH LOCAL, STATE AND FEDERAL AGENCIES TO DEVELOP AREA PLANS AND CODES THAT CONFORM WITH THE REGIONAL PLAN. ADDITIONAL DEVELOPMENT ACTIVITIES MAY BE EXEMPTED FROM TRPA REVIEW AND APPROVAL IF PROVISIONS IN THE AREA PLANS DEMONSTRATE THAT EXEMPTED ACTIVITIES WILL HAVE NO SUBSTANTIAL EFFECT ON THE LAND, AIR, SPACE, OR ANY OTHER NATURAL RESOURCES OF THE REGION.

IAP-1.4. ALL PROJECTS PROPOSED IN THE REGION [OTHER THAN THOSE TO BE REVIEWED AND APPROVED UNDER THE SPECIAL PROVISIONS OF THE COMPACT RELATING TO GAMING] SHALL OBTAIN THE REVIEW AND APPROVAL OF THE AGENCY.

This policy is consistent with Article VI(b) of the Compact which states: "No project other than those to be reviewed and approved under the special provisions of subdivisions (d), (e), (f) and (g) may be developed in the Region without obtaining the review and approval of the agency and no project may be approved unless it is found to comply with the Regional Plan and with the ordinances, rules and regulations enacted pursuant to subdivision (a) to effectuate that Plan." A project is defined by the Compact as..."an activity undertaken by any person, including any public agency, if the activity may substantially affect the land, water, air, space or any other natural resources of the region." However, it is the intent of the TRPA within the limits of the Compact to coordinate project review functions with local, state, and federal agencies.

IAP-1.5. NO PROJECT MAY BE APPROVED UNLESS IT IS FOUND TO COMPLY WITH THE REGIONAL PLAN; AND WITH ANY ORDINANCES, RULES, AND REGULATIONS ENACTED TO EFFECTUATE THE REGIONAL PLAN; AND NOT EXCEED_THRESHOLDS..

Articles V (g) and VI (b) of the Compact, require a set of findings to be adopted by ordinance, as set forth above, to ensure that projects under consideration will not adversely affect implementation of the Regional Plan and will not cause the environmental thresholds to be exceeded.

3. THE AGENCY SHALL PRESCRIBE BY ORDINANCE THOSE ACTIVITIES WHICH HAVE NO SUBSTANTIAL EFFECT ON THE LAND, AIR, SPACE, OR ANY OTHER NATURAL RESOURCES OF THE REGION. SUCH IDENTIFIED ACTIVITIES WILL BE EXEMPT FROM TRPA REVIEW AND APPROVAL.

Ordinance 81-1, the TRPA ordinance implementing Article VI (a) which lists activities that are exempt from Agency review and approval, shall be reconsidered and possibly expanded.

4. TRPA SHALL IDENTIFY THE PLANNING AND REVIEW RESPONSIBILITIES OF LOCAL, STATE, AND FEDERAL JURISDICTIONS.

Whenever possible, without diminishing the effectiveness of the Regional Plan, TRPA ordinances, rules, regulations and policies shall be confined to matters which are general and regional in application, leaving to the jurisdiction of the respective states, counties, and cities the...
enactment of specific and local ordinances, rules, regulations, and policies which conform to the Regional Plan. General planning and implementation responsibilities are shared among TRPA, and local, state, and federal agencies as set forth in the Compact or agreed to in a Memorandum of Understanding.

**IAP-1.56.** TRPA, IN CONJUNCTION WITH OTHER AGENCIES OF JURISDICTION, SHALL DEVELOP AND ACTIVELY PURSUE AN EFFECTIVE ENFORCEMENT PROGRAM TO ENSURE COMPLIANCE WITH THE PLAN AND ORDINANCES OF THE AGENCY.

**GOAL #IAP-2**

**LEAD THE REGIONAL MULTI-SECTOR PARTNERSHIP IDENTITY AND SEEK COMMITMENTS FROM AGENCIES TO IMPLEMENT THE CAPITAL IMPROVEMENTS ENVIRONMENTAL IMPROVEMENT PROGRAM AND OTHER REMEDIAL PROGRAMS IDENTIFIED IN THIS PLAN.**

TRPA will collaborate with regional partners to seek consensus-commitments among the individuals and agencies responsible for specific functions pertaining to capital improvements and remedial programs. Memoranda of Understanding (MOUs) or other forms of agreements between TRPA and implementing agencies or partners will provide the coordination necessary to ensure efficient implementation of the Plan.

**POLICIES**

**IAP-2.1.** APPROPRIATE ROLES AND RESPONSIBILITIES OF VARIOUS AGENCIES FOR IMPLEMENTING THE PLAN SHALL BE IDENTIFIED AND VERIFIED THROUGH PARTNERSHIP MANAGEMENT/AGENCY AGREEMENTS.

**02/21/2012 Action Item #9:**

**DEVELOPMENT AND IMPLEMENTATION PRIORITIES**

The Development and Implementation Priorities Subelement coordinates the implementation provisions and time schedules of each Plan Element to achieve and maintain adopted environmental thresholds. To provide for effective management of the Region's resources and attain environmental thresholds, three factors must be considered and planned carefully. First, the feasible rate for correcting or mitigating existing resource utilization problems will determine how rapidly improvements in environmental quality will take place. Second, the rate and type of new development will absorb or negate some of the progress made toward environmental goals and standards. Third, uncertainty exists regarding the effectiveness of water quality BMPs and programs to reduce vehicle miles traveled.

As an illustration of these factors, reductions in fine sediments and nutrient loads to Lake Tahoe from remedial programs will improve water quality only if remedial measures keep pace with new loads from land coverage and disturbance permitted by the Plan. The timing and phasing of both new development, redevelopment and remedial measures must, therefore, be carefully linked to ensure steady progress toward the environmental thresholds. If BMPs and other water quality enhancement measures prove to be less effective than originally thought, further adjustments to development and
remedial priorities will be required. The Monitoring and Evaluation Subelement provides for periodic monitoring of progress toward threshold standards and identifies study needs for determining the effectiveness of control strategies.

The Plan also must provide incentives for correcting existing problems within the Region. Properly structured incentives can provide for broader participation in meeting regional goals and expedite desired improvements.

GOAL #DP-1

DIRECT ALL RESIDENTIAL DEVELOPMENT FIRST TO THOSE AREAS MOST SUITABLE FOR DEVELOPMENT IN ACCORDANCE WITH ENVIRONMENTAL THRESHOLD CARRYING CAPACITIES AND OTHER CONSIDERATIONS, SUCH AS INFRASTRUCTURE CAPACITY AND PROGRESS TOWARD ACCOMPLISHING WATER QUALITY IMPROVEMENT PROGRAMS.

POLICIES

DP-1.1. UPON ADOPTION OF THIS PLAN, EVALUATION AND RANKING OF ALL VACANT RESIDENTIAL PARCELS UNDER AN INDIVIDUAL PARCEL EVALUATION SYSTEM (IPES) SHALL BE UNDERTAKEN AND COMPLETED BY DECEMBER 31, 1988. COMMENCING ON JANUARY 1, 1989, NEW SINGLE-FAMILY DWELLING CONSTRUCTION SHALL BE EVALUATED IN ACCORDANCE WITH IPES. THIS SYSTEM SHALL RANK ALL VACANT RESIDENTIAL PARCELS WITH RESPECT TO THEIR RELATIVE ENVIRONMENTAL SUITABILITY FOR DEVELOPMENT.

REVIEW OF PROJECTS UNDER IPES SHALL NOT COMMENCE UNTIL ALL PARCELS HAVE BEEN EVALUATED AND RANKED IN ACCORDANCE WITH IPES. THE STANDARDS SET FORTH IN GOAL #1, POLICY 2, OF THIS SUBELEMENT SHALL APPLY UNTIL IMPLEMENTATION OF IPES. NEW RESIDENTIAL CONSTRUCTION SHALL BE SUBJECT TO THE ALLOCATION LIMITS SET FORTH IN GOAL #2, POLICY DP-2.2 OF THIS SUBELEMENT.

A. IPES is an objective and scientific system based on the report entitled Individual Parcel Evaluation System (1986), which evaluates relative environmental suitability for development. IPES shall evaluate each parcel with respect to the criteria listed below.

Details of IPES, including a rating system, shall be included in implementing ordinances.

1) Relative erosion hazard (soil erodability, slope length and gradient, climatic conditions, surface roughness and mass wasting).

2) Runoff potential (depth to seasonal high water table, percolation rate, permeability and depth to very slowly permeable layer).

3) Degree of difficulty to access building site (amount of excavation and soil disturbance required to provide minimum driveway and parking area and degree of difficulty for excavation due to soil properties).

4) Water influence areas (proximity to and extent of disturbance in water influence areas).

5) Condition of watershed (extent to which watersheds and intervening drainage areas conform to land coverage allowances set forth in the land capability system, hydrologic characteristics and known sediment/nutrient production).

6) Ability to revegetate (climatic conditions and the available water holding capacity, fertility, texture, drainage and permeability of the soil).

7) Need for water quality improvements in vicinity of parcel (stable roadside drainage channels, storm drainage system and stable cut and fill slopes).
B. IPES shall include an element, separate from the criteria used for rating each parcel, to encourage physical mitigation of existing water quality problems by individual property owners. The rating of a parcel may be increased, to a limited and finite degree, by the property owner constructing off-site water quality improvements. The extra consideration for off-site work shall result in benefits that fully offset the difference in impacts between developing the subject parcel and developing a parcel with a rating equivalent to the subject parcel’s rating without applying the bonus.

C. IPES shall be implemented by ordinance consistent with the following:

1) A team of experts shall evaluate each vacant residential parcel using a standardized approach in accordance with IPES:
   a) For parcels of 1/3 acre or less in size, the entire parcel shall be evaluated for purposes of establishing the IPES rating, except in cases where the parcel contains an SEZ. SEZs shall be excluded from the area evaluated. For parcels with less than 5,000 square feet outside an SEZ, the IPES rating shall be reduced by a factor equal to the ratio of land available for construction to 5,000 square feet (See Goal #1, Policy 2, SEZ Subelement).
   b) For parcels greater than 1/3 acre but less than 5 acres in size, the evaluation team shall select and evaluate the 1/3 acre portion of the parcel that results in the highest rating. If the selected 1/3 acre portion contains an SEZ, the procedure set forth in (a) above shall be followed. If the property owner wishes to locate the residence outside the area evaluated, a reevaluation shall be required of the 1/3 acre portion of the parcel containing the desired building site.
   c) For parcels of 5 acres or greater in size, the property owner shall be notified and asked to identify the desired building site. Once a building site has been identified, the evaluation team shall evaluate the best 1/3 acre portion of the parcel containing the identified building site. If this 1/3 acre contains an SEZ, the procedures set forth in (a) above shall be followed.
   d) Installation of water quality improvements in the vicinity of a parcel, subsequent to the initial rating, may increase the rating of a parcel. The amount of increase shall depend on the weight given that factor in IPES and the degree of water quality improvement.
   e) Changes in the condition of a watershed, subsequent to the initial rating, may change the rating of parcels located in that watershed. The amount of change in the rating shall depend on the weight given that factor in IPES. Such changes in the condition of a watershed may cause the initial rating to increase or decrease.
   f) The rating of all parcels shall be based on the assumption that when developed, all required BMPs shall be installed and maintained.
   g) Property owners may appeal parcel ratings to an independent body of qualified experts not involved in the original field evaluation of that particular parcel. These independent experts shall then apply the criteria established in IPES. The decision of the independent body shall be deemed the final action of the Agency unless the property owner appeals the decision to the Governing Board. The Governing Board may change
the rating of a parcel only upon expressly finding, based on substantial 
evidence in the record, that the criteria established in the IPES were not 
applied correctly.

2) TRPA shall rate all vacant residential parcels numerically and then rank them 
from the most suitable to the least suitable by jurisdiction. TRPA may 
reconsider the rating upon request before the rankings are officially adopted 
except as otherwise provided in (d) and (e) above.

3) The Agency shall establish a level in the numerical ranking immediately above 
the most sensitive parcels, based on recommendations from a technical 
committee.

4) All vacant residential parcels may compete for building allocations. Those above 
the initial level, referred to in 3) above, and as may be adjusted in accordance 
with 5) below, shall comprise the top rank and, if receiving an allocation, may 
pursue a permit. Those below that level, if receiving an allocation, may exercise 
the options listed below:

   a) transfer the allocation in accordance with policies in Goal DIP #3 of this 
      Subelement.
   b) relinquish the allocation and wait for the level to drop to include the parcel 
      within the top rank.
   c) transfer other development rights as permitted elsewhere in the Plan.

5) The numerical level defining the top rank for any jurisdiction shall be lowered on 
an annual basis by the number of allocations utilized in that jurisdiction during the 
previous year, provided that:

   a) all parcels included in the top rank are otherwise eligible for development 
      under the applicable state water quality management plans for the Lake 
      Tahoe Basin and other legal limitations;
   b) a monitoring program for that jurisdiction is in place in accordance with 
      the Monitoring and Evaluation Subelement;
   c) demonstrable progress is being made on capital improvement programs 
      for water quality within that jurisdiction (see Monitoring and Evaluation 
      Subelement);
   d) there is a satisfactory rate of reduction in the inventory of vacant sensitive 
      parcels. The IPES line shall not move down in any jurisdiction unless the 
      number of parcels below the IPES line in that jurisdiction compared to the 
      number that were deemed sensitive on January 1, 1986, does not exceed 
      the following percentages.

      El Dorado———20 percent
      Placer ————20 percent
      Douglas ————33 percent
      Washoe ————33 percent

   e) the level of compliance with conditions of project approvals within that 
      jurisdiction is satisfactory;

6) Where an allocating authority does not use a random allocation system for IPES 
allocations after December 31, 1988, its allocations to parcels which are ranked 
below the line existing on January 1, 1989 may not exceed the number of
allocations which would otherwise occur if chosen by a random system.

7) Allowable land coverage for parcels evaluated under IPES shall be a function of the parcel's IPES rating as set forth in Goal #3, Policy 1.C. of the Land Use Subelement.

2. THRU DECEMBER 31, 1988, UNTIL THE INDIVIDUAL PARCEL EVALUATION SYSTEM IS IMPLEMENTED, AN INTERIM SYSTEM SHALL BE UTILIZED FOR REVIEW OF VACANT RESIDENTIAL PARCELS, SUBJECT TO THE ALLOCATION LIMITS SET FORTH IN GOAL #2, POLICY 2 OF THIS SUBELEMENT.

A. The following categories of projects shall be eligible to receive a residential permit, provided that, to be eligible under categories 1), 2) or 3), parcels shall, consistent with the Bailey coefficients, contain sufficient high-capability (land capability districts 4-7) land so that at least 1,200 square feet of impervious surface area can be created on the parcel; and shall be served by at least three of the services listed in Policy 3:

1) Parcels in California with 1983 allocations.

2) Parcels with Placer County permits which were extended by ordinance to August 1, 1986, have expired CTRPA/TRPA permits, and have not commenced construction.

3) Parcels with local county building permits which were issued prior to December 19, 1980, have been continuously renewed, and have not commenced construction.

4) Projects which received TRPA conditional approval prior to August 27, 1983, but which did not receive a TRPA permit prior to May 1, 1984, shall be permitted to proceed under the original conditions of approvals.

B. If not eligible to be processed under A. above, to be eligible to obtain a permit under the interim system, a parcel must meet the criteria set forth below as determined by Agency staff, based on field review:

1) The parcel contains sufficient land in Land Capability Districts 4, 5, 6 and 7, so that a single family dwelling and all related land coverage may be constructed in accordance with Agency development standards; and

2) The parcel is served by a paved road, water service utilities, sewer service utilities, and electrical utilities pursuant to Policy 3 below; and

3) The development of the parcel shall not require disturbance or land coverage in land capability districts 1a, 1b SEZ, 1c, 2, and 3, except as provided in Goal #1, Policy 5c, SEZ Subelement; and

4) The parcel shall otherwise be eligible for development under this Plan.

5) Ordinances shall set forth provisions for the waiver of the paved road criteria.

C. If a parcel receiving an allocation is determined to be ineligible for a permit under A. or B. above, the owner may, within applicable time limits set forth in implementing ordinances:

1) relinquish the allocation;

transfer the allocation to a parcel which is eligible for development in Land Capability Districts 4 - 7, provided the parcel from which the allocation is transferred is retired in accordance with Goal #3, Policy 4 of this Subelement.
3. combine one or more adjacent parcels in order to meet the criteria in B. above;
4. appeal to the TRPA Governing Board and demonstrate that the parcel meets the
criteria in A. or B. above; or
5. transfer other development rights in accordance with Goal #3 of this Subelement.

D. FOR PARCELS LOCATED IN TYROLIAN VILLAGE UNITS #1-5, FOR WHICH
COMPLETE APPLICATIONS WERE FILED AND ACCEPTED PURSUANT TO THE
"AGREEMENT BETWEEN THE TYROLIAN VILLAGE ASSOCIATION, INC. AND THE
TAHOE REGIONAL PLANNING AGENCY REGARDING EROSION CONTROL
IMPROVEMENTS AND RECLASSIFICATION OF UPPER TYROLIAN VILLAGE"
DATED MAY 26, 1983, AN INTERIM SYSTEM SHALL BE DEVELOPED AND
IMPLEMENTED BY ORDINANCE.

DP-1.23. TO APPROVE A PROJECT ON A PARCEL RATED AND RANKED BY IPES THE PARCEL
MUST BE SERVED BY A PAVED ROAD, WATER SERVICE, SEWER SERVICE AND AN
ELECTRICAL SERVICE UTILITY. ORDINANCES SHALL SET FORTH PROVISIONS FOR THE
WAIVER OF THE PAVED ROAD CRITERIA.

02/21/2012 Action Item #10:

GOAL #DP-2

MANAGE THE GROWTH OF DEVELOPMENT AND REDEVELOPMENT CONSISTENT WITH
PROGRESS TOWARD MEETING ENVIRONMENTAL THRESHOLDS.

POLICIES

DP2.1. IN 1992 AND EVERY FIVE YEARS THEREAFTER, TRPA SHALL CONDUCT AN IN DEPTH
RE-EVALUATION OF THE THIS REGIONAL PLAN IN COMPARISON WITH PROGRESS TOWARD
MEETING THE ENVIRONMENTAL THRESHOLD CARRYING CAPACITIES.

It is the intent of this Plan to comply with the directives of the Compact and to be responsive to
new evidence and changing conditions. Therefore, periodic reevaluation is required. If progress
toward the environmental threshold standards is not being made goals set forth in the Monitoring
and Evaluation Subelement is other than anticipated by this Plan, TRPA shall consider making
adjustments in one or more of the following areas: (1) rate of growth; (2) types of development permitted; (3) development requirements; limitations; (4) capital environmental improvement programs; (5) enforcement programs; (6) financial programs; and (7) any other appropriate element of the Plan. These reevaluations shall be conducted pursuant to established procedures and criteria set forth in this Plan and the implementing ordinances. This review shall ensure that the Regional Plan, and all of its associated parts, are proceeding in conformance with the directives of the Compact.

DP-2.2 THE MAXIMUM AMOUNT OF RESIDENTIAL ALLOCATIONS, COMMERCIAL FLOOR AREA,
TOURIST BONUS UNITS AND RESIDENTIAL BONUS UNITS THAT MAY BE RELEASED BEFORE
DECEMBER 31, 2032 IS OUTLINED IN THE TABLE BELOW.

<table>
<thead>
<tr>
<th>ALLOCATIONS/DEVELOPMENT</th>
<th>USED FROM</th>
<th>REMAINING</th>
<th>ADDITIONAL PROPOSED IN THE REGIONAL PLAN</th>
</tr>
</thead>
</table>

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DP-2.3 THE ANNUAL RELEASE RATE FOR RESIDENTIAL ALLOCATIONS AND COMMERCIAL FLOOR AREA SHALL BE IDENTIFIED IN THE CODE OF ORDINANCES AND SHALL UTILIZE A SYSTEM THAT MODIFIES THE RATE OF RELEASE BASED ON PERFORMANCE TOWARDS ENVIRONMENTAL IMPROVEMENTS.

2. A MAXIMUM OF 2,000 ADDITIONAL RESIDENTIAL UNITS MAY BE AUTHORIZED TO RECEIVE PERMITS FOR CONSTRUCTION DURING THE FIRST SIX YEARS OF THE PLAN, EXCEPT THAT THIS LIMITATION SHALL NOT APPLY TO AFFORDABLE HOUSING UNITS AS DESCRIBED IN THE HOUSING SUBELEMENT. SUBJECT TO THE PROVISIONS BELOW, ANY ALLOCATIONS WHICH ARE NOT UTILIZED MAY BE REALLOCATED BY THE LOCAL JURISDICTION. THE ALLOCATION OF THESE PERMITS SHALL BE MADE AS FOLLOWS:

**FIGURE 6**

### ALLOCATION TABLE

**ADDITIONAL RESIDENTIAL DWELLING UNIT ALLOCATION**

<table>
<thead>
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<tbody>
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<tr>
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<td>New Allocations</td>
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<td>Prior Approvals (4-7)</td>
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<td>'83 Allocations</td>
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<tr>
<td>New/Reissued Alloc.</td>
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</table>

*Note: 158,816 sq. ft. of Commercial Floor Area, 245 Residential Bonus Units and 90 Tourist Bonus Units have been reserved or allocated to projects (e.g., Community Enhancement Projects) that have not been permitted or permitted but the projects have not been acknowledged.*
A. In the event South Tahoe Public Utility District (STPUD) has the ability to serve new development in years 1989, 1990 and 1991, the amounts to be allocated to the STPUD service area during those years are shown with asterisks on Figure 6. In the event disposal capacity is lacking, a portion of the amount available shall be allocated to other jurisdictions, as shown in square brackets. The remaining portion of the El Dorado allocation may be allocated outside of the STPUD service area in the TTSA portion of El Dorado, or in other areas for which sewer capacity exists in El Dorado County. In addition, a program to recognize the imbalance in allocations to the STPUD service area shall be developed for the year 1992 and beyond, if sewage capacity becomes available.

B. Local jurisdictions shall set their own priorities within the categories of residential units listed in the allocation table (Figure 6) except that in the category of New/Reissued Allocations, the reissued allocations shall have priority over the new allocations. Any allocations which are not utilized may be reallocated by the local jurisdiction.

C. The categories in the residential allocation table are defined as follows:

1. New Allocations - are allocations which are to be assigned to properties that currently do not have allocations and do not fall into the categories below.

2. 1983 Allocations - are allocations which shall be assigned to properties which received a 1983 single family building allocation from the City of South Lake Tahoe, El Dorado County, or Placer County.

3. Reissued Allocations - are allocations that shall be assigned to properties which fall into the following special classes:
   (a) Parcels with Placer County permits which were extended by ordinance to August 1, 1986, have expired CTRPA/ TRPA permits and have not commenced construction.
   (b) Parcels with a local county building permit which were issued prior to December 19, 1980, have been continuously renewed, and have not commenced construction.

   The provision for reissued allocations ((a) and (b) above) shall expire December 31, 1989.

4. Case-By-Case Approvals - are allocations which shall be assigned to Nevada properties which received a conditional approval for a single-family residence under the case-by-case review procedure prior to August 27, 1983, but did not receive a TRPA permit prior to May 1, 1984.

5. Prior Approvals (4-7) - are allocations which shall be assigned to properties located in land capability districts 4-7 which received a TRPA conditional approval for a single-family
residence prior to August 27, 1983, but which did not receive a TRPA permit before May 1, 1984.

D—California jurisdictions shall be authorized to issue all the 1983 allocations when notified by TRPA. As applications are processed and permits issued by TRPA, conditions shall be imposed so that no more than 50 percent of the allocations issued are authorized to start construction in those jurisdictions in either of the first two years.

E—Nevada jurisdictions shall be authorized to issue all the case-by-case allocations when notified by TRPA. As permits are issued by TRPA, conditions shall be imposed so that no more than one-third of the permits issued are to be authorized to start construction in those jurisdictions in either of the first two years.

F—A total of 1,400 additional multi-residential units shall be available for the 20-year life of this Plan as bonus units in conjunction with transfer of development rights or other Agency incentive programs designed to attain the goals and objectives of this Plan. Except for affordable housing as defined in the Housing Subelement, these multi-density residential units shall be included in the allocation limitations above (see Land Use Subelement, Goal #2, Policy 5).

G—Unused allocations may be added to a jurisdiction’s successive years allocations, through 1991. A residential development policy beyond year 1991 shall be considered at an appropriate time in the future.

3. A maximum of 200 additional tourist accommodation bonus units may be permitted. (See Policy 9 for 200 additional tourist accommodation unit allocations.) (See Goal #3, of the Development and Implementations Priorities Subelement.)

4. A maximum of 400,000 square feet of additional gross commercial floor area may be permitted. (See Policy 8 for additional commercial floor area allocations.) Development of additional commercial floor area shall be allocated as follows:

Commercial development poses a particularly difficult problem in terms of demands on transportation systems. Controlling the rate of new commercial development will minimize these impacts and provide an opportunity for transportation systems to keep pace.

A—The amount of additional commercial floor area allowed within a community plan for the first ten years of the Regional Plan shall be 360,000 square feet. Seventy-five percent of that amount shall be distributed to local jurisdictions by ordinance based on recommendations of APC and the local jurisdictions, considering such factors as available water and sewage disposal service, the inventory of potentially developable properties, and anticipated needs. TRPA shall then further allocate those amounts to community plans as part of the community planning process. (See Goal #2, Policy 6, of the Land Use Subelement.)

Of the 360,000 square feet, 25 percent shall be retained by TRPA for later distribution to community plans. Of that 25 percent, 36,000 square feet may be allocated by TRPA to projects within CPs before the CP is adopted. Such projects shall be subject to the rules that apply outside CP areas. The remaining 15 percent shall be allocated by TRPA pursuant to the provisions governing the CP process. (See Goal #2, Policy 6, of the Land Use Subelement.)
The rate of development within a CP shall be set forth in a schedule in the adopted CP. The schedule shall be correlated with schedules for the accomplishment of other CP programs such as transportation improvements and watershed restoration work. If these are behind schedule, adjustments in CP growth rates shall be required.

B. The amount of additional commercial floor area allowed outside community plans shall be no more than 40,000 square feet for the first ten years of the Regional Plan and shall be allocated to individual projects by TRPA. TRPA may, by ordinance, allow reassignment of this commercial floor area to community plan areas in conjunction with adoption or amendment of community plans. The amount of commercial development outside CPs shall be checked at two-year intervals to determine if the rate at which projects are being approved exceeds the projected 4,000 square feet a year rate by more than 25 percent.

C. The term “additional commercial floor area” shall not include tourist accommodation area, or outdoor recreation floor area, or their accessory uses, as defined by ordinance. Additional commercial floor area shall not include area added in minor remodeling of existing commercial facilities so long as no change in use occurs, there is no added traffic as a result, the increase is no more than 500 square feet or five percent of the existing facility, whichever is less, and the appropriate coverage rules apply. The exception for minor remodeling is limited to one project for a facility in a ten year period.

D. Structures housing gaming shall be considered separately under the provisions set forth in the compact.

**DP-2.45. THE DEVELOPMENT OF ADDITIONAL OUTDOOR RECREATIONAL USES SHALL BE PURSUANT TO SHORT- AND LONG-RANGE PROGRAMS. CRITERIA FOR INCLUSION IN THESE PROGRAMS SHALL BE IDENTIFIED IN THE CODE OF ORDINANCES DEVELOPED BY ORDINANCE.**

6. A maximum of 1,500 additional residential units may be authorized to receive permits for construction during the years 1992 through 1996, inclusive. This limitation shall not apply to affordable housing units as described in the housing subelement. Unused allocations may be reallocated by the local jurisdictions in successive years through 1996. The allocation of these residential units shall be made as follows:

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<td>23</td>
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</table>

7. A maximum of 1,500 additional residential units may be authorized to receive permits for construction during the years 1997 through 2001. This limitation shall not apply to affordable housing units as described in the housing subelement. Unused allocations from 1996 and prior years shall not be reissued to the local jurisdictions. The allocations assigned yearly to each jurisdiction shall be linked to the local jurisdiction’s performance on permit compliance, implementation of water quality improvements, and monitoring. Unused allocations from 1997 and later years shall be assigned to an
ALLOCATION POOL ADMINISTERED BY TRPA. THE ALLOCATION POOL SHALL BE USED TO REWARD A JURISDICTION’S GOOD PERFORMANCE AND TO ALLOW PROPERTY OWNERS WHO RETIRE SENSITIVE PARCELS TO RECEIVE AN ALLOCATION. THE ALLOCATION AND DISTRIBUTION OF ALLOCATIONS EACH YEAR SHALL NOT EXCEED THE FOLLOWING, EXCEPT FOR ASSIGNMENT OF ALLOCATIONS FROM THE ALLOCATION POOL ADMINISTERED BY TRPA.

<table>
<thead>
<tr>
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<tr>
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<tr>
<td>ITSA</td>
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<td>STPUD</td>
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<td>City of South Lake Tahoe</td>
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<td>Washoe County</td>
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<td>Douglas County</td>
<td>23</td>
</tr>
<tr>
<td>Allocation Pool Loan</td>
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</tr>
</tbody>
</table>

8. A MAXIMUM OF 400,000 SQUARE FEET OF ADDITIONAL GROSS COMMERCIAL FLOOR AREA MAY BE PERMITTED AFTER 1997. DEVELOPMENT OF ADDITIONAL COMMERCIAL FLOOR AREA SHALL BE ALLOCATED AS FOLLOWS:

   § The commercial floor area allocations after 1997 shall focus on the implementation of projects listed in the Environmental Improvement Program (EIP) and promotion of the transfer and rehabilitation of substandard development.

   A. A maximum of 100,000 square feet of commercial floor area may be permitted in adopted community plans. A portion of this allocation may also be permitted outside community plans when used to replace commercial allocations used in the first ten years for outside community plans and if it is linked to environmental improvements.

   B. A maximum of 150,000 sq. ft. may be allocated to special projects in community plan areas or adopted master plan areas. These projects shall be evaluated on their implementation of environmental improvement projects.

   C. A maximum of 150,000 square feet of commercial floor area may be allocated after 2002. 50,000 square feet may be allocated to projects within adopted community plans. A maximum of 100,000 square feet of commercial floor area allocation shall be allocated to Special Projects pursuant to “B” above.

9. A MAXIMUM OF 200 ADDITIONAL TOURIST ACCOMMODATION UNITS MAY BE PERMITTED AFTER 1997 FOR SPECIAL PROJECTS THAT RETIRE TOURIST UNITS FROM SENSITIVE LANDS.

10. A MAXIMUM OF 1475 ADDITIONAL RESIDENTIAL UNITS MAY BE AUTHORIZED TO RECEIVE PERMITS FOR CONSTRUCTION DURING THE YEARS 2002 THROUGH 2006. THIS LIMITATION SHALL NOT APPLY TO AFFORDABLE HOUSING UNITS AS DESCRIBED IN THE HOUSING SUBELEMENT. ALL UNUSED DISTRIBUTED ALLOCATIONS AS OF JANUARY 1 OF EACH YEAR SHALL BE ASSIGNED TO THE ALLOCATION POOL ADMINISTERED BY TRPA. ALL UNALLOCATED OR DEDUCTED ALLOCATIONS SHALL NOT BE PLACED INTO THE ALLOCATION POOL. THE ALLOCATIONS ASSIGNED YEARLY TO EACH JURISDICTION SHALL BE LINKED TO THE LOCAL JURISDICTION’S PERFORMANCE ON PERMIT COMPLIANCE, IMPLEMENTATION OF WATER QUALITY AND AIR QUALITY EIP IMPROVEMENTS, AND MONITORING AND INCREASED TRANSIT OPERATIONS. THE ALLOCATION POOL SHALL BE USED TO ALLOW PROPERTY OWNERS WHO RETIRE SENSITIVE PARCELS TO RECEIVE AN ALLOCATION. THE ALLOCATION AND DISTRIBUTION OF ALLOCATIONS EACH YEAR SHALL NOT EXCEED THE FOLLOWING,
EXCEPT FOR ASSIGNMENT OF ALLOCATIONS FROM THE ALLOCATION POOL ADMINISTERED BY TRPA.

### MAXIMUM YEARLY ALLOCATIONS

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<td>111</td>
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<tr>
<td>TOTAL</td>
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11. FROM JANUARY 1, 2007, THE MAXIMUM ADDITIONAL RESIDENTIAL UNITS THAT MAY BE AUTHORIZED IS EQUAL TO THE NUMBER OF UNITS IN THE ALLOCATION POOL CARRIED OVER FROM 2006 PLUS THE 236 UNUSED PRIOR TO 1996 ALLOCATIONS THAT SHALL BE ADDED TO THE POOL. THIS LIMITATION SHALL NOT APPLY TO AFFORDABLE HOUSING UNITS DESCRIBED IN THE HOUSING SUBELEMENT. ALL UNUSED DISTRIBUTED ALLOCATIONS AS OF JANUARY 1 OF EACH YEAR SHALL BE REASSIGNED TO THE ALLOCATION POOL ADMINISTERED BY TRPA. BEGINNING JANUARY 1, 2009 AND UNTIL ADOPTION OF THE REGIONAL PLAN UPDATE, LOCAL JURISDICTIONS MAY ELECT TO RETAIN THOSE ALLOCATIONS EARNED THROUGH THE ANNUAL PERFORMANCE REVIEW PROCESS AND UNUSED BY DECEMBER 31ST. THE ALLOCATION POOL SHALL BE USED TO ALLOW PROPERTY OWNERS WHO RETIRE SENSITIVE PARCELS TO RECEIVE AN ALLOCATION, APPLICANTS FOR MODERATE HOUSING UNITS UNDER THE MODERATE HOUSING PROGRAM TO RECEIVE ALLOCATIONS, AND FOR LOCAL JURISDICTIONS TO EARN ALLOCATIONS FOR ANNUAL DISTRIBUTION. ALLOCATIONS ASSIGNED YEARLY TO EACH JURISDICTION SHALL BE LINKED TO THE LOCAL JURISDICTION'S PERFORMANCE ON PERMIT COMPLIANCE, IMPLEMENTATION OF WATER QUALITY AND AIR QUALITY IMPROVEMENTS AND MONITORING, AND INCREASED TRANSIT OPERATIONS. THE ALLOCATION AND DISTRIBUTION OF ALLOCATIONS EACH YEAR FOR LOCAL JURISDICTIONS SHALL NOT EXCEED THE FOLLOWING:

### MAXIMUM YEARLY ALLOCATIONS

| EL Dorado County   | 111  |
| City of SLT       | 47   |
| Placer County     | 66   |
| Washoe County     | 49   |
| Douglas County    | 21   |
| TOTAL             | 294  |

02/21/2012 Action Item #11:

GOAL #DP-3
ENCOURAGE CONSOLIDATION OF DEVELOPMENT AND RESTORATION OF SENSITIVE LANDS THROUGH SEPARATE TRANSFER OF DEVELOPMENT RIGHTS AND TRANSFER OF LAND COVERAGE PROGRAMS.

POLICIES

DP-3.1. TRANSFERS OF RESIDENTIAL DEVELOPMENT AND RESIDENTIAL DEVELOPMENT RIGHTS TO
PARCELS IN AREAS DESIGNATED AS RECEIVING AREAS IN PLAN AREA STATEMENTS MAY BE PERMITTED SHALL BE ENCOURAGED IN ACCORDANCE WITH REGIONAL PLAN POLICIES AND IMPLEMENTING ORDINANCES. THE NUMBER OF DEVELOPMENT RIGHTS THAT MAY BE TRANSFERRED IS LIMITED TO ONE UNIT FOR UNDEVELOPED PARCELS, OR TO THE NUMBER OF RESIDENTIAL UNITS EXISTING ON A DEVELOPED PARCEL.

A. Residential development and residential development rights may be transferred with approval of TRPA. Residential development rights transferred from undeveloped parcels may only be exercised on a receiving parcel, upon receiving a residential allocation in accordance with the provisions regarding those allocations.

B. As provided in Goal #2 of this subelement and Goal #2 of the Land Use Subelement, up to 1,400 Residential bonus units may be granted to parcels for multi-residential units in conjunction with transfer of development rights from other parcels or other agency incentive programs. Ordinances shall establish detailed provisions which shall provide for bonuses of varying amounts in relation to a right transferred or implementation of an agency incentive program, depending on the public benefits being provided by the project. More bonuses shall be granted prioritized for affordable housing projects and projects within community plans, Town Centers, the Regional Center, and the High Density Tourist District than for those outside CPs. Other benefits to consider shall include the extent of coverage planned, transportation improvements, water quality improvements, and scenic improvements, and proximity to essential services. More bonuses shall be granted for projects designed to house local residents at median income or below.

DP-3.2. TRANSFERS OF EXISTING TOURIST ACCOMMODATION UNITS INTO DESIGNATED AREAS SHALL BE ENCOURAGED IN ACCORDANCE WITH REGIONAL PLAN POLICIES AND IMPLEMENTING ORDINANCES MAY BE PERMITTED.

A. Existing tourist accommodation units may be transferred to designated areas with approval of TRPA, in conjunction with TRPA approval of a project. For bonus Tourist Accommodation Units to be awarded, buildings containing Tourist Accommodation Units to be transferred from the sending parcel shall be removed and the site shall be restored to a natural or near natural condition. The buildings shall be removed and the site restored, except in special circumstances of public benefits as set forth by ordinance.

B. As provided in Goal #2 of this subelement and Goal #2 of the Land Use Subelement, up to 400 Additional tourist accommodation units may be granted as bonus units in conjunction with transfer of development. Ordinances shall establish detailed provisions which shall allow bonuses of varying amounts in relation to a unit transferred, depending on the public benefits being provided by the project. No bonuses shall be prioritized allowed for projects development within outside adopted CPs. Benefits to consider shall include extent of coverage planned, transportation improvements, water quality improvements, scenic improvements, availability of essential services, and accessory services provided.

DP-3.3. TRANSFERS OF EXISTING COMMERCIAL FLOOR AREA INTO DESIGNATED AREAS SHALL BE ENCOURAGED IN ACCORDANCE WITH REGIONAL PLAN POLICIES AND IMPLEMENTING ORDINANCES.

§Amended 10/25/06

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A. Existing commercial floor area may be transferred to designated areas with approval of TRPA. For bonus Commercial Floor Area to be awarded, buildings containing Commercial Floor Area to be transferred from the sending parcel shall be removed and the site shall be restored to a natural or near natural condition.

B. Additional commercial floor area may be granted in conjunction with transfer of development. Ordinances shall establish detailed provisions which shall allow additional commercial floor area of varying amounts in relation to a unit transferred, depending on the public benefits being provided by the project. Additional commercial floor area shall be prioritized for projects within community plans, Town Centers, the Regional Center and the High Density Tourist District. Benefits to consider shall include extent of coverage planned, transportation improvements, water quality improvements, scenic improvements, and accessory services provided. TRPA shall reserve a portion of available commercial floor area to encourage development transfers.

DP-3.4

B. Coverage transferred or used as mitigation to accommodate residential projects, outdoor recreation projects, public service projects, regional public facilities, and public health and safety facilities may be either existing or potential coverage. Potential coverage shall be defined as base coverage.

C. Linear public facilities projects that require coverage, when transferring or mitigating coverage over base coverage, shall have the option of transferring hard or soft coverage in accordance with these provisions.

D. TRPA, in cooperation with other agencies, shall establish a land coverage banking system.

TRPA, to the extent possible, shall utilize a land coverage banking system to facilitate the elimination of excess land coverage and to provide transfer mechanisms. TRPA shall certify appropriate entities to acquire land coverage and implement restoration programs pursuant to this policy.

E. Coverage transfers shall be at a ratio of 1:1 or greater. Each square foot of coverage added by transfer shall require removal of one or more square foot of coverage, except for the special provision for additional commercial coverage over 50 percent, as set forth in the Goal LU-2 of Land Use Subelement and the Code of Ordinances, Goal #3, Policy 2.B and other rations as set by this plan.

F. Coverage transferred for a single-family house shall be from a parcel equal to, or more environmentally sensitive than, the receiving parcel.

G. In the case of individual parcels containing a stream environment zone (SEZ), the amount of coverage attributable to the SEZ portion of the parcel may be transferred to the non-SEZ portion of the parcel or may be utilized in the SEZ pursuant to the access provision set forth in Goal #1, Policy 5, of the Stream Environment Zone Subelement.

DP-3.65. BEFORE TRANSFER OF ANY DEVELOPMENT RIGHT OR LAND COVERAGE UNDER THIS GOAL IS EFFECTIVE, THE TRANSFERORSENDING LOT SHALL BE APPROPRIATELY RESTRICTED OR RETIRED. IN THE CASE WHERE AN ALLOCATION HAS BEEN TRANSFERRED, OR ALL THE DEVELOPMENT RIGHTS OR COVERAGE HAS BEEN TRANSFERRED OFF A PARCEL DEEMED INAPPROPRIATE FOR FUTURE DEVELOPMENT, THE ENTIRE PARCEL SHALL BE RETIRED.
In restricting or retiring a parcel, the implementing ordinances shall consider the retirement of all bonded indebtedness, site restoration, removal of future development potential, disclosure statements, public notice or recordation, and other requirements TRPA deems necessary. All transfers shall be approved by the affected jurisdictions.

**DP-3.76.** TRANSFERS OF DEVELOPMENT RIGHTS, OTHER THAN LAND COVERAGE, SHALL BE LIMITED TO EQUIVALENT USES WITH NO INCREASE IN THE PARAMETERS BY WHICH THE USES ARE MEASURED BY THIS PLAN (E.G., FLOOR AREA, UNITS, PAOT) PLUS BONUS UNITS AWARDED IN ACCORDANCE WITH THE REGIONAL PLAN AND CODE OF ORDINANCES. EQUIVALENT USES SHALL BE DEFINED BY ORDNANCE. DEVELOPMENT IMPACTS DUE TO THE RESULTING PROJECTS SHALL BE ADDRESSED AS PART OF THE PROJECT REVIEW PROCESS.

02/21/2012 Action Item #12:

**DP-3.43.** LAND COVERAGE MAY BE TRANSFERRED AS SET FORTH IN GOAL #3, POLICY 2, OF THE LAND USE SUBELEMENT, WITHIN THE RELATED HYDROLOGIC AREA, PROVIDED THE COVERAGE LIMITS SET FORTH IN THE LAND USE SUBELEMENT ARE NOT EXCEEDED.

The transfer of land coverage may be implemented by parcel consolidation, parcel retirement, land coverage banking systems or other mechanisms approved by the TRPA.

A. Coverage utilized as mitigation for excess coverage on commercial, mixed-use and tourist accommodation projects shall be existing hard coverage or soft coverage in the 1b land capability district as defined by ordinance, except where the Governing Board finds that there is an inadequate supply of hard coverage at a reasonable cost in the related hydrologic area. In that event, the Board Code may authorize an increase in the supply of coverage for transfer in the following order of priority: (1) including existing soft coverage or disturbed areas within the definition of coverage; and (2) by including potential coverage; and (3) redefining the hydrologic boundaries in that area. Potential coverage shall be defined as base coverage.

02/21/2012 Action Item #13:

**GOAL #DP-4**

CONDITION APPROVALS FOR NEW DEVELOPMENT AND REDEVELOPMENT IN THE TAHOE REGION ON POSITIVE IMPROVEMENTS IN OFF-SITE EROSION AND RUNOFF CONTROL AND AIR QUALITY.

To generate offsetting mitigation measures, which in turn will accelerate progress toward meeting the environmental thresholds, the Agency will implement the following policies:

**POLICIES**

**DP-4.1.** NEW AND REDEVELOPED RESIDENTIAL, COMMERCIAL, AND PUBLIC PROJECTS SHALL COMPLETELY OFFSET THEIR WATER QUALITY IMPACTS THROUGH ONE OF THE FOLLOWING METHODS:
B. Contributing to a fund established by the Agency water quality mitigation fund for implementing off-site erosion and runoff control projects. The amount of such contributions is established by Agency ordinance.

This policy continues the water quality mitigation funds established as part of TRPA's Lake Tahoe Basin Water Quality Management Plan. The fee schedules and distribution formula shall be reviewed and revised as part of the Agency's implementing ordinances and programs.

DP-4.2. ALL PROJECTS SHALL OFFSET THE TRANSPORTATION AND AIR QUALITY IMPACTS OF THEIR DEVELOPMENT.

The implementing ordinances for the Regional Plan will define stationary sources of air pollution which may locate in the Region, and define what constitutes a significant environmental impact on air quality from stationary sources. Commercial and residential development contribute indirect impacts to air quality by increasing the number of vehicle trips in the Region. The cumulative impact of such trips is significant.

The ordinances will establish a fee to offset the impacts from minor projects. The fee will be assessed on both commercial and residential development. The ordinances will also define what projects have significant environmental impacts; these projects will be required to complete an EIS and mitigate air quality and traffic impacts with specific projects or programs.

02/21/2012 Action Item #14:

DP-4.1

A. Implementing on-site and/or off-site erosion and runoff control projects concurrent with the impact from the project as a condition of project approval and subject to Agency concurrence as to effectiveness, or

02/21/2012 Action Item #15:

FINANCING

The purpose of this Subelement is to set forth the financing policies and programs to implement the Regional Plan. The Subelement provides for the creation of new revenue sources, the phasing of expenditures to meet performance targets, and coordination of financing programs with other agencies.

Adequate long-term financing is essential to meet the environmental thresholds and protect the values of the Tahoe Region. The Regional Plan creates a linkage between the rate of funding for capital improvements, the development management system, and the environmental thresholds. If progress toward meeting the environmental thresholds is slower than anticipated, the Plan calls for adjustments in the rate of both capital improvements and development.
GOAL #FIN-1

IN COOPERATION WITH A MULTI-SECTOR REGIONAL PARTNERSHIP OTHER AGENCIES, SECURE FUNDS TO CARRY OUT THE ENVIRONMENTAL CAPITAL IMPROVEMENTS PROGRAM AND OTHER PROGRAMS OF THE REGIONAL PLAN, PROVIDE FOR REVENUE SOURCES THAT DISTRIBUTE COSTS EQUitably AMONG THE USERS OF THE BASIN, MEET PERFORMANCE OBJECTIVES, AND ATTAIN ENVIRONMENTAL THRESHOLDS.

It will cost approximately $259 million (1982 dollars) over 20 years to implement the Regional Plan and attain the environmental thresholds. The major expenditures under the Plan are for water quality ($146 million) and transportation ($113 million).

The implementing agencies in the Basin have only limited ability to provide funds for capital improvements at this time. It will take time to develop new revenue sources. Therefore, the Regional Plan provides for a low-cost program for the first five years, while new sources are being developed, and triggers Phase II development priorities with funding of Phase II capital improvements.

In the first five years, transportation needs are about $32 million (1982), primarily for expansion of existing systems. For water quality, the needs are about $30 million, targeted to the most cost-effective locations for erosion and runoff control.

POLICIES

FIN-1.1. TRPA IN COOPERATION WITH A REGIONAL MULTI-SECTOR PARTNERSHIP, SHALL DEVELOP AND CARRY OUT FINANCIAL PROGRAMS TO PROVIDE THE FUNDING NECESSARY TO IMPLEMENT THE ENVIRONMENTAL CAPITAL IMPROVEMENTS PROGRAM FOR WATER QUALITY AND TRANSPORTATION.

The expected sources of revenue during the first five years are mitigation funds, Burton/Santini Act funds, sales taxes, and room occupancy taxes. The expediency and revenue-gathering ability of these sources, the best mix, and the priority will be set forth through implementing programs.

The potential revenue sources TRPA will evaluate for use during later phases of the capital improvements program are utility taxes, assessments, automobile registration and license fees, property transfer taxes, and Forest Service special use fees.

FIN-1.2. FINANCIAL PROGRAMS SHALL PROVIDE FOR AN EQUITABLE DISTRIBUTION OF COSTS AMONG GOVERNMENTAL ENTITIES AND BASIN USER GROUPS.

Since many people throughout the Region, the nation, and the world enjoy the amenities of the Tahoe Region, the Regional Plan calls for a financial approach that spreads the costs of protecting environmental quality among property owners, businesses, overnight and day visitors, transportation systems users, and local, state, and federal governments.

GOAL #FIN-2

COORDINATE THE REVENUE PROGRAM FOR IMPLEMENTATION OF THE REGIONAL PLAN WITH OTHER RESPONSIBLE AGENCIES; DIRECT THE UTILIZATION OF REGIONAL REVENUES TO SOLVE HIGH-PRIORITY ENVIRONMENTAL IMPROVEMENT PROJECTS CONSISTENT WITH THE REGIONAL PLAN WATER QUALITY AND TRANSPORTATION PROBLEMS.
TRPA depends on the actions of local governments, state environmental agencies and transportation departments, and special entities including the Tahoe Transportation District to carry out the Environmental Capital Improvements Programs, and other programs (e.g., enforcement). Therefore, the development of a financing approach has been coordinated, and will continue to be coordinated, with these other entities. TRPA will oversee the use of the regional revenue sources to ensure the proper phasing of capital environmental improvements.

POLICIES

FIN-2.1. THE AGENCY SHALL CONSULT WITH OTHER RESPONSIBLE AGENCIES AND ESTABLISH REGIONAL ENVIRONMENTAL IMPROVEMENTS WATER QUALITY AND TRANSPORTATION PROJECT PRIORITIES CONSISTENT WITH THE REGIONAL PLAN.

Local units of government and other implementing agencies require flexibility in scheduling capital improvements. TRPA, after in consultation with those entities, will provide guidance on project priorities and, through project review, will ensure that all capital improvements are consistent with the Regional Plan. The detailed capital improvements program will be reviewed and revised periodically in cooperation with all the affected agencies.

FIN-2.2. THE AGENCY SHALL CONSULT WITH OTHER RESPONSIBLE AGENCIES IN THE DEVELOPMENT AND IMPLEMENTATION OF LONG-TERM REVENUE PROGRAMS, TO AVOID DUPLICATION OF EFFORT, AND TO IMPROVE THE EFFICIENCY OF ENVIRONMENTAL IMPROVEMENTS CAPITAL PROGRAMS.

All of the agencies which will carry out water quality and transportation programs under this Plan have similar financial needs. Working in cooperation with these entities, TRPA will identify programs that generate funds efficiently and with minimal administrative burden so as to assist them in fulfilling their capital needs.

FIN-2.23. REGIONAL REVENUE SOURCES SHALL BE APPLIED TO HIGH-PRIORITY CAPITAL ENVIRONMENTAL IMPROVEMENT PROJECTS IMPROVEMENTS THROUGHOUT THE REGION.

Because many of the Tahoe Region’s environmental problems are regional in nature, and do not observe jurisdictional boundaries, it is appropriate to develop and administer regional revenue sources (e.g., utility taxes) to pay for high-priority capital improvements, as set forth in the Environmental Capital Improvements Program.

GOAL #FIN-3

THROUGH A THE ENVIRONMENTAL CAPITAL IMPROVEMENTS PROGRAM, MAKE PROGRESS TOWARD AND MEET THE PERFORMANCE TARGETS IDENTIFIED IN THE MONITORING AND EVALUATION SUBELEMENT FOR WATER QUALITY REDUCTIONS IN LOADS OF DISSOLVED INORGANIC NITROGEN TO LAKE TAHOE AND RESTORATION OF SEZS.

The Environmental Capital Improvements Program identifies the water quality programs necessary to attain and maintain the environmental thresholds. The program specifies projects, costs, and responsible entities over a 20-year schedule. The capital improvements for water quality stress the most cost-effective projects during the first phase, and move into less cost-effective projects in later phases, to give TRPA and other agencies an
opportunity to develop new revenue sources for the more expensive projects. The most cost-effective water quality projects in terms of nutrient and sediment load reductions are those which emphasize slope stabilization and revegetation. The least cost-effective projects (which, it must be emphasized, are still essential for meeting water quality objectives) are those which emphasize storm drainage.

POLICIES

**FIN3.1. LOCAL UNITS OF GOVERNMENTS, STATE TRANSPORTATION DEPARTMENTS, AND OTHER AGENCIES SHALL BE RESPONSIBLE FOR CARRYING OUT CAPITAL IMPROVEMENTS FOR WATER QUALITY.** WITH OVERSIGHT BY TRPA, FUNDING ASSISTANCE FROM REGIONAL REVENUE SOURCES SHALL BE MADE AVAILABLE TO LOCAL GOVERNMENTS WITH OVERSIGHT BY TRPA.

As in the existing water quality plan for the Basin, the primary responsibility for carrying out capital environmental improvement projects lies with local government, CalTrans, NDOT, and the U.S. Forest Service. Utility districts also have capital improvement programs related to water quality, but the Capital Improvements Program does not discuss these in any detail. A Regional Multi-Sector Partnership Through its financial program, TRPA shall develop means of assisting local governments with funding.

**FIN3.2. TRPA SHALL COORDINATE WITH LOCAL UNITS OF GOVERNMENTS AND STATE TRANSPORTATION DEPARTMENTS TO GENERALLY OBSERVE THE PRIORITIES SET FORTH IN THE ENVIRONMENTAL CAPITAL IMPROVEMENTS PROGRAM TO ENSURE THAT PLANNED CAPITAL IMPROVEMENTS AND AVAILABLE REVENUES ARE CONSISTENT.**

Although implementing agencies may have other considerations which affect project priorities (e.g., earmarked funding sources, projects already "in the pipeline"), they should generally observe the priorities set forth in the capital improvements program, which have been tailored to be consistent with the financial program and the development management system. TRPA will review project proposals to ensure consistency with the Plan.

**FIN3.3. ALL ENVIRONMENTAL CAPITAL IMPROVEMENTS PROJECTS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE HANDBOOK OF BEST MANAGEMENT PRACTICES.**

The Handbook of Best Management Practices sets forth both temporary (construction) and permanent BMPs that will apply to many of the remedial water quality projects in the capital improvements program. Where applicable, these BMPs should be fully implemented.

**GOAL # FIN-4**

THROUGH AN ENVIRONMENTAL CAPITAL IMPROVEMENTS PROGRAM, MAKE PROGRESS TOWARD AND MEET THE PERFORMANCE TARGETS IDENTIFIED IN THE MANAGEMENT AND EVALUATION SUBELEMENT FOR AIR QUALITY AND TRANSPORTATION REDUCTIONS IN VEHICLE MILES TRAVELLED AND EMISSIONS OF OXIDES OF NITROGEN FOR PHASES I-IV OF THE TRANSPORTATION ELEMENT.

The capital improvements program identifies the transportation system improvements necessary to attain and maintain environmental thresholds. The four-phase program, to be carried out over 20 years, is expected to meet the performance criteria set forth in the Monitoring and Evaluation Subelement.
The capital improvements program for transportation emphasizes a cautious approach to transportation-related investments during the first five-year phase. TRPA will bring about necessary reductions in VMT and NOx emissions through improvements in existing transportation programs. More capital intensive programs, such as the fixed guideway and the Lake ferries, will occur in Phase III and IV, after the Agency has had the opportunity to (1) build ridership on existing systems, (2) develop new sources of funding, and (3) evaluate the need for more expensive systems based on the reduction of nitrogen loading to Lake Tahoe.

**POLICIES**

**FIN-4.1.** THE TAHOE TRANSPORTATION DISTRICT AND LOCAL, STATE, AND FEDERAL UNITS OF GOVERNMENT SHALL BE RESPONSIBLE FOR CARRYING OUT THE TRANSPORTATION PORTION OF THE ENVIRONMENTAL CAPITAL IMPROVEMENTS PROGRAM, WITH FUNDING ASSISTANCE FROM REGIONAL REVENUE SOURCES, AND WITH THE COORDINATION AND OVERSIGHT OF TRPA.

The Tahoe Regional Planning Compact designated the Tahoe Transportation District to implement transit and public transportation improvements contained in the Regional Plan. Other related improvements should be the responsibility of local, state, or federal government, depending upon the jurisdiction. The financial program distributes regional revenues to the implementing agencies.

**FIN-4.2.** TRPA SHALL COORDINATE WITH THE TAHOE TRANSPORTATION DISTRICT, AND LOCAL, STATE, AND FEDERAL UNITS OF GOVERNMENT SHALL OBSERVE THE PRIORITIES SET FORTH IN THE ENVIRONMENTAL CAPITAL IMPROVEMENTS PROGRAM TO ENSURE THE APPROPRIATE PHASING OF IMPROVEMENTS AND THAT PLANNED CAPITAL IMPROVEMENTS PROGRAMS ARE CONSISTENT WITH AVAILABLE FUNDING.

The proper phasing of transportation improvements under this Plan is essential since it will take several years to increase public transit ridership to improve public awareness of transportation-related problems, to refine cause-effect relationships, and to develop new revenue sources for the later phases. For this reason, agencies which provide transportation improvements must follow the priorities set forth in the Plan.

3. **TRPA SHALL REVIEW AND APPROVE ALL TRANSPORTATION-RELATED CAPITAL IMPROVEMENTS PROJECTS.**

To ensure consistency between proposed transportation improvements and this Plan, TRPA shall review and approve all project proposals.

**02/21/2012 Action Item #16:**

**MONITORING AND EVALUATION**

The Monitoring and Evaluation Subelement serves three functions. First, it establishes performance standards for evaluating the effectiveness of the Regional Plan and, if necessary, triggering Plan revisions. Second, it identifies needs for further study in the area of cause-effect relationships. Third, it establishes a monitoring program to collect and analyze data necessary to evaluate progress toward maintenance of the environmental thresholds.
GOAL #ME-1

EVALUATE PROGRESS TOWARD ATTAINING AND MAINTAINING THE ENVIRONMENTAL THRESHOLDS THROUGH THE USE OF A DETAILED MONITORING PROGRAM AND PERFORMANCE STANDARDS.

POLICIES

ME-1.1. THE AGENCY SHALL PREPARE THRESHOLD EVALUATION REPORTS EVERY FOUR YEARS USE REASONABLE PROGRESS LINES (SEE EXAMPLE, FIGURE 7) TO EVALUATE THE STATUS AND TREND OF THRESHOLD ATTAINMENT AND PROGRESS IN IMPLEMENTING THE REGIONAL PLAN. THE REASONABLE PROGRESS LINES SHALL BE SET FORTH IN AGENCY ORDINANCE.

ME-1.2. BASED ON THE RESULTS OF THE THRESHOLD EVALUATION REPORTS AND UPDATED THE SPECIAL STUDIES AND INFORMATION DESCRIBED UNDER GOAL #2, THE TRPA SHALL CONSIDER CHANGES TO THRESHOLD ATTAINMENT STANDARDS ADJUST THE REASONABLE PROGRESS LINES AT LEAST EVERY FIVE YEARS TO REFLECT THE BEST AVAILABLE DATA AND SCIENTIFIC KNOWLEDGE.

Because of uncertainty in identifying and quantifying cause-effect relationships for air quality, water quality, and other environmental components, this Plan identifies study needs to clear up the uncertainty. Based on the results of these studies, the Agency may adjust the reasonable progress lines to make them consistent with the latest scientific information.
ME-1.3. BASED ON DEGREE OF PROGRESS TOWARD ENVIRONMENTAL GOALS, AS MEASURED IN
THRESHOLD EVALUATION REPORTS 
POLICY-1, TRPA SHALL MAKE ADJUSTMENTS IN THE
REGIONAL PLAN.

TRPA shall adjust the Regional Plan periodically on the basis of information reported in the
periodic threshold evaluation report If this Regional Plan produces the expected benefits to the
environment sooner than anticipated, or more slowly than anticipated, TRPA will make
adjustments to the Regional Plan in one or more of the following areas: (1) annual residential
and commercial project allocations; (2) development priorities; (3) capital improvement program;
(4) enforcement program; or (5) financial program.

The detailed monitoring program may also provide information outside the realm of the key
indicators that would indicate a need for adjustment in one of the five areas.

GOAL #ME-2

IMPROVE UNDERSTANDING OF CAUSE-EFFECT RELATIONSHIPS FOR LAKE TAHOE AND THE
LAKE TAHOE REGION.

POLICIES

ME-2.1. TRPA SHALL COMPLETE STUDIES AND UTILIZE DATA FROM OTHER RELEVANT STUDIES TO
CONTINUALLY ADVANCE THE UNDERSTANDING OF CAUSE-EFFECT RELATIONSHIPS FOR
LAKE TAHOE AND THE LAKE TAHOE REGION. STUDIES THAT RELATE TO AREAS OF
THRESHOLD NON-ATTAINMENT SHOULD BE PRIORITIZED.

ME-2.2 BASED ON THE RESULTS OF ONGOING STUDIES, TRPA SHALL MAKE ADJUSTMENTS IN THE
REGIONAL PLAN TO MORE EFFECTIVELY AND EFFICIENTLY ADDRESS ENVIRONMENTAL
CONTAMINANTS AND THE SOURCES OF THOSE CONTAMINANTS. EVALUATE AND REFINE
ESTIMATES OF NITROGEN LOADING TO LAKE TAHOE FROM RUNOFF AND ATMOSPHERIC
DEPOSITION.

It is important to understand more clearly the relative contributions of nitrogen to Lake Tahoe
from surface runoff, groundwater, and atmospheric deposition; from natural and anthropogenic
sources; and from controllable and uncontrollable sources. The Agency will use this information
to refine its estimates of Lake Tahoe’s nutrient budget.

2. DEVELOP INFORMATION ON THE EXACT SOURCES OF SEDIMENTS AND NUTRIENTS WITHIN
INDIVIDUAL WATERSHEDS.

Through studies of sediment transport mechanisms, stream channel geometry, flow and load
relationships, and sediment-nutrient relationships, TRPA will gain a better understanding of the
processes and activities in the watershed which cause sediment and nutrient delivery to Lake
Tahoe. TRPA will also attempt to develop better information on the sources of sediment and
nutrients in urbanized portions of the Tahoe Region.

3. EVALUATE THE EFFECTIVENESS OF BEST MANAGEMENT PRACTICES IN MITIGATING THE
WATER QUALITY IMPACTS FROM THE WATERSHED, AND RECOMMEND REVISIONS TO THE
HANDBOOK OF BEST MANAGEMENT PRACTICES AS APPROPRIATE.

When a better understanding of the causes and sources of pollutants, such as nitrogen, is
arrived at, it will be important to evaluate how alternative management practices mitigate the
impacts from each source.

4. IMPROVE UNDERSTANDING OF THE CAUSE-EFFECT RELATIONSHIPS AFFECTING VISUAL
RANGE IN THE BASIN.
TRPA will conduct research into the contributions of auto, boat, and airplane emissions, wood smoke, particulates transported from upwind, fugitive dust, and natural background compounds to impaired visual range.

5. **IMPROVE THE UNDERSTANDING OF THE CAUSE-EFFECT RELATIONSHIPS BETWEEN PIERS AND BUOYS AND FISH HABITATS AND FISH BEHAVIOR IN LAKE TAHOE.**

TRPA will conduct research into uses and activities in the shorezone and their impacts on fish habitats and behavior. The study will consider such uses as piers, buoys, marinas, and breakwaters, and activities such as power boating.

6. **ESTABLISH INSTREAM FLOW STANDARDS FOR EACH OF THE BASIN’S TRIBUTARIES.**

During 1985, TRPA collected the data necessary to begin to set instream flow standards for approximately 64 tributary streams. The Agency will publish a report based on this data, and set instream flow standards designed to protect habitats for resident and migratory fish. (see Instream Flow Threshold, Resolution 82-11.)

7. **EVALUATE THE FEASIBILITY AND EFFECTIVENESS OF PONDING FACILITIES ALONG STREAM CORRIDORS AS A STRATEGY FOR REMOVING INSTREAM LOADS OF SEDIMENT AND NUTRIENTS.**

Streams in the Lake Tahoe Basin act as receiving waters for overland runoff which may contain substantial quantities of sediments, nutrients, and other impurities. In the absence of an effective filtering mechanism along the stream such as a marsh, these contaminants eventually will be deposited into Lake Tahoe. Diversions of stream water into settling ponds or marshes might be an effective mechanism for cleansing the stream water prior to it emptying into Lake Tahoe. The feasibility of this concept should be further evaluated based on its technical and environmental merits and consistency with the other goals and policies of this Plan.

8. **TRPA SHALL CONDUCT A SURVEY TO IDENTIFY AREAS WHERE EXISTING EXCESS COVERAGE IS CAUSING ENVIRONMENTAL DAMAGE.**

Over a five-year period, TRPA shall survey the streams and watersheds in the Basin to identify areas that show empirical evidence of soil erosion or adverse changes in hydrological conditions as a result of excess coverage. The survey shall propose specific programs to address the problem of excess coverage and may include limits on new coverage, coverage removal, and remedial erosion and runoff control projects.

9. **TRPA SHALL STUDY ON A CONTINUING BASIS THE CAUSE-EFFECT RELATIONSHIPS RELATED TO THE REGION’S ECONOMY, TO PROMOTE A BETTER UNDERSTANDING OF THE POSSIBLE ECONOMIC IMPACTS OF THE REGIONAL PLAN.**

Although economic cause-effect relationships are extremely difficult to establish, the Agency will track key economic indicators (see Goal #3) and investigate possible connections between these indicators and TRPA's policies, using both economic modeling and expert analysis.
GOAL #ME-3

IMPLEMENT A MONITORING PROGRAM TO EVALUATE THE ENVIRONMENTAL THRESHOLDS, THE EFFECTIVENESS OF THE REGIONAL PLAN, AND THE IMPLEMENTING ORDINANCES AND PROGRAMS.

POLICIES

ME-3.1. IN COLLABORATION WITH FEDERAL, STATE, LOCAL AGENCIES AND OTHER INSTITUTIONS, THE AGENCY TRPA SHALL MAINTAIN AN OPERATIONAL MONITORING PROGRAM, CONSISTING OF PLANNING AND ADMINISTRATION, DATA COLLECTION, DATA STORAGE AND RETRIEVAL, AND DATA ANALYSIS. THE AGENCY SHALL USE THE PRODUCTS OF THIS PROGRAM TO IDENTIFY PROBLEMS AND EVALUATE PROGRESS UNDER THE REGIONAL PLAN.

The monitoring program shall include four the following main components:

b) Periodic evaluations of environmental conditions related to the adopted thresholds for odor, common vegetation, uncommon vegetation, sensitive plants, special interest species, significant habitat, instream flow, Lahontan Cutthroat Trout, noise, recreation, and scenic quality.

c) Monitoring carried out by TRPA or regional partners of socio-economic data to allow analysis of possible socio-economic impacts of the Regional Plan.

d) Monitoring of management-related data (e.g., numbers of permits issued, numbers and types of enforcement actions) to allow tracking and analysis of TRPA management functions.

e) As required under the Development and Implementation Priorities Subelement, Goal #1, Policy 1(B)(5), The Agency shall monitor representative tributaries as needed to provide a basis for evaluating the relative health of the watershed within which development is contemplated and progress being made toward meeting thresholds. The monitoring program will monitor stream flows and concentrations of nutrients and sediments to determine annual pollutant loads. This monitoring program shall be in place in a local jurisdiction, and shall establish baseline water quality conditions, before the numerical level defining the top rank for any jurisdiction is lowered.

f) At least every five-four years, the Agency shall evaluate the results of its monitoring program. A special component of the monitoring program shall be designed to evaluate the success of IPES at the end of five years. This special component shall be the basis for extending, modifying, or eliminating IPES. The factors for monitoring shall include some non-scientific but readily observable matters, such as the rate of installation of remedial erosion control projects as set forth in the capital improvement program and the extent of retrofitting existing development with BMPs. Other factors may require more scientific analysis of data gathered, such as stream flow water quality. All such factors shall have predetermined regional and subregional benchmarks to measure against to evaluate the degree of success, based on the recommendations of the Agency's technical committee on monitoring. Indications shall be provided of expected adjustments to be made depending on the results of monitoring. The results of the first five-year evaluation shall not affect the allocations in the sixth year of the schedule included in Goal #2, Policy 2 of the Development and Implementation Priorities Subelement.
**ME-3.2** THE AGENCY SHALL UTILIZE A SCIENCE ADVISORY PANEL TO REVIEW PERIODICALLY THE TECHNICAL ASSUMPTIONS, TECHNIQUES, AND PROCEDURES ASSOCIATED WITH MONITORING AND ANALYSIS EFFORTS.

The [Tahoe Science Consortium](#) Science Advisory Panel, comprised of technical experts in various fields, will assist TRPA staff and the APC in developing and implementing the monitoring program. Panel members will be selected based on their technical expertise, professional objectivity, and impartiality.

**ME-3.3** THE AGENCY WILL PUBLISH PERIODIC REPORTS COVERING PROGRESS ON THRESHOLD ATTAINMENT AND MAINTENANCE, RESEARCH, AND OVERALL MONITORING RESULTS.

The Agency will publish annual or semi-annual reports on the implementation of the Monitoring and Evaluation Subelement. These reports will generally initiate routine problem assessment and program evaluation functions of the Agency.

**ME-3.4** THE AGENCY SHALL UTILIZE A MULTI-SECTOR BASIN PARTNERSHIP SOCIO-ECONOMIC ADVISORY PANEL TO HELP DEVELOP A SOCIO-ECONOMIC MONITORING PROGRAM, TO PERIODICALLY REVIEW AND REPORT ON THE STATE OF THE BASIN’S ECONOMY AND MAKE RECOMMENDATIONS TO THE GOVERNING BOARD.

TRPA should consider the impacts of the Regional Plan on the Basin’s economy and periodically consider adjustments consistent with attainment of environmental threshold carrying capacities. A panel of socio-economic experts should be assembled to assist TRPA in this task.

**ME-3.5** ON AN ANNUAL BASIS TRPA WILL PREPARE A PRELIMINARY LIST OF WORK PRIORITIES. THIS LIST WILL BE DERIVED FROM THE MOST RECENT ANNUAL THRESHOLD REPORT, REGIONAL PLAN AND CODE AMENDMENTS SUGGESTED BY STAFF AND STAKEHOLDERS, THE MOST RECENT ANNUAL ENVIRONMENTAL IMPROVEMENT PROGRAM REPORT, THE ANNUAL REPORTS ON MEMORANDA OF UNDERSTANDING PRIORITIES IDENTIFIED BY THE ADVISORY PLANNING COMMISSION, AND SIMILAR INFORMATION. THE GOVERNING BOARD SHALL REVIEW THE PRELIMINARY LIST OF WORK PRIORITIES AND ARRANGE THE PROJECTS IN ORDER OF PRIORITY. THE EXECUTIVE DIRECTOR SHALL SUBMIT AN ANNUAL BUDGET AND WORK PLAN THAT INDICATES HOW THE WORK PRIORITIES WILL BE COMPLETED IN ORDER OF PRIORITY TO THE DEGREE POSSIBLE WITH THE RESOURCES AVAILABLE TO THE AGENCY. THE LIST OF PROJECTS AND ORDER OF PRIORITY SHALL BE INCLUDED IN THE REGIONAL PLAN AS APPENDIX I AND SHALL BE UPDATED AND REPLACED ANNUALLY. FOR THE PERIOD PRIOR TO ADOPTION OF THE NEXT ANNUAL WORK PROGRAM AND BUDGET BUT AFTER INITIAL ADOPTION OF THE REGIONAL PLAN INCLUDING THIS POLICY, THE LIST OF PROJECTS IN APPENDIX I WILL BE CONSIDERED THE PRELIMINARY LIST OF PRIORITY PROJECTS FOR THE GOVERNING BOARD TO ARRANGE IN ORDER OF PRIORITY AND FOR SUBSEQUENT PREPARATION OF THE ANNUAL AGENCY WORK PROGRAM AND BUDGET.

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**02/21/2012 Action Item #17:**

**DP-3.54** THE RESIDENTIAL PERMIT ALLOCATION SYSTEM SHALL PERMIT THE TRANSFER OF BUILDING ALLOCATIONS FROM PARCELS LOCATED ON SENSITIVE LANDS TO MORE SUITABLE PARCELS.

As part of the permit allocation system, TRPA shall permit the transfer of building allocations from parcels in stream environment zones, Land Capability Districts 1-3, lands determined to be...
sensitive under IPES, or Class 1-4 shorezones, to parcels outside of these areas. However, no allocations shall be transferred to any parcel that is below the current IPES line for the jurisdiction of the receiving parcel, the level defining the IPES top rank on January 1, 1989 unless the number of vacant parcels in the top rank is less than one-half the total inventory in that jurisdiction. Recipients of allocations may transfer across jurisdictional boundaries so long as the jurisdiction to which allocations are transferred has capacity to serve the additional development, both jurisdictions approve the transfer, and the receiving parcel is in land capability districts 4-7 or has a buildable in IPES rating above the January, 1989 level. Such inter-jurisdictional transfers shall be counted against the number of permits allocated to the jurisdiction from which the allocations are transferred.

02/21/2012 Action Item #18:

**Appendix I - Preliminary List of Priority Projects:**

1. Evaluate the code of ordinances and identify topics that could be modified to be more understandable and effective.
2. Develop a housing strategy in coordination with local government housing strategies and identify possible amendments to regional plan policies and/or the development code.
3. Evaluate the coverage management system and identify possible amendments to regional plan policies and/or the development code.
4. Evaluate floodplain management strategies and identify possible amendments to regional plan policies and/or the development code.
5. Evaluate of the IPES program, including the unique situation in Placer County, and identify possible amendments to regional plan policies and/or the development code.
6. Develop an urban bear strategy and identify possible amendments to regional plan policies, the development code and/or agency programs.
7. Evaluate Level of Service standards for regional roadways, including standards related to peak periods, and identify possible amendments to regional plan policies, the development code and/or Transportation plans and programs.
8. Evaluate the Environmental Improvement Program (EIP) and identify possible amendments to the EIP based on Total Maximum Daily Load (TMDL) Pollutant/Stormwater Load Reduction Strategies (PLRPs and SLRPs) and other Regional Considerations.
9. Evaluate policies and regulations related to drive-up windows and identify possible amendments to regional plan policies and/or the development code.
10. Evaluate the water quality mitigation fee and coverage mitigation fee programs and consider amendments to reflect water quality impacts and benefits from development and redevelopment activities in accordance with updated Regional Plan Policies.
11. Evaluate SEZ Restoration strategies and identify possible amendments to Regional Plan policy and/or the Development Code.
02/21/2012 Action Item #21:

Amend the Code of Ordinances to permit the development and implementation of a Certified Contractor program that would allow qualified professionals certified by TRPA to conduct verifications for land capability, land coverage, and existing development. Details of the Certified Contractor program shall be developed following adoption of the Regional Plan update and shall require Governing Board approval.

02/21/2012 Action Item #22

50.5.1. Requirement of Allocation

No person shall construct a project or commence a use that creates additional commercial floor area without first receiving an allocation approved by TRPA. In order to construct the project or commence the use to which the allocation pertains, the recipient of the allocation shall comply with all other applicable provisions of this Code.

A. Applicable Commercial Uses

The commercial uses identified in Chapter 21: Permissible Uses, contain commercial floor area. The allocation of additional commercial floor area pursuant to this chapter also applies to commercial activities that are not primary commercial uses, except that accessory uses shall be deemed not to contain additional commercial floor area provided that TRPA makes the following findings:

1. The accessory use meets all criteria specified by Chapter 21 for an accessory use; and

2. The accessory use is designed to serve the noncommercial primary use, as determined by reference to the following criteria:

   a. There is no separate entrance for the accessory use, except separate entrances may be established for the relocation of existing accessory commercial uses (uses legally established prior to January 1, 2013) to street level;

   b. The accessory use is compatible with the size and patronage of the primary use;

   c. The accessory use does not rely on separate parking;

   d. The accessory use is not separately advertised, except one 20 square foot building sign may be constructed with the relocation of existing accessory commercial uses (uses legally established prior to January 1, 2013) to street level;

   e. The use season of the accessory use corresponds to that of the primary use; and

   f. In applicable instances, the accessory use is principally for service or repair rather than sales.
5.11 Correct Information/Names and Originals Required

All applications, authorizations, and other information or documents filed with TRPA by applicants or their agents, shall be truthful and accurate. No applicant or agent shall sign a false or incorrect name, or shall forge another’s name. No applicant or agent shall knowingly, intentionally, or recklessly provide any untrue information on an application, authorization, or other document. Each false, untrue name or forged name on any application, authorization or other document filed with TRPA shall be a separate violation of this Code. Each piece of false information provided knowingly, intentionally, or recklessly on an application, authorization or other document filed with TRPA shall be a separate violation of this Code.

All applications, authorizations and other documents filed with TRPA by applicants or their agents shall be originals. However, or accurate photocopies or facsimiles of such applications, authorizations, or other documents may be submitted (along with the requisite filing fee) as long as the originals are received by TRPA within fourteen (14) days of filing such photocopies or facsimiles. If the originals are not received within fourteen (14) days of filing the photocopies or facsimiles, the application, authorization, or other document shall be deemed in complete and shall not be processed until the original is received.

61.1.4. Old Growth Enhancement and Protection

The standards in this subsection shall govern forest management activities and projects.

A. Standards for Conservation and Recreation Lands or SEZs

Within lands classified by TRPA as conservation or recreation land use or SEZs, any live, dead, or dying tree larger than 30 inches diameter at breast height (dbh) in westside forest types shall not be cut, and any live, dead or dying tree larger than 24 inches diameter at breast height in eastside forest types shall not be cut, except as provided below.

7. EIP Projects

For activities that are consistent with a TRPA-approved master plan, trees larger than 30 inches dbh in the westside forest types and larger than 24 inches dbh in eastside forest types may be removed when it is demonstrated that the removal is necessary for the activity.
02/21/2012 Action Item #25

34.3.4. Width of Driveways

Driveway widths shall conform to the following standards:

A. Single-Family Homes

Driveways serving single-family homes shall have a minimum width of ten feet. Where the single-family home includes a garage, the driveway shall be at least as wide as the garage door opening for a distance of 15 feet from the front of the garage.

02/21/2012 Action Item #26

1. Integrate the Rules of Procedure into the Code of Ordinances;
2. Establish a separate administrative manual outlining fee schedules, submittal requirements, etc.
3. Reference the administrative manuals in procedural section of the Code of Ordinances along with procedural requirements to amend the administrative manuals.

This organizational work has already been completed by the Code consultants, but the changes were removed from the “Phase 1” update effort to allow additional public review.

02/21/2012 Action Item #27

Some deferred “Phase 1” code clarifications be included in the draft document.