The following chapters are intended to replace existing materials under the Land Use tab of your RPUC Binder:

- Revised Land Use Element Introduction - dated 01/18/2012
- Revised Land Use Subelement - dated 01/18/2012
- Revised Housing Subelement – dated 01/18/2012
- Revised Community Design Subelement – dated 01/18/2012
- New Noise Subelement – dated 01/18/2012
- New Natural Hazards Subelement – dated 01/18/2012
- New Air Quality Subelement – dated 01/18/2012
- New Water Quality Subelement – dated 01/18/2012
CHAPTER II
LAND USE ELEMENT

Article V(c)(1) of the Tahoe Regional Planning Compact calls for a "land use plan for the integrated arrangement and general location and extent of, and the criteria and standards for, the uses of land, water, air, space and other natural resources within the Region, including but not limited to indication or allocation of maximum densities and permitted uses."

In general, the Land Use Element sets forth the fundamental land use philosophies of the Regional Plan, including: the direction of development to the most suitable locations within the Region; maintenance of the environmental, social, physical, and economic well-being of the Region; and coordination of the Regional Plan with local, state, and federal requirements.

The Land Use Element includes the following Subelements: Land Use, Housing, Community Design, Noise, Natural Hazards, Air Quality, and Water Quality, and community design.
LAND USE

The Tahoe Regional Planning Compact calls for development of a Regional Plan that establishes a balance, or equilibrium, between the natural environment and the manmade environment. The TRPA has established environmental threshold carrying capacities that define the capacity of the natural environment and set specific environmental performance standards related to land use. The thresholds, however, do not define the maximum populations, densities, permitted uses, or other land use criteria for the manmade environment; this is the function of the Regional Plan.

It is the intent of this subelement to establish land use goals and policies that will ensure the desired equilibrium and attain and maintain the environmental thresholds within a specific time schedule.

*Note: The RPU Committee unanimously (7-0) supported Goal LU-1 and Policies LU-1.1 through LU-1.3 on November 2, 2011.*

GOAL LU-1

RESTORE, MAINTAIN, AND IMPROVE THE QUALITY OF THE LAKE TAHOE REGION FOR THE VISITORS AND RESIDENTS OF THE REGION.

Lake Tahoe is a unique natural resource in a spectacular natural setting. It is truly one of the natural treasures of the United States. The long-term economic and natural health of the Region depends on the maintenance of this unusual quality. While previous land use planning efforts have concentrated on regulating the quantity of permitted development, this Plan emphasizes an improvement in the quality of development in the Region and in the quality of the natural environment.

POLICIES

LU-1.1. THE PRIMARY FUNCTION OF THE REGION SHALL BE AS A MOUNTAIN RECREATION AREA WITH OUTSTANDING SCENIC AND NATURAL VALUES.

The economic health of the Region depends on a viable tourist and recreation-oriented environment. It is not the intent of this Regional Plan, among other things, to encourage other economic development that enhances these values, such as industry or non-service commercial facilities, at the expense of outdoor recreation in the Tahoe Region.

LU-1.2. THE REGIONAL PLAN GIVES A HIGH PRIORITY TO CORRECTING PAST DEFICIENCIES IN LAND USE. THE PLAN SHALL ENCOURAGE A REDIRECTION STRATEGY FOR SUBSTANTIALLY AND ADVERSELY ALTERED AREAS, WHEREVER FEASIBLE REDEVELOPING EXISTING TOWN CENTERS IS A HIGH PRIORITY.

Many of the Region's environmental problems can be traced to past and existing development which often occurred without recognition of the sensitivity of the area's natural resources.

A redirection strategy provides for To correct this, environmentally beneficial redevelopment programs as well as for and rehabilitation of identified Town Centers, Regional Centers and the High Density Tourist District is a priority developed areas in need of improvement.
**LU-1.3.** THE PLAN SHALL SEEK TO MAINTAIN A BALANCE BETWEEN ECONOMIC/SOCIAL HEALTH AND THE ENVIRONMENT.

*Note: The RPU Committee unanimously (6-0) supported Goal LU-2 on November 16, 2011.*

**GOAL LU-2**

DIRECT THE AMOUNT AND LOCATION OF NEW LAND USES IN CONFORMANCE WITH THE ENVIRONMENTAL THRESHOLD CARRYING CAPACITIES AND THE OTHER GOALS OF THE TAHOE REGIONAL PLANNING COMPACT.

Based on the findings of the Compact, evidence included in the environmental impact statement prepared for this Plan, and public testimony, the Tahoe Region is experiencing resource use problems and deficient environmental controls.

**POLICIES**

*Note: The RPU Committee unanimously (6-0) supported the deletion of Policy LU-2.1 on November 16, 2011.*

**LU-2.1.** THE TOTAL POPULATION PERMITTED IN THE REGION AT ONE TIME SHALL BE A FUNCTION OF THE CONSTRAINTS OF THE REGIONAL PLAN AND THE ENVIRONMENTAL THRESHOLD CARRYING CAPACITIES.

Population growth in the Region will be guided by the limitations on land use set forth in the Plan. This Plan identifies land use, densities, traffic volumes, urban boundaries, and other factors that indirectly determine the population at any given time. All of these factors have been set to ensure compliance with the environmental thresholds.

*Note: Relocated and amended from LU Goal #2, Policy 5 and unanimously (6-0) supported by the RPU Committee on November 16, 2011:

**LU-2.2.** THE REGIONAL PLAN AREA STATEMENTS, COMMUNITY PLANS, OR OTHER SPECIFIC PLANS—ADOPTED BY THE AGENCY SHALL SPECIFY THE TOTAL ADDITIONAL DEVELOPMENT WHICH MAY BE PERMITTED WITHIN THE REGION, NOT TO EXCEED THE LIMITATIONS SET FORTH BELOW, IN A, B, C, D, AND E, BELOW. RECONSTRUCTION AND RELOCATION OF EXISTING DEVELOPMENT ARE NOT CONSIDERED ADDITIONAL DEVELOPMENT. (SEE DEVELOPMENT AND IMPLEMENTATION PRIORITIES SUBELEMENT FOR GROWTH MANAGEMENT AND TRANSFER OF DEVELOPMENT PROVISIONS.)

The Environmental Impact Statement prepared for this Plan analyzed impacts based on defined development parameters which are integrated into this Plan. It is the intent of this Policy to ensure that these parameters are incorporated, both individually and cumulatively, into the Land Use Element. These limitations shall be expressed in appropriate land use regulations, such as zoning, use limitations, floor area limitations, allocation limits and other such regulations. For the purposes of this Plan, the development—regulated development is categorized as residential, tourist accommodation, commercial, recreation, public service, and resource management.

Residential: Each undeveloped legal parcel existing on August 17, 1986 at the time of the adoption of this Plan (estimated at approximately 16,000), unless otherwise restricted, has a development right of one residential unit, except where additional development rights are acquired pursuant to Goal #2, of the development and Performance Review and Implementation Scheduling Subelement, or...
acquired pursuant to Goal #3 of the development and implementation priorities subelement. The total number of multi-residential additional units permitted shall not exceed 1400 additional units.\textsuperscript{65} (See Goals #2 and #3 of the Development and Implementation Priorities Subelement for more detail.)\textsuperscript{8}

The status of development rights that existed on August 17, 1986 is outlined in the table below (as of November 30, 2011):

\textit{Note: Statistics will be updated upon adoption of the 2012 Regional Plan Update.}

\begin{table}[h]
\centering
\begin{tabular}{|l|c|}
\hline
\textbf{Development Rights Inventory (as of November 30, 2011)} & \\
\hline
Residences Developed before 1987 & 37,701 \\
\hline
Total Development Rights in 1987 & 18,688 \\
\hline
Development Rights Retired 1987-2011 & 8,512 \\
\hline
Development Rights Developed or Allocated to Jurisdictions 1987-2011 & 6,085 \\
\hline
\textbf{Total Development Rights Remaining} & \textbf{4,091} \\
\hline
  Remaining on Buildable Parcels & 2,791 \\
\hline
  Remaining on Marginal Parcels & 765 \\
\hline
  Remaining on Unbuildable Parcels & 535 \\
\hline
\end{tabular}
\end{table}

Tourist Accommodation: There is a limited need for additional tourist accommodation units. Based on demonstrated need, projects may be permitted additional units as specified within a community plan or a Local Plan that has been found in conformance with the Regional Plan and as provided for in Goal #3 of the Development and Implementation Priorities the Performance Review and Implementation Subelement. The total number of additional tourist accommodation units shall not exceed 400 units.\textsuperscript{66} (See Goals #2 and #3 of the Development and Implementation Priorities Subelement for more detail.)

Commercial: The amount of additional commercial development is based on the estimated needs of the region. Commercial development may be permitted as specified in plan area statements, community plans, other specific plans, or a Local Plan that has been found in conformance with the Regional Plan. The total additional gross commercial floor area permitted shall not exceed 800,000 sq. ft., excluding minor expansion, for the first 20 years of this plan. (See Goal #2 of the Development and Implementation Priorities Subelement for more detail.)

Recreation: Additional recreation uses may be permitted only as specified within plan area statements, community plans, or other specific plans, or a Local Plan that has been found in conformance with the Regional Plan. The total capacity of additional outdoor recreational facilities for the region shall not exceed 6,114 persons at one time (PAOTs) for overnight facilities, 6,761 PAOTs for summer day use facilities, and 12,400 PAOTs for
Public Service: Additional public service development shall be limited to those projects needed to serve the other development permitted by this plan. (See Public Service Element)

Resource Management: Resource Management activities pertaining to the utilization, management, or conservation of natural resources shall be limited to those activities that are consistent with policies of this plan and of other adopted plans.

Since the development permitted under this Plan is generally limited to the existing urban boundaries in which uses have already been established, the concept of this land use plan is directed toward regulating in-fill and redirection. The intent of this system is to provide flexibility when dealing with existing uses, continuation of acceptable land use patterns, and redirection of unacceptable land use patterns. Implementation ordinances set forth the detailed management criteria and allowed uses for each land use classification.

Conservation areas are non-urban areas with value as primitive or natural areas, with strong-environmental limitations on use, and with a potential for dispersed recreation or low-intensity resource management. Conservation areas include (1) public lands already set aside for this purpose, (2) high-hazard lands, stream environment zones, and other fragile areas, without substantial existing improvements, (3) isolated areas which do not contain the necessary infrastructure for development, (4) areas capable of sustaining only passive recreation or non-intensive agriculture, and (5) areas suitable for low-to-moderate resource management.

Recreation areas are non-urban areas with good potential for developed outdoor recreation, park use, or concentrated recreation. Lands which this Plan identifies as recreation areas include (1) areas of existing private and public recreation use, (2) designated local, state, and federal recreation areas, (3) areas without overriding environmental constraints on resource management or recreational purposes, and (4) areas with unique recreational resources which may service public needs, such as beaches and ski areas.

Residential areas are urban areas having potential to provide housing for the residents of the Region. In addition, the purpose of this classification is to identify density patterns related to both the physical and manmade characteristics of the land and to allow accessory and non-residential uses that complement the residential neighborhood. These lands include: (1) Areas now developed for residential purposes; (2) areas of moderate-to-good land capability; (3) areas within urban boundaries and serviced by utilities; and (4) areas of centralized location in close proximity to commercial services and public
Commercial and Public Service areas are urban areas that have been designated to provide commercial and public services to the Region or have the potential to provide future commercial and public services. The purpose of this classification is to concentrate such services for public convenience, separate incompatible uses, and allow other noncommercial uses if they are compatible with the purpose of this classification and other goals of this Plan. These lands include: (1) areas now developed for commercial or public service uses; (2) in the case of public services, lands designated for, or in, public ownership; (3) areas suitable to encourage the concentration of compatible services; (4) areas of good-to-moderate land capability; and (5) areas with adequate public services and transportation linkages.

Tourist areas are urban areas that have the potential to provide intensive tourist accommodations and services or intensive recreation. This land use classification also includes areas recognized by the Compact as suitable for gaming. These lands include: (1) areas now developed with high concentrations of visitor accommodations and related uses; (2) lands on which gaming is a permitted and recognized use; (3) lands of good-to-moderate land capability; and (4) areas with adequate public services and transportation linkages.

*Note: Replaced by policies in Goal LU-4. The RPU Committee unanimously (6-0) supported the deletion of former Policy 3 and 4 on December 6, 2011.

3. THE PLANNING AREA STATEMENTS SHALL ALSO IDENTIFY THE MANAGEMENT THEME FOR EACH PLANNING AREA BY DESIGNATING EACH AREA FOR (1) MAXIMUM REGULATION, (2) DEVELOPMENT WITH MITIGATION, OR (3) REDIRECTION OF DEVELOPMENT. THESE DESIGNATIONS SHALL PROVIDE ADDITIONAL POLICY DIRECTION FOR REGULATING LAND USE.

The maximum regulation designation applies primarily to conservation areas. Areas with this designation shall be strictly regulated to ensure preservation and enhancement of the existing environment, with little or no additional development of residential, commercial, tourist, recreation, or public service uses.

The development with mitigation designation is the predominant management theme. Most areas of existing residential or recreational use carry this designation. Areas with this designation can accommodate additional development if the impacts are fully mitigated and the land is capable of withstanding the use. Both on-site and off-site mitigation of environmental impacts from development shall be required.

The redirection of development designation is designed primarily to improve environmental quality and community character by changing the direction of development or density through relocation of facilities, rehabilitation or restoration of existing structures and uses, and limited new development. The purpose of this designation is to reduce impervious coverage, restore natural environments, improve the efficiency of transportation systems, improve scenic quality, and provide high quality facilities for residents and visitors alike. Local government participation in redevelopment of appropriate areas shall be encouraged.

4. THE PLANNING AREA STATEMENTS SET FORTH SPECIAL POLICY DIRECTION TO RESPOND TO THE PARTICULAR NEEDS, PROBLEMS, AND FUTURE DEVELOPMENT OF A SPECIFIC AREA. EACH PLANNING AREA STATEMENT MAY VARY IN DETAIL OR SPECIFICITY DEPENDING ON THE NATURE OF THE AREA AND THE DETAIL OR SPECIFICITY OF RELATED LOCAL JURISDICTION PLANS.
This policy allows the Regional Plan to respond to the individual needs of a particular neighborhood, undeveloped area, or other area. Each planning area statement describes the area, its existing uses and environment, its special problems, its minimum and maximum intensity of uses, density of land use permitted, and policies for allowed, prohibited, non-conforming, and special uses.

The foregoing requirements shall be depicted on Plan Area Statement Maps, which shall designate areas available for development according to the various land use classifications. Areas depicted on these maps shall reflect a reasonable projection of the amount of land available for the specific uses allowed in that area for the life of the Plan. The Plan Area Statement Maps shall be coordinated with other TRPA maps to permit ready determination of the constraints on development and the location of other relevant information including:

- Stream Environment Zones (SEZs)
- SEZ Restoration Programs
- Capital Improvement Programs
- Stream Habitat Quality
- Historical Sites
- Public Facilities Development Programs
- Wildlife Habitat
- Special, Sensitive, and Uncommon Plants
- Fish Habitat
- Transportation Corridors
- Special Interest Species Areas
- Land Capability
- Sending and Receiving Areas for Transfer of Development Rights

*Note: Relocated and amended to Policy LU-2.2. The RPU Committee unanimously (6-0) supported the relocation and modification of former Policy 5 language on December 6, 2011:*

5. **ALL PLAN AREA STATEMENTS, COMMUNITY PLANS, OR OTHER SPECIFIC PLANS ADOPTED BY THE AGENCY SHALL SPECIFY THE TOTAL ADDITIONAL DEVELOPMENT WHICH MAY BE PERMITTED WITHIN THE REGION, NOT TO EXCEED THE LIMITATIONS SET FORTH IN A, B, C, D, AND E, BELOW. RECONSTRUCTION AND RELOCATION OF EXISTING DEVELOPMENT ARE NOT CONSIDERED ADDITIONAL DEVELOPMENT. (SEE DEVELOPMENT AND IMPLEMENTATION PRIORITIES SUBELEMENT FOR GROWTH MANAGEMENT AND TRANSFER OF DEVELOPMENT PROVISIONS.)**

The Environmental Impact Statement prepared for this Plan analyzed impacts based on defined development parameters which are integrated into this Plan. It is the intent of this Policy to insure that these parameters are incorporated, both individually and cumulatively, into the Land Use Element. These limitations shall be expressed in appropriate land use regulations, such as zoning, use limitations, floor area limitations, allocation limits and other such regulations. For the purposes of this Plan, the development regulated is categorized as residential, tourist accommodation, commercial, recreation, public service, and resource management.

Residential: Each undeveloped legal parcel existing at the time of the adoption of this plan (estimated at approximately 16,000), unless otherwise restricted, has a
development right of one residential unit, except where additional development rights are acquired pursuant to Goal #2, of the development and implementation priorities, or acquired pursuant to Goal #3, of the development and implementation priorities subelement. The total number of multi-residential additional units permitted shall not exceed 1400 additional units.\textsuperscript{§§} (See Goals #2 and #3 of the Development and Implementation Priorities Subelement for more detail.)\textsuperscript{§}

Tourist Accommodation: There is a limited need for additional tourist accommodation units. Based on demonstrated need, projects may be permitted additional units as specified within a community plan and as provided for in Goal #3, of the Development and Implementation Priorities Subelement. The total number of additional tourist accommodation units shall not exceed 400 units.\textsuperscript{§§} (See Goals #2 and #3 of the Development and Implementation Priorities Subelement for more detail.)

Commercial: The amount of additional commercial development is based on the estimated needs of the region. Commercial development may be permitted as specified in plan area statements, community plans, or other specific plans. The total additional gross commercial floor area permitted shall not exceed 800,000 sq. ft., excluding minor expansion, for the first 20 years of this plan. (See Goal #2 of the Development and Implementation Priorities Subelement for more detail.)

Recreation: Additional recreation uses may be permitted only as specified within plan area statements, community plans or other specific plans. The total capacity of additional outdoor recreational facilities for the region shall not exceed 6,114 persons at one time (PAOTs) for overnight facilities, 6,761 PAOTs for summer day use facilities, and 12,400 PAOTs for winter day use facilities. (See Recreation Element for more detail.)

Public Service: Additional public service development shall be limited to those projects needed to serve the other development permitted by this plan. (See Public Service Element.)

*Note: Replaced by policies in Goal LU-4. The RPU Committee unanimously (6-0) supported the deletion of former Policy 6 on December 6, 2011:

6. IN ORDER TO BE RESPONSIVE TO THE NEEDS AND OPPORTUNITIES OF VARIOUS AREAS WITHIN THE REGION, SPECIFIC COMMUNITY PLANS (CPs) MAY BE DEVELOPED FOR DESIGNATED COMMERCIAL AREAS. COMMUNITY PLANS SHALL GUIDE DEVELOPMENT IN SPECIFIED AREAS FOR AT LEAST THE FIRST TEN YEARS OF THE PLAN AND SHALL BE KEPT CURRENT BY PERIODIC REVIEW. THE TRPA SHALL ACTIVELY ENCOURAGE PROMPT DEVELOPMENT OF COMMUNITY PLANS FOR ALL DESIGNATED AREAS WITH A GOAL OF COMPLETING THE COMMUNITY PLANS BY DECEMBER 1, 1989. THE AREAS DESIGNATED SHALL BE THOSE WHERE COMMERCIAL USE IS CONCENTRATED OR SHOULD BE CONCENTRATED. THEY SHALL BE AREAS SERVED, OR EASILY SERVED, BY TRANSIT SYSTEMS, WHICH HAVE ADEQUATE HIGHWAY ACCESS, WHICH HAVE, OR CAN HAVE, HOUSING IN THE VICINITY AVAILABLE FOR EMPLOYEES WORKING IN THE AREA, AND WHICH OTHERWISE QUALIFY AS AREAS SUITABLE FOR CONTINUED OR INCREASED LEVELS OF COMMERCIAL ACTIVITY. SOME AREAS, BECAUSE OF THEIR EXISTING AND PROPOSED DEVELOPMENT PATTERNS, MAY

\textsuperscript{§§} Amended 10/25/06
\textsuperscript{§} Amended 4/24/02
INCORPORATE MORE THAN COMMERCIAL USE CLASSIFICATIONS.

A. Areas eligible for community plans are shown on the map located inside the back cover:

B. Plan Area Statement Maps shall show preliminary boundaries for the community plans, as well as the hydrologic boundaries within which certain land coverage transfer programs can occur.

C. Ordinances shall establish standards that apply to community plans. Some standards may be replaced by specific provisions of adopted community plans if such specific provisions are more appropriate to the situation and provide equal or superior measures to satisfy the environmental thresholds. If none are set in community plans, the regional standards shall apply.

Standards which may be replaced include:

1. parking requirements;
2. sign rules;
3. snow storage provisions;
4. landscaping requirements, other than erosion control requirements;
5. scenic design standards; and
6. density rules.

Standards not subject to replacement by community plans include:

1. land coverage; and

D. Ordinances shall establish other requirements to be met by community plans such as:

1. fair share of public recreation facilities;
2. provisions for reducing vehicle miles traveled;
3. targets for reducing existing coverage;
4. Provisions for the allocation of development; and
5. Assurance for the implementation of CP environmental improvement projects.

E. Components of a community plan shall include:

1. assessment of needs, opportunities, limitations, and existing features;
2. statement of goals and objectives for the area;
3. maps, showing final boundaries, land uses permitted on specific parcels, and other relevant information; and
4. an integrated plan addressing land use, transportation, traffic circulation, parking, public service, housing (including affordable), recreation, allocation procedures, commitments for environmental improvement projects, special features or standards, CP implementation, consistency with the applicable plan area statements, coordination with monitoring.

Amended 09/23/98
and other requirements of the Regional Plan.

F. Community plans shall set forth a schedule showing how development is to be coordinated with public projects, including water quality improvements, transportation improvements, and other remedial projects, so that attainment of the applicable goals and standards is achieved.

G. The process for developing community plans shall follow the methods outlined below:

1. In consultation with local governments and the community, the Agency shall set the priorities for development of the community plans.

2. The process for each CP shall begin as a result of a local government request, or by Agency initiative in recognition of local interest.

3. In partnership with one another, TRPA, local government, and the community shall assess the feasibility of undertaking the CP process. If the process is found to be feasible, recommendations shall be made concerning plan boundaries, time schedules, applicable standards required to be met, fair share of public recreation facilities, provisions for reducing vehicle miles traveled, targets for reducing existing coverage, preliminary estimates of commercial floor area needs, and environmental documentation requirements.

4. The Agency shall review and approve, at its discretion, the community planning process proposed pursuant to (3) above. Also, based on the above recommendations, a preliminary allocation for additional commercial floor area from the amount allocated by TRPA to that jurisdiction shall be made. (See Development and Implementation Priorities Subelement Goal #2, Policy 4.)

5. A planning team, representing TRPA, local government, and the community, shall develop each community plan according to the following process:
   a) assessment of environmental opportunities and limitations;
   b) inventory and needs assessment;
   c) identification of applicable standards and constraints;
   d) development of draft alternative plans;
   e) environmental analysis and documentation (see (9) below); and
   f) selection of recommended alternative.

To the extent possible, consistent with available resources and community initiative, TRPA shall take a primary, active role in assisting development of community plans. To help ensure that proposed CPs meet all applicable local, state, and TRPA requirements, TRPA shall seek review and comment from all responsible public agencies at appropriate points in the CP planning process. It is the Agency's goal that each proposed community plan, when presented to TRPA for approval, will have addressed the needs and concerns of the community and will be consistent with all applicable local, state, and regional requirements.

6. Following completion of the above steps, the TRPA Advisory Planning
Commission shall review the recommendations from the planning team and make a recommendation to the Governing Board.

7. TRPA must approve a community plan before it can take effect. Prior to such approval, TRPA shall determine compliance with: required standards, allocations of development limitations, and phasing of development with associated programs, such as remedial programs.

As part of the approval, TRPA shall establish the allocation of additional commercial floor area for the period ending December 31, 1996. TRPA shall make the initial allocation of additional commercial floor area taking into consideration such factors as demonstrated need, the expected ability to achieve or maintain environmental thresholds, the reasonableness of projected time schedules, the degree of certainty for obtaining the needed funds for implementation, compatibility with other CPs and plans, and other relevant factors. The amount initially allocated shall be from the 75 percent portion designated for local jurisdictions for planning purposes (See Development and Implementation Priorities Subelement, Goal #2, Policy 4.)

8. As soon as TRPA has reviewed a sufficient number of proposed community plans, to adequately assess the cumulative impacts of development and proposed mitigation, TRPA shall distribute the remainder of the 25 percent of the additional commercial floor area. This distribution shall reward those CPs which best demonstrate the ability to achieve and maintain environmental thresholds, and have a clearly demonstrated need for the additional allocation. TRPA shall retain a sufficient reserve to adequately address the needs of CPs not yet presented for review. However, it is the Agency’s goal, acting in partnership with local interests, to achieve completion of CPs by December 31, 1989 in all areas where sufficient local interest and initiative exists to do such planning. Accordingly, TRPA anticipates the allocation of the remaining unallocated floor area by that date, so long as the allocation is supported by local needs assessments.

9. Before a community plan may be approved, TRPA must certify an environmental impact statement (EIS) for the community plan, except as noted in (10) below. (In California, where the CP is to be adopted as a general plan amendment or a specific plan, a joint EIS/EIR may be utilized.) The EIS may be useful for meeting subsequent environmental documentation requirements for more specific projects consistent with the community plan.

10. Simpler and more streamlined procedures for CPs with insignificant impacts may be provided for in the implementing ordinances. These procedures may allow preparation of appropriate environmental analysis and documentation other than an EIS.

*Note: The RPU Committee unanimously (6-0) supported Policy LU-2.3 and 2.4 on December 6, 2011.

LU-2.37. NO NEW DIVISIONS OF LAND SHALL BE PERMITTED WITHIN THE REGION WHICH WOULD CREATE NEW DEVELOPMENT POTENTIAL INCONSISTENT WITH THE GOALS.

§ Amended 09/23/98

TRPA – Goals and Policies
CHAPTER II - LAND USE ELEMENT

Land Use Subelement

II-10

Revised 01/18/2012
AND POLICIES OF THIS PLAN.

This policy does not consider the following divisions of land to be inconsistent when the result does not increase the development potential permitted by this Plan:

A. Division of land for the purposes of conveying a portion thereof to a governmental agency, public entity, or public utility.

B. Division of land for the purposes of creating cemetery lots.

C. Division of land ordered by a federal or state court of competent jurisdiction as a result of bona fide, adversary legal proceedings to which the Agency is a party. Any such division of land or approval of any other project or action resulting from such legal proceedings, shall be pursuant to an evaluation of the effect of such division or approval upon the Regional Plan, the environmental thresholds, and other requirements of the Compact. Based on the above evaluation, appropriate adjustments to the Regional Plan shall be made.

D. A modification to an existing subdivision or a lot line adjustment or lot consolidation, which does not result in any increase in development potential, or in present or potential land coverage or density, and shall not have an adverse impact upon the health, safety, general welfare or environment of the Region.

E. Conversion of an existing structure, to a stock cooperative, community apartment, condominium, or any other form of divided interest; which conversion does not result in any increase in development potential, or in present or potential land coverage or density, and will not have an adverse impact upon the health, safety, general welfare or environment of the Region.

F. Redivision, adjustment, or consolidation, of parcels within an existing urban area, as part of a TRPA approved redevelopment plan that does not increase development potential basin-wide.

G. Division of land through condominiums, community apartments, or stock cooperatives within an existing urban area in conjunction with the approval of a project associated with an approved transfer of development, or otherwise in accordance with the provisions of this Plan. In order to subdivide a project under this provision, the project itself shall be approved prior to the approval of the division and in no case shall the division result in a greater amount, a different location, or a greater rate of development than otherwise permitted by this Plan.

LU-2.49.BUILDINGS, WHETHER CONFORMING OR NONCONFORMING, WHICH ARE DAMAGED OR DESTROYED BY FIRE OR OTHER SIMILAR CALAMITY, MAY BE REPAIRED OR REBUILT WITH NO REQUIREMENT FOR REDUCTION IN COVERAGE OR HEIGHT BY WAY OF FEE OR OTHERWISE. THIS POLICY APPLIES ONLY IF THE BUILDING IS RECONSTRUCTED IN SUBSTANTIAL CONFORMANCE WITH THE ORIGINAL STRUCTURE AND, WITH NO INCREASE IN FLOOR AREA, LAND COVERAGE, HEIGHT, OR VOLUME. OTHER PROVISIONS GENERALLY APPLICABLE TO REHABILITATION OR RECONSTRUCTION OF BUILDINGS SHALL APPLY. THIS POLICY IS SUBJECT TO THE NATURAL HAZARDS SUBELEMENT, GOAL #1, POLICY 1. SPECIAL PROVISIONS SHALL APPLY TO BUILDINGS IN THE SHOREZONE, LAKEWARD OF THE HIGHWATER LINE.

Note: The RPU Committee voted unanimously (5-0) to support Land Use Policy LU-2.6 on December 13, 2011.

LU-2.59.STRUCTURES, LEGALLY EXISTING AS OF THE EFFECTIVE DATE OF THIS PLAN, BUT WHICH, BY VIRTUE OF THEIR DESIGN OR LOCATION, ARE PROHIBITED, ARE
CONSIDERED NONCONFORMING AND SUBJECT TO THE FOLLOWING POLICIES:

A. Nonconforming structures may be maintained or repaired. Maintenance and repair shall be defined in implementing ordinances.

B. Nonconforming structures may not be enlarged, replaced, or rebuilt without the approval of TRPA. Such approval shall occur through direct TRPA review, through the conformance review process for Local Plans, or through Memoranda of Understanding with local governments and shall be based on criteria set forth in implementing ordinances to ensure that:
   i. the activity shall not increase the extent of nonconformity; and if the structure is subject to a specific program of removal or modification by TRPA, the activity shall not conflict with that program.

LU-2.610. USES, LEGALLY EXISTING AS OF THE EFFECTIVE DATE THIS PLAN, BUT WHICH ARE NOW PROHIBITED, ARE CONSIDERED NONCONFORMING AND SUBJECT TO THE FOLLOWING POLICIES:

A. Nonconforming uses may continue as they exist except where specifically subject to a program of removal or modification.

B. Nonconforming uses may not be modified, expanded, or intensified, nor resumed following a significant interruption without the approval of TRPA. Such approval shall occur through direct TRPA review, through the conformance review process for Local Plans, or through Memoranda of Understanding with local governments and shall be based on criteria set forth in ordinances to ensure that:
   i. the activity shall not increase the extent of nonconformity.
   ii. the activity shall not make it more difficult to attain and maintain environmental threshold carrying capacities.
   iii. the use is otherwise consistent with applicable Plan Area Statements and Community Plans.

C. Additional rules regarding excess land coverage are set forth in this land use subelement Goal #3, Policy 3.

*Note: The RPU Committee unanimously (6-0) supported Policy LU-2.7 and 2.8 on December 6, 2011.*

LU-2.711. USES OF THE BODIES OF WATER WITHIN THE REGION SHALL BE LIMITED TO OUTDOOR WATER-DEPENDENT USES REQUIRED TO SATISFY THE GOALS AND POLICIES OF THIS PLAN.

This policy is intended to promote the use of waters of the Region for water-dependent outdoor recreation and to protect the scenic and natural qualities of such waters. Plan area statements shall detail the specific policies.

LU-2.812. RESTORATION AND REHABILITATION SHALL BE A HIGH PRIORITY FOR IMPROVING ENVIRONMENTAL QUALITY AND COMMUNITY CHARACTER OF AREAS DESIGNATED FOR REDIRECTION BUT NOT INCLUDED IN A REDEVELOPMENT PLAN.

The Regional Plan calls for improvement of environmental quality and community character in redirection areas by the private sector through restoration and rehabilitation. Implementation of rehabilitation and restoration strategies shall be by ordinance.
Revised 01/18/2012

Note: The RPU Committee voted unanimously (5-0) to support the deletion of Land Use policies LU-2.9 and LU-2.16 and to add modified language to LU-2 Implementation Measures on December 13, 2011.

LU-2.913. **REDEVELOPMENT SHALL BE ENCOURAGED IN AREAS DESIGNATED FOR REDIRECTION TO IMPROVE ENVIRONMENTAL QUALITY AND COMMUNITY CHARACTER.**

The Regional Plan calls for improvement of environmental quality and community character through relocation and redevelopment of existing structures and uses in blighted areas. Existing predominantly urbanized areas with high levels of impervious coverage and disturbance may be designated for redevelopment. The purpose of redevelopment is to make more efficient use of existing development, improve environmental quality, improve the efficiency of transportation systems, provide high quality facilities to residents and visitors, improve the economy, and improve the general safety, health and welfare of the people of the Region.

Local government and private sector participation in redevelopment pursuant to applicable state law shall be encouraged through incentives. While each redevelopment plan may be different, the incentives may include such things as additional height. Such incentives may be achieved by providing expanded scenic corridors, reductions of coverage greater than otherwise required, larger buffers, more open space or landscaped areas, larger reductions in traffic than otherwise required, and similar benefits. To obtain these incentives, a redevelopment plan must be submitted in both conceptual and final form to, and approved by, the TRPA Governing Board. Public agency redevelopment plans shall include all applicable contents required by state law. Redevelopment plans shall demonstrate why incentives are necessary to make the plan economically feasible. Redevelopment plans shall demonstrate progress towards meeting environmental thresholds and achieving the goals of the Regional Plan, and shall result in a net benefit to the social and economic well-being of the Region. Rules for redevelopment plans shall be consistent with the Regional Plan and relevant plan area statements and community plans. Specific criteria for redevelopment plans shall be included in implementing ordinances. This policy should be considered an interim policy subject to revisions based on the findings of the South Lake Tahoe Redevelopment Study Team.

*Note: The RPU Committee unanimously (6-0) supported Policy LU-2.10 on December 6, 2011.*

**LU-2.1014.** THE PROVISIONS SET FORTH IN ARTICLE VI (d) THROUGH VI (i) OF THE COMPACT APPLY TO TRPA REGULATION OF STRUCTURES HOUSING GAMING.

*Note: The RPU Committee unanimously (6-0) supported Policy LU-2.11 and 2.12 on December 6, 2011.*

**GOAL #3**

**LU-2.11** ALL NEW DEVELOPMENT SHALL CONFORM TO THE COEFFICIENTS OF ALLOWABLE LAND COVERAGE IN THE TAHOE BASIN SHALL BE AS SET FORTH IN ACCORDANCE WITH THE LAND CAPABILITY DISTRICT CLASSIFICATION METHODOLOGY AND DISTRICT BASED LAND COVERAGE LIMITATIONS SET FORTH IN "THE LAND CAPABILITY CLASSIFICATION OF THE LAKE TAHOE BASIN, CALIFORNIA-NEVADA, A GUIDE FOR PLANNING, BAILEY, 1974."
This policy calls for policies which limit allowable impervious land coverage associated with new development. These policies set allowable land coverage by applying the recommended Bailey land coverage coefficients to specifically defined and related areas. In some instances, provisions are made to allow additional coverage by transfer. The transfer programs shall operate by a direct offset method. In addition, land capability is one of the basic factors in determining the suitability of lands for development and appropriateness of land uses.

**POLICIES**

**LU-2.12** ALLOWED BASE LAND COVERAGE FOR ALL NEW PROJECTS AND ACTIVITIES SHALL BE CALCULATED BY APPLYING THE BAILEY COEFFICIENTS, AS SHOWN BELOW, TO THE APPLICABLE AREA WITHIN THE PARCEL BOUNDARY, OR AS OTHERWISE SET FORTH IN A, B, AND C OF THIS POLICY.

<table>
<thead>
<tr>
<th>LAND CAPABILITY DISTRICT</th>
<th>MAXIMUM ALLOWED LAND COVERAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1a</td>
<td>1 percent</td>
</tr>
<tr>
<td>1b</td>
<td>1 percent</td>
</tr>
<tr>
<td>1c</td>
<td>1 percent</td>
</tr>
<tr>
<td>2</td>
<td>1 percent</td>
</tr>
<tr>
<td>3</td>
<td>5 percent</td>
</tr>
<tr>
<td>4</td>
<td>20 percent</td>
</tr>
<tr>
<td>5</td>
<td>25 percent</td>
</tr>
<tr>
<td>6</td>
<td>30 percent</td>
</tr>
<tr>
<td>7</td>
<td>30 percent</td>
</tr>
</tbody>
</table>

A. In the case of subdivisions approved by TRPA in conformance with the coefficients coverages assigned to individual lots shall be the allowed base coverage for those lots. A list of such TRPA-approved subdivisions appears in Attachment D.

B. In the case of existing planned unit developments (PUDs) not in conformance with the coefficients, the coefficients shall apply to the entire project area minus public rights-of-way, and the allowed base coverage shall be apportioned to the individual lots or building sites, and common area facilities. A list of such PUDs appears in Attachment E.

C. After December 31, 1988, for vacant residential parcels evaluated under the Individual Parcel Evaluation System (IPES), the allowable base land coverage shall be a function of a parcel's combined score under the IPES criteria for relative erosion hazard and runoff potential as correlated with the above coefficients and applied to the designated evaluation area. (See Goal #1, Policy 1 of the Development and Implementation Priorities Subelement.)

The method of calculation of allowed land coverages shall be detailed in the implementing ordinances consistent with the above policy.

Note: The RPU Committee voted (4-1) to support language for combined Land Use Policy LU-13 and LU-14 on December 13, 2011.

**LU-2.13** THE ALLOWED COVERAGE IN POLICY 1 LU-2.12 MAY BE INCREASED BY TRANSFER OF LAND COVERAGE WITHIN HYDROLOGICALLY RELATED AREAS UP TO THE LIMITS AS
SPECIAL PROVISIONS FOR ADDITIONAL COVERAGE, SUCH AS EXCEPTIONALLY LONG DRIVEWAYS, PERVIOUS COVERAGE AND HANDICAPPED ACCESS FOR THE DISABLED, MAY ALSO BE ALLOWED. ORDINANCES SHALL SPECIFICALLY LIMIT AND DEFINE THESE PROGRAMS.

LU-2.14 LAND COVERAGE MAY BE TRANSFERRED THROUGH PROGRAMS THAT ARE FURTHER DESCRIBED IN THE GOAL #3 OF THE (DEVELOPMENT AND IMPLEMENTATION PRIORITIES) Subelement.

The intent of the land coverage transfer programs is to allow greater flexibility in the placement of land coverage within hydrologically related areas. Such programs include the use of land banks, lot consolidation, land coverage restoration programs, and transfer programs based on the calculation of land coverage on non-contiguous parcels located in hydrologically related areas. The coverage transfer programs allow for coverage over base coverage to be permitted and still be consistent with the soils threshold and Goal #3 LU-2 of this Subelement.

A. Single Family Residential: The maximum land coverage allowed (Base + Transfer) on a parcel through a transfer program shall be as set forth below:

<table>
<thead>
<tr>
<th>Parcel Size (Square Feet)</th>
<th>Land Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 4,000</td>
<td>Base Land Coverage as Set Forth in Policy LU-2.124</td>
</tr>
<tr>
<td>4,001 - 9,000</td>
<td>1,800 sq. ft.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Parcel Size (Square Feet)</th>
<th>Land Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>9,001 - 14,000</td>
<td>20 percent</td>
</tr>
<tr>
<td>14,001 - 16,000</td>
<td>2,900 sq. ft.</td>
</tr>
<tr>
<td>16,001 - 20,000</td>
<td>3,000 sq. ft.</td>
</tr>
<tr>
<td>20,001 - 25,000</td>
<td>3,100 sq. ft.</td>
</tr>
<tr>
<td>25,001 - 30,000</td>
<td>3,200 sq. ft.</td>
</tr>
<tr>
<td>30,001 - 40,000</td>
<td>3,300 sq. ft.</td>
</tr>
<tr>
<td>40,001 - 50,000</td>
<td>3,400 sq. ft.</td>
</tr>
<tr>
<td>50,001 - 70,000</td>
<td>3,500 sq. ft.</td>
</tr>
<tr>
<td>70,001 - 90,000</td>
<td>3,600 sq. ft.</td>
</tr>
<tr>
<td>90,001 - 120,000</td>
<td>3,700 sq. ft.</td>
</tr>
<tr>
<td>120,001 - 150,000</td>
<td>3,800 sq. ft.</td>
</tr>
<tr>
<td>150,001 - 200,000</td>
<td>3,900 sq. ft.</td>
</tr>
<tr>
<td>200,001 - 400,000</td>
<td>4,000 sq. ft.</td>
</tr>
</tbody>
</table>

For lots in planned unit developments, the maximum coverage allowed (Base + Transfer) shall be up to 100 percent of the proposed building envelope but shall not exceed 2,500 square feet. Lots in subdivisions with TRPA-approved transfer programs may be permitted the coverage specified by that approval.

B. Commercial Facilities in a Community Plan, Town Center, Regional Center or the High Density Tourist District (Other than Facilities listed in Subsection C-E below): The maximum coverage allowed (Base + Transfer) on an existing undeveloped a parcel through a transfer program, shall be 70 percent of the land.
in capability districts 4 - 7, provided the parcel is within an approved community plan, or a Town Center, Regional Center or the High Density Tourist District of a conformed Local Plan. For existing developed parcels, the maximum land coverage allowed is 50 percent coverage. Transfers to increase coverage from the base coverage up to 50 percent the maximum coverage allowed, shall be at a ratio of 1:1 for Coverage transfers of coverage from sensitive lands. For transfers of coverage from non-sensitive lands, coverage shall be transferred to increase coverage above 50 percent, shall be at a gradually increasing ratio from 1:1 to 2:1, as further specified in code, with the transfer ratio for all the coverage over 50 percent determined as indicated on the following graph:

```
C. Tourist Accommodation Facilities, Multi-Residential Facilities of 5 Units or More, Public Service Facilities, and Recreational Facilities in a Community Plan, Town Center, Regional Center or the High Density Tourist District: The maximum coverage (Base + Transfer) allowed on a parcel through a transfer program shall be 50-70 percent of the land in capability districts 4 - 7, provided such parcel is within an approved Community Plan or a Town Center, Regional Center or the High Density Tourist District of a conforming Local Plan. The coverage transfer ration to increase coverage from the base coverage to 50-70 percent shall be at a ration of 1:1.

D. Other Multi-Residential Facilities: The maximum coverage (Base + Transfer) allowed on a parcel through a transfer of coverage programs shall be the amounts set forth in Policy A, above.

E. Linear Public Facilities and Public Health and Safety Facilities: Such public facilities defined by ordinance and whose nature requires special consideration, are limited to transferring the minimum coverage needed to achieve their public purpose.

F. Public Service Facilities Outside a Community Plan, Town Center, Regional Center or the High Density Tourist District: The maximum coverage (Base + Transfer) allowed on a parcel through a transfer program shall be 50 percent land coverage provided TRPA determines there is a demonstrated need and requirement to locate such a facility outside a Community Plan, Town Center, Regional Center or the High Density Tourist District area and there is no feasible alternative which would reduce land coverage.

G. Other Facilities Outside of Community Plans, Town Centers, Regional Centers and the High Density Tourist District, and Facilities Within Community Plans Before the Community Plan is Approved, and facilities outside a Community Plan but within a Town Center, Regional Center, or the High Density Tourist District before Local Government Plans are approved and found in conformance with the Regional Plan: Other than the exceptions in Subsections A, D, E, and F, the
maximum land coverage allowed shall be the base land coverage as set forth in Policy LU-2.12.

H. Notwithstanding subsections A-G above, when existing development is relocated to Town Centers, Regional Centers or the High Density Tourist District and the prior site is restored to a natural condition and retired, non-conforming coverage may be maintained with the relocation as long as the new site is developed in accordance with all other TRPA Policies and Ordinances, including, but not limited to, the installation of BMPs.

I. Conforming Local Plans may include a comprehensive coverage management system as an alternative to the parcel level coverage requirements outlined in subsection A-H above. In order to be found in conformance with the Regional Plan, the comprehensive coverage management system shall reduce coverage overall and reduce coverage in land capability districts 1 and 2 compared to the parcel level limitations in the Regional Plan and Code.

Note: The RPU Committee unanimously (5-0) supported language for Land Use Policy LU-2.15 on December 15, 2011.

LU-32.15. REHABILITATION, RECONSTRUCTION, AND UPGRADING OF THE EXISTING INVENTORY OF STRUCTURES, OR OTHER FORMS OF COVERAGE IN THE TAHOE REGION, ARE HIGH PRIORITIES OF THE REGIONAL PLAN. TO ENCOURAGE REHABILITATION AND UPGRADING OF STRUCTURES, THE FOLLOWING POLICIES SHALL APPLY:

A. Repair or reconstruction of buildings damaged or destroyed by fire or other calamity subject to Goal #2, Policy 8 of this subelement is exempt from this policy.

B. Reconstruction, rehabilitation, modification, relocation, or major repair of structures or coverage other than as specified in A above may be allowed, provided such use is allowed under the this land use subelement, Goal #2, Policies 8, 9 and 10. For parcels with existing coverage in excess of the Bailey Coefficients, a land coverage mitigation program shall be set by ordinance, which shall provide for the reduction of coverage in an amount proportional to the cost of the repair, reconstruction, relocation, rehabilitation, or modification, and to the extent of excess coverage. To accomplish these reductions, property owners shall have at least the following options:
   i. reducing coverage on-site;
   ii. reducing coverage off-site in a hydrologically-related area;
   iii. paying a rehabilitation fee in lieu of on-site or off-site coverage reduction in an amount established by Agency ordinance to help fund a land bank program established to accomplish coverage reductions;
   iv. lot consolidation with a contiguous parcel or lot line adjustment to reduce the percentage of excess coverage on the resulting parcels; or
   v. any combination of the foregoing options.

C. Existing development in Town Centers, Regional Centers or the High Density Tourist District with excess coverage may earn multi-residential bonus units, tourist accommodation bonus unit and bonus commercial floor area for removing
CD. Existing coverage may be relocated within a parcel provided it is relocated to areas of equal or superior environmental capability consistent with B above.

DE. TRPA shall maintain a rehabilitation fee schedule that is adequate to carry out an effective land coverage banking program, equitably divides the costs to the public and private sectors, and has the minimum possible deterrent effect on the Regional Plan goal of encouraging rehabilitation, reconstruction, and upgrading of the existing inventory of structures. The rehabilitation fee schedule shall be updated annually. In establishing the rehabilitation fee schedule(s) provided for in (3.B.iii), above, the following procedures shall be followed:

i. A special task force shall be convened to analyze and report on the actual costs and mechanisms involved in establishing and implementing an effective land coverage banking program. The report shall take into account the costs of obtaining and retiring coverage, and shall also consider alternative funding sources or programs to provide supplemental funding for such land coverage banking programs.

ii. After considering the report in (i), above, the special task force shall recommend, for adoption by TRPA, a rehabilitation fee schedule which will (1) provide a reasonable level of funding for the proposed land banking program taking into account identified alternative sources of funding, (2) not unduly restrict or deter property owners from undertaking projects involving the rehabilitation, reconstruction, major modification, or repair of existing structures, and (3) carries out an effective land coverage reduction program. The recommendation of the task force shall take into account the cost of BMP requirements and the other mitigation fees described in the Development and Implementation Priorities Subelement, Goal #4, Policies 1 and 2. The task force also shall recommend a schedule of activities comprising routine maintenance and repair which should be exempt from rehabilitation fees.

iii. After considering the recommendations of the special task force, TRPA shall adopt a rehabilitation fee schedule that is adequate to carry out an effective land coverage banking program, equitably divides the costs to the public and private sectors, and has the minimum possible deterrent effect on the Regional Plan goal of encouraging rehabilitation, reconstruction, and upgrading of the existing inventory of structures.

iv. TRPA may set an interim fee, if necessary, while the task force prepares its recommendations.

EF. In approving repair, reconstruction, rehabilitation, modification, or relocation of structures or other coverage, the Agency shall also apply other relevant standards, including installation of Best Management practices or compliance with the design review guidelines.

Note: The RPU Committee voted unanimously (5-0) to support the deletion of Land Use policies LU-2.9 and LU-2.16 and to add modified language to LU-2 Implementation Measures on December 13, 2011.
LU-42.16 LAND COVERAGE ALLOWED PURSUANT TO REDEVELOPMENT PLANS SHALL BE ESTABLISHED BY TRPA-APPROVED REDEVELOPMENT PLANS. HOWEVER, IN NO CASE SHALL THERE BE A NET INCREASE IN LAND COVERAGE IN THE REDEVELOPMENT PROJECT AREA.

Note: The RPU Committee unanimously (5-0) supported language for LU-2 Implementation Measures bullets 1, 2, and 4 on December 15, 2011.

LU-2 Implementation Measures for Coverage

- Amend the Code of Ordinances to reflect modifications to coverage requirements within Goal LU-2 and associated policies.
- Amend excess coverage mitigation program to allow the use of in-lieu mitigation fees across Hydrologically Related Area Boundaries if the fees are targeted for removal of coverage from land capability districts 1 and 2.

Note: The RPU Committee unanimously (4-0) supported language for LU-2 Implementation Measures for Land Capability Verification on January 10, 2012.

- Amend the Code of Ordinances to waive the requirement for site-specific land capability mapping through actual field verification when the following criterion area met:
  - The entire parcel is located in land capability districts 4-7;
  - A parcel exhibits generally uniform slope;
  - There is no record or evidence of high ground water on the parcel;
  - Land Capability Verifications have been conducted and on the record of other parcels within the geographic vicinity; and
  - The 1987 mapped land capability district and the land capability district on updated maps are identical;
- By December 31, 2013, TRPA will prepare a map depicting properties that will not require field verification. The map should include parcels meeting the criteria listed above and any other parcels where the land capability is not in question. Before taking effect, the map shall be approved by the TRPA governing Board.

Note: The RPU Committee unanimously (5-0) supported language for LU-2 Implementation Measures bullets 1, 2, and 4 on December 15, 2011.

- Amend the Code of Ordinances to remove ineffective and burdensome regulations and provide incentives for redevelopment and non-motorized transportation options, including:
  - Allow legally existing and verified soft coverage to be transferred from Stream Environment Zones (land capability district 1b) to Community Plans, Town Centers, Regional Centers and the High Density Tourist District.
  - Exempt “re-locatable coverage” (coverage that is temporary and does not have a permanent foundation) that is 120 square feet or less on high capability lands (districts 4-7) and that does not require a grading permit under the code.
  - Allow a 25% credit for pervious coverage on high capability lands (districts 4-7), subject to design and maintenance requirements to minimize and mitigate impacts.
  - On high capability lands (districts 4-7), allow a 100 percent credit for new pervious
decks up to 500 square feet, and a sliding scale of credits from 100 percent to zero percent for new pervious decks between 501 and 1,000 square feet subject to requirements to prohibit existing decks from qualifying for the coverage credit through coverage banking or other mechanisms and subject to design and maintenance requirements to minimize and mitigate impacts.

- Allow a 100% credit for non-motorized public trails, subject to siting and design requirements that minimize and mitigate the impact of additional coverage.

**Note:** The RPU Committee unanimously (4-0) supported language for LU-2 Implementation Measures for Allocations on January 10, 2012.

**LU-2 Implementation Measures for Allocations**

- Update the Implementation Section of the Regional Plan and the Code of Ordinances to reflect remaining allocations from the 1987 plan and the release of new allocations with the 2012 Regional Plan. Changes should reflect the following considerations:

- New residential allocations, residential bonus units (RBU), tourist bonus units (TBU) and commercial floor area (CFA) should be evaluated by the Draft EIS in accordance with the table below. Changes to the Alternative numbers should be considered in the Final EIS based on information from the Draft EIS and modifications to the system of managing development commodities, as described below:

- The system for release of allocations, bonus units and CFA should be modified in coordination with Local Governments and in accordance with the following principles:

  - A maximum yearly release of residential allocations and CFA should be made to each Local Government through the performance system and staff should coordinate with Local Governments to establish an equitable system for distribution of CFA.

  - The amount of bonus units and CFA held by TRPA and Local Governments should be evaluated annually and modified if necessary by the Governing Board to maintain adequate commodities for anticipated redevelopment activities in the region.

  - All allocations and CFA that have been distributed to Local Governments should be retained by Local Governments. In the future, Local Governments should be able to retain all allocations and CFA and that are distributed to them for use that year or at a later date.

  - All past awards of bonus units should be honored until development approvals expire. In the future, all awards of bonus units should also be honored until development approvals expire.

  - All past awards of bonus units to Plan Areas should be honored regardless of whether or not development approvals within those Plan Areas have expired.

  - No additional Residential Development Rights may be created. Approximately 4,091 Residential Development Rights remain.

  - Residential Bonus Units and Tourist Bonus Units that have not been awarded should
The performance system shall be evaluated at least every four years as part of each Regional Plan review and should be modified if necessary to implement the Regional Plan.

ALLOCATION AND DEVELOPMENT RIGHTS ACCOUNTING

<table>
<thead>
<tr>
<th>ALLOCATIONS/DEVELOPMENT RIGHTS</th>
<th>USED FROM 1987-2011*</th>
<th>REMAINING FROM 1987 PLAN</th>
<th>ADDITIONAL PROPOSED IN THE REGIONAL PLAN</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>ALT. 1</td>
</tr>
<tr>
<td>Residential Allocations</td>
<td>6475</td>
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<tr>
<td>Residential Bonus Units</td>
<td>739</td>
<td>661</td>
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<tr>
<td>Tourist Bonus Units</td>
<td>146</td>
<td>254</td>
<td>0</td>
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<tr>
<td>Commercial Floor Area (Total)</td>
<td>575,237</td>
<td>224,763</td>
<td>0</td>
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<tr>
<td>Placer County</td>
<td>128,623</td>
<td>72,609</td>
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<tr>
<td>Washoe County</td>
<td>87,906</td>
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<tr>
<td>Douglas County</td>
<td>45,300</td>
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<tr>
<td>El Dorado County</td>
<td>15,250</td>
<td>36,150</td>
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<tr>
<td>City of South Lake Tahoe</td>
<td>77,042</td>
<td>52,986</td>
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<tr>
<td>TRPA Pool</td>
<td>221,116</td>
<td>24,768</td>
<td></td>
</tr>
</tbody>
</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.

**Note: The RPU Committee voted unanimously (5-0) to support the deletion of Land Use policies LU-2.9 and LU-2.16 and to add modified language to LU-2 Implementation Measures on December 13, 2011.**

*Delete Chapter 15 of Code (Redevelopment Plans) and amend Code to include Redevelopment Plan allowances within Town Centers, Regional Centers and the High Density Tourist District, along with opportunities for priority processing and/or fee reductions in conjunction with restoration activities.*

**Note: Relocated from LU Goal #4. The Committee unanimously (5-0) supported language for Land Use Goal LU-3 and Land Use Policies LU-3.1 through LU-3.5 on December 15, 2011:**

**GOAL LU-3**

**PROVIDE TO THE GREATEST POSSIBLE EXTENT, WITHIN THE CONSTRAINTS OF THE ENVIRONMENTAL THRESHOLD CARRYING CAPACITIES, A DISTRIBUTION OF LAND USE THAT ENSURES THE SOCIAL, ECONOMIC, AND ENVIRONMENTAL, AND ECONOMIC WELL-BEING OF THE REGION.**

The Tahoe Regional Planning Compact and extensive public testimony call for TRPA, along
with other governmental and private entities, to safeguard the well-being of those who live in, work in, or visit the Region.

**POLICIES**

**LU-3.1.** ALL PERSONS SHALL HAVE THE OPPORTUNITY TO UTILIZE AND ENJOY THE REGION'S NATURAL RESOURCES AND AMENITIES.

**LU-3.2.** NO PERSON OR PERSONS SHALL DEVELOP PROPERTY SO AS TO ENDANGER THE PUBLIC HEALTH, SAFETY, AND WELFARE.

Persons who develop property in the Region must ensure that their development conforms to the Goals and Policies Plan, all TRPA regulations and all applicable local, state, and federal laws pertaining to public health, safety and welfare.

**LU-3.3.** PROACTIVELY DIRECT DEVELOPMENT AWAY FROM SENSITIVE LANDS AND AREAS THAT ARE FURTHEST FROM NON-RESIDENTIAL SUPPORT SERVICES AND TOWARDS DESIGNATED TOWN CENTERS, REGIONAL CENTERS AND THE HIGH DENSITY TOURIST DISTRICT, WHILE MAINTAINING THE CHARACTER OF DEVELOPMENT IN EXISTING RESIDENTIAL NEIGHBORHOODS.

**LU-3.4.** DEVELOPMENT IS PREFERRED IN AND DIRECTED TOWARDS TOWN CENTERS, REGIONAL CENTERS AND THE HIGH DENSITY TOURIST DISTRICT, AS IDENTIFIED ON THE REGIONAL LAND USE MAP. TOWN CENTERS, REGIONAL CENTERS AND THE HIGH DENSITY TOURIST DISTRICT SHALL HAVE THE FOLLOWING CHARACTERISTICS:

1) A CONCENTRATION OF NON-RESIDENTIAL AND MIXED-USE DEVELOPMENT AT A HIGHER INTENSITY THAN EXISTS IN OTHER AREAS OF THE REGION.

2) EXISTING OR PLANNED TRANSIT SERVICE.

3) HIGHWAY ACCESS.

4) INFILL AND REDEVELOPMENT OPPORTUNITIES.

5) CAPACITY FOR RECEIVING TRANSFERS OF DEVELOPMENT RIGHTS AND RELOCATIONS OF EXISTING DEVELOPMENT.

6) EXISTING OR PLANNED HOUSING IN THE VICINITY.

7) EXISTING OR PLANNED STREET DESIGNS WITH CONTINUOUS SIDEWALKS, PATHS AND OTHER INFRASTRUCTURE THAT PROMOTES WALKING, BICYCLING AND TRANSIT USE SO AS TO ENCOURAGE MOBILITY WITHOUT USE OF PRIVATE VEHICLES.

**LU-3.5.** EXISTING DEVELOPMENT PATTERNS IN RESIDENTIAL NEIGHBORHOODS OUTSIDE OF TOWN CENTERS, REGIONAL CENTERS AND THE HIGH DENSITY TOURIST DISTRICT AND ENVIRONMENTALLY-SENSITIVE LANDS SHOULD BE MAINTAINED WITH NO SIGNIFICANT CHANGE.

**Note:** The RPU Committee unanimously (5-0) supported Land Use Policies LU-3.6 through LU-3.8 on December 15, 2011.

**LU-3.6.** DEVELOPMENT IS DISCOURAGED IN AND DIRECTED AWAY FROM ENVIRONMENTALLY
SENSITIVE LANDS AND AREAS FURTHEST FROM NON-RESIDENTIAL SUPPORT SERVICES. THESE AREAS ARE FURTHER DEFINED IN OTHER PLAN POLICIES.

**LU-3.7** TRPA SHALL MAINTAIN A POOL OF DEVELOPMENT ALLOCATIONS AND RESIDENTIAL BONUS UNITS TO PROMOTE THE TRANSFER OF DEVELOPMENT RIGHTS FROM SENSITIVE LANDS TO TOWN CENTERS, REGIONAL CENTERS, AND THE HIGH DENSITY TOURIST DISTRICT.

**LU-3.8** TRPA SHALL MAINTAIN A POOL OF DEVELOPMENT ALLOCATIONS AND RESIDENTIAL BONUS UNITS TO PROMOTE THE TRANSFER OF DEVELOPMENT RIGHTS FROM OUTLYING RESIDENTIAL AREAS TO TOWN CENTERS, REGIONAL CENTERS AND THE HIGH DENSITY TOURIST DISTRICT.

*Note: The RPU Committee unanimously (5-0) supported LU-3 Implementation Measures bullet #1 and transfer table on December 15, 2011.*

**LU-3 Implementation Measures**

- Amend Chapter 13, Plan Area Statements and the Land Use Map to designate certain areas as Town Centers and Regional Centers and designate the four existing casino towers in Stateline as the High Density Tourist District.

- Amend the Code of Ordinances to allow for the subdivision of existing residential and tourist units within mixed-use facilities, subject to limitations. Subdivided residential and tourist units would be treated the same as un-subdivided units for the purposes of density calculations and other development code requirements.

*Note: The RPU Committee unanimously (4-0) supported LU-3 Implementation Measure for Development in the Recreation District on January 10, 2012.*

- Amend the Code of Ordinances to allow the development and subdivision of tourist, commercial and residential uses in the Recreation District outside the Urban Area as a component of a Local Plan or other Master Plan that has been found in conformance with the Regional Plan.

*Note: The RPU Committee unanimously (4-0) supported introductory text for LU-3 Implementation Measure for Transfer Ratios on January 10, 2012.*

- Amend the Code of Ordinances to create bonus allocations and increased transfer ratio matches to encourage the transfer development from sensitive lands and outlying areas to Town Centers, Regional Centers and the High Density Tourist District pursuant to the following table. Also allow conforming Local Plans to establish alternative transfer ratios based on unique conditions in each jurisdiction as long as the alternative transfer ratios are determined to generate equal or greater environmental gain compared to TRPA transfer ratios.

*Note: The RPU Committee unanimously (5-0) supported LU-3 Implementation Measures bullet #1 and transfer table on December 15, 2011.*
### 2011

<table>
<thead>
<tr>
<th>SEZ</th>
<th>Transfer Existing Development (ERU, CFA, TAU) to Town Centers, Regional Centers and/or the High Density Tourist District and restore and retire parcel</th>
<th>Transfer Development Right to Town Centers, Regional Centers and/or the High Density Tourist District and retire parcel</th>
</tr>
</thead>
<tbody>
<tr>
<td>1:3</td>
<td>Sensitive Lands (1a, 1c, 2 and 3)</td>
<td>1:1.5</td>
</tr>
<tr>
<td>1:2</td>
<td>Non-Sensitive lands (4, 5, 6 and 7)</td>
<td>1:1.25</td>
</tr>
<tr>
<td>1:1</td>
<td>Distance from Town Centers, Regional Centers, the High Density Tourist District and Primary Transit Routes.</td>
<td>1:1.75</td>
</tr>
<tr>
<td>1:1</td>
<td>Additional transfer ratio based on distance from non-residential support services and transit (only for transfers of Residential Development Rights and Existing Residential Units into Town Centers, Regional Centers and/or the High Density Tourist District)</td>
<td>1:2</td>
</tr>
</tbody>
</table>

**Note:** The RPU Committee unanimously (4-0) supported LU-3 Implementation Measure for TAU Transfers on January 10, 2012.

- Amend the Code to revise the definition of a TAU as follows: “A unit, with a bedroom with or without cooking facilities, primarily designed to be rented by the day or week and occupied on a temporary basis.”

- Amend the Code to define a sending TAU to equal 1,200 square feet receiving unit or 1,800 square feet/3-bedroom receiving unit if the units make up less than 20 percent of a project.

*Note: Relocated to Goal LU-3:*

**GOAL #4**

Provide to the greatest possible extent, within the constraints of the environmental threshold carrying capacities, a distribution of land use that ensures the social, environmental, and economic well-being of the region.
The Tahoe Regional Planning Compact and extensive public testimony call for TRPA, along with other governmental and private entities, to safeguard the well-being of those who live in, work in, or visit the Region.

POLICIES

1. **ALL PERSONS SHALL HAVE THE OPPORTUNITY TO UTILIZE AND ENJOY THE REGION'S NATURAL RESOURCES AND AMENITIES.**

2. **NO PERSON OR PERSONS SHALL DEVELOP PROPERTY SO AS TO ENDANGER THE PUBLIC HEALTH, SAFETY, AND WELFARE.**

   Persons who develop property in the Region must ensure that their development conforms to the Goals and Policies Plan, all TRPA regulations and all applicable local, state, and federal laws pertaining to public health, safety and welfare.

*Note: The RPU Committee unanimously (7-0) supported Goal LU-4 on November 2, 2011.*

**GOAL LU-4**

REGIONAL PLAN GOALS, POLICIES, AND ORDINANCES SHALL BE IMPLEMENTED USING AN INTEGRATED SYSTEM OF REGIONAL AND LOCAL GOVERNMENT PLANNING.

POLICIES

*Note: Relocated and amended from LU Goal #2, Policy 2. The RPU Committee unanimously (6-0) supported Policy LU-4.1 with modifications on December 6, 2011.*

**LU-4.1 THE REGIONAL PLAN LAND USE MAP IDENTIFIES GROUPINGS OF GENERALIZED LAND USES AND PRIORITY REDEVELOPMENT AREAS IN THE REGION. SPECIFIC LAND USE POLICIES SHALL BE IMPLEMENTED THROUGH THE USE OF PLANNING AREA STATEMENTS FOR EACH OF THE PLANNING AREAS IDENTIFIED IN THE MAP INCLUDED IN THIS PLAN (LOCATED INSIDE BACK COVER). AREAS OF SIMILAR USE AND CHARACTER HAVE BEEN MAPPED AND CATEGORIZED WITHIN ONE OR MORE OF THE FOLLOWING FIVE LAND USE CLASSIFICATIONS: WILDERNESS, BACKCOUNTRY, CONSERVATION, RECREATION, RESIDENTIAL, COMMERCIAL AND PUBLIC SERVICE, MIXED-USE, AND TOURIST. THESE LAND USE CLASSIFICATIONS SHALL Dictate ALLOWABLE LAND USES. EXISTING URBANIZED AREAS ARE IDENTIFIED AS TOWN CENTERS, REGIONAL CENTERS AND THE HIGH DENSITY TOURIST DISTRICT. TOWN CENTERS, REGIONAL CENTERS AND THE HIGH DENSITY TOURIST DISTRICT ARE THE AREAS WHERE SUSTAINABLE REDEVELOPMENT IS ENCOURAGED. MORE DETAILED PLANS, CALLED COMMUNITY PLANS, MAY BE DEVELOPED FOR DESIGNATED COMMERCIAL AREAS. OTHER DETAILED PLANS, SUCH AS THE AIRPORT MASTER PLAN, SKI AREA MASTER PLANS, AND REDEVELOPMENT PLANS, MAY ALSO BE DEVELOPED. THESE DETAILED PLANS MAY COMBINE TWO OR MORE OF THE FIVE LAND USE CLASSIFICATIONS.*

Since the development permitted under this Plan is generally limited to the existing urban boundaries in which uses have already been established, the concept of this land use plan is directed toward encouraging regulating in-fill and redirection. The intent of this system is to provide flexibility when dealing with existing uses, continuation of acceptable land use patterns, and redirection of unacceptable land use patterns. Implementation ordinances set forth the detailed management criteria and allowed uses for each land use classification.

**Wilderness**
Wilderness Districts are designated and defined by the U.S. Congress as part of the National Wilderness Preservation System. These lands offer outstanding opportunities for solitude and primitive, unconfined recreation experiences, and they contain ecological, geological, and other features of scientific, educational, scenic, and historic value. The wilderness designation is intended to protect and preserve such areas for present and future generations. These lands are managed to prevent the degradation of wilderness character. Natural ecological processes and functions are preserved, and restored where necessary. Permanent improvements and mechanized uses are prohibited. Wilderness District lands within the Tahoe Region include portions of the Desolation, Granite Chief, and Mount Rose Wilderness Areas.

Backcountry
Backcountry Districts are designated and defined by the U.S. Forest Service as part of their Resource Management Plans. These lands are roadless areas including Dardanelles/Meiss, Freel Peak, and Lincoln Creek. On these lands, natural ecological processes are primarily free from human influences. Backcountry areas offer a recreation experience similar to Wilderness, with places for people seeking natural scenery and solitude. Primitive and semi-primitive recreation opportunities include hiking, camping, wildlife viewing, and cross-country skiing, in addition to more developed or mechanized activities not allowed in Wilderness areas (e.g., mountain biking, snowmobiling). Management activities that support administrative and dispersed recreation activities are minimal, but may have a limited influence. Limited roads may be present in some backcountry areas; road reconstruction may be permitted on Backcountry lands where additional restrictions do not apply. Backcountry areas contribute to ecosystem and species diversity and sustainability, serve as habitat for fauna and flora, and offer wildlife corridors. These areas provide a diversity of terrestrial and aquatic habitats, and support species dependent on large, undisturbed areas of land. Backcountry areas are managed to preserve and restore healthy watersheds with clean water and air, and healthy soils. Watershed processes operate in harmony with their setting, providing high quality aquatic habitats.

Conservation
Conservation areas are non-urban areas with value as primitive or natural areas, with strong environmental limitations on use, and with a potential for dispersed recreation or low intensity resource management. Conservation areas include (1) public lands already set aside for this purpose, (2) high-hazard lands, stream environment zones, and other fragile areas, without substantial existing improvements, (3) isolated areas which do not contain the necessary infrastructure for development, (4) areas capable of sustaining only passive recreation or non-intensive agriculture, and (5) areas suitable for low-to-moderate resource management.

Recreation
Recreation areas are non-urban areas with good potential for developed outdoor recreation, park use, or concentrated recreation. Lands which this Plan identifies as recreation areas include (1) areas of existing private and public recreation use, (2) designated local, state, and federal recreation areas, (3) areas without overriding environmental constraints on resource management or recreational purposes, and (4) areas with unique recreational resources which may service public needs, such as beaches and ski areas.

Residential
Residential areas are urban areas having potential to provide housing for the residents of the Region. In addition, the purpose of this classification is to identify density patterns related to both the physical and manmade characteristics of the land and to allow accessory and non-residential uses that complement the residential neighborhood. These lands include: (1) Areas now developed for residential purposes; (2) areas of moderate-to-good land capability; (3) areas within urban boundaries and serviced by utilities; and (4) areas of centralized location in close proximity to commercial services and public facilities.
Mixed-Use
Mixed-use Commercial and Public Service areas are urban areas that have been designated to provide a mix of commercial, and public services, light industrial, office, and residential uses to the Region or have the potential to provide future commercial, and public services, light industrial, office, and residential uses. The purpose of this classification is to concentrate such services higher intensity land uses for public convenience, and enhanced sustainability, separate incompatible uses, and allow other noncommercial uses if they are compatible with the purpose of this classification and other goals of this Plan. These lands include: (1) areas now developed for commercial or public service uses; (2) lands designated for, or in, public ownership; (3) areas suitable to encourage the concentration of compatible services; (4) areas of good-to-moderate land capability; and (5) areas with adequate public services and transportation linkages.

Tourist
Tourist areas are urban areas that have the potential to provide intensive tourist accommodations and services or intensive recreation. This land use classification also includes areas recognized by the Compact as suitable for gaming. These lands include areas that are: (1) areas now developed with high concentrations of visitor accommodations and related uses; (2) lands on which gaming is a permitted and recognized use; (3) lands of good to moderate land capability; and (4) areas with adequate public services and transportation linkages.

1) already developed with high concentrations of visitor services, visitor accommodations, and related uses;
2) of good to moderate land capability (land capability districts 4-7);
3) with existing excess land coverage; and
4) located near commercial services, employment centers, public services and facilities, transit facilities, pedestrian paths, and bicycle connections.

Town Center Overlay
Town Centers contain most of the region’s non-residential services and have been identified as a significant source of sediments and other contaminants that continue to enter Lake Tahoe. Town Centers are targeted for redevelopment in a manner that improves environmental conditions, creates a more sustainable and less auto-dependent development pattern and provides economic opportunities in the region.

Regional Center Overlay
The Regional Center area includes a variety of land uses in the core of South Lake Tahoe, including the Gondola and base lodge facilities for Heavenly Ski Area. Development patterns in the Regional Center have been and should continue to be more intensive that Town Centers and less intensive that the High Density Tourist District. Older development within the Regional Center is a significant source of sediment and other water contaminants. The Regional Center is targeted for redevelopment in a manner that improves environmental conditions, creates a more sustainable and less auto-dependent development pattern and provides economic opportunities in the region.
High Density Tourist District Overlay
The High Density Tourist District contains a concentration of hotel/casino towers and is targeted for redevelopment in a manner that improves environmental conditions, creates a more sustainable and less auto-dependent development pattern and provides economic opportunities for local residents. The High Density Tourist District is the appropriate location for the region’s highest intensity development.

Stream Restoration Plan Area
Stream Restoration Plan Areas are Stream Environment Zones along major waterways that have been substantially degraded by prior development. Individual Restoration Plans should be developed for each Stream Restoration Plan Area in coordination with the applicable Local Government and property owners in the Plan area. Restoration Plans may be developed as a component of a Local Plan or as a separate document and should identify feasible opportunities for environmental restoration.

*Note: The RPU Committee unanimously (5-0) supported Policy LU-4.2 on November 15, 2011.

LU-4.2 DETAILED PLAN AREA STATEMENTS HAVE BEEN APPROVED FOR ALL PROPERTIES IN THE REGION. THESE PLAN AREA STATEMENTS WERE ADOPTED IN ACCORDANCE WITH THE 1987 REGIONAL PLAN AND SHALL REMAIN IN EFFECT UNTIL SUPERSEDED BY LOCAL PLANS THAT ARE DEVELOPED IN ACCORDANCE WITH AND FOUND IN CONFORMANCE WITH THIS REGIONAL PLAN. IF ANY PLAN AREA STATEMENT CONTAINS PROVISIONS THAT CONTRADICT NEWER PROVISIONS OF THE REGIONAL PLAN OR DEVELOPMENT CODE, THE NEWER PROVISIONS OF THE REGIONAL PLAN OR DEVELOPMENT CODE SHALL PREVAIL, BUT ONLY TO THE EXTENT THAT SPECIFIC PROVISIONS CONFLICT.

*Note: The RPU Committee unanimously (5-0) supported Policy LU-4.3 on November 15, 2011.

LU-4.3 COMMUNITY PLANS HAVE BEEN APPROVED FOR SOME PROPERTIES IN THE REGION TO REFINE AND SUPERSEDE THE PLAN AREA STATEMENTS. THESE COMMUNITY PLANS WERE ADOPTED IN ACCORDANCE WITH THE 1987 REGIONAL PLAN AND SHALL REMAIN IN EFFECT UNTIL SUPERSEDED BY LOCAL PLANS THAT ARE DEVELOPED IN ACCORDANCE WITH AND FOUND IN CONFORMANCE WITH THIS REGIONAL PLAN. IF ANY COMMUNITY PLAN CONTAINS PROVISIONS THAT CONTRADICT NEWER PROVISIONS OF THE REGIONAL PLAN OR DEVELOPMENT CODE, THE NEWER PROVISIONS OF THE REGIONAL PLAN OR DEVELOPMENT CODE SHALL PREVAIL, BUT ONLY TO THE EXTENT THAT SPECIFIC PROVISIONS CONFLICT.

*Note: The RPU Committee unanimously (5-0) supported Policy LU-4.4 on November 15, 2011.

LU-4.4 OTHER DETAILED PLANS, SUCH AS THE AIRPORT MASTER PLAN, SKI AREA MASTER PLANS, AND REDEVELOPMENT PLANS HAVE ALSO BEEN APPROVED FOR SOME PROPERTIES IN THE REGION TO FURTHER REFINE AND SUPERSEDE THE PLAN AREA STATEMENTS. THESE PLANS WERE ADOPTED IN ACCORDANCE WITH THE 1987 REGIONAL PLAN AND SHALL REMAIN IN EFFECT UNTIL SUPERSEDED BY LOCAL PLANS THAT ARE DEVELOPED IN ACCORDANCE WITH AND FOUND IN CONFORMANCE WITH THIS REGIONAL PLAN. IF ANY OF THESE PLANS CONTAIN PROVISIONS THAT CONTRADICT NEWER PROVISIONS OF THE REGIONAL PLAN OR DEVELOPMENT CODE, THE NEWER PROVISIONS OF THE REGIONAL PLAN OR DEVELOPMENT CODE SHALL PREVAIL, BUT ONLY TO THE EXTENT THAT SPECIFIC PROVISIONS CONFLICT.
LU-4.5 TRPA SHALL REQUEST THAT ALL LOCAL GOVERNMENTS IN THE REGION PROVIDE WRITTEN STATEMENTS INDICATING THEIR INTENT TO PREPARE LOCAL PLANS AND THEIR ANTICIPATED SCHEDULE FOR COMPLETION OF LOCAL PLANS. STATEMENTS OF INTENT SHOULD BE PROVIDED TO TRPA NO LATER THAN DECEMBER 31, 2013. THE TRPA GOVERNING BOARD SHALL EVALUATE THE LOCAL GOVERNMENT STATEMENTS OF INTENT AND DEVELOP AN ACTION PLAN BY APRIL 30, 2014. THE ACTION PLAN MAY INCLUDE UPDATES AND CONSOLIDATIONS OF PLAN AREA STATEMENTS, COMMUNITY PLANS AND OTHER PLANS FOR AREAS THAT ARE NOT INCLUDED IN LOCAL PLANS.

*Note: The RPU Committee unanimously (6-0) supported Policy LU-4.5 on December 6, 2011.

LU-4.6 IN ORDER TO BE RESPONSIVE TO THE UNIQUE NEEDS AND OPPORTUNITIES OF COMMUNITIES OF THE REGION, LOCAL GOVERNMENTS ARE ENCOURAGED TO PREPARE CONFORMING LOCAL PLANS THAT SUPERSEDE EXISTING PLAN AREA STATEMENTS AND COMMUNITY PLANS. LOCAL PLANS SHALL BE PREPARED IN COORDINATION WITH LOCAL RESIDENTS, OTHER STAKEHOLDERS AND TRPA STAFF, AND SHALL BE CONSISTENT WITH THE REGIONAL PLAN.

*Note: The RPU Committee unanimously (6-0) supported Policy LU-4.6 on November 15, 2011.

LU-4.7 AFTER LOCAL GOVERNMENT APPROVAL, LOCAL PLANS SHALL BE REVIEWED BY THE TRPA GOVERNING BOARD AT A PUBLIC HEARING. IN ORDER TO TAKE EFFECT, THE TRPA GOVERNING BOARD SHALL MAKE A FINDING THAT THE LOCAL PLAN, AND ZONING AND DEVELOPMENT CODES WITHIN THE PLAN, ARE CONSISTENT WITH AND FURTHER THE GOALS AND POLICIES OF THE REGIONAL PLAN. THIS FINDING SHALL BE REFERRED TO AS A FINDING OF CONFORMANCE AND SHALL BE SUBJECT TO THE SAME VOTING REQUIREMENTS AS APPROVAL OF A REGIONAL PLAN AMENDMENT.

*Note: The RPU Committee unanimously (6-0) supported Policy LU-4.7 on November 15, 2011.

LU-4.8 IN ORDER TO BE FOUND IN CONFORMANCE WITH THE REGIONAL PLAN, ALL LOCAL PLANS SHALL INCLUDE POLICIES, ORDINANCES AND OTHER IMPLEMENTATION MEASURES TO:

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

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

3. Be consistent with the Regional Land Use Map. Local Plans may also recommend amendments to the Regional Land Use Map as part of an integrated plan to comply with Regional Plan Policies and provide Threshold gain.

Note: Staff recommended changes:

Either Be consistent with the Regional Land Use Map or Local Plans may also
recommend amendments to the Regional Land Use Map as part of an integrated plan to comply with Regional Plan Policies and provide Threshold gain.

4. Recognize and support planned, new, or enhanced Environmental Improvement Projects. Local plans may also recommend enhancements to planned, new, or enhanced Environmental Improvement Projects as part of an integrated plan to comply with Regional Plan Policies and provide Threshold gain.

5. Promote environmentally beneficial redevelopment and revitalization within Town Centers, Regional Centers and the High Density Tourist District.

6. Preserve the character of established residential areas outside of Town Centers, Regional Centers and the High Density Tourist District, while seeking opportunities for environmental improvements within residential areas.

7. Protect and direct development away from Stream Environment Zones and other sensitive areas. Development may be allowed in Disturbed Stream Environment zones within Town Centers, Regional Centers and the High Density Tourist District only if allowed development reduces coverage and enhances natural systems within the Stream Environment Zone.

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

*Note: The RPU Committee (5-1) supported Policy LU-4.9 on November 15, 2011 and unanimously (6-0) supported to add Regional Center Overlay language on November 16, 2011.

LU-4.9 IN ORDER TO BE FOUND IN CONFORMANCE WITH THE REGIONAL PLAN, ALL LOCAL PLANS THAT INCLUDE TOWN CENTERS OR REGIONAL CENTERS SHALL INCLUDE POLICIES, ORDINANCES AND OTHER IMPLEMENTATION MEASURES TO:

1. Address all requirements of Policy LU-4.8

2. Include building and site design standards that reflect the unique character of each area, respond to local design issues and consider ridgeline and viewshed protection.

3. Promote walking, bicycling, transit use and shared parking in Town Centers and Regional Centers, which at a minimum shall include continuous sidewalks or other pedestrian paths and bicycle facilities along both sides of all highways within Town Centers and Regional Centers, and to other major activity centers.

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

5. Ensure adequate capacity for redevelopment and transfers of development rights into Town Centers and Regional Centers.

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

7. Demonstrate that all development activity within Town Centers and Regional Centers will provide Threshold gain, including but not limited to measurable improvements in water quality.

*Note: The RPU Committee unanimously (6-0) supported Policy LU-4.10 on November 15, 2011.

LU-4.10 IN ORDER TO BE FOUND IN CONFORMANCE WITH THE REGIONAL PLAN, LOCAL PLANS THAT INCLUDE THE HIGH DENSITY TOURIST DISTRICT SHALL INCLUDE POLICIES,
ORDINANCES AND OTHER IMPLEMENTATION MEASURES TO:

1. Address all requirements of Policies LU-4.8 and LU-4.9.
2. Include building and site design standards that substantially enhance the appearance of existing buildings in the High Density Tourist District.
3. Provide pedestrian, bicycle and transit facilities connecting the High Density Tourist District with other regional attractions.
4. Demonstrate that all development activity within the High Density Tourist District will provide Threshold gain, including but not limited to measurable improvements in water quality. If necessary to achieve Threshold gain, off-site improvements may be additionally required.

*Note: The RPU Committee unanimously (6-0) supported Policy LU-4.11 on November 15, 2011.

LU-4.11 LOCAL GOVERNMENTS MAY ADOPT DEVELOPMENT ORDINANCES THAT SUPERSEDE TRPA ORDINANCES IF THE LOCAL PLAN AND ASSOCIATED ORDINANCES ARE FOUND IN CONFORMANCE WITH THE REGIONAL PLAN, AND MEET THE INTENT OF TRPA ORDINANCES.

*Note: The RPU Committee deferred action on Policy LU-4.12 and directed staff to work through modified language with the Local Government Committee and return with a recommendation for the RPU Committee. The RPU Committee (4-1) supported Policy LU-4.12 on December 15, 2011.

LU-4.12 ONCE A LOCAL PLAN, AND ZONING AND DEVELOPMENT CODES WITHIN THE PLAN, HAVE BEEN FOUND IN CONFORMANCE WITH THE REGIONAL PLAN, LOCAL GOVERNMENTS MAY ASSUME DEVELOPMENT REVIEW AUTHORITY BY MEMORANDA OF UNDERSTANDING WITH TRPA, SUBJECT TO THE FOLLOWING LIMITATIONS:

1. The TRPA Governing Board shall annually review a sample of permits issued within each Local Plan, and shall certify that the Local Plans are being implemented in Conformance with the Regional Plan. If the TRPA Governing Board finds that development that has been permitted within a Local Plan does not comply with the conforming Local Plan, TRPA may retract delegation of certain permitting authority and implement the conforming Local Plan.
2. Approval of projects within Local Plans shall require TRPA review and approval if the project includes any of the following criteria:
   a. All development within the High Density Tourist District;
   b. All development within the Shorezone of Lake Tahoe;
   c. All development within the Conservation District;
   d. All development meeting criteria on the following table:

<table>
<thead>
<tr>
<th>Region Type</th>
<th>Regional Center</th>
<th>Town Center</th>
<th>Not in Center</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>200,000 sq. ft.</td>
<td>100,000 sq. ft.</td>
<td>50,000 sq. ft.</td>
</tr>
<tr>
<td>Non-Residential</td>
<td>100,000 sq. ft.</td>
<td>50,000 sq. ft.</td>
<td>25,000 sq. ft.</td>
</tr>
</tbody>
</table>
3. All of the local governments ongoing TRPA development monitoring and reporting requirements are met.

*Note: The RPU Committee unanimously (6-0) supported Policy LU-4.13 on November 15 and 16, 2011.

LU-4.13 TRPA SHALL TAKE AN ACTIVE ROLE IN ASSISTING WITH THE DEVELOPMENT OF CONFORMING LOCAL PLANS TO HELP ENSURE THAT LOCAL PLANS ARE IN CONFORMANCE WITH TRPA REQUIREMENTS. LOCAL GOVERNMENTS SHALL ALSO SEEK REVIEW AND COMMENT FROM ALL PUBLIC AGENCIES WITH JURISDICTIONAL AUTHORITY AT APPROPRIATE POINTS IN THE PLANNING PROCESS TO ENSURE THAT REQUIREMENTS OF OTHER PUBLIC AGENCIES ARE ADDRESSED. THIS POLICY IS INTENDED TO ENSURE THAT EACH LOCAL PLAN, AND ZONING AND DEVELOPMENT CODES WITHIN THE PLAN, WHEN PRESENTED TO TRPA FOR CONFORMANCE REVIEW AND APPROVAL, WILL HAVE ADDRESSED THE NEEDS AND CONCERNS OF THE COMMUNITY AND WILL BE CONSISTENT WITH ALL APPLICABLE LOCAL, STATE, AND REGIONAL PLAN REQUIREMENTS.

LU-4 Implementation Measures

*Note: The RPU Committee unanimously (6-0) supported LU-4 Implementation Measures 1-4 on November 16, 2011.

- Amend Chapter 12, 13, 14, the Plan Area Statements and the Land Use Map to incorporate the following seven major land use classifications (Wilderness, Backcountry, Conservation, Recreation, Residential, Mixed-Use and Tourist) and three overlay districts (Town Centers, Regional Centers and the High Density Tourist District).

- Amend the Development Code to reflect the Local Planning process outlined in Goal LU-4.

- Amend the appropriate Plan Area Statement to recognize Tribal ownership of parcels located on the East Shore of Lake Tahoe.

- Amend the Code to state that the Code, Plan Area Statements, and other adopted plans as amended by the Regional Plan update will be remain in effect until superseded by local government plans.

*Note: The RPU Committee directed staff on November 16, 2011 to work on LU-4 Implementation Measure 5 (sub-items 1-3) with the Local Government Committee, then bring recommendations back to the RPU Committee. The RPU Committee unanimously (5-0) supported remaining LU-4 Implementation Measures on December 15, 2011.

- Amend the Development Code to establish monitoring reviewing and reporting standards for Local Plans as follows:
  
  - Monitor – Local governments transfer basic information as part of building permit process
  
  - Review – TRPA staff check a sample of development projects approved by local governments using similar process to that used for existing MOU. The sample will be determined in each MOU.
### Report
TRPA staff prepare an annual report on monitoring and review results.

- Require that Local Plans include development standards that are consistent with criteria in the attached table.

### Note
The RPU Committee unanimously (6-0) supported language for the Land Use Classifications and Designations Table on January 04, 2012.

#### LAND USE CLASSIFICATIONS AND DESIGNATIONS

<table>
<thead>
<tr>
<th>Regional Parameters</th>
<th>Wilderness</th>
<th>Backcountry</th>
<th>Conservation</th>
<th>Recreation</th>
<th>Residential</th>
<th>Mixed-Use</th>
<th>Town Center</th>
<th>Regional Center</th>
<th>Tourist</th>
<th>High Density Tourist</th>
<th>Mixed-Use</th>
<th>Mixed-Use</th>
<th>Regional Center</th>
<th>Tourist</th>
<th>High Density Tourist</th>
</tr>
</thead>
<tbody>
<tr>
<td>Height</td>
<td>NA</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Up to 4 stories (56 ft) max with adoption of a Local Plan</td>
<td>Up to 6 stories (95 ft) max with adoption of a Local Plan</td>
<td>Existing</td>
<td>Up to 197' max with adoption of a Local Plan</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Density SFD</td>
<td>NA</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Residential up to 25 units/ac, Tourist up to 40 units/ac with adoption of a Local Plan</td>
<td>Residential up to 25 units/ac, Tourist up to 40 units/ac with adoption of a Local Plan</td>
<td>Existing</td>
<td>Residential up to 25 units/ac, Tourist up to 40 units/ac with adoption of a Local Plan</td>
<td></td>
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<tr>
<td>Density MFD</td>
<td>NA</td>
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<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Maximum of 70%</td>
<td>Maximum of 70%</td>
<td>Maximum of 70%</td>
<td>Maximum of 70%</td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Land Coverage</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Reflects 70% in districts with an adopted community plan</td>
<td>Maximum of 70%</td>
<td>Maximum of 70%</td>
<td>Maximum of 70%</td>
<td>Maximum of 70%</td>
<td></td>
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</tr>
</tbody>
</table>
**GOAL LU-5**

COORDINATE THE REGULATION OF LAND USES WITHIN THE REGION WITH THE LAND USES SURROUNDING THE REGION.

To minimize the impacts on one another, the Tahoe Region and its surrounding communities should attempt to coordinate land use planning decisions. This goal is especially pertinent with respect to major land use decisions immediately adjacent to the Region which may have significant impacts on the Region and affect the ability of TRPA to attain environmental thresholds.

**POLICIES**

**LU-5.1** THE REGIONAL PLAN SHALL ATTEMPT TO MITIGATE ADVERSE IMPACTS GENERATED BY THE PLAN WITHIN THE REGION, AND NOT EXPORT THE IMPACTS TO SURROUNDING AREAS.

Where project approvals or other proposed actions by TRPA would adversely impact surrounding areas, TRPA shall consult with the affected jurisdictions. While the Agency will attempt to ensure that adverse impacts are mitigated within the Region, there may be situations where the adverse impacts on surrounding areas are outweighed by the environmental harm that would result from absorbing all impacts within the Region. In that regard, state laws in California and Nevada require the export of virtually all wastewater and solid wastes from the Region.

*Note: The RPU Committee directed staff on November 15, 2011 to modify Policy LU-5.2 to more accurately reflect the Compact and require Board direction initiating cooperative planning efforts. Modifications are reflected in proposed text. The RPU Committee unanimously supported Policy LU-5.2 on December 6, 2011.*

**LU-5.2** WHERE NECESSARY FOR THE REALIZATION OF THE REGIONAL PLAN, THE AGENCY MAY ENGAGE IN COLLABORATIVE PLANNING WITH LOCAL GOVERNMENTAL JURISDICTIONS LOCATED OUTSIDE THE REGION, BUT CONTIGUOUS TO ITS BOUNDARIES. THE TRPA GOVERNING BOARD SHALL INITIATE ALL COLLABORATIVE PLANNING EFFORTS THAT ARE AUTHORIZED BY THIS POLICY.

THE AGENCY SHALL DEVELOP JOINT REVIEW AGREEMENTS WITH PUBLIC ENTITIES.
ADJOINING THE REGION TO CONSIDER ACTS OF DEVELOPMENT OR IMPACTS OF DEVELOPMENT THAT CROSS JURISDICTIONAL BOUNDARIES.

As authorized in the Compact, TRPA will develop such joint agreements with Placer County, El Dorado County, Washoe County, City and County of Carson City, Douglas County, and appropriate state and federal agencies to ensure that land-use decisions of those entities that have a significant impact on the Tahoe Region are reviewed by the Agency.
The purpose of this Subelement is to assess the housing needs of the Region and to make provisions for adequate housing. The Compact does not specifically mandate this Subelement nor do the environmental thresholds address this topic. However, the states of Nevada and California both require housing to be addressed as part of a general plan. It is the intent of this Subelement to address housing issues on a regional basis with local plans handling the specifics of implementation.

**GOAL HS-1**

**PROMOTE HOUSING OPPORTUNITIES FOR FULL-TIME AND SEASONAL RESIDENTS AS WELL AS WORKERS EMPLOYED WITHIN THE BASIN TO THE EXTENT POSSIBLE, AFFORDABLE HOUSING WILL BE PROVIDED IN SUITABLE LOCATIONS FOR THE RESIDENTS OF THE REGION.**

**POLICIES**

**HS-1.1. SPECIAL INCENTIVES, SUCH AS BONUS DEVELOPMENT UNITS, WILL BE GIVEN TO PROMOTE AFFORDABLE OR GOVERNMENT-ASSISTED HOUSING FOR LOWER INCOME HOUSEHOLDS (80 PERCENT OF RESPECTIVE COUNTY’S MEDIAN INCOME) AND FOR VERY LOW INCOME HOUSEHOLDS (50 PERCENT OF RESPECTIVE COUNTY’S MEDIAN INCOME). EACH COUNTY’S MEDIAN INCOME WILL BE DETERMINED ACCORDING TO THE INCOME LIMITS PUBLISHED ANNUALLY BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.**

The 1980 census data indicate that approximately 95 percent of the region’s lower income households were paying more than the recommended costs for rental housing. There is a need to reverse the current trend of higher cost housing and to provide needed affordable housing.

**HS-1.2. LOCAL GOVERNMENTS WILL BE ENCOURAGED TO ASSUME THEIR "FAIR SHARE" OF THE RESPONSIBILITY TO PROVIDE LOWER AND VERY LOW INCOME HOUSING.**

Current data indicate the City of South Lake Tahoe and Placer County are assuming more than their share of the responsibility as detailed in the Regional Plan EIS.

**HS-1.3. FACILITIES SHALL BE DESIGNED AND OCCUPIED IN ACCORDANCE WITH LOCAL, REGIONAL, STATE, AND FEDERAL STANDARDS FOR THE ASSISTANCE OF HOUSEHOLDS WITH LOW AND VERY LOW INCOMES. SUCH HOUSING UNITS SHALL BE MADE AVAILABLE FOR RENTAL OR SALE AT A COST TO SUCH PERSONS THAT WOULD NOT EXCEED THE RECOMMENDED STATE AND FEDERAL STANDARDS.**

**HS-1.4. AFFORDABLE OR GOVERNMENT ASSISTED HOUSING FOR LOWER INCOME HOUSEHOLDS SHOULD BE LOCATED IN CLOSE PROXIMITY TO EMPLOYMENT CENTERS, GOVERNMENT SERVICES, AND TRANSIT FACILITIES. SUCH HOUSING MUST BE COMPATIBLE WITH THE SCALE AND DENSITY OF THE SURROUNDING NEIGHBORHOOD.**
GOAL HS-2

TO THE EXTENT FEASIBLE, WITHOUT COMPROMISING THE GROWTH MANAGEMENT PROVISIONS OF THE REGIONAL PLAN, THE ATTAINMENT OF THRESHOLD GOALS, AND AFFORDABLE HOUSING INCENTIVE PROGRAMS, MODERATE INCOME HOUSING WILL BE ENCOURAGED IN SUITABLE LOCATIONS FOR THE RESIDENTS OF THE REGION.

POLICIES

HS-2.1. SPECIAL INCENTIVES, SUCH AS BONUS DEVELOPMENT UNITS, WILL BE MADE AVAILABLE TO PROMOTE HOUSING FOR MODERATE INCOME HOUSEHOLDS (120 PERCENT OF RESPECTIVE COUNTY’S MEDIAN INCOME). SUCH INCENTIVES SHALL BE MADE AVAILABLE WITHIN JURISDICTIONS THAT DEVELOP HOUSING PROGRAMS THAT ARE SUBSTANTIALLY CONSISTENT WITH AND COMPLEMENTARY TO THE REGIONAL PLAN.

HS-2.2. RESIDENTIAL UNITS DEVELOPED USING MODERATE INCOME HOUSING INCENTIVES SHALL BE USED TO PROVIDE HOUSING FOR FULL-TIME RESIDENTS OF THE TAHOE BASIN. SUCH UNITS SHALL NOT BE USED FOR VACATION RENTAL PURPOSES.

HS-2.3. RESIDENTIAL UNITS DEVELOPED USING MODERATE INCOME HOUSING INCENTIVES SHALL REMAIN PERMANENTLY WITHIN THE PROGRAM.

GOAL HS-3

REGULARLY EVALUATE HOUSING NEEDS IN THE BASIN AND UPDATE POLICIES AND ORDINANCES IF NECESSARY TO ACHIEVE STATE, LOCAL AND REGIONAL HOUSING GOALS.

POLICIES

HS-3.1. TRPA SHALL REGULARLY REVIEW ITS POLICIES AND REGULATIONS TO REMOVE IDENTIFIED BARRIERS PREVENTING THE CONSTRUCTION OF NECESSARY AFFORDABLE HOUSING IN THE REGION. TRPA STAFF WILL WORK WITH LOCAL JURISDICTIONS TO ADDRESS ISSUES INCLUDING, BUT NOT LIMITED TO, WORKFORCE AND MODERATE INCOME HOUSING, SECONDARY RESIDENTIAL UNITS AND LONG TERM RESIDENCY IN MOTEL UNITS IN ACCORDANCE WITH THE TIMELINE OUTLINED IN THE IMPLEMENTATION ELEMENT.
COMMUNITY DESIGN

The purpose of this Subelement is to implement the TRPA regional design criteria as they apply to the built environment. The Governing Board policy applicable to community design is derived from environmental threshold carrying capacities for scenic resources:

POLICY STATEMENT

It shall be the policy of the TRPA Governing Board in development of the Regional Plan, in cooperation with local jurisdictions, to insure the height, bulk, texture, form, materials, colors, lighting, signing and other design elements of new, remodeled and redeveloped buildings be compatible with the natural, scenic, and recreational values of the Region.

This Subelement sets forth policies for new developments or existing developments in need of remodeling or redevelopment. Some aspects of development can be brought to total conformance within a certain period of time, such as a five year program to bring all signs into conformance with adopted standards. Others may require more time or extensive redevelopment or rehabilitation to correct past deficiencies.

GOAL CD-1

INSURE PRESERVATION AND ENHANCEMENT OF THE NATURAL FEATURES AND QUALITIES OF THE REGION, PROVIDE PUBLIC ACCESS TO SCENIC VIEWS, AND ENHANCE THE QUALITY OF THE BUILT ENVIRONMENT.

Based on findings in the Compact and evidence presented in the environmental threshold carrying capacity study, both the natural scenic qualities of the Region and the man-made environment have suffered degradation in the past decades. It is important that both the natural environment and the built environment be brought into compliance with the established thresholds, including the thresholds and policies found in the Scenic Subelement.

POLICIES

CD-1.1. THE SCENIC QUALITY RATINGS ESTABLISHED BY THE ENVIRONMENTAL THRESHOLDS SHALL BE MAINTAINED OR IMPROVED.

Implementation of regional design review requirements will be required to ensure compliance with this policy.

CD-1.2 RESTORATION PROGRAMS BASED ON INCENTIVES WILL BE IMPLEMENTED IN THOSE AREAS DESIGNATED IN NEED OF SCENIC RESTORATION TO ACHIEVE THE RECOMMENDED RATING.
GOAL CD-2

REGIONAL BUILDING AND COMMUNITY DESIGN CRITERIA SHALL BE ESTABLISHED TO ENSURE ATTAINMENT OF THE SCENIC_THRESHOLDS, MAINTENANCE OF DESIRED COMMUNITY CHARACTER, COMPATIBILITY OF LAND USES, AND COORDINATED PROJECT REVIEW.

The intent of the criteria is that they be regional in nature yet specific enough to ensure that the Agency meets the mandate of specific thresholds and other policy requirements of this Plan as they relate to site planning. The concept is that a design review document is the focal point for implementing many other Plan policies relating to transportation, noise, water quality, air quality, scenic and aesthetic considerations, etc.

POLICIES

CD-2.11 TO BE FOUND IN CONFORMANCE WITH THE REGIONAL PLAN, LOCAL GOVERNMENT PLANS SHALL REQUIRE THAT ALL PROJECTS COMPLY WITH THE FOLLOWING DESIGN REQUIREMENTS. LOCAL GOVERNMENT PLANS MAY ALSO INCLUDE REGIONAL DESIGN REVIEW SHALL INCLUDE THE FOLLOWING TO BE USED IN EVALUATING PROJECTS THROUGHOUT THE REGION. THIS REVIEW MAY ENTAIL ADDITIONAL OR SUBSTITUTION REQUIREMENTS OR SPECIAL REQUIREMENTS NOT LISTED BELOW THAT PROMOTE_THRESHOLD ATTAINMENT.

A. Site Design: All new development shall consider site design which includes, at a minimum:

1) Existing natural features to be retained and incorporated into the site design.
2) Building placement and design to be compatible with adjacent properties and consideration of solar exposure, climate, noise, safety, fire protection, and privacy.
3) Site planning to include a drainage, infiltration, and grading plan meeting BMP_water quality standards.
4) Access, parking, and circulation to be logical, safe, and meet the requirements of the transportation element.

B. Building DesignHeight, Bulk and Scale: Standards shall be adopted to ensure attractive and compatible development. The following shall be considered:

1) Outside Town Centers, building height shall be limited to two stories (32 feet). Within Town Centers, building height may be allowed up to four stories (56 feet) as part of a Local Plan that has been found in conformance with the Regional Plan. Within Regional Centers, building height may be allowed up to six stories (95 feet) as part of a Local Plan that has been found in conformance with the Regional Plan. Within the High Density Tourist District, building height may be allowed up to 197 feet as part of a Local Plan that has been found in conformance with the...
Regional Plan, except that Subject to TRPA approval pursuant to TRPA Code or an approved conforming Local Plan, provisions for additional height requirements may shall be provided for unique situations such as lighting towers, ski towers, buildings within Ski Area Master Plans, steep sites, redevelopment projects and tourist accommodation facilities, affordable housing, and essential public safety facilities.

2) Building height limits shall be established to ensure that buildings do not project above the forest canopy, ridge lines, or otherwise detract from the viewshed.

3) Buffer requirements should shall be established for noise, snow removal, aesthetic, and environmental purposes.

4) The scale of structures should be compatible consistent with existing and planned Land Uses in the area surrounding uses.

5) Viewshed should be considered in all new construction. Emphasis should be placed on lake views from major transportation corridors.

6) Local Plans that allow buildings over two stories in height shall where feasible include provisions for transitional height limits or other buffer areas adjacent to areas not allowing buildings over two stories in height.

7) Local Plans shall include design standards for building design and form. Within Town Centers, Regional Centers and the High Density Tourist District, building design and form standards shall promote pedestrian activity.

C. Landscaping: The following should be considered with respect to this design component of a project:

1) Native vegetation should be utilized whenever possible, consistent with Fire Defensible Space Requirements.

2) Vegetation should be used to screen parking, and to alleviate long strips of parking space and accommodate stormwater runoff where feasible.

3) VegetationPlants should be used to give privacy, reduce glare and heat, deflect wind, muffle noise, prevent erosion, and soften the line of architecture where feasible.

D. Lighting: Lighting increases the operational efficiency of a site. In determining the lighting for a project, the following should be considered required:

1) Exterior lighting should be minimized to protect dark sky views, yet adequate to provide for public safety with an emphasis on safety and should be consistent with the architectural design.

2) Exterior lighting should utilize cutoff shields that extend below the lighting element to minimize light pollution and stray light.

3) Overall levels should be compatible with the neighborhood light level. Emphasis should be placed on a few, well placed, low
intensity lights.

43) Lights should not blink, flash, or change intensity except for temporary public safety signs.

E. Signing: In determining sign design, the following should be considered:

1) Off premise signs **should** be prohibited except in accordance with a Conforming Local Plan or a sign program that has been approved by TRPA. Any allowance for off premise signs should include design and location restrictions to minimize and mitigate significant scenic impacts.

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 height, lighting, and square footage for on premise signs shall be formulated and shall be consistent with the land uses permitted in each district.

*Note: The RPU Committee voted unanimously (6-0) to support language for Community Design CD-2 Implementation Measures on January 4, 2012.*

**CD-2 Implementation Measures:**

- Amend TRPA Code to reflect changes in the Community Design Subelement.

- Amend Chapter 22 to redefine how height is measured on steep slopes to promote the stair-stepping of structures

- Develop a definition of essential public safety facilities in coordination with local public safety agencies

2. **Note: Topic addressed under Goal LU-4**

Local jurisdictions are encouraged to adopt design guidelines consistent with the regional plan. The Agency will consider local design review guidelines when preparing the regional design review guidelines. Also, the Agency will encourage local governments to adopt design guidelines consistent with the Agency guidelines.
NOISE

High noise levels can reduce the public’s enjoyment of the natural environment, impact quality of life for residents, and disturb native wildlife. The TRPA Compact recognizes noise as a natural resource and requires that TRPA establish Environmental Threshold Carrying Capacity standards for noise. The Noise Subelement establishes Goals and Policies to achieve and maintain TRPA’s noise Thresholds. The Tahoe Regional Planning Compact requires that environmental threshold carrying capacities be established for noise and that the Plan and its elements achieve and maintain all such environmental threshold carrying capacities. The following standards have been adopted for noise:

<table>
<thead>
<tr>
<th>Source</th>
<th>Threshold $d_{BA}$</th>
<th>Monitoring Distances</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Aircraft</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Overall $80^{1}$</td>
<td></td>
<td>6,500 m-start of takeoff roll</td>
</tr>
<tr>
<td>Greater Than 35 MPH $77.4^{2}$</td>
<td></td>
<td>2,000 m-runway-threshold approach</td>
</tr>
<tr>
<td><strong>Watercraft</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Pass-By Test</td>
<td>$82 L_{max}$</td>
<td>50 ft., engine at 3,000 rpm</td>
</tr>
<tr>
<td>2. Shoreline Test</td>
<td>$75 L_{max}$</td>
<td>Microphone 5 ft., above water, 2 ft., above curve of shore, dock or platform.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Watercraft in Lake, no minimum distance.</td>
</tr>
<tr>
<td>3. Stationary Test</td>
<td>$88 dBA L_{max}$</td>
<td>Microphone 3.3 feet from exhaust outlet - 5 feet above water.</td>
</tr>
<tr>
<td></td>
<td>$90 dBA L_{max}$</td>
<td></td>
</tr>
<tr>
<td>Motor Vehicles</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Less Than 6,000 GVW</td>
<td>$76$</td>
<td>50 ft.</td>
</tr>
<tr>
<td>Greater Than 6,000</td>
<td>$82$</td>
<td>50 ft.</td>
</tr>
<tr>
<td>Motorcycles</td>
<td>$77$</td>
<td>50 ft.</td>
</tr>
<tr>
<td>Off-Road Vehicles</td>
<td>$72$</td>
<td>50 ft.</td>
</tr>
<tr>
<td>Snowmobiles</td>
<td>$82$</td>
<td>50 ft.</td>
</tr>
</tbody>
</table>

$^{1}$ The single event noise standard of 80 dBA $L_{max}$ for aircraft departures at Lake Tahoe Airport shall be effective immediately. The single event noise standard of 80 dBA $L_{max}$ for aircraft arrivals at Lake Tahoe Airport is not to be effective until ten years after the adoption of an airport master plan by TRPA. The schedule for phasing in the 80 dBA arrival standard shall be based on a review and consideration of the relevant factors, including best available technology and environmental concerns, and shall maximize the reduction in noise impacts caused by aircraft arrivals while allowing for the continuation of general aviation and commercial service. The beginning arrival standard shall not exceed 84 dBA for general aviation and commuter aircraft, and 86 dBA for transport category aircraft.

$^{2}$ Amended 7/23/03

TRPA – Goals and Policies
CHAPTER II - LAND USE ELEMENT
Noise Subelement
Revised 01/18/2011
2. Between the hours of 8 p.m. and 8 a.m.
3. Failure to meet any one of these three test standards exceeds the single noise event threshold for watercraft.

### CUMULATIVE NOISE EVENTS

<table>
<thead>
<tr>
<th>Land Use Category</th>
<th>Average Noise Level Or CNEL range (dBA)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>NUMERICAL STANDARDS:</strong> Background noise levels shall not exceed the following levels:</td>
<td></td>
</tr>
<tr>
<td>High Density Residential Areas</td>
<td>55</td>
</tr>
<tr>
<td>Low Density Residential Areas</td>
<td>50</td>
</tr>
<tr>
<td>Hotel/Motel Areas</td>
<td>60</td>
</tr>
<tr>
<td>Commercial Areas</td>
<td>60</td>
</tr>
<tr>
<td>Industrial Areas</td>
<td>65</td>
</tr>
<tr>
<td>Urban Outdoor Recreation Areas</td>
<td>55</td>
</tr>
<tr>
<td>Rural Outdoor Recreation Areas</td>
<td>50</td>
</tr>
<tr>
<td>Wilderness and Roadless Areas</td>
<td>45</td>
</tr>
<tr>
<td>Critical Wildlife Habitat Areas</td>
<td>45</td>
</tr>
</tbody>
</table>

**POLICY STATEMENT:** It shall be a policy of the TRPA Governing Board in the development of the Regional Plan to define, locate, and establish CNEL levels for transportation corridors.

**TRANSPORTATION CORRIDORS**

1. Highway 50  65²
2. Highways 89, 207, 28, 267 and 431  55²
3. South Lake Tahoe Airport  60³

1. Recommended CNEL levels for transportation corridors.
2. This recommended threshold overrides the land use CNEL thresholds and is limited to an area within 300 feet from the edge of the road.
3. This recommended threshold applies to those areas impacted by the approved flight paths.

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**GOAL #N-1
SINGLE EVENT NOISE STANDARDS SHALL BE ATTAINED AND MAINTAINED.**

People can be annoyed by a specific noise source. Thresholds have been adopted that apply to aircraft, boats, motor vehicles, off-road vehicles, and snowmobiles to reduce impacts associated with single noise events.

**POLICIES**

**N-1.1. UNLESS SUPERSEDED BY AN UPDATE TO THE 1986 AIRPORT MASTER PLAN, AN ORDINANCE AND ENFORCEMENT PROGRAM SHALL BE DEVELOPED TO PERMIT ONLY AIRCRAFT THAT MEET THE SINGLE EVENT NOISE THRESHOLDS TO USE THE AIRPORT.**

The 77.1 dBA single-event threshold applies between the hours of 8:00 p.m. and 8:00 a.m. The airport master plan shall provide for implementation and enforcement of the single event noise thresholds for aircraft. Review of the phasing schedule for the 80 dBA standard for aircraft

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*Amended 05/28/97*
arrivals shall be conducted at five year intervals, consistent with the airport master plan and the periodic threshold reviews. TRPA and the City of South Lake Tahoe (owner/operator of the airport) will continue to analyze the airport’s environmental impacts, the best available aircraft technologies, and the needs of the community to develop plans for threshold attainment with regard to airport operations.

N-1.2. BOATINGS WILL ONLY BE ALLOWED TO USE ON LAKE TAHOE IF THEY COMPLY IN COMPLIANCE WITH THE SINGLE-EVENT THRESHOLD.

Implementation of the single-event threshold for boats shall be shared by the public and private sectors. TRPA shall prepare a model ordinance, and encourage local government and the U. S. Coast Guard to adopt and enforce the model ordinance. TRPA shall also encourage marinas and other boat launching facilities to participate in implementation of the single-event threshold standard.

N-1.3. MOTOR VEHICLES AND MOTORCYCLES SHALL BE REQUIRED TO COMPLY WITH THE APPROPRIATE NOISE THRESHOLDS.

The local and state law enforcement agencies will not allow motor vehicles and motorcycles to use the streets and highways in the Basin if they exceed the single-event thresholds for noise.

N-1.4. OFF-ROAD VEHICLE USE IS PROHIBITED IN THE LAKE TAHOE REGION EXCEPT ON SPECIFIED ROADS, TRAILS, OR DESIGNATED AREAS WHERE THE IMPACTS CAN BE MITIGATED.

Off-road vehicles can be annoying if they produce excessive noise relative to the standards of the surrounding land uses. To reduce these noise impacts of off-road vehicles, as well as impacts on wild-life, vegetation and water quality by allowing their use, the Plan will allow them to be used only in designated areas.

N-1.5. THE USE OF SNOWMOBILES WILL BE RESTRICTED TO DESIGNATED AREAS.

Snowmobiles can also be annoying if they produce excessive noise or are incompatible with the surrounding land uses. Snowmobiles can interfere with other winter outdoor activities and affect wildlife. To resolve these problems, snowmobile use should be restricted to specified areas where potential conflicts with winter outdoor activities and wildlife can be minimized. Exceptions will be allowed pursuant to Policy N-1.4, above. (See Dispersed Recreation Subelement, Goal #2, Policy 2.)

N-1.6. THE PLAN WILL PERMIT USES ONLY IF THEY ARE CONSISTENT WITH THE NOISE STANDARDS. NOISE MITIGATION MEASURES SOUND-PROOFING PRACTICES MAY BE REQUIRED ON ALL STRUCTURES CONTAINING USES THAT WOULD OTHERWISE ADVERSELY IMPACT THE PRESCRIBED NOISE LEVELS.

Ordinances shall be adopted to allow the Agency or local governments to review and resolve any existing and future problems of nuisances associated with a specific source of noise. The ordinances shall allow the Agency to require that the impacts be mitigated either through voluntary compliance or through conditions of project approval.
GOAL #N-2

COMMUNITY NOISE EQUIVALENT LEVELS SHALL BE ATTAINED AND MAINTAINED.

CNEL thresholds were adopted to reduce the annoyance associated with cumulative noise events on people and wildlife. In the Region Basin, the main sources of noise are attributed to the major transportation corridors and the airport (refer to Figure 43). Therefore, these policies are directed towards reducing the transmission of noise from those sources. The CNEL thresholds will be attained upon implementation of the following policies.

POLICIES

N-2.1. TRANSMISSION OF NOISE FROM THE TRANSPORTATION CORRIDORS SHALL BE REDUCED.

The noise associated with the transportation corridors can be decreased by reducing the number of trips and by installing mitigation measures. Trip reduction will be accomplished by the transit improvements identified in the Transportation Element. Ordinances will establish specific site design criteria for projects to help reduce the transmission of noise from the transportation corridors. The design criteria will also be incorporated into the water quality and transportation improvement programs. The mitigation measures may include setbacks, earth berms, and barriers.

N-2.2. REDUCE NOISE-RELATED IMPACTS ASSOCIATED WITH THE AIRPORT TO ACCEPTABLE LEVELS.

A master plan and accompanying EIS must be completed to evaluate the noise impacts from aircraft flights into and from the Lake Tahoe Airport. The Airport Master Plan should include specific recommendations on aircraft type and the number of flights per day per aircraft type necessary to attain the environmental thresholds. The master plan should also include implementation provisions for attaining the noise thresholds.

N-2.3. IN CONSULTATION AND COORDINATION WITH FEDERAL LAND MANAGEMENT AGENCIES, TRPA WILL FURTHER DEFINE CNELs FOR WILDERNESS AND ROADLESS AREAS AND FOR CRITICAL WILDLIFE HABITAT AREAS.

The 25 CNEL standard for the above areas needs further evaluation as to location of monitoring and conditions of monitoring. The Agency will further evaluate the proper application of the standard.
NATURAL HAZARDS

Natural hazards result from naturally occurring events of nature that can be hazardous to public health and safety. In the Lake Tahoe Region Basin, natural hazards are most frequently related to the dangers of avalanches, wildfires, and flooding, earthquakes and seiches.

GOAL # NH-1
RISKS FROM NATURAL HAZARDS (E.G., FLOOD, FIRE, AVALANCHE, EARTHQUAKE, SEICHE) WILL BE MINIMIZED.

Land uses within the Tahoe Region Basin should be planned with recognition cognizant of natural hazards so as to help prevent damage to property and to protect public health. Natural hazard areas or situations can be identified and precautionary measures taken to minimize impacts.

POLICIES

NH-1.1. DEVELOPMENT SHALL BE REGULATED IN IDENTIFIED AVALANCHE OR MASS INSTABILITY HAZARD AREAS.

In the areas with identified avalanche or mass instability danger (Natural Hazards of the Lake Tahoe Basin, 1978 or by other studies accepted by TRPA), the type of uses or activities can be designed or regulated to protect the public during hazard periods. Construction, reconstruction or replacement of structures in identified avalanche or mass instability hazard areas shall be restricted unless precautionary measures can be implemented to insure protection of public health and safety.

NH-1.2. PROHIBIT CONSTRUCTION, GRADING, AND FILLING OF LANDS WITHIN THE 100-YEAR FLOOD PLAIN AND IN THE AREA OF WAVE RUN-UP EXCEPT AS NECESSARY TO IMPLEMENT THE GOALS AND POLICIES OF THE PLAN. REQUIRE ALL PUBLIC UTILITIES, TRANSPORTATION FACILITIES, AND OTHER NECESSARY PUBLIC USES LOCATED IN THE 100-YEAR FLOOD PLAIN AND AREA OF WAVE RUN-UP TO BE CONSTRUCTED OR MAINTAINED TO PREVENT DAMAGE FROM FLOODING AND TO NOT CAUSE FLOODING.

The Tahoe Region Basin is often subject to rain or storm events which cause extreme fluctuations in stream flows or wave run-up which can result in flooding and damage to property. Grading, filling, and structural development within the flood plain causes alteration of the stream flow and may accentuate downstream flooding. Development within the flood plain is subject to damage and inundation as a result of flooding and is generally prohibited by federal regulation (Executive Order No. 11988, 1977 and No. 11296, 1966).

NH-1.3. INFORM RESIDENTS AND VISITORS OF THE WILDFIRE HAZARD ASSOCIATED WITH OCCUPANCY IN THE REGION BASIN. ENCOURAGE USE OF FIRE RESISTANT MATERIALS AND FIRE PREVENTATIVE TECHNIQUES WHEN CONSTRUCTING STRUCTURES, ESPECIALLY IN THE HIGHEST FIRE HAZARD AREAS. MANAGE
FOREST FUELS TO BE CONSISTENT WITH STATE LAWS AND OTHER GOALS AND POLICIES OF THIS PLAN.

Most wildfires in the Lake Tahoe Region Basin are human-caused. The decadent and monoculture vegetation on steep slopes is highly susceptible to wild fires. Serious environmental damage, property damage and impacts to public health can result from wildfires. Public awareness and education can help to decrease the risk of human-caused wildfires. Programs involving the manipulation of vegetation can also reduce fire hazards. The potential for damage to structures can be minimized with various construction techniques and installation of fire resistant materials. The Agency, in cooperation with local fire protection agencies, will set forth criteria describing areas of high hazard and will also propose fire prevention techniques and measures.

**NH-1.4. TRPA WILL ENCOURAGE PUBLIC SAFETY AGENCIES TO PREPARE DISASTER PLANS.**

The Agency will encourage police and fire departments and other agencies to prepare contingency plans for major disasters such as described in this Subelement.
AIR QUALITY

Poor air quality poses a risk to human health and reduces the public’s enjoyment of the natural environment. Air pollution also degrades ecosystem integrity and impairs water quality. Maintaining and improving air quality will protect the quality of life for residents and visitors, maintain the region’s tourism economy, and attain multiple thresholds.

The TRPA Compact recognizes air as a natural resource and requires that TRPA establish Environmental Threshold Carrying Capacity standards for air quality. The Compact directs TRPA to develop a land use plan that considers air resources, as well as a transportation plan that reduces air pollution from motor vehicles. TRPA is also required to attain federal, state, and local air quality standards for the portions of the basin in which they apply. The Air Quality Subelement, along with the Transportation Element, establishes Goals and Policies to achieve and maintain TRPA’s Air Quality Thresholds and all applicable federal, state, and local standards for air quality.

GOAL AQ-1

ATTAIN AND MAINTAIN AIR QUALITY IN THE REGION AT LEVELS THAT ARE HEALTHY FOR HUMANS AND THE ECOSYSTEM, ACHIEVE AND MAINTAIN ENVIRONMENTAL THRESHOLDS AND DO NOT INTERFERE WITH RESIDENTS’ AND VISITORS’ VISUAL EXPERIENCE.

Implementation of the control measures contained in the Air Quality Subelement and other TRPA programs will lead to attainment of the TRPA threshold standards and will also lead to attainment and maintenance of federal and state air quality standards.

POLICIES

AQ-1.1 COORDINATE WITH OTHER AGENCIES AND JURISDICTIONS TO REDUCE EMISSIONS, EXPOSURES, AND HEALTH AND ENVIRONMENTAL RISKS WHEN DEVELOPING AND IMPLEMENTING PROGRAMS, PLANS, AND PROJECTS.

The Regional Plan will facilitate cooperative efforts that efficiently attain and maintain Air Quality threshold standards, and federal and state air quality standards, while at the same time achieving other threshold standards.

AQ-1.2 REDUCE OR LIMIT SOURCES OF POLLUTANTS THAT DEGRADE VISIBILITY.

Some air pollutants, such as fugitive dust and wood smoke, degrade visibility as well as harm human or ecosystem health. The Regional Plan will control those pollutants to minimize their impact on visibility, as well as their impact on human or ecosystem health.

AQ-1.3 REDUCE EMISSIONS FROM MOTOR VEHICLES AND OTHER MACHINERY POWERED BY FOSSIL FUEL.

Most of the Region’s greenhouse gas emissions are produced by automobiles and building appliances. The Land Use Subelement and the Transportation Element contains Goals and Policies to reduce the amount of air pollution generated from motor vehicles in the Region. Additionally, TRPA shall seek feasible opportunities to lower greenhouse gas emissions through reduced use
of other gas powered machinery and through efficiency improvements. Construction of energy efficient buildings, promoting pedestrian oriented development patterns, providing alternative transportation options, and utilizing efficient vehicles and appliances all contribute to air quality improvement.

Lowering emissions from gas powered machines may also benefit water quality. There is evidence that atmospheric sources of nitrogen may be a major contributor of nutrients to Lake Tahoe, and that local emissions of oxides of nitrogen, primarily from automobiles, account for most of these atmospheric inputs.

AQ-1.4 REDUCE EMISSIONS FROM WOOD BURNING STOVES IN THE REGION, AND REQUIRE WOOD STOVES TO COMPLY WITH EPA EMISSIONS STANDARDS WITH A TARGET COMPLIANCE DATE OF 2020.

Older, less efficient wood burning appliances emit more air pollutants than newer, more efficient appliances. A faster rate of replacement of old inefficient wood burning appliances with newer cleaner burning technology will benefit attainment of the Air Quality Threshold standards.

AQ-1.5 PROMOTE TECHNOLOGIES THAT REDUCE THE AIR QUALITY IMPACTS OF CONSTRUCTION ACTIVITIES IN THE REGION.

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

AQ-1 Implementation Measures

- Develop an incentive program to encourage the replacement of non-compliant wood stoves and fireplaces.

- Provide exemptions to current wood stove disclosure requirements for transfer instruments such as Trusts and Limited Liability Corporations and where wood stoves were replaced in conformance with the Wood Heater Retrofit Program adopted by TRPA in the 1987 Regional Plan (which became effective January 1, 1993).

- Amend the TRPA Code of Ordinances to reflect modifications to wood stove requirements within Goal AQ-1 and associated policies.

GOAL AQ-2

MAINTAIN AN EFFECTIVE AIR QUALITY MITIGATION PROGRAM FOR THE REGION.

Administer a program that effectively mitigates significant air quality impacts resulting from new projects or changes in use. Under the mitigation program, impact fees and mitigation measures are among the strategies to address significant impacts.

POLICIES

AQ-2.1 COLLECT AND EXPEND AIR QUALITY MITIGATION FEES TO OFFSET AIR POLLUTION IN COORDINATION WITH THE ENVIRONMENTAL IMPROVEMENT PROGRAM (EIP). A PORTION OF MITIGATION FUNDS SHALL BE EXPENDED IN
AIR QUALITY PLAN ELEMENT

A. Introduction

The Air Quality Plan Element of the integrated Regional Transportation Plan—Air Quality Plan focuses on the need for air quality control strategies required to meet the air quality related goals for the Tahoe Region. The Tahoe Regional Planning Compact (Compact) states that the goal of transportation planning shall be to reduce to the extent feasible air pollution which is caused by motor vehicles. The purpose of the integrated Regional Transportation Plan—Air Quality Plan is to attain and maintain the Environmental Threshold Carrying Capacities (thresholds) established by TRPA in 1982, and all applicable federal, state, and local standards established for transportation and air quality.

The Air Quality Plan portion of the integrated plan document contains all feasible control measures considered to be effective in the Tahoe Region. This is consistent with the California Clean Air Act requirements, and California Air Resources Board guidance developed pursuant to the California Clean Air Act.

TRPA thresholds, Federal National Ambient Air Quality Standards (NAAQS), and state standards establish 23 separate air quality standards for 14 air quality parameters, including carbon monoxide (CO), ozone, particulate matter less than 10 microns in size (PM10), nitrogen dioxide (NO2), sulfur dioxide (SO2), visibility, lead, hydrocarbons, sulfates, hydrogen sulfide, oxides of nitrogen (NOx), wood smoke, suspended soil particles and NOx transport. Volume II of the Regional Transportation Plan—Air Quality Plan discussed these standards.

Air Quality Standards—Status

The status of the various threshold, federal and state standards is as follows:

Air Quality—Attainment

Carbon Monoxide 1 hour standard—all standards

Ozone 1 hour standard—NAAQS

Nitrogen Dioxide 24-hour and annual average—all standards

Total Suspended Particulate (24-hour and Annual Geometric Mean)—all standards

Particulate matter less than 10 microns (PM10) (24-hour)—NAAQS
PM10 (Annual Geometric Mean) - all standards

Air Quality - Non-attainment

Carbon Monoxide 8-hour standard - NAAQS, CA, and TRPA standards
Ozone 1-hour standard - TRPA standard
PM10 24-hour standard - CA standard

Air Quality - Non-attainment Transitional
Ozone 1-hour standard - CA standard

Visibility - Attainment
Regional visibility - TRPA standard
Subregional visibility - TRPA standard

Nitrate Deposition
The interim target for NOx emissions is currently being met. Vehicle NOx emissions are estimated to have been reduced overall by up to 15.6 percent between 1982 and 1987. The impact of transport NOx to the Tahoe Air Basin has not been fully quantified at this time.

Management standard for a 10 percent VMT reduction has not been met.

Air Quality Standards - Forecasts
Air quality forecasts are limited to the pollutants for which the Region is not in attainment. The forecasts all assume worst-case growth in traffic volumes.

Carbon Monoxide
Carbon monoxide concentrations were modeled for the South Stateline area both with and without the completion of the redevelopment-related Loop Road project. Without the completion of the loop roads, attainment of the 8-hour National Ambient Air Quality Standards (NAAQS) for CO is modeled at the California South Stateline monitoring site by 1997. The NAAQS for CO at the Nevada South Stateline monitoring site is modeled as remaining in attainment. The NAAQS for CO is also modeled as being in attainment at all other locations in the Region.

With the completion of the Loop Road system in the South Stateline area, the California, Nevada, and TRPA threshold standards for CO (6 ppm, 8-hour average) are modeled as being in attainment at both South Stateline monitoring sites. Construction of the Loop Road system will commence in FY 1993-94, with completion of the project anticipated in FY 1996-97.

The TRPA CO threshold standard and the California and Nevada CO standards for the Tahoe Region are also shown as being in attainment at all but one location within the Region by 1997. Without the implementation of any transportation control measures, violations of the 6 ppm CO standard through 2007 are forecast at Kingsbury Grade (Nevada 207) and U.S. 50. Monitoring of this location will be necessary to determine the actual concentrations and to determine attainment of the 6 ppm standard.
Forecast concentrations do not take into account the impact of the transportation and air quality control measures contained in the Regional Transportation Plan - Air Quality Plan Control Program - Action Element.

Ozone

The California standard for ozone (.09 ppm) was exceeded on two days during 1989, being measured at .10 ppm. Data for 1990 and 1991 indicates that the California ozone standard was met with a high reading of .09 pm at the Lake Tahoe Boulevard monitoring site.

The trend in ozone concentrations as measured at the Lake Tahoe Boulevard site on the South Shore indicates that ozone concentrations are relatively stable. It is assumed that this trend will continue, and may decline as ozone precursor control measures are implemented upwind of the Region. Implementation of transportation and air quality control measures in the Tahoe Region should contribute to a decline in ozone concentrations, although the portion of the decline attributed to local sources would be minimal.

Particulate Matter Less Than 10 Microns – PM10 (24-Hour)

The trend in PM10 24-hour measurements has fluctuated significantly since measurements were first taken in 1985. However, the overall trend has been downward, increasing from 116 µg/m³ in 1985 to a high of 177 µg/m³ in 1987, and then decreasing to 95 µg/m³ in 1988, and 84 µg/m³ in 1990. It is assumed this downward trend will continue as best management practices continue to be applied and stricter controls on combustion devices are implemented in the Tahoe Region.

B. Air Quality Control Measures

TRPA has the authority under the Tahoe Regional Planning Compact (PL 95-551) to adopt and implement the ordinances necessary to attain and maintain air quality standards in the Tahoe Region. In 1987, TRPA adopted Chapter 91 (Air Quality Control) and Chapter 93 (Traffic and Air Quality Mitigation Program) of the TRPA Code of Ordinances.

The purpose of Chapter 91 is to implement the Air Quality Subelement, Land Use Element, of the Goals and Policies. Chapter 91 regulates and sets emission standards for combustion appliances including gas heaters and wood heaters. Chapter 91 also sets emission standards for new or modified stationary sources. TRPA's stationary source review rule meets or exceeds the requirements of the California Clean Air Act. It requires an environmental assessment and provides for best available control technology and best available retrofit control technology for new or modified stationary sources. Chapter 91 also restricts extended vehicle idling and prohibits the construction of new drive-up windows.

The purpose of Chapter 93 is to implement TRPA's 1982 Air Quality Plan and the Development and Implementation Priorities Subelement, Implementation Element of the Goals and Policies. Chapter 93 establishes fees and other procedures to offset impacts from indirect sources of air pollution. Chapter 93 requires a traffic analysis to be completed for new, additional, or transferred development. Chapter 93 requires that potential traffic and air quality impacts be analyzed and requires that regional and cumulative impacts be offset or mitigated. The traffic and air quality mitigation fees...
Implementation of the control measures contained in the Air Quality Plan should lead to attainment of the TRPA threshold standards and should also lead to attainment and maintenance of federal and state air quality standards.

The Air Quality Plan contains the following elements:

- Vehicle Emission Control Technologies
- Alternative Fuels
- Transportation Control Measures (TCM)
- Indirect South Control Measures
- Best Management Practices
- Combustion Heaters
- Stationary Source Controls

**Vehicle Emission Control Technologies**

On-board vehicle emission controls have had a significant effect on vehicle emissions. Improvements in regional air quality can be attributed primarily to the cleaner vehicle fleet that has resulted from the improved control technology. Since 1980, the composite emission factors developed for the Tahoe Region indicate an overall average decrease in vehicle carbon monoxide emissions of 51.6 percent, and in oxides of nitrogen emissions of 31.3 percent.

Eight-hour CO concentrations monitored at the South Stateline, California site show an overall improvement of 46.8 percent from 1980 to 1990. Also, the number of days the NAAQS eight-hour CO standard was exceeded has decreased from 27 days in 1980 to 7 days in 1990 (74.1 percent reduction).

Vehicle NOx emissions (based on composite emission factors) decreased by 31.3 percent from 1980 to 1987. By applying the composite emission factors to vehicle miles of travel modeled for the Region, an estimated decrease in NOx emissions of up to 15.6 percent, from 1981 to 1987, can be calculated.

The forecast emission inventories prepared by the California Air Resources Board for the Tahoe Air Basin indicate that bulk emissions from motor vehicles are expected to continue to decrease from 1987 to 2010. Carbon monoxide emissions are expected to decrease by 21.1 percent, and NOx emissions are expected to decrease by 42.6 percent. Additional improvements in vehicle control technology are expected to result from the recently passed federal Clean Air Act of 1990. The federal Clean Air Act includes requirements to reduce vehicle emissions of NOx and CO even further than the requirements of the 1977 Clean Air Act Amendments.

**Alternative Fuels**

Vehicles designed to use alternative fuels, including methanol, ethanol, compressed natural gas (CNG), liquefied petroleum gas (LPG) and electricity, and reformulated...
conventional fuels, can produce significant reductions in motor vehicle emissions. However, as reported in the study Alternative Motor Vehicle Fuels to Improve Air Quality (California Council for Environmental and Economic Balance, January 1990) each fuel requires appropriate engine design and emission control systems. The study report also states that vehicle emissions are the net result of fuel properties, engine design and emission control technology.

Use of methanol as a motor vehicle fuel can have emission reduction benefits. However, there are other impacts associated with the use of methanol that are not as positive. Low-level blends of methanol and gasoline can reduce carbon monoxide emissions in older cars, but it also can increase nitrogen oxide emissions. Higher concentrations of methanol can reduce NOx emissions, but does so at the expense of higher CO emissions. Introduction and widespread use of methanol may have health, safety, and other environmental impacts. Strategies to substitute methanol for gasoline are not relatively cost-effective. Methanol is highly corrosive to engine and fuel system components and would require a significant investment in converting these components to more compatible materials.

CNG has a number of advantages as a motor fuel, however, its compression and storage space requirements present obstacles to its widespread use to fuel passenger vehicles. CNG is well suited to powering diesel engines in trucks and buses. CNG fuel cost savings are offset by current costs of vehicle conversion, and the cost of fueling stations.

LPG is a mixture of petroleum and natural gases. LPG is widely used in residential, commercial, industrial, and other applications. LPG has been widely used as a motor vehicle fuel for many years, and the LPG fuel storage and distribution system is already established. LPG emissions testing indicates that it can provide air quality benefits similar to methanol. Vehicle emissions are comparable to gasoline with the exception of carbon monoxide, which is substantially reduced. On-board fuel storage requires a large tank, and the fuel system needs to be converted for LPG. LPG conversion costs are significant, and because of cost considerations, LPG may have better application in fleet vehicle use.

Emissions from electrically powered vehicles are generally non-existent. Use of electrical powered vehicles is limited by range and recharge time. The best application of electrical powered technology may be in urban delivery vehicles.

Oxygenated fuels are gasolines that are blended with additives that contain oxygen. The increased oxygen in the fuel enables the fuel to burn more completely, reducing the amount of carbon monoxide produced by the vehicle. Oxygenated fuels are generally available in two forms: gasoline blended with ethanol, or gasoline blended with methyl tertiary butyl ether (MTBE).

Ethanol is an ethyl alcohol produced from agricultural products. It increases the octane of fuel. Ethanol can reduce carbon monoxide emissions, primarily in older model cars. Nitrogen oxide (NOx) emissions are somewhat higher for ethanol than gasoline. Ethanol production for use as a fuel is highly dependent on tax subsidies.

MTBE is a petroleum-based oxygenate produced at refineries and petrochemical plants. It is commonly used to produce high octane or premium grade gasolines. Low levels of MTBE blends appear to have a varying effect on NOx emissions.
Washoe County, Nevada, implemented a 2.5 percent oxygenated fuel mixture program in 1989, resulting in an 11 percent reduction in carbon monoxide emissions. To comply with the Federal Clean Air Act Amendments, Washoe County will require a 2.7 percent oxygen content in gasoline during the winter months of 1991-92. This mixture should result in a 15 percent reduction in CO emissions.

The Federal Clean Air Act Amendments of 1991 require oxygenated fuels be sold in moderate CO non-attainment areas by 1992. In order to ensure that NOx emissions do not increase, the California Clean Air Act (CCAA) requires a lower oxygen content mixture (2.0 percent) than the federal standard. The California portion of the Region would, therefore, use a different oxygen content fuel than the Nevada portion which complies with the federal oxygen mixture regulation. Provided that fuel distribution is not problematic, two oxygenated mixtures can be implemented in the Tahoe Region. However, it is also recognized by TRPA that uniformity in oxygen content regulations would be desirable to fuel suppliers.

Extensive research is underway by both regulatory agencies and industry to evaluate the opportunities for, and costs of, alternative fuel properties so as to reduce emissions. Reformulated fuel technology is showing that emissions in older vehicles can be reduced by 20 to 30 percent. Emission reduction estimates from reformulated fuels in new vehicles range up to 15 percent.

**Transportation Control Measures**

The California Clean Air Act defines transportation control measures as "any strategy to reduce vehicle trips, vehicle use, vehicle miles traveled, vehicle idling, or traffic congestion for the purpose of reducing vehicle emissions."

Transportation control measures can include both regulatory measures and transportation system measures. Regulatory measures are implemented through regulations or ordinances which are used to affect individual travel choices or traffic flow. Regulatory measures can include employer-based trip reduction programs and parking management programs.

Transportation system measures are measures which are implemented by transportation providers to influence travel behavior to reduce vehicle use. Transportation system measures can include TSM improvements, transit system improvements, and land use changes that support trip reductions.

The Regional Transportation Plan includes transportation control measures which reduce vehicle emissions through vehicle trip reduction programs and air quality benefits due to congestion improvements. Chapter 91 of the TRPA Code of Ordinances limits the allowable amount of time of vehicle idling in the Region. TRPA also has an ongoing program to reduce unnecessary trips and to provide for shorter trips through land use planning measures. Community plans are to address vehicle trip reduction targets and threshold related air quality standards. Community plans shall contain programs to reduce the dependency on the automobile and trip reduction measures which will reduce congestion, lead to air quality and visibility improvements, and reduce VMT.

**Indirect Source Control Measures**

An indirect source of pollutant emissions is defined as, "A facility, building, structure,
installation, real property, road or highway which generates or may generate mobile sources of air pollution or serves as a trip end. Indirect sources include, but are not limited to parking facilities, airports, and retail facilities." An indirect source control measure is a rule or ordinance established to reduce mobile source emissions associated with specific activity centers. Indirect source control measures can be divided into two categories: measures to reduce emissions from existing sources and measures to reduce or mitigate emissions from new or modified sources.

The Regional Transportation Plan contains transportation demand management measures which will reduce vehicle trip demand and VMT. Chapter 93 of the TRPA Code of Ordinances requires new or modified indirect sources to mitigate air quality impacts to less than significant levels. Cumulative impacts of new development will be addressed in revisions to Chapter 93.

Best Management Practices

The Tahoe Region is in compliance with the California PM10 standard as measured by the annual geometric mean. However, the Region does not achieve the California standard as measured over 24 hours. TRPA has a program to reduce sources of PM10 through the application of best management practices and controls on combustion appliances.

Chapter 25 of the TRPA Code of Ordinances (Best Management Practice Requirements) implements best management practice (BMP) requirements for the Region. Best management practices are alternative structural and nonstructural practices proven effective in erosion control and management of surface runoff in the Region. BMPs include both temporary and permanent activities. BMPs include: construction site activities, sediment barriers, soil stabilization (non-vegetative), slope runoff controls, grade stabilization, sediment retention, slope stabilization, infiltration systems, vegetative soil stabilization (including revegetation) and other practices such as street sweeping. These BMPs can significantly reduce erosion and stabilize slopes, and reduce the amount of wind-blown soils and re-entrained dust in the Region.

Chapters 61 through 64 of the Code of Ordinances also contain requirements for erosion control, slope stabilization, and site disturbances related to grading and construction activities. Chapter 64 of the Code requires dust control measures for any grading activity. Chapter 91 regulates the amount of PM10 emissions allowed from new or modified stationary sources.

Combustion Heaters

TRPA regulates combustion heaters through Chapter 91 of the TRPA Code of Ordinances. The TRPA threshold management standards for regional and subregional visibility call for a 15 percent reduction in wood smoke emissions from 1981 base year. In order to achieve this threshold standard, it is necessary to amend the existing Code of Ordinances to ensure that wood burning stoves and fireplaces are replaced in a more timely fashion by newer technology wood burning appliances.

TRPA recommends Chapter 91 of the Code of Ordinances be amended as follows:

1. Upon sale of a residential dwelling unit or any other structure which is equipped with a wood burning appliance that does not meet current emission standards, the wood burning appliance is to be replaced with an appliance that meets TRPA...
emission standards as contained in the Code, or shall be rendered inoperable.

2. It shall be illegal to sell, or offer for sale, in the Tahoe Region, a wood burning appliance that does not meet the emission standards contained in the Code. It shall also be illegal to purchase, or acquire by other means, a wood burning appliance for use in the Tahoe Region which does not meet TRPA Code emission standards.

3. It shall be illegal for anyone to install a wood burning appliance in the Tahoe Region that does not meet TRPA Code emission standards.

4. It shall be illegal to sell, or offer for sale, in the Tahoe Region coal for residential heating. It shall also be illegal to burn coal as a home heating fuel in the Tahoe Region.

5. The stricter of TRPA, local, state, or federal standards regulating wood heating appliances or fuel for residential heating shall apply.

TRPA will enter into the necessary agreements with local or state jurisdictions to enforce wood burning appliance regulations. The City of South Lake Tahoe, Douglas County, El Dorado County, Placer County, and Washoe County should enter into a Joint Powers Agreement (JPA) to implement a program to regulate wood burning appliances and combustion heaters. This program shall include permit approvals for installation or retrofit of wood burning appliances, and an inspection program under the jurisdiction of the local counties and City.

Stationary Source Controls

TRPA regulates new or modified stationary sources through Chapter 91 of the TRPA Code of Ordinances. Chapter 91 requires an environmental assessment be prepared for new or modified stationary sources that exceed minimum emission limits for NOx, PM10, VOC, SO2, and CO. Offsets are permitted, provided the existing stationary source is permanently retired. Chapter 91 requires best available control technology (BACT) for all new stationary sources. At a minimum, BACT measures shall meet or exceed applicable state or federal requirements.

C. Implementation Schedule

Implementation of the transportation and air quality control measures needed to assure attainment or maintenance of the Region’s air quality standards is scheduled over the next five years (1992-1997). Volume IV of the integrated Regional Transportation Plan—Air Quality Plan (Capital Improvement Program) contains a recommended schedule (Table 5) for implementation of these control measures in the Region.

The recommended implementation schedule for transportation and air quality control measures is summarized as follows:

<table>
<thead>
<tr>
<th>Measure</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicle Emissions Control Technology (Federal)</td>
<td>1994</td>
</tr>
<tr>
<td>Oxygenated Fuels (Federal)</td>
<td>1992</td>
</tr>
<tr>
<td>Transportation Control Measures (States, Local)</td>
<td>1992-1997</td>
</tr>
<tr>
<td>Indirect Source Measures (TRPA)</td>
<td>Adopted</td>
</tr>
<tr>
<td>Combustion Heaters Control Program (TRPA, Local)</td>
<td>Adopted</td>
</tr>
<tr>
<td>Stationary Source Controls (TRPA)</td>
<td>Adopted</td>
</tr>
</tbody>
</table>

TRPA – Goals and Policies
CHAPTER II - LAND USE ELEMENT
Air Quality Subelement

Revised 01/18/2012
Air Quality Monitoring Program (TRPA, CARB, NDEP) Ongoing

D. Attainment Projections

TRPA used the CALINE4 air quality model to determine the effect of the implementation of the transportation and air quality control measures on reducing carbon monoxide concentrations in the South Tahoe non-attainment area. Inputs to the CALINE4 model were selected which allowed the model to be calibrated to existing conditions. A complete discussion of the air quality modeling process and the use of the CALINE4 model can be found in Volume VI (Technical Appendix B).

Following model calibration, CO concentrations were modeled for seven "hot spot" locations within the Tahoe Region, including Park Avenue at U.S. 50, Ski Run Boulevard at U.S. 50, Al Tahoe Boulevard at U.S. 50, the South Tahoe Wye, Kingsbury Grade at U.S. 50, Nevada 28 in Incline Village, and California/Nevada 28 at North Stateline. CO concentrations were modeled at these locations for four forecast years: 1992, 1997, 2002, and 2007.

Air quality forecasts were analyzed to determine the impact of implementing the transportation and air quality control measures, including the following:

- Vehicle Emission Control Technologies
- Oxygenated Fuels Program
- Transportation Control Measures
- Indirect Source Control Measures
- Combustion Heater Controls
- Stationary Source Controls

Vehicle emission control technologies are anticipated to improve vehicle emissions by up to 21.1 percent for CO and 42.6 percent for NOx. Additional benefits will be realized from improved vehicle control technologies mandated by the 1990 Federal Clean Air Act (FCAA).

A Region-wide oxygenated fuel program, which is mandated by the FCAA for implementation in 1992, is estimated to reduce CO emissions by 11.0 percent.

The transportation control measures to be implemented in the South Lake Tahoe area by 1997 will reduce traffic volumes by one percent by 1992, 7.2 percent by 1997, 9.2 percent by 2002, and 14.6 percent by 2007. Average daily vehicle miles of travel are modeled to be reduced by 78,500 VMT (4.3 percent) by 1997, by 113,000 VMT (5.0 percent) by 2002, and by 201,200 VMT (8.2 percent) by 2007.

These reductions in traffic volumes and VMTs are estimated to reduce CO bulk emissions by similar amounts. However, reductions in bulk CO emissions do not ensure that measured CO concentrations will be reduced correspondingly. CO concentrations are not directly related to reductions in bulk emissions. CO concentrations are subject to many other variables including meteorological conditions, vehicle speeds and traffic congestion, and the vehicle fleet mix.

With the completion of the construction of the South Stateline loop roads, attainment of
the federal eight-hour CO standard (9 ppm) is projected at the Stateline, California monitoring site and at all other locations in the Region. The Stateline, Nevada monitor is projected to remain in attainment. The completion of the Loop Road project is anticipated by the end of the 1995-96 fiscal year.

With implementation of the transportation and air quality control measures contained in the Regional Transportation Plan—Air Quality Plan Control Program—Action Element, attainment of the California, Nevada and TRPA Eight-hour CO standard (6 ppm) is projected at the Stateline, California monitoring site by 1997. Attainment of the 6 ppm standard is also projected at all other locations in the Region by 1997.

These projections assume the timely completion of the Loop Road project in the Stateline, California area, the implementation of an oxygenated fuels program Region-wide by FY 1992, and the implementation of the first phase of the transportation and air quality control measures contained in the integrated Regional Transportation Plan—Air Quality Plan by 1997.

E. Emissions Accounting

A baseline emissions inventory for carbon monoxide was prepared by CARB for the El Dorado County portion of the Tahoe Air Basin. The emissions inventory is to be used as a baseline to compare progress in attaining the CO standards for the Region. An emissions accounting is required to assure that a five percent per year (averaged over three years) reduction is achieved until the CO standard is attained as mandated by the California Clean Air Act. The five percent per year reduction in bulk CO emissions target requires that emissions be reduced by 35.0 percent between the years 1987 and 1994.

The CARB CO emissions inventory indicates that bulk CO emissions will be reduced by 8.9 percent from 1987 to 1994, by an additional 6.0 percent from 1994 to 1997, by 5.4 percent from 1997 to 2000, and by 3.0 percent from 2000 to 2010. The bulk emissions inventory assumes that vehicle emissions will be reduced through improved vehicle emissions control technology and new gasoline specifications including clean fuels.

TRPA has calculated a 23.5 percent reduction in CO bulk emissions between 1987 and 1994 based on modeled Regional VMT and CO emission factors developed for the Tahoe Region.

Modeling of the emission reductions due to the implementation of transportation control measures indicates additional reductions in bulk emissions resulting from reduced vehicle miles of travel in the Region and reduced congestion on the South Shore highway system. Transportation control measures to be implemented in South Lake Tahoe by 1997 will reduce vehicle trips by 7.2 percent. Average daily vehicle miles of travel are modeled to be reduced by 4.3 percent by 1997.

Reductions in traffic volumes and VMTs are estimated to reduce CO bulk emissions by similar amounts. However, reductions in bulk CO emissions do not ensure that measured CO concentrations will be reduced correspondingly. CO concentrations are not directly related to reductions in bulk emissions. CO concentrations are subject to many other variables including meteorological conditions, vehicle speeds and traffic congestion, and the vehicle fleet mix.
Additional reductions in CO emissions will also result from the implementation of an oxygenated fuels program in the Tahoe Region in 1992. Assuming similar reductions as experienced by Washoe County, an 11.0 percent reduction in emissions may be realized. A 15.0 percent reduction in emissions may be realized if higher concentrations of oxygenates are utilized.

Implementation of the transportation and air quality control measures should result in bulk CO emission reductions by 1994 as follows:

<table>
<thead>
<tr>
<th>Category</th>
<th>CARB Reduction</th>
<th>TRPA Reduction</th>
</tr>
</thead>
<tbody>
<tr>
<td>CO Emission Reductions</td>
<td>8.9 percent</td>
<td>23.5 percent</td>
</tr>
<tr>
<td>Transportation Control Measures</td>
<td>7.2 percent</td>
<td>7.2 percent</td>
</tr>
<tr>
<td>Oxygenated Fuels Program</td>
<td>11.0 percent</td>
<td>11.0 percent</td>
</tr>
<tr>
<td>Total Reductions</td>
<td>27.1 percent</td>
<td>41.7 percent</td>
</tr>
<tr>
<td>Target - 1987 to 1994</td>
<td>35.0 percent</td>
<td>35.0 percent</td>
</tr>
<tr>
<td>Deferral</td>
<td>+7.9 percent</td>
<td>+6.7 percent</td>
</tr>
</tbody>
</table>

Peak carbon monoxide concentrations measured at the California South Stateline monitoring site have been reduced by approximately 22.3 percent between 1987 and 1990, an average of 5.6 percent reduction in concentrations per year. This is largely attributable to improved vehicle emission technology, but it also reflects the influence of the other parameters which affect CO concentrations.

Although the five percent per year average reduction in CO bulk emissions cannot be demonstrated utilizing the CARB emission reduction estimate, air quality modeling of CO concentrations in the Stateline, California area projects attainment of the federal and state CO standards upon construction of the Loop Road project which is anticipated to be completed by 1996, the implementation of the other transportation control measures, and the implementation of the oxygenated fuels program in 1992. The loop roads will divert approximately 53.0 percent of the traffic from the existing U.S. 50 to the new Loop Road system. Although traffic volumes will remain generally the same, CO concentrations and bulk emissions will be reduced significantly.

F. Cost Effectiveness

An assessment of the cost effectiveness of the transportation and air quality control measures contained in the Regional Transportation Plan - Air Quality Plan Control Program - Action Element was developed by identifying control measures to be implemented, estimating project and program costs, calculating emission reductions for each control program, and determining the relative cost effectiveness of each strategy. Because cost estimates were not calculated for the federally mandated vehicle emissions control technology and oxygenated fuels programs, or existing TRPA programs for indirect source controls, stationary source controls, and combustion heater controls, the cost effectiveness of these measures could not be determined.

Although the relative cost effectiveness of these control measures may be low due to the high cost of some of the transportation control measures and the relatively low reductions in emissions, implementation of the transportation control measures is considered a high priority for TRPA in achieving its transportation goals for the Region.
Traffic modeling indicates that the estimated average daily VMT savings following the implementation of the control measures programmed for the first five-year phase ending in 1997 is 78,500 VMT, a 4.3 percent reduction. It is assumed that a like percentage reduction in bulk CO emissions will also result. The CARB emissions inventory indicates a total of 54.36 tons per day of carbon monoxide from on-road mobile sources. A reduction of 4.3 percent would result in a reduction of 2.34 tons per day of bulk CO emissions. The cost of implementing the transportation control measures which would have an impact on CO emissions in the South Lake Tahoe area during the first phase of the integrated Plan is estimated at $78,490,000. This results in a cost of $335,427 per ton reduction of bulk CO emissions.

The cost-effectiveness of the transportation and air quality control measures is summarized, in priority order, as follows:

<table>
<thead>
<tr>
<th>Control Measure</th>
<th>Cost Effectiveness</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicle Emissions Control Technology (Federal)</td>
<td>Not Calculated</td>
</tr>
<tr>
<td>Oxygenated Fuels (Federal)</td>
<td>Not Calculated</td>
</tr>
<tr>
<td>Transportation Control Measures (States, Local)</td>
<td>$335,400/ton/day</td>
</tr>
<tr>
<td>Transportation Demand Management</td>
<td></td>
</tr>
<tr>
<td>Transportation System Management</td>
<td></td>
</tr>
<tr>
<td>Regional Pedestrian and Bicycle Facilities</td>
<td></td>
</tr>
<tr>
<td>Aviation and Waterborne Services</td>
<td></td>
</tr>
<tr>
<td>Streets and Highways</td>
<td></td>
</tr>
<tr>
<td>Social Services Transportation</td>
<td></td>
</tr>
<tr>
<td>Indirect Source Measures (TRPA)</td>
<td>Not Calculated</td>
</tr>
<tr>
<td>Combustion Heaters Control Program (TRPA, Local)</td>
<td>Not Calculated</td>
</tr>
<tr>
<td>Stationary Source Controls (TRPA)</td>
<td>Not Calculated</td>
</tr>
</tbody>
</table>

G. Air Quality Monitoring Program

TRPA currently operates two air quality and visibility monitoring stations in the Tahoe Region. The California Air Resources Board monitors air quality at its monitoring site located adjacent to the TRPA's monitoring site on Lake Tahoe Boulevard. Visibility is also monitored in the Desolation Wilderness by the U.S. Forest Service. TRPA will continue to monitor air quality and visibility and, based on the monitoring data, will propose amendments to the Regional Transportation Plan - Air Quality Plan to assure compliance with TRPA threshold standards and federal, state, and local standards for air quality and visibility.
Thresholds for Water Quality shall be achieved and maintained through a coordinated federal, state, regional, local and private effort to retrofit existing infrastructure, redevelop poorly designed development sites, and restore degraded natural processes to minimize the impacts of all activities in the Region. The goals and policies are generally grouped to address this coordinated effort, point sources and non-point sources of pollution.

The purity of Lake Tahoe and its tributary streams helps make the Tahoe Basin unique. Lake Tahoe is one of the three clearest lakes of its size in the world. Its unusual water quality contributes to the scenic beauty of the Region, yet it depends today upon a fragile balance among soils, vegetation, and man. The focus of water quality enhancement and protection in the Basin is to minimize man-made disturbance to the watershed and to reduce or eliminate the addition of pollutants that result from development.

The Tahoe Regional Planning Compact established a number of policies related to water quality planning and implementation programs.

- The waters of Lake Tahoe are threatened with deterioration or degeneration, which endangers the natural beauty and economic productivity of the Region, Article (I)(a)(1);
- TRPA shall develop an enforceable land use plan for, among other purposes, the uses of water and other natural resources within the Region, Article (V)(c)(1);
- The Regional Plan shall provide for attaining and maintaining federal, state, or local water quality standards, whichever are the strictest, in the respective portions of the Region for which the standards are applicable, Article (V)(d); and
- The Regional Plan shall, by ordinance, identify the means and time schedule by which water quality standards will be attained, Article (V)(d).

Nevada, California and the federal government have passed legislation affecting water quality planning in the Tahoe Region. The Nevada Revised Statutes give the State Environmental Commission the authority to prescribe controls for diffuse sources of pollution. This authority is continued in the "Regulation for Control of Water Pollution from Diffuse Sources, September 1980." In California, the Porter-Cologne Act gives similar authority to the State Water Resources Control Board, which may issue waste discharge requirements for runoff from individual properties. Both California and Nevada prohibit the discharge of wastewater in Lake Tahoe and its tributaries, with specific exceptions.

Section 208 of the federal Clean Water Act requires preparation of regional water quality control plans. Such 208 plans must include identification of water quality problems, implementation of control measures, and a commitment to carrying out these programs. States or their designated agencies are responsible for preparing 208 plans, which must be certified by the states before submitting them to the Environmental Protection Agency for approval. California and Nevada have jointly designated TRPA as the 208 agency for the Lake Tahoe Basin.
The strategy for protecting water quality is guided by the following environmental thresholds:

**Pelagic Lake Tahoe**

1. **NUMERICAL STANDARD:** Reduce dissolved inorganic nitrogen (N) loading from all sources by 25 percent of the 1973-81 annual average. Achieve the following long term water quality standards:
   - Annual mean phytoplankton primary productivity: 52gmC/m2/yr.
   - Winter (December–March) mean Secchi disk transparency: 33.4m.

2. **POLICY:** This threshold is currently being exceeded and will likely continue to be exceeded until some time after full implementation of the loading reductions prescribed by the thresholds.

3. **MANAGEMENT STANDARD:** Reduce the loading of dissolved phosphorus, iron, and other algal nutrients from all sources as required to achieve ambient standards for primary productivity and transparency.

4. Reduce dissolved inorganic nitrogen loads from surface runoff by approximately 50 percent, from groundwater approximately 30 percent, and from atmospheric sources approximately 20 percent of the 1973-81 annual average. This threshold relies on predicted reductions in pollutant loadings from out-of-basin sources as part of the total pollutant loading reduction necessary to attain environmental standards, even though the Agency has no direct control over out-of-basin sources. The cooperation of the states of California and Nevada will be required to control sources of air pollution which contribute nitrogen loadings to the Lake Tahoe Region.

**Littoral Lake Tahoe**

1. **NUMERICAL STANDARD:** Reduce dissolved inorganic nitrogen loading to Lake Tahoe from all sources by 25 percent of the 1973-81 annual average.

2. **MANAGEMENT STANDARD:** Reduce dissolved inorganic nitrogen loads from surface runoff by approximately 50 percent, from groundwater approximately 30 percent, and from atmospheric sources approximately 20 percent of the 1973-81 annual average. This threshold relies on predicted reductions in pollutant loadings from out-of-basin sources as part of the total pollutant loading reduction necessary to attain environmental standards, even though the Agency has no direct control over out-of-basin sources. The cooperation of the states of California and Nevada will be required to control sources of air pollution which contribute nitrogen loadings to the Lake Tahoe Region.

3. **NUMERICAL STANDARD:** Decrease sediment load as required to attain turbidity values not to exceed three NTU. In addition, turbidity shall not exceed one NTU in shallow waters of the Lake not directly influenced by stream discharges.

4. Reduce the loading of dissolved inorganic nitrogen, dissolved phosphorus, iron, and other algal nutrients from all sources to meet the 1967-71 mean values for phytoplankton primary productivity and periphyton biomass in the littoral zone.

**Tributaries**

1. **NUMERICAL STANDARD:** Attain applicable state standards for concentrations of dissolved inorganic nitrogen, dissolved phosphorus, and dissolved iron. Attain a 90 percentile value for suspended sediment concentration of 60 mg/l.
2. MANAGEMENT STANDARD: Reduce total annual nutrient and suspended sediment load to achieve loading thresholds for littoral and pelagic Lake Tahoe.

Surface Runoff

1. NUMERICAL STANDARD: Achieve a 90 percentile concentration value for dissolved inorganic nitrogen of 0.5 mg/l, for dissolved phosphorus of 0.1 mg/l, and for dissolved iron of 0.5 mg/l in surface runoff directly discharged to a surface water body in the Basin.

2. Achieve a 90 percentile concentration value for suspended sediment of 250 mg/l.

3. MANAGEMENT STANDARD: Reduce total annual nutrient and suspended sediment loads as necessary to achieve loading thresholds for tributaries and littoral and pelagic Lake Tahoe.

Groundwater

1. MANAGEMENT STANDARD: Surface runoff infiltration into the groundwater shall comply with the uniform Regional Runoff Quality Guidelines as set forth in Table 4-12 of the Draft Environmental Threshold Carrying Capacity Study Report, May, 1982.

2. Where there is a direct and immediate hydraulic connection between ground and surface waters, discharges to groundwater shall meet the guidelines for surface discharges, and the Uniform Regional Runoff Quality Guidelines shall be amended accordingly.

The water quality thresholds, along with other environmental values and standards, help identify the important issues relating to water quality in the Tahoe Basin. Water quality policies generally fall into two areas: reducing loads of sediments and algal nutrients to Lake Tahoe and controlling other water pollutants affecting, or potentially affecting, water quality. Implementation of the following goals and policies will reverse downward water quality trends (e.g., clarity of Lake Tahoe’s deep waters) and result in attainment of the environmental thresholds. However, attainment of the ambient water quality thresholds for pelagic Lake Tahoe will require significant investments over many years.
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<td>• Pump out facilities for vehicles and boats</td>
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<td>• Best Management Practices Handbook Waste Management and Materials Pollution Prevention Standards</td>
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<td><strong>Toxic &amp; Hazardous Waste</strong></td>
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<td>• Water quality pollutant standards for watercrafts</td>
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<td><strong>Non-Point Sources of Pollution</strong></td>
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<td>• Facilitating paving and implementation of Best Management Practices on private roads</td>
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<td>• Best Management Practices Handbook</td>
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<td>• Roadway and Parking Lot Pollution Prevention Standards</td>
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<td>• Caltrans, NDOT and Local Government water quality roadway improvements/operations and maintenance</td>
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<td>• Paving and Implementation of Best Management Practices on private roads</td>
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# Summary of Coordinated Policies, Programs, Laws, & Monitoring/Tracking

## Policies, Programs & Laws

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<th>State &amp; Local TMDL Programs</th>
<th>Other programs &amp; laws (federal, state, local, private)</th>
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<tr>
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<td>• Accelerated BMP implementation in targeted areas</td>
<td>• Local jurisdiction public and area-wide water quality improvement projects</td>
<td>• EIP performance measures tracking and reporting BMP Database</td>
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<td></td>
<td>• Target areas for accelerated BMP implementation</td>
<td>• Multi-family residential and commercial BMP Retrofit Permits</td>
<td>• Private parcel contribution of match dollars provided to the EIP</td>
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<td>• Vegetation protection and revegetation requirements</td>
<td>• Resource Conservation Districts facilitation of single family residential BMP implementation</td>
<td>• Stormwater Pollution Prevention Plans</td>
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<td></td>
<td>• Restore 80% of disturbed lands with Best Management Practices</td>
<td>• Point of sale BMP notification requirements</td>
<td>• EIP performance measures tracking and reporting BMP Database</td>
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<td></td>
<td>• Area-wide treatment facilities and funding mechanisms</td>
<td>• Education and outreach, Best Management Practices Handbook</td>
<td>• Project monitoring to meet discharge standards for treat and release</td>
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<td></td>
<td>• Restrict the use of fertilizers and promote phase out of sale and use of phosphorus fertilizer</td>
<td>• Private parcel area-wide treatment coordination</td>
<td>• Project photo monitoring for revegetation</td>
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<td></td>
<td>• Promote walkable mixed-use centers</td>
<td>• Fertilizer Management</td>
<td>• Threshold Evaluation</td>
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<td></td>
<td>• Land coverage limitations, transfers and exemptions</td>
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<td>• New threshold for the Nearshore</td>
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<td>• Environmental redevelopment</td>
<td>• SEZ restoration projects</td>
<td>• Regional Stormwater Monitoring Program</td>
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<td>• Transfer of development to Centers</td>
<td>• Best Management Practices Handbook Shorezone BMPs and Protective Structures</td>
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<td><strong>Commercial</strong></td>
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<td>• SEZ restoration projects</td>
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<td></td>
<td>• Protect existing SEZs and restore 25% of disturbed SEZs</td>
<td>• Development of stream load reduction tool</td>
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<td></td>
<td>• Shorezone specific BMPs</td>
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<td>• Transfer of development out of SEZs</td>
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<td></td>
<td>• Encourage land acquisition in SEZs</td>
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**TRPA – Goals and Policies**  
**CHAPTER II - LAND USE ELEMENT**  
**Water Quality Subelement**  
Revised 01/18/2012
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<tr>
<td><strong>Atmosphere</strong></td>
<td>• Reduce vehicular airborne nitrogen emissions</td>
<td>• Promote walkable mixed-use centers</td>
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<td>• Vegetation protection and revegetation requirements</td>
<td>• U.S. Forest Service Basin Plan</td>
<td>• U.S. Forest Service BMP Handbook</td>
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### WQ-1 Organizational Notes:

- **Old Goal 1 is Relocated and amended to Water Quality Policy WQ-3.1**
- **Old Policy 1-1 is Relocated and amended to Policy WQ-2.1**
- **Old Policy 1-2 is Relocated and amended to Policy WQ-3.11**
- **Old Policy 1-3 is Relocated and amended to Policy WQ-3.12**
- **Old Policy 1-4 is Relocated and amended to Policy WQ-3.2**
- **Old Policy 1-5 is Relocated and amended to Policy WQ-3.3**
- **Old Policy 1-6 is Relocated and amended to Policy WQ-3.9**
- **Old Policy 1-7 is Relocated and amended to Policy WQ-3.8**
- **Old Policy 1-8 is Relocated and amended to Policy WQ-3.10**
GOAL WQ-1
IMPLEMENT COORDINATED FEDERAL, STATE, REGIONAL, LOCAL AND PRIVATE WATER QUALITY MANAGEMENT PROGRAMS TO RESTORE AND MAINTAIN LAKE TAHOE’S UNIQUE TRANSPARENCY, COLOR AND CLARITY IN ACCORDANCE WITH ENVIRONMENTAL THRESHOLD CARRYING CAPACITY STANDARDS.

POLICIES

WQ-1.1 ACHIEVE AND MAINTAIN WATER QUALITY THRESHOLDS THROUGH COMPREHENSIVE REGIONAL PLANNING AND THROUGH COORDINATION WITH OTHER PUBLIC AGENCIES AND THE PRIVATE SECTOR.

WQ-1.2 COORDINATE A MULTI-AGENCY EFFORT TO PRIORITIZE AND FUND WATER QUALITY IMPROVEMENT PROJECTS IN THE LAKE TAHOE REGION THROUGH THE ENVIRONMENTAL IMPROVEMENT PROGRAM (EIP).

WQ-1.3 REQUIRE THAT DEVELOPMENT AND OTHER ACTIVITIES IN THE LAKE TAHOE REGION MITIGATE ANTICIPATED WATER QUALITY IMPACTS.

WQ-1.4 SUPPORT AND SEEK TO EXPEDITE ACTIVITIES TO REDEVELOP NON CONFORMING PROPERTIES IN A MANNER THAT IMPROVES WATER QUALITY AND TO RELOCATE OR RETIRE DEVELOPMENT RIGHTS ON SENSITIVE LANDS.

WQ-1.5 SUPPORT THE LAKE TAHOE TOTAL MAXIMUM DAILY LOAD (TMDL) PROGRAMS IN CALIFORNIA AND NEVADA AND THE TMDL IMPLEMENTATION PLANS FOR EACH LOCAL GOVERNMENT IN THE REGION.

WQ-1.6 SUPPORT FEDERAL, STATE, LOCAL AND PRIVATE WATER QUALITY IMPROVEMENT PROGRAM THAT IMPROVE WATER QUALITY IN THE REGION.

WQ-1.7 COORDINATE WITH PUBLIC AND PRIVATE ENTITIES TO MAXIMIZE THE EFFICIENCY AND EFFECTIVENESS OF WATER QUALITY PROGRAMS.

WQ-2 Organizational Notes:

Old Goal 2 is Amended in Goal WQ-2

Old Policy 2-1 is Relocated and amended to Water Quality Policy WQ-3.6

Old Policy 2-2 is Unchanged

Old Policy 2-3 is Relocated and amended to Water Quality Policy WQ-3.7

Old Policy 2-4 is Relocated and amended to Water Quality Policy WQ-2.3

Old Policy 2-5 is Relocated to Water Quality Policy WQ-2.4

Old Policy 2-6 is Relocated and amended to Water Quality Policy WQ-2.5

Old Policy 2-7 is Relocated and amended to Water Quality Policy WQ-3.13

Old Policy 2-8 is Amended in Water Quality Policy WQ-2.6

Old Policy 2-9 is Relocated and amended to Water Quality Policy WQ-3.5

Old Policy 2-10 is Relocated and amended to Water Quality Policy 3.7
GOAL WQ-2
REDUCE OR ELIMINATE POINT SOURCES THE ADDITION OF OTHER POLLUTANTS WHICH AFFECT, OR POTENTIALLY AFFECT, WATER QUALITY IN THE TAHOE REGION BASIN.

Although controlling nutrient and sediment loads to Lake Tahoe is crucial to meeting water quality standards and adopted thresholds, several other existing or potential problems also must be controlled to preserve the scenic, recreational, and other values of the Tahoe Region.

POLICIES:

Note: WQ-2.1 is relocated and amended from old Water Quality Policy 1-1

WQ-2.1. DISCHARGE OF MUNICIPAL OR INDUSTRIAL WASTEWATER TO LAKE TAHOE, ITS TRIBUTARIES, OR THE GROUNDWATERS OF THE TAHOE REGION IS PROHIBITED, EXCEPT FOR EXISTING DEVELOPMENT OPERATING UNDER APPROVED ALTERNATIVE PLANS FOR WASTEWATER DISPOSAL, AND FOR CATASTROPHIC WILDFIRE SUPPRESSION EFFORTS WHERE IT CANNOT BE REASONABLY OR COST EFFECTIVELY AVOIDED. PREVENTION TO PREVENT THE IMMINENT DESTRUCTION OF THE STPUD LUTHER PASS PUMP STATION.

This policy states a fundamental premise of water quality protection at Lake Tahoe, that the lake Region’s surface and groundwater cannot accept municipal or industrial waste waters and meet adopted thresholds and State water quality standards.

WQ-2.2. DISCHARGES OF SEWAGE TO LAKE TAHOE, ITS TRIBUTARIES, OR THE GROUNDWATERS OF THE LAKE TAHOE REGION ARE PROHIBITED. SEWAGE COLLECTION, CONVEYANCE AND TREATMENT DISTRICTS SHALL HAVE APPROVED SPILL CONTINGENCY, PREVENTION, AND DETECTION PLANS.

Sewage discharges, regardless of their cause, not only contribute unnecessary nutrient loads to Lake Tahoe, but may also cause public health problems. Accidental discharges may be minimized through proper design and construction practices and comprehensive spill contingency, prevention, and detection plans. All agencies which collect or transport sewage should have plans for detecting and correcting exfiltration problems.

Note: WQ-2.3 is relocated and amended from old Water Quality Policy 2-4

WQ-2.3. UNDERGROUND STORAGE TANKS FOR SEWAGE, FUEL, OR OTHER POTENTIALLY HARMFUL SUBSTANCES SHALL MEET STANDARDS SET FORTH IN TRPA ORDINANCES, AND SHALL BE INSTALLED, MAINTAINED, AND MONITORED IN ACCORDANCE WITH THE HANDBOOK OF BEST MANAGEMENT PRACTICES HANDBOOK.

Leaking underground tanks are becoming a major nationwide water quality problem. In the Tahoe Basin Region, the environmental impacts of leaking tanks may be especially noticeable and harmful to the environment values of the Region. The Handbook of Best Management Practices shall be revised to address underground storage tanks.
Note: WQ-2.4 is relocated from old Water Quality Policy 2-5
WQ-2.45. NO PERSON SHALL DISCHARGE SOLID WASTES IN THE LAKE TAHOE REGION BY DEPOSITING THEM ON OR IN THE LAND, EXCEPT AS PROVIDED BY TRPA ORDINANCE.

Landfilling or other practices for disposing of solid wastes can add harmful biological oxygen demand, nutrients, and toxic substances to the watershed of Lake Tahoe. Therefore, the control of solid waste disposal is necessary to protect and enhance water quality. Existing state policies and laws will continue to govern solid waste disposal in the Tahoe Region.

Note: WQ-2.5 is relocated and amended from old Water Quality Policy 2-6
WQ-2.56. TRPA SHALL COOPERATE WITH OTHER AGENCIES WITH JURISDICTION IN THE LAKE TAHOE REGION IN THE PREPARATION, EVALUATION, AND IMPLEMENTATION OF TOXIC AND HAZARDOUS SPILL CONTROL PLANS.

A single spill of a toxic or hazardous material in the Basin Region could reverse progress in attaining water quality goals gained at great local expense and effort. TRPA will cooperate with the Forest Service, the EPA, and state water quality and health agencies to prevent and control toxic and hazardous spills.

Note: WQ-2.6 is amended from old Water Quality Policy 2-8
WQ-2.68. LIQUID OR SOLID WASTES FROM RECREATIONAL VEHICLES AND BOATS SHALL BE DISCHARGED AT APPROVED PUMP-OUT FACILITIES. PUMP-OUT FACILITIES WILL BE PROVIDED BY PUBLIC UTILITY DISTRICTS, MARINAS, CAMPGROUNDS, AND OTHER RELEVANT FACILITIES IN ACCORDANCE WITH STANDARDS SET FORTH IN THE HANDBOOK OF BEST MANAGEMENT PRACTICES HANDBOOK.

Attempts to control the addition of pollutants to Lake Tahoe and its tributaries should not overlook vehicle and vessel wastes. The present shortage of pump-out facilities contributes to the size of this problem. The Handbook of Best Management Practices Handbook shall be revised to address pump-out facilities.

Note: WQ-2.7 is relocated and amended from old Water Quality Policy 2-10
WQ-2.710. REDUCE THE IMPACTS OF MOTORIZED WATERCRAFT ON WATER QUALITY.

The use of motorized watercraft on lakes within the Region can adversely affect water quality through the discharge of pollutants such as methyl tertiary-butyl ether (MTBE), benzene, toluene, polycyclic aromatic hydrocarbons (PAHs), human waste, and hydrocarbons. TRPA shall implement measures to achieve attain and maintain TRPA, state, and federal water quality standards because these pollutants can impact fish and wildlife, recreation and water supplies.

WQ-2 Implementation Measures
• Provide additional allowances for the discharge of treated municipal wastewater to assist with catastrophic wildfire suppression.
Note: The Existing Regional Plan does not have a Goal 3 or related policies. All material is new or relocated from other water quality goals.

GOAL WQ-3
REDUCE OR ELIMINATE NON POINT SOURCES OF POLLUTANTS WHICH EFFECT, OR POTENTIALLY EFFECT, WATER QUALITY IN THE TAHOE REGION.

Note: WQ-3.1 is Relocated and amended from old Water Quality Goal #1

WQ-3.1 REDUCE LOADS OF SEDIMENT AND ALGAL NUTRIENTS TO LAKE TAHOE; AND MEET SEDIMENT AND NUTRIENT OBJECTIVES FOR TRIBUTARY STREAMS, SURFACE RUNOFF, AND SUB-SURFACE RUNOFF, AND RESTORE 80 PERCENT OF THE DISTURBED LANDS.

The most important water quality trend in Lake Tahoe involves algal productivity and clarity of the pelagic (open water) zone. Over the fifteen-year period of record, algal productivity in this zone has increased 100 percent, and clarity has decreased 15 percent. Increased algal productivity, caused by an imbalance in Lake Tahoe’s nutrient budget, is one of the primary reasons for the decrease in clarity.

Another important trend involves the quality of the Lake’s littoral (nearshore) waters. The quality of the littoral zone is important because these waters are the most vulnerable to aesthetic degradation and most visible to those who enjoy the lake. Data show that water quality tends to be worse in areas adjacent to development and especially in relatively shallow bays and shelves. Tributary, surface runoff, and groundwater quality also display the negative impacts of development of the watershed.

Note: WQ-3.2 is relocated and amended from old Water Quality Policy 1-4

WQ-3.2 RESTORE AT LEAST 80 PERCENT OF THE DISTURBED LANDS WITHIN THE REGION.

It is the Agency’s intent to have at least 80 percent of these lands restored to a natural or near natural state by application and maintenance of the Best Management Practices.

Note: WQ-3.3 is relocated and amended from old Water Quality Policy 1-5

WQ-3.3 UNITS OF LOCAL GOVERNMENT, STATE TRANSPORTATION DEPARTMENTS, AND OTHER IMPLEMENTING AGENCIES SHALL RESTORE 25 PERCENT OF THE SEZ LANDS THAT HAVE BEEN DISTURBED, DEVELOPED, OR SUBDIVIDED IN ACCORDANCE WITH THE ENVIRONMENTAL IMPROVEMENT PROGRAM, CAPITAL IMPROVEMENTS PROGRAM (PART II).

Stream environment zones have many beneficial effects on water quality, vegetation, wildlife and fisheries thresholds. The development of stream zones in the Tahoe Basin has adversely affected water quality, in many cases permanently. Stream zone restoration is a cost-effective policy for improving water quality and other thresholds, and is a high-priority for the Environmental Improvement Program as well as TRPA Policies and Ordinances. Capital improvement programs using remedial erosion and runoff control funds. Programs which meet this stream zone policy will reduce dissolved inorganic nitrogen loads from surface runoff by about five percent. Preservation and restoration of naturally-functioning stream environment zones, as provided for in the Stream Environment Zone Subelement, is an essential part of the Water Quality Subelement.
WQ-3.4  MAINTAIN MITIGATION FEE PROGRAMS TO FINANCE OFF-SITE IMPROVEMENTS THAT MITIGATE THE WATER QUALITY IMPACTS OF DEVELOPMENT ACTIVITIES. THE MITIGATION FEE PROGRAMS SHALL REFLECT DIRECT AND INDIRECT WATER QUALITY IMPACTS AND BENEFITS RESULTING FROM DIFFERENT TYPES OF DEVELOPMENT AND REDEVELOPMENT ACTIVITIES, AS WELL AS GEOGRAPHIC DIFFERENCES.

Note: WQ-3.5 is relocated and amended from old Water Quality Policy 2-9
WQ-3.59. EVALUATE THE FEASIBILITY AND EFFECTIVENESS OF PROMOTE PONDING FACILITIES AND FUNCTIONING FLOODPLAINS 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 the Lake. 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.

Note: WQ-3.6 is relocated and amended from old Water Quality Policy 2-1
WQ-3.61. ALL PERSONS ENGAGING IN PUBLIC ROAD MAINTENANCE OR SNOW DISPOSAL OPERATIONS IN THE TAHOE REGION SHALL MAINTAIN ROADS AND DISPOSE OF SNOW TO MINIMIZE THE DISCHARGE OF SALT, FINE PARTICULATES AND OTHER CONTAMINANTS TO STREAM ENVIRONMENT ZONES, GROUNDWATER AND SURFACEWATER IN ACCORDANCE WITH SITE CRITERIA AND MANAGEMENT STANDARDS IN THE HANDBOOK OF BEST MANAGEMENT PRACTICES HANDBOOK.

Melting snow in snow disposal areas can represent not only a significant source of nutrients, but also of harmful hydrocarbons, metals, and biological oxygen demand. Therefore, site criteria and management standards are required to protect Lake Tahoe’s extraordinary water quality. The Handbook of Best Management Practices shall be revised to address snow disposal practices.

Note: WQ-3.7 is relocated and amended from old Water Quality Policy 2-3
WQ-3.73. ALL INSTITUTIONAL USERS OF ROAD SALT IN THE LAKE TAHOE REGION SHALL KEEP RECORDS SHOWING THE TIME, RATE, AND LOCATION OF SALT APPLICATION. STORAGE OF ROAD SALT SHALL BE IN ACCORDANCE WITH THE HANDBOOK OF BEST MANAGEMENT PRACTICES HANDBOOK.

Road salt can be very harmful to vegetation near application and storage areas. This vegetation, in turn, is crucial to maintaining the Region’s water quality. Better knowledge and control of salt application will have positive impacts on vegetation and water quality. The Handbook of Best Management Practices shall be revised to address application and storage of road salt.

Note: WQ-3.8 is relocated and amended from old Water Quality Policy 1-7
WQ-3.87. OFF ROAD VEHICLE USE IS PROHIBITED IN THE LAKE TAHOE REGION EXCEPT ON SPECIFIED ROADS, TRAILS, OR DESIGNATED AREAS WHERE THE IMPACTS CAN BE MITIGATED.

Off-road motorized vehicles contribute to nutrient loading problems in Lake Tahoe by compacting and disturbing soils, contributing particulate and dissolved nutrients to
runoff and reducing the ability of the watershed to store and filter pollutants. Such vehicles also make it more difficult to attain the wildlife, vegetation, fish, recreation, and scenic thresholds. TRPA, in cooperation with other land management agencies and private property owners, will amend existing ORV plans and regulations as required to meet the environmental thresholds. (See Dispersed Recreation Subelement, Goal #1, Policy 5 and Noise Subelement, Goal #1, Policy 4.)

Note: WQ-3.9 is relocated and amended from old Water Quality Policy 1-6
WQ-3.96. RESTRICT THE USE OF FERTILIZER WITHIN THE TAHOE REGION SHALL BE RESTRICTED TO USES, AREAS, AND PRACTICES IDENTIFIED IN THE HANDBOOK OF BEST MANAGEMENT PRACTICES HANDBOOK. FERTILIZERS SHALL NOT BE USED IN OR NEAR STREAM AND DRAINAGE CHANNELS, OR IN STREAM ENVIRONMENT ZONES, INCLUDING SETBACKS, AND IN SHOREZONE AREAS. FERTILIZER USE FOR MAINTENANCE OF PREEXISTING LANDSCAPING SHALL BE MINIMIZED IN STREAM ENVIRONMENT ZONES AND ADJUSTED OR PROHIBITED IF FOUND, THROUGH EVALUATION OF CONTINUING MONITORING RESULTS, TO BE IN VIOLATION OF APPLICABLE WATER QUALITY DISCHARGE AND RECEIVING WATER STANDARDS.§ ADDITIONALLY, PHASE OUT OF THE SALE AND USE OF FERTILIZER CONTAINING PHOSPHOROUS FOR LAWNs IN THE REGION, WITH LIMITED EXCEPTIONS, BY 2017.

Since one of Lake Tahoe's primary water quality problems is an imbalance in the Lake's nutrients budget, control of artificial fertilizers (which add nutrients to the Lake Basin) is an essential component of TRPA's water quality policy.

Note: WQ-3.10 is relocated and amended from old Water Quality Policy 1-8
WQ-3.108. IMPLEMENT LAND USE, TRANSPORTATION AND AIR QUALITY MEASURES AIMED AT REDUCING AIRBORNE EMISSIONS OF OXIDES OF NITROGEN IN THE TAHOE REGION. BASIN SHALL BE CARRIED OUT.

There is considerable scientific uncertainty as to the magnitude and sources of atmospheric inputs of nitrogen to Lake Tahoe. There is evidence that atmospheric sources of nitrogen may be a major contributor of nutrients to Lake Tahoe, and that local emissions of oxides of nitrogen, primarily from automobiles, account for most of these atmospheric inputs. The land use, transportation and air quality measures aimed at reducing emissions of oxides of nitrogen should be carried out to ensure that atmospheric sources do not contribute to degradation ofLake Tahoe's water quality.

Note: WQ-3.11 is relocated and amended from old Water Quality Policy 1-2
WQ-3.112. REQUIRE ALL PERSONS WHO OWN LAND AND ALL PUBLIC AGENCIES WHICH MANAGE PUBLIC LANDS IN THE LAKE TAHOE REGION TO INSTALL AND MAINTAIN BEST MANAGEMENT PRACTICES IMPROVEMENTS (BMPs) IN ACCORDANCE WITH A BMP MANUAL THAT SHALL BE MAINTAINED AND REGULARLY UPDATED BY TRPA. BMP REQUIREMENTS SHALL IN PLACE; MAINTAIN THEIR BMPs; PROTECT VEGETATION ON THEIR LAND FROM UNNECESSARY DAMAGE; AND RESTORE THE DISTURBED SOILS ON THEIR LAND. AND BE CONSISTENT WITH FIRE DEFENSIBLE SPACE REQUIREMENTS. AS AN ALTERNATIVE, AREA-WIDE WATER QUALITY TREATMENT FACILITIES AND FUNDING MECHANISMS MAY BE IMPLEMENTED TO REPLACE SITE SPECIFIC BMPS, SUBJECT TO LIMITATIONS.

This policy guarantees continuing reductions in pollutant loads through the
application of Best Management Practice Improvements (BMPs). The BMP Handbook: The Handbook of Best Management Practices (Water Quality Management Plan for the Lake Tahoe Region, Volume II, November 1988) identifies the recommended Best Management Practice improvements for various situations. Application of BMPs best management practices requires a flexible approach involving evaluation of site-specific considerations and defensible space requirements. The Handbook of Best Management Practices should be revised at least every five years, with attention to situations which are not presently addressed by the handbook. Since existing development in the Tahoe Region represents a large backlog of water quality problems, the application of BMPs and restoration of disturbed areas is expected to reduce dissolved inorganic nitrogen loads from surface runoff by 45 percent.

Virtually all BMPs require periodic maintenance to function properly. In some situations, area-wide treatments and funding mechanisms may provide greater water quality benefits than site specific BMPs.

BMP compliance requires proper installation and regular maintenance to preserve BMP function and help prevent pollution discharges. Regularly performed maintenance activities are described in the BMP Handbook.

Vegetation is also a key component of water quality protection at Lake Tahoe since it absorbs, uses, and stores nutrients and filters other pollutants from runoff. Protection and maintenance of vegetation, as provided for in the Vegetation Subelement, is a necessary part of the Water Quality Subelement. Disturbed soils, including cut slopes, fill slopes, bare areas, and compacted areas, contribute large amounts of pollutants to Lake Tahoe and its tributaries. Prevention of excessive or unnecessary soil disturbance, as provided for in the Soils and Vegetation Subelements, is a necessary part of the Water Quality Subelement. Restoration of disturbed areas will have a large positive impact on water quality and serve many other purposes as well.

Beginning in 1992, TRPA shall implement a regulatory program to require retrofit of Recreation: downhill ski areas, marinas, golf courses
Resource Management: livestock confinement

For all other existing residential, tourist accommodation, commercial, recreation, and public service uses, TRPA will require by ordinance installation and maintenance of BMPs in accordance with the priority system.

A key element of this policy involves cooperation among TRPA, the two Resource Conservation Districts, the Soil Conservation Service, and property owners. In general, TRPA will encourage property owners to work with the SCS and the RCDs to develop and implement BMP retrofit plans in an essentially non-regulatory framework. Property owners who install BMPs in accordance with plans prepared with technical assistance from the Resource Conservation Districts will be exempt from applicable TRPA permit requirements, provided that TRPA and the Resource Conservation Districts enter into a Memorandum of Understanding identifying BMPs which would be exempt from TRPA review and approval. In the vast majority of cases, BMP retrofit plans will not require permits. However, when BMP retrofit plans involve non-exempt activities, the RCDs will direct property owners into the appropriate permit processes at TRPA and local building departments.
For residential areas with special needs, due to either the difficulty of neighborhood-wide BMP installation or special circumstances such as historic designation, TRPA will allow by ordinance local government or a homeowners’ association to take responsibility for BMP implementation according to a schedule submitted to, and approved by, TRPA.

In all aspects of this BMP retrofit program, TRPA shall emphasize voluntary compliance with the ordinance provisions, the provision of technical assistance through the Resource Conservation Districts, and an aggressive public information campaigns to inform the public about basic BMP requirements and benefits.

Note: WQ-3.12 is relocated and amended from old Water Quality Policy 1-3

WQ-3.123. APPLICATION OF BMPS TO PROJECTS SHALL BE REQUIRED AS A CONDITION OF APPROVAL FOR ALL PROJECTS.

All projects shall be required, as a condition of approval, to apply Best Management Practices to the project parcel during construction and as follows upon completion of construction:

A. New projects on undeveloped parcels shall require application and maintenance of temporary and permanent BMPs as a condition of project approval.

B. Projects which expand structures or land coverage shall require application and maintenance of temporary and permanent BMPs to the project area.

C. Rehabilitation projects, other than minor utility projects, shall require the preparation of a plan and schedule for application and maintenance of temporary and permanent BMPs to the entire parcel. The amount of work required pursuant to the project approval shall consider the cost and nature of the project.

Note: WQ-3.13 is relocated and amended from Old Water Quality Policy 2-7

WQ-3.137. MAINTAIN THE BEST MANAGEMENT PRACTICES HANDBOOK WILL BE AMENDED TO INCLUDE SPECIAL CONSTRUCTION TECHNIQUES, DISCHARGE STANDARDS, AND DEVELOPMENT CRITERIA APPLICABLE TO PROJECTS IN THE SHOREZONE.

Sediment and other discharges from shorezone construction or dredging have an immediate and obvious impact on water clarity in localized areas, and are harmful to fish. Proper construction techniques and other measures shall be required as necessary to mitigate activities in the shore zone and to protect the natural values of the shorezone.

WQ-3 Implementation Measures

- Following adoption of the Regional Plan update, modify water quality mitigation fees and coverage mitigation fees to better reflect water quality impacts and benefits from development and redevelopment activities in different areas of the Region.
- Initiate a public information campaign to educate the public about the plan to phase out the use and sale of lawn fertilizer containing phosphorous by 2017.
- Amend code to require that all property owners implement water quality BMPs that are consistent with defensible space requirements.
- Amend code to allow area-wide water quality treatments and funding mechanisms in place of site specific BMPs, subject to limitations.