City of South Lake Tahoe
City Council
Meeting Agenda
Tuesday, June 06, 2023 at 9:00 AM
City Hall - Council Chambers - 1901 Lisa Maloff Way, South Lake Tahoe

City Council
Cristi Creegan, Mayor
Cody Bass, Mayor Pro Tem
John Friedrich, Councilmember
Tamara Wallace, Councilmember
Scott Robbins, Councilmember

Mission of the City Council
The City was established to provide essential, outstanding and cost-effective services that enhance environmental sustainability, economic vitality and the quality of life for our residents, businesses and guests.

Public Participation
City Council meetings are held in person at the time and location listed on this agenda. Meetings are live-streamed on Channel 21, City website at www.cityofslt.us, YouTube at https://www.youtube.com/channel/UC3LYne8lh-kTPLnnuyJW9SQ/live and via ZOOM at this link https://us06web.zoom.us/j/83166143269

A public agenda packet is available for review at City Hall, 1901 Lisa Maloff Way, on the City's Website at www.cityofslt.us, or by contacting the City Clerk's Office, (530) 542-6005 or sblankenship@cityofslt.us

Providing Public Comment:
In Person: Every agenda for regular meetings provides an opportunity for members of the public to directly address the legislative body (City Council), on any item of public interest which is within the jurisdiction of the City Council during Public Communications. For items on the agenda or in connection with any item which the City Council will consider, the public is given the opportunity to comment before or during the City Council's consideration of the item [Government Code Section 54954.3(a)].

By Phone: If you are joining the meeting via ZOOM and would like to make a comment, press the "raise a hand" button. If you are joining the meeting via Channel 21 or live stream and would like to make a comment, please call (530) 542-6500. The meeting ID is ID: 831 6614 3269 press *9 to indicate a desire to make a comment. Press *6 to unmute your phone. The Clerk will call you by the last three digits of your phone number when it is your turn to speak.

In Writing: Written comments received by 3 p.m. the day before the meeting will be distributed to City Council prior to the meeting. Written public comment regarding any item on this agenda may be sent to PublicComment@cityofslt.us. When emailing comments, identify the agenda item number in the subject line to which your comments relate. Any

such comment that is a public record and is emailed to PublicComment@cityofslt.us or otherwise provided to a majority of the City Council before the meeting will be made available for public inspection during normal business hours at the City Clerk's Office located at City Hall, 1901 Lisa Maloff Way, South Lake Tahoe [Government Code Section 54957.5(b)]. Written comments will not be read out loud during the meeting.

The City Council Chambers meeting facility is accessible to people with disabilities. Every reasonable effort will be made to accommodate any person needing special assistance to attend this meeting. Contact the City Clerk at (530) 542-6005 at least 48 hours in advance of the meeting for assistance [28 CFR 35.102.35.104 ADA Title II and Brown Act Government Code Sections 54953.2, 54954.1, 54954.2, and 54957.5].

Spanish Interpretations: The public may access Spanish interpretation using the ZOOM link listed on the front of the Agenda from an internet device (smartphone, laptop, tablet, home computer) with audio capabilities and selecting the Spanish language option. Persons without an internet device may attend the meeting in-person and a device will be provided while supplies last. Requests for interpreter services to offer public comment may be made by contacting the City Clerk.

Call to Order/Pledge of Allegiance

Roll Call

Closed Session Report

Proclamations

1. Proclamation Recognizing June 2023 as "Pride Month"

Requested Action / Suggested Motions: Issue a Proclamation to Lake Tahoe Pride recognizing June 2023 as "Pride Month".
Responsible Staff Member: Susan Blankenship

Item 1 - Executive Summary.pdf
Pride Month.pdf

2. Proclamation Recognizing June 2023 as "Lake Tahoe Bike Month"

Requested Action / Suggested Motions: Issue a Proclamation to the Tahoe Bicycle Coalition recognizing June 2023 as "Lake Tahoe Bike Month".
Responsible Staff Member: Susan Blankenship, City Clerk

Item 2 - Executive Summary.pdf
Lake Tahoe Bike Month.pdf

3. Proclamation Recognizing June 15-18, 2023 as "El Dorado County Fair Week"

Requested Action / Suggested Motions: Issue a Proclamation to El Dorado County recognizing June 15-18, 2023, as "El Dorado County Fair Week".
Responsible Staff Member: Susan Blankenship, City Clerk

Item 3 - Executive Summary.pdf
EDC Fair Week.pdf

City Employee Recognition

4. City Employee Recognitions

Requested Action / Suggested Motions: Three new employees will be introduced to City Council.
Responsible Staff Member: Various

Item 4 - Executive Summary.pdf
01-Staff Report Employee Service 06 06 2023.pdf

Public Communications

This is the public's opportunity to speak on any topic NOT LISTED on this agenda. Comments shall be limited to four (4) minutes. In accordance with the Brown Act, the City Council cannot deliberate or vote on any matter raised under public communications, but may briefly respond to statements made or questions posed. (Government Code Sections 54954.2)

City Commission and Student Advisory Reports

Consent Agenda

Public Comment - This is the public's opportunity to speak on any topic listed on the Consent Agenda. Comments shall be limited to three (3) minutes.

The consent agenda consists of items of a repeating or routine nature considered under a single action. Any Councilmember may have an item on the consent agenda removed and considered separately upon request.

Pass a Motion to adopt the Consent Agenda in one motion except as indicated at each item.

5. City Council Meeting Minutes

Requested Action / Suggested Motions: Pass a Motion approving the May 2, 2023 and May 16, 2023 City Council meeting minutes.
Responsible Staff Member: Susan Blankenship, City Clerk

Item 5 - Executive Summary.pdf
05 16 2023 Minutes.pdf
05 02 2023 CC Minutes.pdf

6. Investment Portfolio Report - March 31, 2023

Requested Action / Suggested Motions: Receive and file.
Responsible Staff Member: Olga Tikhomirova, Director of Finance

Item 6 - Executive Summary.pdf
01-Staff_Report_Investment_Report_Mar_2023.docx
02-Operations Cash 03 31 2023.pdf

03-Fiscal Agent 03 31 2023.pdf
04-Graph 03 31 2023.pdf
05-Cash March 2023.pdf

7. Fiscal Year 2022-23 Quarterly Financial Status Report - Quarter Ending March 2023

Requested Action / Suggested Motions: Receive and file.
Responsible Staff Member: Andrew Black, Financial Services Supervisor

Item 7 - Executive Summary.pdf
01 - Staff Report - Mar 2023 Quarterly Budget Report.docx
02 - FY 2022-23 Qtrly Budget Report Mar 2023.pdf

8. School Resource Officer Agreement with Lake Tahoe Unified School District

Requested Action / Suggested Motions: Pass a Resolution approving a Memorandum of Agreement between the City of South Lake Tahoe and the Lake Tahoe Unified School District (LTUSD) regarding the operation of the School Resource Officer (SRO) for the 2023-2024 School Year and approve budget for reimbursement from LTUSD to the City in the amount up to $68,212.00.
Responsible Staff Member: Lt. Scott Crivelli

Item 8 - Executive Summary.pdf
01-Staff Report - School Resource Officer.docx
02-Resolution - School Resource Officer Agreement with LTUSD.docx
03 - LTUSD MOU (Exh. A to Reso).pdf

9. Memorandum of Understanding with the Lake Valley Fire Protection District Regarding Fuels Reduction Work

Requested Action / Suggested Motions: Pass a Motion authorizing and directing the Mayor to execute a Memorandum of Understanding with the Lake Valley Fire Protection District to focus on increasing the capacity of fuels reduction work within the South Shore division of the Tahoe Fire and Fuels Team.
Responsible Staff Member: Jim Drennan, Fire Chief and Jay Manning, Battalion Chief

Item 9 - Executive Summary.pdf
01-Staff Report - MOU with LVFPD.docx
02-MOU SLT LVFD.pdf

10. Senate Bill 1 Road Maintenance and Rehabilitation Account Project List for Fiscal Year 2023-2024

Requested Action / Suggested Motions: Pass a Resolution adopting a list of projects for Fiscal Year 2023-2024 funded by S.B. 1, The Road Repair and Accountability Act of 2017.
CEQA Determination: The project is exempt from review under CEQA Guidelines section 15301(c) (Existing Facilities).
Responsible Staff Member: Anush Nejad, Director of Public Works

Item 10 - Executive Summary.pdf
01-Staff_Report-RMRA_Project_List_23-24.docx
02-Resolution_SB1_Road_Maintenance_and_Rehabilitation_23-24.docx

03-SB_1_Estiimated_Revenue_23-24.pdf

11. Agreement with California Department of Transportation for Pedestrian Light Maintenance for the US 50 Safety Project

Requested Action / Suggested Motions: Pass a Motion authorizing and directing the Mayor to execute a Maintenance Agreement with the California Department of Transportation (Caltrans) for the Decorative Pedestrian Light Maintenance as a part of the US 50 Safety Project.
CEQA Determination: The proposed maintenance agreement and maintenance of the streetlights are categorically exempt from review under the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15301(c) (Existing Facilities) because it involves the maintenance and minor alteration of an existing public highway involving negligible or no expansion of existing or former use.
Responsible Staff Members: Anush Nejad, Director of Public Works and Stan Hill, Engineering Manager

Item 11 - Executive Summary.pdf
01-Staff_Report__US_50_Maintenance_Agreement.docx
02 - C-090-2021 Caltrans Coop Agreement_Executed.pdf
03 - Maintenance Agreement US-50.pdf

12. Appropriation of $100,000 from Airport Available Fund Balance for Airport Maintenance needs due to Winter Conditions

Requested Action / Suggested Motions: Pass a Resolution authorizing the Finance Director to appropriate $100,000.00 dollars into the airport expenditures.
CEQA Determination: The project is exempt from review under CEQA Guidelines section 15301(d) (Existing Facilities – restoration or rehabilitation of deteriorated or damaged facilities to meet current standards of public health and safety).
Responsible Staff Member: John Dickinson, Airport Manager

Item 12 - Executive Summary.pdf
01-Staff Report - Airport.docx
02-Resolution Airport.docx

13. Amendment to Agreement with BAE Urban Economics to prepare a Feasibility Study for Local Funding Source for Housing Initiatives

Requested Action / Suggested Motions: Pass a Motion authorizing and directing the Mayor to execute Amendment No. 1 to the Professional Services Agreement with BAE Urban Economics for an additional amount of $38,358 and new total not to exceed amount of $164,580, to conduct enhanced analysis of inclusionary housing and commercial linkage fee policies.
Responsible Staff Member: Zach Thomas, Housing Manager

Item 13 - Executive Summary.pdf
01-Staff Report - Additional Inclusionary Research.docx
02-Amendment No. 1 to Agreement with BAE Urban Economics.docx
03-PSA_BAE_Urban_Economics.pdf
04-Inclusionary Commercial Linkage Update Scope and Budget.pdf

14. Electric Vehicle Charging Station Ordinance Amending City Code Section 6.15.160 (Second Reading)

Requested Action / Suggested Motions: Pass an Ordinance amending South Lake Tahoe City Code Section 6.15.160 to codify procedures for expediting permitting processing for electric vehicle charging systems.
Responsible Staff Member: Hilary Roverud, Director of Development Services

Item 14 - Executive Summary.pdf
01-Staff_Report_Ord_EVCharging_2nd_Reading.docx
02-Ordinance_EV_Charging (3).docx
03-Proof of Publication.pdf

Public Hearing

15. Annual Public Hearing for Continued Snow Removal Equipment Purchase Funded Through the Existing County Service Area No. 3 Parcel Assessment

Requested Action / Suggested Motions: Pass a Motion directing the City Clerk to prepare and submit a Minute Order, including public comment regarding the current $20 parcel assessment for snow removal equipment, to the El Dorado County Board of Supervisors.
Responsible Staff Member: Anush Nejad, Director of Public Works

Item 15 - Executive Summary.pdf
01-Staff Report - County Service Area No. 3 Parcel Assessment.docx
02 - Direct Charge Report 73283 City of SLT FY 2223.pdf
03-Notice of Public Hearing - Service Area 3 Parcel Tax.pdf

Regular-Unfinished Business

16. Ordinance - Repeal of South Lake Tahoe City Code Section 6.10.450 (Temporary Arts and Craft Shows) (First Reading)

Requested Action / Suggested Motions: Pass motion to hold first reading (by title only) of an Ordinance repealing the South Lake Tahoe City Code Section 6.10.450 and refer second reading and adoption to the June 20, 2023 meeting.
CEQA Determination: This ordinance is exempt from review under the California Environmental Quality Act (CEQA) under CEQA Guidelines sections 15323 (normal operations of facilities for public gatherings) and 15304(e) (minor alterations of land for temporary uses).
Responsible Staff Member: Madison Dederick, Assistant Planner

Item 16 - Executive Summary.pdf
01-Staff_Report_-_Ordinance_Arts___Crafts_Shows.docx
02-Ordinance-Repealing_City_Code_Section_6.10.450.docx
03-Article IX_Tracked Changes.pdf

17. Tourist Core Area Plan: 2023 Amendments

Requested Action / Suggested Motions: Receive a presentation, hold a discussion, and provide feedback on the amendments under consideration for the Tourist Core Area Plan.

Responsible Staff Member: Madison Dederick, Assistant Planner

Item 17 - Executive Summary.pdf
01-Staff Report - TCAP Amendments
02-Tourist Core Area Plan.pdf
03-TCAP Stakeholder Feedback.docx
04-PC Meeting Feedback 2023-02-23.docx
05-TCAP Presentation.pptx
06-TCAP Project Description.docx
Public Comment - League.pdf
Public Comment - Speal.pdf

Regular-New Business

18. City of South Lake Tahoe Annexation Fiscal Impact Analysis Results

Requested Action / Suggested Motions: Pass a Motion providing direction as to which, if any, of the five annexation scenarios to pursue. Options are: (1) Heavenly / California Base Lodge; (2) Cleanup parcels within City limits; (3) Golden Bear / Black Bart / Cold Creek / Montgomery Estates; (4) Meyers; (5) Tahoe Basin.
CEQA Determination: This action is statutorily exempt from review under CEQA Guidelines section 15262 (Feasibility and Planning Studies) because it involves feasibility and planning studies for possible future actions which the City has not approved, adopted, or funded.
Responsible Staff member(s): Joseph D. Irvin, City Manager and Heather L. Stroud, City Attorney

Item 18 - Executive Summary.pdf
01_-_Staff_Report___Annexation_Scenarios.pdf
02 - Annexation Fiscal Impact Analysis Memo 6-1-23.pdf
03 - LAFCOs, General Plans, and City Annexations Guide.pdf

19. Heavenly Neighborhood Traffic and Parking Management Plan

Requested Action / Suggested Motions: Pass a Motion to provide direction to the Director of Public Works on potential short-, mid-, and long-term traffic, parking, and transit options to address congestion and parking issues in the residential neighborhoods near Heavenly.
CEQA Determination: The short-term solutions are exempt from review under the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15301 (Existing Facilities). However, some of the mid- and long-term projects may require environmental impact analysis.
Responsible Staff Members: Anush Nejad, Director of Public Works, Lindsey Baker, Assistant City Manager and David Stevenson, Chief of Police

Item 19 - Executive Summary.pdf
01-Staff Report Heavenly Neighborhood Parking-Traffic Management Plan.docx
02 - Existing Heavenly Parking Agreement.pdf
03 - Comments_from_Neighorhood_Meeting.pdf
04-Heavenly_Neighborhood_Parking_and_Traffic_Issues.docx
05-Heavenly_Agreement_Proposed_Agreement_Discussion_Items (002).docx
06 -Proposed_Heavenly_Parking_Plan.pdf
07-Proposed_Heavenly_Snow_Managment_Plan.pdf

08- Heavenly_Village_Parking_Options.docx
09 - Heavenly_Parking_Traffic_Management.pptx

20. Regan Beach Parking and Noise Enforcement

Requested Action / Suggested Motions: Pass a Resolution establishing a "No Parking Zone" at the Regan Beach Parking Lot between 10:00 PM and 6:00 AM and authorizing the Police Department to enforce the No Parking Zone and City's Noise Ordinance between 10:00 PM and 6:00 AM.
CEQA Determination: This project is exempt from environmental review under CEQA Guidelines section 15301 (Existing Facilities).
Responsible Staff Members: Anush Nejad, Director of Public Works and David Stevenson, Chief of Police

Item 20 - Executive Summary.pdf
01-Staff_Report_Regan_Beach_Enforcement.docx
02 - Res 2022-114 _Al Tahoe-Highland_Woods_Traffic_Calming_Project.pdf
03- Regan_Beach_Proposed_Signs.pdf
04-No_Parking_Zone.pdf
05-Regan_Beach_Lot_Views.pdf
06-Resolution_for_Regan_Beach_No_Parking_and_Noise_Enforcement.docx
07 - Regan_Beach_Enforcement.pptx

21. Policy Regarding Disposition of Tahoe Regional Planning Agency (TRPA) Development Commodities Owned by the City of South Lake Tahoe

Requested Action / Suggested Motions: Pass a Resolution adopting Policy Regarding Disposition of Tahoe Regional Planning Agency (TRPA) Development Commodities Owned by the City of South Lake Tahoe (Replaces Resolution 2022-051)
Responsible Staff Member: John Hitchcock, Planning Manager

Item 21 - Executive Summary.pdf
01-Staff_Report
02-Development Rights Tracking.docx
03-Res 2019-067 Adopt Policy Regarding TRPA Commodities.pdf
04-Res 2022-051 Policy Regarding TRPA Commodities Revision.pdf
05-Resolution-Policy Regarding Development Rights Disposition.docx

22. City of South Lake Tahoe Residential Allocation Procedures

Requested Action / Suggested Motions: Pass a Resolution approving revised residential allocation procedures and amending the Master fee Schedule.
Responsible Staff Member: Hilary Roverud, Director of Development Services

Item 22 - Executive Summary.pdf
01-Staff Report - Residential Allocation Proceedures.docx
02-RES 2022-050 Residential Allocation Procedures.pdf
03-Res 2023-XXX Residential Allocation Procedures.docx
04-Master Fee Schedule

23. Status Update on Security for Collection of Tax for Transient Lodging

Requested Action / Suggested Motions: Pass a Motion to provide direction to staff for future actions regarding security for collection of tax for transient lodging per the City Code Section 3.50.140. Potential alternatives include: (1) elimination of security deposit requirement; (2) reduction in the security deposit maximum amount: (3) no change to the current City Code and processes.
Responsible Staff Member: Olga Tikhomirova, Director of Finance

Item 23 - Executive Summary.pdf
01-Staff Report - TOT Security Deposit.docx

24. Travel Authorization – League of California Cities Annual Conference, Sacramento

Requested Action / Suggested Motions: Pass a Motion identifying Council Members and authorizing travel and associated expenses to attend the League Annual Conference (September 20-22) and selecting a Voting Delegate
Responsible Staff Member: Susan Blankenship, City Clerk

Item 24 - Executive Summary.pdf
01-Staff Report - Travel Authorization.docx
02-Register for the 2023 Annual Conference and Expo!.pdf

25. Red, White and Blue Crosswalk to Celebrate Independence Day

Requested Action / Suggested Motions: Pass a Motion directing the Public Works Director to paint a red white and blue crosswalk for the 4th of July, Independence Day, at Lakeview Commons Area for 2023-24.
CEQA Determination: Painting of a crosswalk area is exempt from review under the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15301 (Existing Facilities) because it is the maintenance or minor alteration of existing public facilities involving negligible or no expansion of existing or former use.
Responsible Staff Member: Anush Nejad, Director of Public Works

Item 25 - Executive Summary.pdf
01-Staff Report - Red White Blue Crosswalk.docx
02-Lakeview_BIke_Path_Views.pdf
03-Crosswalk_at_Lakeview_and_US_50.pdf
04-Flag_Options.pdf
05 - Presentation_Crosswalk_Options.pptx

Agenda Planning Calendar

26. Agenda Planning Calendar

Requested Action / Suggested Motions: A Councilmember may request that an item be placed on a future agenda. Upon the support of one (1) additional Council Member, direction shall be given to the City Manager to calendar the item for a convenient future agenda, but no sooner than the second meeting after the request was made, and/or modify the Agenda Planning Calendar as desired.
Responsible Staff Member: Joseph Irvin, City Manager

Item 26 - Executive Summary.pdf
APC -06 01 2023.pdf

Updates and Announcements (City Attorney, City Clerk, City Manager)

Councilmember Reports and Comments - Assignments to Boards, Committees, and Commissions

Adjournment

I, Susan Blankenship, City Clerk for the City of South Lake Tahoe, declare that the foregoing agenda for the Tuesday June 6, 2023 meeting of the City of South Lake Tahoe City Council was posted and available for review on Thursday, June 1, 2023 at City Hall, 1901 Lisa Maloff Way, South Lake Tahoe, CA 96150. The agenda was also available on the City website at https://www.cityofslt.us.

Signed June 1, 2023
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Susan Blankenship, Elected City Clerk

City of South Lake Tahoe

Agenda Item Executive Summary

Joe Irvin, City Manager

Meeting Date: June 6, 2023
Agenda Item #: 1

Agenda Item: Proclamation Recognizing June 2023 as "Pride Month"

Executive Summary: In June 2022, Councilmember Bass requested this Proclamation be brought back in 2023.

Requested Action / Suggested Motions: Issue a Proclamation to Lake Tahoe Pride recognizing June 2023 as "Pride Month".
Responsible Staff Member: Susan Blankenship

Responsible Staff Member: Susan Blankenship, City Clerk (530) 542-6005

Reviewed and Approved By:
Heather Stroud, City Attorney

Attachments:

Pride Month.pdf

City of South Lake Tahoe
Proclamation
Recognizing June 2023 as
"Pride Month"

Whereas, the City of South Lake Tahoe is a welcoming community and an exceptional place to live, learn, work, play, and raise a family; and

Whereas, the City recognizes the importance of equality and freedom; and

Whereas, the nation was founded upon and is guided by a set of principles that includes that every person has been created equal, that each has rights to their life, liberty and pursuit of happiness and that each shall be accorded the full recognition and protection of law; and

Whereas, the City of South Lake Tahoe's Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex community are a vital part of all fields and professions and contribute to a stronger community; and

Whereas, the City is dedicated to fostering acceptance of all its citizens and preventing discrimination and bullying based on sexual orientation and gender identity; and

Whereas, the City of South Lake Tahoe is strengthened by and thrives upon the rich diversity of ethnic, cultural, racial, gender and sexual identities of its residents; all of which contribute to the vibrant character of our City.

Now, therefore, the City Council of the City of South Lake Tahoe does hereby proclaim and recognize June 2023 as "**Pride Month**" in the City of South Lake Tahoe and urge citizens to recognize the contributions made by members of the LGBTQI community and LGBTQI Organizations to actively promote the principles of equality and liberty.

Cristi Creegan, Mayor

Susan Blankenship, City Clerk

City of South Lake Tahoe

Agenda Item Executive Summary

Joe Irvin, City Manager

Meeting Date: June 6, 2023
Agenda Item #: 2

Agenda Item: Proclamation Recognizing June 2023 as "Lake Tahoe Bike Month"

Executive Summary: This proclamation is being brought forward as a great way to contribute to the City's climate goals and decreasing traffic congestion and promote the Tahoe Bike Challenge sponsored by the Tahoe Bicycle Coalition and the TRPA.

Requested Action / Suggested Motions: Issue a Proclamation to the Tahoe Bicycle Coalition recognizing June 2023 as "Lake Tahoe Bike Month".
Responsible Staff Member: Susan Blankenship, City Clerk

Responsible Staff Member: Susan Blankenship, City Clerk (530) 542-6005

Reviewed and Approved By:
Heather Stroud, City Attorney

Attachments:

Lake Tahoe Bike Month.pdf

The City of South Lake Tahoe
Proclamation
Recognizing June 2023 as
"Lake Tahoe Bike Month"

Whereas, the bicycle is an economical, healthy, convenient, and environmentally sound form of transportation and an excellent tool for recreation and enjoyment of the City of South Lake Tahoe's scenic beauty; and

Whereas, Tahoe celebrates Bike Month in June to avoid oftentimes inclement weather in May; and

Whereas, to celebrate Bike Month in Tahoe, the 18th annual Lake Tahoe Bike Challenge is held June 1, 2023 through June 30, 2023, and the residents of the City of South Lake Tahoe and its visitors will experience the joys of bicycling by getting out and going for a ride; and

Whereas, the City of South Lake Tahoe's road and trail system attracts bicyclists each year, providing economic health, transportation, tourism, and scenic benefits; and

Whereas, the City of South Lake Tahoe is a Bicycling-friendly community and receives the benefits of biking such as improving citizens' health, well-being, and quality of life, growing the economy of the City of South Lake Tahoe, attracting tourism dollars, improving traffic safety, supporting student learning outcomes, and reducing pollution, congestion, and wear and tear on our streets and roads, and improving Lake Tahoe water clarity; and

Whereas, the Lake Tahoe Bicycle Coalition and the Tahoe Regional Planning Agency groups sponsor the Annual Bike Challenge while also working with the City year-round to promote projects and programs that improve health and safety for everyone on the road.

Now therefore, the City of South Lake Tahoe City Council, do hereby proclaim the month of June as the official Lake Tahoe Bike Challenge in the City of South Lake Tahoe, and urge all residents to join me in this special observance.

Cristi Creegan, Mayor

Susan Blankenship, City Clerk

City of South Lake Tahoe

Agenda Item Executive Summary

Joe Irvin, City Manager

Meeting Date: June 6, 2023
Agenda Item #: 3

Agenda Item: Proclamation Recognizing June 15-18, 2023 as "El Dorado County Fair Week"

Executive Summary: The City Clerk received a request from the El Dorado County Board of Supervisors to consider issuing a Proclamation recognising El Dorado County Fair week. Since time was of the essence, the Mayor provided approval for this to be brought forward during the June 6, 2023, meeting.

Requested Action / Suggested Motions: Issue a Proclamation to El Dorado County recognizing June 15-18, 2023, as "El Dorado County Fair Week".
Responsible Staff Member: Susan Blankenship, City Clerk

Responsible Staff Member: Susan Blankenship, City Clerk (530) 542-6005

Reviewed and Approved By:
Heather Stroud, City Attorney

Attachments:

EDC Fair Week.pdf

City of South Lake Tahoe
Proclamation

Recognizing June 15-18, 2023, as

"El Dorado County Fair Week"

Whereas, the 2023 theme for the El Dorado County Fair is "Country Nights and Carnival Lights"; and

Whereas, the El Dorado County Fair is a vital part of our community since the first Fair in 1859, offering an opportunity to showcase the myriad talents and industry of our citizens of all ages, particularly the youth involved in agricultural and livestock programs; and

Whereas, the El Dorado County Fair continues to encourage participation and recognition of the diverse accomplishments of the County's youth through an innovative partnership with the El Dorado County Office of Education, Future Farmers of America, local Grange, University of California Cooperative Extension, and the Fair Association; and

Whereas, the El Dorado County Fair enriches the public's knowledge of the world around them through educational exhibits such as the "El Dorado County Historical Museum," EDC Master Food Preservers," the Jr. Livestock Auction, and Ag related Featured Booths and the many demonstrations given by the Master Gardeners; and

Whereas, the El Dorado County Fair fosters increased cultural awareness and appreciation of the arts by providing a venue for the exhibition of dance, music, art, and photography; and

Whereas, some of the highlights for this year's Fair to be enjoyed by you and your families include: Wheelbarrow Races, Rubicon Jeep Jamboree Challenge; Racing Pigs; Father's Day Look Alike Contest; Pageants for Miss El Dorado and El Dorado Rose; Pee Wee Rodeo, Mutton Bustin' and Rodeo; Game Shows for Best Friend Challenge, Not So Newlywed and Father Knows Best; Jr. Livestock Auction and contests; Blacksmith Demos, and much, much more.

Therefore, the City Council of the City of South Lake Tahoe do hereby urge all citizens to participate in the many activities offered at this year's "Country Nights and Carnival Lights" at 100 Placerville Drive, on June 15th through Father's Day, June the 18th; the City Council extends its thanks to the many volunteers whose dedication is an essential part of the success of our annual County Fair; and best wishes to the Board of Directors and staff for another successful El Dorado County Fair.

Cristi Creegan, Mayor

Susan Blankenship, City Clerk

City of South Lake Tahoe

Agenda Item Executive Summary

Joe Irvin, City Manager

Meeting Date: June 6, 2023
Agenda Item #: 4

Agenda Item: City Employee Recognitions

Executive Summary: New City employees and long-serving City employees who reach the 5, 10, 15, 20, & 25 year service milestone will be recognized at each monthly meeting.

Requested Action / Suggested Motions: Three new employees will be introduced to City Council.
Responsible Staff Member: Various

Responsible Staff Member: Various Departments

Reviewed and Approved By:
Susan Blankenship, City Clerk

Attachments:

01-Staff Report Employee Service 06 06 2023.pdf

City of South Lake Tahoe
Report to **City Council**

Meeting Date: June 6, 2023

Title: City Employee Recognition

Location: Citywide

Responsible Staff Member: Various Department Directors

Background: As part of the City's Employee Recognition Program, employees who have reached five, ten, fifteen, twenty and twenty-five years of service are recognized for their achievements and contributions to the City.

New Regular City Employees:

Police Department

William Livingston – Community Service Officer

Human Resources

Karla Aguirre – Human Resources Analyst

Parks and Recreation

John Stark – Director of Parks and Recreation

City of South Lake Tahoe

Agenda Item Executive Summary

Joe Irvin, City Manager

Meeting Date: June 6, 2023
Agenda Item #: 5

Agenda Item: City Council Meeting Minutes

Executive Summary: City Council is asked to formally approve the May 2, 2023 and May 16, 2023, City Council meeting minutes.

Requested Action / Suggested Motions: Pass a Motion approving the May 2, 2023 and May 16, 2023 City Council meeting minutes.
Responsible Staff Member: Susan Blankenship, City Clerk

Responsible Staff Member: Susan Blankenship, City Clerk (530) 542-6005

Reviewed and Approved By:

Attachments:

05 16 2023 Minutes.pdf
05 02 2023 CC Minutes.pdf

City of South Lake Tahoe
City Council
Meeting Minutes
Tuesday, May 16, 2023 at 5:30 PM
City Hall - Council Chambers - 1901 Lisa Maloff Way, South Lake Tahoe

City Council
Cristi Creegan, Mayor
Cody Bass, Mayor Pro Tem
John Friedrich, Councilmember
Tamara Wallace, Councilmember
Scott Robbins, Councilmember

Mission of the City Council
The City was established to provide essential, outstanding and cost-effective services that enhance environmental sustainability, economic vitality and the quality of life for our residents, businesses and guests.

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Call to Order/Pledge of Allegiance
At 5:30 p.m. Mayor Creegan called the meeting to order. Creegan then led the pledge of allegiance to the flag.

Roll Call
Present were Mayor Creegan, Councilmembers Friedrich, Robbins and Wallace. Mayor Pro Tem Bass participated via teleconference, citing just cause consistent with AB 2449.

Also present were City Manager Irvin, City Attorney Stroud and City Clerk Blankenship.

Proclamation
1. **Proclamation Recognizing May 2023 as "Mental Health Awareness Month"**
   Action: Issued a Proclamation to Chris Proctor, Administrative Director, Barton Center for Orthopedics and Wellness, recognizing May 2023 as "Mental Health Awareness Month".

City Commissions and Student Advisory Reports
1. Milo King, Student Advisor – introduced Noosa Higgins as his Student Advisor replacement, reported survey results on what policies and issues matter to students, thanked Council for the opportunity to participate as Student Advisory.
2. Peter Fink, Parks and Recreation – Bijou Park Master Plan, June Bike month, Bijou Golf Course Parking lot agreement, snow removal on sidewalks and bike trails, welcome to John Stark, Parks and Recreation Director.

Public Communications

Public Comment was heard from the following people:

1. Bruce Fritz – neighbor dispute
2. Elizabeth Hart - Fire safety and Emergency Evacuation Plan
3. Duane Wallace, South Tahoe Chamber of Commerce – affordable housing alternatives to taxes
4. Ed Mosur – shared mobility device ban, Breckenridge email to Council referenced

Consent Agenda

Action: Moved/Seconded: Wallace/Friedrich
Yes: Bass, Creegan, Friedrich, Robbins and Wallace
Action: Passed Consent Agenda

2. City Council Meeting Minutes
Action: Passed **Motion 2023-039** approving the April 4, 2023, City Council meeting minutes.

3. Allocation of Senior Planner Position
Action: Passed **Resolution 2023-040** authorizing an amendment to FY 2022-2023 list of Allocated Permanent Positions to add one Senior Planner position.

4. Grant Application to California Tahoe Conservancy for $3.9 Million for Tahoe Valley Stormwater and Greenbelt Improvement Project, Phase 2
Action: Passed **Resolution 2023-041** ratifying the submission of an implementation grant application to the California Tahoe Conservancy requesting up to $3.9 million for the Tahoe Valley Stormwater and Greenbelt Improvement Project (Tahoe Valley), Phase 2, and authorizing the acceptance of the grant funding, and appropriation of the grant funding to the Tahoe Valley, Phase 2 Project.

5. Agreements for On-Call Building Inspection and Permit Technician Services with BPR Consulting Group, Willdan Engineering, and 4Leaf, Inc.
Action: Passed **Motion 2023-040** authorizing the Mayor to execute Professional Services Agreements in a combined total amount not to exceed $120,000 with **C-062-2023** BPR Consulting Group, **C-063-2023** Willdan Engineering, and **C-064-2023** 4Leaf, Inc. for Building Inspector and Permit Technician staffing services.

6. Donation Acceptance - Bijou Skate Park
Action: Passed **Resolution 2023-042** accepting a donation from Methodology Inc. in an amount of $15,445 for use in the Bijou Skate Park.

7. Sugar Pine Village – 2020/2021 HOME Investment Partnerships Program
Action: Passed **Resolution 2023-043** authorizing the City Manager to submit and accept an application for HOME Investment Partnership Program funds for Sugar Pine Village Phase 2B.

8. Acceptance of Farm and Ranch Solid Waste Cleanup and Abatement Grant from CalRecycle for $70,000 and Agreement with Clean Tahoe for Homeless Encampment Cleanups
Action: Passed **Resolution 2023-044** accepting a grant award in the Amount of $70,000 through the CalRecycle Farm and Ranch Solid Waste Cleanup and Abatement Grant Pilot Program and authorizing and directing the City Manager to execute an Agreement **C-065-2023** with Clean Tahoe to enhance and expand the cleanup efforts of homeless encampments throughout the South Lake Tahoe area.

Regular-Unfinished Business

9. Road Rehabilitation Program Update

Action: Received and Filed.

Public Comment was heard from the following person:

1. Chad Haze
2. Ed Mosur
3. Nick Speal

Regular-New Business

10. Washoe Tribe Land Acknowledgement Presentation and Resolution

Note: City Manager Irvin noted a correction to the Resolution removing the work "aboriginal".

Action: Moved/Seconded: Friedrich/Wallace

Yes: Bass, Creegan, Friedrich, Robbins and Wallace

Action: Passed **Resolution 2023-045** acknowledging the Washoe Tribe Land Acknowledgement, with noted correction.

The following person addressed the Council:

1. Herman Fillmore – Culture/Language Resources Director for the Washoe Tribe of Nevada and California

Public Comment was heard from the following person:

2. Ed Mosur

11. Grant Application to Tahoe Network of Fire Adapted Communities for $969,692 for Defensible Space Inspectors and Chipper Crew

Action: Moved/Seconded: Wallace/Friedrich

Yes: Bass, Creegan, Friedrich, Robbins and Wallace

Action: Passed **Resolution 2023-046** approving a Tahoe Network of Fire Adapted Communities (TNFAC) sub-recipient grant application submittal to Tahoe Resource Conservation District (TRCD) in the amount of $969,692.65 for hiring of three seasonal part-time Defensible Space Inspectors and funding the South Lake Tahoe Fire Rescue Chipper crew.

12. Electric Vehicle Charging Station Ordinance (First Reading)

Action: Moved/Seconded: Friedrich/Wallace

Yes: Bass, Creegan, Friedrich, Robbins and Wallace

Action: Passed **Motion 2023-041** to hold a first reading (by title only) of an Ordinance amending the South Lake Tahoe City Code Sections 6.15.160 to codify procedures for expediting permitting processing for electric vehicle charging systems and refer second reading and adoption to the June 6, 2023 meeting.

13. Public Works Department Annual Report 2022

Action: Received and Filed.

14. Tahoe Valley Area Plan: 2023 Amendments

Note: Mayor Creegan recused herself from this item due to property ownership in the area and left the meeting. Mayor Pro Tem Bass presided the meeting.

Action: City Council provided feedback on the amendments under consideration for the Tahoe Valley Area Plan and directed staff to bring this item back to the Planning Commission.

Public Comment was heard from the following people:

1. Lyn Barnett
2. Ed Mosur
3. Seth Dallob
4. Duane Wallace
5. Nick Speal *written comment received
6. Amelia Richmond

Written Comment received from the following person:

7. Amanda Adams, South Tahoe Chamber of Commerce

15. Tourist Core Area Plan: 2023 Amendments

Note: Councilmember Bass and Councilmember Robbins recused themselves from this item due to real property interest in the area.
Motion: Pass a Motion to continue this item to the June 6, 2023, meeting.
Action: Moved/Seconded: Creegan/Wallace
Yes: Creegan, Friedrich and Wallace
Absent (recused): Bass and Robbins
Action: Passed **Motion 2023-042**.
Public Comment was heard from the following people:

1. Seth Dallob
2. Nick Speal *written comment received
3. Kevin Prior, Tahoe Conservancy
4. Duane Wallace, Tahoe Chamber

Written Comment was received from the following:

5. League to Save Lake Tahoe

Agenda Planning Calendar

16. Agenda Planning Calendar

Action: Received and Filed.

Updates and Announcements (City Attorney, City Clerk, City Manager)

City Manager Irvin:

1. Upcoming State of the South Shore Event at the Beach Retreat

Councilmember Reports and Comments - Assignments to Boards, Committees, and Commissions

Councilmember Friedrich:

1. Attended Ski Run Blvd. Area Parking & Winter Operations meeting

Councilmember Robbins

1. Upcoming Sugar Pine manufacturer tour

Adjournment

At 9:58 p.m. Mayor Creegan adjourned the meeting.

_____ _____
Cristi Creegan, Mayor Date

Attest:

_____
Susan Blankenship, City Clerk

The presence of electronic signature certifies that the foregoing is a true and correct copy as approved by the South Lake Tahoe City Council.

City of South Lake Tahoe
City Council
Meeting Minutes
Tuesday, May 02, 2023 at 9:00 AM
City Hall - Council Chambers - 1901 Lisa Maloff Way, South Lake Tahoe

City Council
Cristi Creegan, Mayor
Cody Bass, Mayor Pro Tem
John Friedrich, Councilmember
Tamara Wallace, Councilmember
Scott Robbins, Councilmember

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Call to Order/Pledge of Allegiance
At 9:02 a.m. Mayor Creegan called the meeting to order. Creegan then led the pledge of allegiance to the flag.

Roll Call
Present were Mayor Creegan, Councilmembers Bass, Robbins and Wallace. Councilmember Friedrich participated via teleconference.

Also present were City Manager Irvin, City Attorney Stroud and City Clerk Blankenship.

Proclamations

1. **Proclamation Recognizing May as "Child Abuse Prevention Month"**
   Action: Issued a Proclamation to the El Dorado County Office of Education recognizing May as "Child Abuse Prevention Month".

City Employee Recognition

2. **City Employee Recognitions**
   Action: Jaqueline Villa, Aaron Scheib and Savannah Roberson were introduced to City Council. Maureen Stuhlman, Police Department and Michael Taormina, Fire Department were recognized for reaching 10 Years-Service, and Christopher Webber, Police Department, and Travis Shindelbower, Public Works, were recognized for reaching 15 Years-Service.

Closed Session Report - 05 02 2023
No reportable action.

Public Communications

Public Comment was heard from the following people:

1. Dianne Reese – Al Tahoe Fire Wise USA
2. Doug Williams – TOT deposits
3. Tom Davis – TOT deposits *written material distributed
4. Duane Wallace, South Tahoe Chamber of Commerce – TOT deposits, upcoming El Dorado County Fair
5. Jennifer Cewinski - Stardust and Americana Vacation Clubs - TOT deposits
6. David Gregorich – Stardust and Americana Vacation Clubs - TOT deposits
7. Dave Galicia – hazardous intersection at Washington and Tahoe Keys *written material distributed.
8. Ed Mosur – Park Avenue stop sign
9. Angie Reagan – community for all

City Commission Reports

None.

Consent Agenda

Action: Moved/Seconded: Wallace/Robbins
Yes: Bass, Creegan, Friedrich, Robbins and Wallace
Action: Passed Consent Agenda

3. City Council Meeting Minutes

Action: Passed **Motion 2023-033** approving the March 14, 2023 and March 28, 2023 City Council meeting minutes.

4. Acceptance of Grant of $550,000 from California Tahoe Conservancy for Tahoe Valley Stormwater and Greenbelt Improvement Project

Action: Passed **Resolution 2023-034** accepting and appropriating $550,000 in Proposition 1 grant funding **C-056-2023** from the California Tahoe Conservancy for the Tahoe Valley Stormwater and Greenbelt Improvement Project.

5. Agreement with LaFleur Excavating, Inc. for Construction of Barton Avenue & 2nd Street Storm Drain Project

Action: Passed **Motion 2023-034** authorizing and directing the Mayor to execute agreement **C-054-2023** with LaFleur Excavating, Inc. for an amount of $1,993,999 and 10% construction contingency of $199,400 to construct the Barton Avenue & 2nd Street Storm Drain Project improvements.

6. 2022 Annual Comprehensive Financial Report

Action: Received and Filed.

7. Ratification of Consent to Assignment of Flight Deck Restaurant Lease

Action: Passed **Motion 2023-035** authorizing and directing the Mayor to execute **C-055-2023,** the Ratification of Consent to Assignment of Lease consenting to the transfer of a controlling interest in Flight Deck Sports Bar & Grill, LLC from John Ross to Sheila Benson.

8. Police E-Bike Patrol Program

Action: Passed **Resolution 2023-035** authorizing the purchase of 4 Police E-Bikes with training for 8 Officers and the transfer of Prop 172 Public Safety Sales Tax Funding in an amount up to $28,398.00 for the Police E-Bike Patrol Program.

9. Grant Application to the Federal Aviation Administration and Caltrans for $550,000 to Update Lake Tahoe Airport Master Plan

Action: Passed **Resolution 2023-036** authorizing and directing the Airport Manager to apply for a FY 2023 FAA grant and Caltrans Airport Improvement Program Matching Grant to fund an Airport Master Plan update for the Lake Tahoe Airport in an amount up to $550,000.00.

Public Comment was heard from the following person:

1. Seth Dallob

Public Hearing

10. Ski Run Business Improvement District to Levy Assessment for Business License Year 2023/2024

Note: Councilmember Robbins recused himself from this item due to real property interest in the area and left the meeting.

Action: Moved/Seconded: Bass/Wallace

Yes: Bass, Creegan, Friedrich, and Wallace

Absent (recused): Robbins

Action: Passed **Resolution 2023-037** confirming the Ski Run Business Improvement District annual report and levying the assessment for business license year 2023/2024.

Regular-Unfinished Business

11. Citizen Appointment to Arts, Culture and Tourism Commission

Action: Moved/Seconded: Wallace/Bass

Yes: Bass, Creegan, Friedrich, Robbins and Wallace

Action: Passed **Motion 2023-036** appointing: Aimi Xistra Rich to serve a two-year term to the Arts, Culture and Tourism Commission as a non-voting representative of the Boys and Girls Club Organization. **City Council provided direction** to bring this position forward as a voting member prior to next solicitation.

Public Comment was heard from the following person:

1. Ed Mosur

12. Housing Initiatives Local Funding Source Study – Stakeholder Engagement Update on Potential Transient Occupancy Tax (TOT) Increase and Real Estate Vacancy Tax

Action: City Council provided direction to staff to bring back a discussion regarding Charter City options, and a presentation with information on transfer tax.

Public Comment was heard from the following people:

1. Jerry Bindel, South Lake Tahoe Lodging Association
2. Duane Wallace, South Tahoe Chamber of Commerce
3. Amelia Richmond
4. Tessa Williams
5. Tom Davis
6. Chad Haze
7. Erin Rearden
8. David Jinkens *written material distributed
9. Seth Dallob
10. Michael Glover, Tahoe Chamber
11. Robert Erlich
12. Rebecca Bryson
13. Doug Williams
14. Alison Taber
15. Ed Mosur
16. Susan Chandler
17. Mike Philips

18. Ayana Morali
19. Courtney J.
20. Chase Janvrin, Placemate
21. Nick Speal
22. Toni Hall
23. Natalie Yannish
24. Grace Hamilton
25. Penny Garrett
26. Chelsea Thomas, Live Violence Free
27. Erika Gonzalez
28. David Cantwell
29. Lori Aldrete
30. Randy Bacon
31. Kathleen Bailey
32. Bob Bell
33. Alyssa Bettinger
34. Property owner
35. Richard Brown
36. Arlene Leung
37. Angelique Carl
38. Liang Chen
39. Dan Cockrum
40. Craig Dighero
41. Chris Eatough
42. Michel Fry
43. Alicia Halpern
44. Grace Hamilton/Jonathan Dunn
45. Tahoe Keys property owner
46. Jeff Hoffman
47. Dave Peterson
48. Susan Chandler
49. Peg Kortes
50. Ted Lamph
51. Billy & Michelle Liang
52. Michael Lubinski
53. Cynthia LeardMann
54. Lisa McDonald
55. Lisel Morris
56. Ed Mosur
57. Tyson Murray
58. David & Brenda Nickel
59. Thane Parton
60. Chris Pepper
61. Property Owner
62. Oscar Quiambao
63. Marcia Renaldi
64. Doug Robertson
65. James Sweeney
66. Gretchen Swope
67. Leslie Ward
68. Jeff Williams
69. Ross Cutshaw
70. Iris Yakuma
71. Art Jackson
72. Vallerie Benito
73. Andrea Harrision
74. Nancy Kilborn
75. Heidi Roizen
76. Amanda Adams
77. Laurie Allums
78. Jahan Bakhtiar
79. Susan Ballman
80. Laurlalee Barnes
81. Mickey Barrett
82. Peter Belafsky
83. Alan Bikle
84. Joseph & Lynn Bosch
85. Jane Burke
86. Ellick Butt
87. Brady Cale
88. Stephen & Tammy Carmassi
89. Matt & Tom Cologna
90. James Crouch/Kristin Kemper
91. Melissa Daley
92. Mr. Damie
93. C Daum
94. Bill Dickert
95. Ron Dosh
96. Leland Douglas
97. Kathy, Marilyn& Douglas Meiser
98. Bruce & Jean Dunn
99. Eden Eisenbarth
100. Lorraine Ereno
101. Carla Frank
102. Jenny & Matt Franzino
103. Bill & Karen Fuchslin
104. Ralph Fuchslin
105. Rebecca Gardner
106. Debbie Geerts
107. Robert & Rosamond Gier
108. Stephen & Linda Gill
109. Tracy Gong
110. Kevin Gong
111. Brad & Angila Grausz
112. Stephen Gregovich
113. Linda Haendel
114. Peter & Cathie Hagens
115. Grace Hamilton/Jonathan Dunn
116. Tim Harris
117. Brad Haskin
118. Kay & John Henderson
119. Mechel Henry
120. Steve & Lisa Hershey
121. Stephen Higgins

122. Jeff Hoffman
123. Jerry & Sally Holcombe
124. Property Owner
125. Brian & Lorraine Jackson
126. Melissa James
127. David Jinkens
128. Steven Kadzielawa
129. Warren Kaplan
130. Kent Kilborn
131. Gillian Kleman
132. Paul Klempner
133. Daniel Kwon
134. David & Deborah Larrieu
135. Property Owner
136. Jeannette Lejardi
137. James Lewis
138. Martha MacLure
139. Richard P Martinelli
140. Suzanne McCarthy
141. Denise McCombie
142. Laura Mizell
143. Scott McGill
144. Mireille & Tom McKee
145. Foy S. McNaughton
146. Katie and Charlie Menghetti
147. Brad Haskin
148. Deborah, Robert & Linda Michaels
149. James B. Mitchell
150. Fabian Moreno
151. Joe Mohorovich
152. Dean J. Moser
153. Doug Nowka Jr.
154. Perry R. Obray
155. Homeowner
156. Phil Paw
157. Morgan & Marsha Petiti
158. Matt Phillips
159. David C. Pinkwasser
160. Jeana Rankin
161. Nicholas Tingle & Wendy Riggs
162. Peter Roizen
163. Steven Ross
164. Anthony & Michelle Santo
165. Gary Schenck
166. Annette Schoonover
167. Gina R. Scribner
168. Robert Seltzer
169. Deborah Shattuck
170. Miriam Shellberg
171. Ludmilla Sokoloff
172. Jim Ritchey
173. Lori Solomon
174. Jack Solomon
175. Russell Simons
176. Carole Songey
177. William Sprow
178. Jack Stanko
179. Barbara Sue
180. Karl Swope
181. Jennifer Tersigni
182. Joseph Tersigni
183. Lynn Thull
184. Paul Turney
185. Donna Walker
186. Duane Wallace
187. Malinda Walters
188. Keith Wells
189. Pat Woodward
190. Dave Peterson
191. Susan Chandler
192. Marion & Patricia Woodward
193. Danny Wycech
194. Janet & Kevin Pekowsky
195. Rod Youssefi

13. Supplemental Analysis For Inclusionary Housing Requirement and In-Lieu Fee

Action: City Council gave direction to staff to conduct enhanced analysis of inclusionary housing and commercial linkage fee policies.

The following person addressed the Council:

1. Aaron Nousaine, BAE Urban Economics

Public Comment was received from the following people:

2. Seth Dallop
3. Nick Speal

Regular-New Business

14. Amendments to Social Media Policy

Action: Moved/Seconded: Bass/Robbins

Yes: Bass, Creegan, Friedrich, Robbins and Wallace

Action: Passed **Resolution 2023-038** amending the Social Media Policy to allow members of the City Council, Boards, and Commissions to share posts from the City's social media platforms to their respective social media pages.

15. Bicycle Amenities and Wayfinding Signage Update

Note: Staff provided PowerPoint Presentation.

Action: Received and Filed.

Public Comment was heard from the following people:

1. Ed Mosur
2. Stacy Ballard
3. Nick Speal, Lake Tahoe Bicycle Coalition

16. Capital Improvement Program/Activities Update 2023

Action: Received and Filed.

Public Comment was received from the following people:

1. Ed Mosur
2. Duane Wallace
3. David Gregorich

17. Painted Crosswalk to Celebrate Pride Month

Action: Moved/Seconded: Bass/Robbins

Yes: Bass, Creegan, Friedrich, Robbins and Wallace

Action: Passed **Motion 2023-037** directing the Public Works Director to re-paint 3 crosswalks to celebrate Pride Month for 2023-24 by June 1. **Council directed staff** to work with Local Pride Group regarding adding colors, and to bring back an item to add a Red, White and Blue crosswalk.

Public Comment was heard from the following people:

1. Hailey Nicole, Lake Tahoe Pride
2. David Gregorich
3. Chelsea Thomas, Live Violence Free
4. Collin Croughan, Lake Tahoe Pride

18. City Clerk Compensation Increase

Action: Moved/Seconded: Wallace/Bass

Yes: Bass, Creegan, Friedrich, Robbins and Wallace

Action: Passed **Resolution 2023-039** setting City Clerk Compensation at Step 5 ($9,615 per month).

Public Comment was received from the following person:

1. Duane Wallace

19. Mayor and Mayor Pro Tempore Term Discussion and City Council Protocols Update
Action: Moved/Seconded: Wallace/Bass
Yes: Bass, Creegan, Friedrich, Robbins and Wallace
Action: Passed **Motion 2023-038** approving the City Council Protocols as presented.
Public Comment was heard from the following person:
1. Alison Taber

Agenda Planning Calendar

20. Agenda Planning Calendar
Action: Received and Filed.

Updates and Announcements (City Attorney, City Clerk, City Manager)

City Manager Irvin:
1. Donation acknowledgments
2. Responded to Public Communications – Lakeside traffic signs not warranted
3. Traffic issue at Tahoe Keys Blvd. and Washington Street
4. TOT security deposit meetings - Councilmembers requested a presentation be brought forward (SR/TW)

City Attorney Stroud:
1. League of CA Cities Emergency response group appointment
2. Gun Violence Restraining Order Training

City Clerk Blankenship
1. Proclamation from Barton Health for Mental Health Awareness Month (Council provided consensus)

Councilmember Reports and Comments - Assignments to Boards, Committees, and Commissions

Councilmember Wallace:
1. Upcoming "Bridging Divides" event at Boys and Girls Club

Councilmember Friedrich
1. Advanced Clean Transportation Expo attendance
2. Tahoe Regional Planning Agency meeting update
3. Washoe Tribe Land Acknowledgement

Councilmember Bass:
1. Small Business Week support

Mayor Creegan:
1. Upcoming Firewise event

Adjournment

At 4:39 p.m. Mayor Creegan adjourned the meeting.

_____ _____
Cristi Creegan, Mayor Date

Attest:

_____
Susan Blankenship, City Clerk

The presence of electronic signature certifies that the foregoing is a true and correct copy as approved by the South Lake Tahoe City Council.

City of South Lake Tahoe

Agenda Item Executive Summary

Joe Irvin, City Manager

Meeting Date: June 6, 2023
Agenda Item #: 6

Agenda Item: Investment Portfolio Report - March 31, 2023

Executive Summary: In accordance with the City of South Lake Tahoe Financial Policies and State law, a quarterly investment report is hereby submitted to the members of the City Council. As of March 31, 2023, the City's total cash and investment balances across all funds is $108.1 million.

Requested Action / Suggested Motions: Receive and file.
Responsible Staff Member: Olga Tikhomirova, Director of Finance

Responsible Staff Member: Olga Tikhomirova, Director of Finance (530) 542-7431

Reviewed and Approved By:
Susan Blankenship, City Clerk
Heather Stroud, City Attorney

Attachments:

01-Staff_Report_Investment_Report_Mar_2023.docx
02-Operations Cash 03 31 2023.pdf
03-Fiscal Agent 03 31 2023.pdf
04-Graph 03 31 2023.pdf
05-Cash March 2023.pdf

City of South Lake Tahoe
Report to **City Council**

Meeting Date: June 6, 2023

Title: Investment Portfolio Report as of March 31, 2023

Location: Citywide

Responsible Staff Member: Olga Tikhomirova, Director of Finance (530)542-7431

Background: In accordance with the City of South Lake Tahoe Financial Policies and State law a quarterly investment report shall be submitted to the members of the City Council.

Issue and Discussion: The attached report for the period ending March 31, 2023, describes the type of investments, the issuers, the maturity dates, the par value and the market value. Total cash for operations and cash held by fiscal agents is $108,097,734.

Cash available for operations is $97,750,294. This includes Cash in Bank of $7,335,804 with the remaining amount in various investments diversified in accordance with the City's adopted Investment Policy. The total portfolio yield is 3.11%. Based on this report the City of South Lake Tahoe will be able to meet projected operating expenditures for the next six months.

Cash held by fiscal agents for debt service is $10,347,440. These investments comprise the reserves and other accounts held in trust for debt service, lease financing, and capital projects financed with debt.

Fund Type	Total Cash Balance	Operations Balance	Fiscal Agent Balance
Trust and Agency	$ 10,053,090	$ 2,684,770	$ 7,368,320
Special Revenue	$ 27,047,710	$ 27,047,710	-
General Fund	$ 34,074,179	$ 34,074,179	-
Internal Service	$ 7,361,203	$ 7,361,203	-
Debt Service	$ 613,537	$ 183,679	$ 429,858
Enterprise	$ 9,244,283	$ 6,695,021	$ 2,549,262
CIP	$ 19,703,732	$ 19,703,732	-
Grand Total	**$ 108,097,734**	**$ 97,750,294**	**$ 10,347,440**

The attached documents include investment terms that are defined below:

- Current yield – The investments annual income (interest or dividends) divided by the current price of the security.
- Weighted par – Weighting the price of each bond by the total price of the entire portfolio.
- Weighted yield – The current yield multiplied by the weighted par, provides the yield of the bonds in the portfolio.

Financial Implications: None.

Environmental Considerations: This is not a "project" subject to review under the California Environmental Quality Act (CEQA) Guidelines section 15378(b)(2) (continuing administrative or maintenance activities, such as purchases for supplies)

Policy Implications: Consistent with City's Financial Policies.

CITY OF SOUTH LAKE TAHOE
OPERATIONS CASH INVESTMENT PORTFOLIO REPORT
AS OF MARCH 31, 2023

INVESTMENT TYPE	ISSUER	PAR VALUE	MARKET VALUE	CURRENT YIELD	WEIGHTED PAR	WEIGHTED YIELD	MATURITY DATE
Local Agency Investment Fund	State Treasurer	$ 71,407,740	$ 70,444,473	2.83%	73.1%	2.07%	N/A
Federal Home Loan Bank	Government Agency	$ 1,000,000	$ 900,790	1.00%	1.02%	0.01%	5/27/2026
Federal Farm Credit Banks	Government Agency	$ 1,000,000	$ 904,890	1.50%	1.02%	0.02%	12/14/2026
Federal Farm Credit Banks	Government Agency	$ 1,000,000	$ 971,335	1.67%	1.02%	0.02%	3/8/2024
Fed. Home Loan Bank	Government Agency	$ 1,000,000	$ 947,680	1.75%	1.02%	0.02%	3/29/2027
Federal Farm Credit Banks	Government Agency	$ 1,000,000	$ 958,580	3.11%	1.02%	0.03%	4/13/2026
Fed. Home Loan Bank	Government Agency	$ 2,000,000	$ 1,961,078	2.63%	2.05%	0.05%	2/26/2024
Fed. Home Loan Bank	Government Agency	$ 1,000,000	$ 987,563	2.50%	1.02%	0.03%	6/20/2025
Fed. Home Loan Bank	Government Agency	$ 1,000,000	$ 981,512	4.10%	1.02%	0.04%	6/30/2027
Fed. Home Loan Bank	Government Agency	$ 1,000,000	$ 985,685	5.00%	1.02%	0.05%	9/30/2027
Fed. Home Ln Mtg Corp	Government Agency	$ 1,000,000	$ 999,454	5.05%	1.02%	0.05%	12/19/2024
Fed. Home Ln Mtg Corp	Government Agency	$ 1,000,000	$ 997,089	5.30%	1.02%	0.05%	11/28/2025
Fed. Home Ln Mtg Corp	Government Agency	$ 2,000,000	$ 2,000,536	5.00%	2.05%	0.10%	8/22/2024
Fed. Home Loan Bank	Government Agency	$ 2,000,000	$ 1,987,958	4.75%	2.05%	0.10%	1/30/2025
Fed. Home Ln Mtg Corp	Government Agency	$ 2,000,000	$ 2,016,046	5.50%	2.05%	0.11%	3/13/2025
Certificate of Deposit	Barclays bank/Delaware	$ 250,000	$ 243,674	2.85%	0.26%	0.01%	6/3/2024
Certificate of Deposit	Capital One NA	$ 250,000	$ 240,497	3.10%	0.26%	0.01%	6/2/2025
Certificate of Deposit	Capital One Bank (USA) NA	$ 250,000	$ 236,696	3.15%	0.26%	0.01%	6/2/2026
Certificate of Deposit	State Bank of India	$ 250,000	$ 235,308	3.30%	0.26%	0.01%	6/1/2027
Cash in Bank General & Sweep		$ 7,335,804	$ 7,335,804	0% - 4.39%	7.50%	0.33%	N/A
Petty Cash		$ 6,750	$ 6,750	N/A	0.01%	0.00%	N/A
TOTAL		$ 97,750,294	$ 96,343,397			**3.11%**	**(Total Portfolio Yield)**

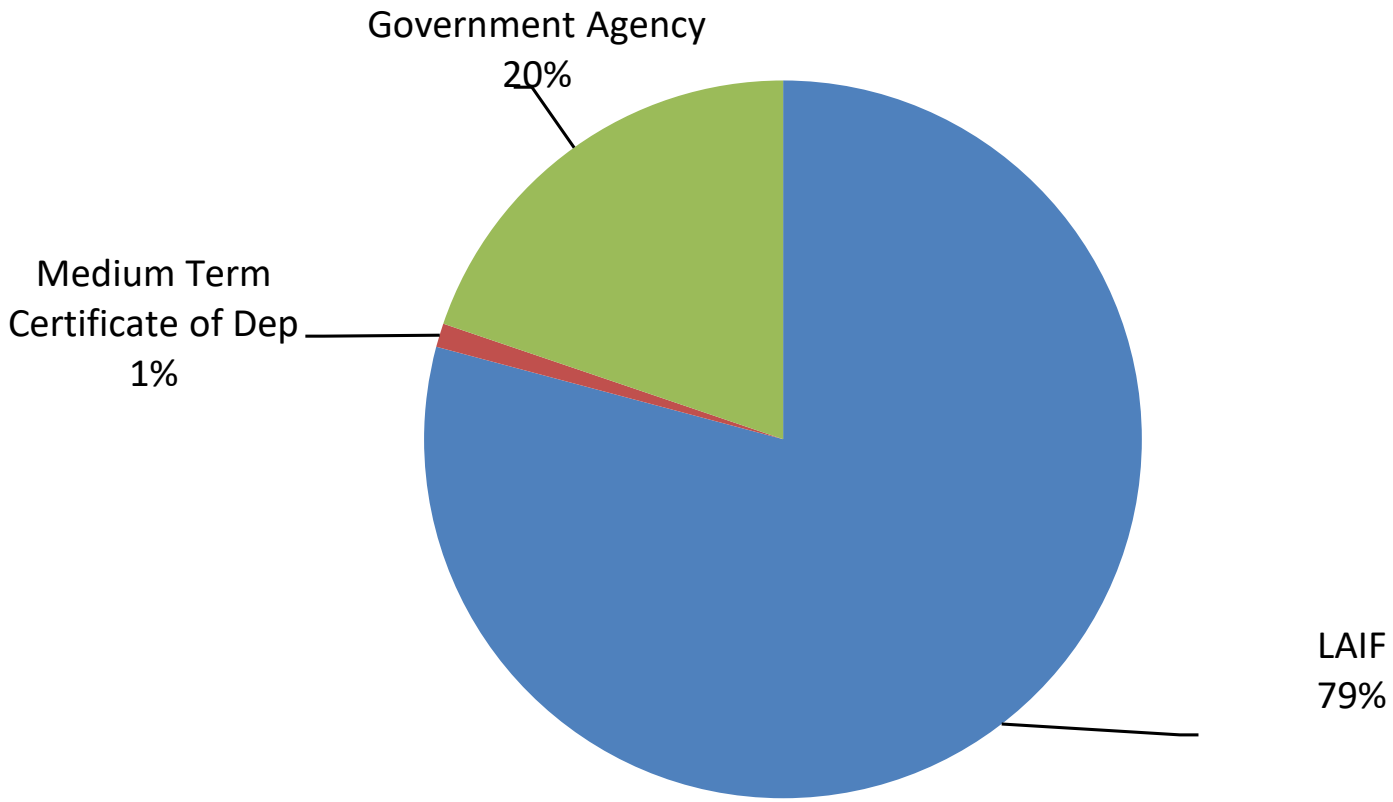
The Investment porfolio at March 31, 2023 is in compliance with the Investment Policy of the City of South Lake Tahoe. The City of South Lake Tahoe will be able to meet its projected expenditure requirements for the next six months. Valuation is based upon the State Treasurer's Office LAIF quarterly apportionment rates and US Bank Safekeeping.

CITY OF SOUTH LAKE TAHOE INVESTMENT REPORT
CASH AND INVESTMENTS HELD WITH FISCAL AGENTS
AS OF MARCH 31, 2023

BOND ISSUE ACCOUNT	INVESTMENT TYPE	ISSUER	COST VALUE	MARKET VALUE	CURRENT YIELD	MATURITY DATE
So Tahoe JPFA Ref Lease Rev Bonds 2016 A						
Revenue	Blackrock Treasury Trust	Bank of New York Mellon	71	71	4.48%	N/A
Revenue	Blackrock Treasury Trust	Bank of New York Mellon	74,042	74,042	4.48%	N/A
Revenue	Blackrock Treasury Trust	Bank of New York Mellon	484	484	4.48%	N/A
Reserve	Assured Guaranty Municipal	Bank of New York Mellon	-	2	0.00%	N/A
So Tahoe JPFA Parking Rev Bonds 2013						
Debt Service Reserve	Blackrock Treasury Trust	Bank of New York Mellon	576,876	576,876	4.48%	N/A
Refunding Account	Blackrock Treasury Trust	Bank of New York Mellon	75	75	4.48%	N/A
Debt Service Account	Blackrock Treasury Trust	Bank of New York Mellon	8,562	8,562	4.48%	N/A
Supplemental Reserve	Blackrock Treasury Trust	Bank of New York Mellon	1,963,749	1,963,749	4.48%	N/A
Principal	Blackrock Treasury Trust	Bank of New York Mellon	0	0	4.76%	N/A
So Tahoe JPFA Ref Rev Bonds 2014 A, 2015 A, 2017 A						
Revenue Fund	Blackrock Treasury Trust	Bank of New York Mellon	599	600	4.47%	N/A
Interest	Blackrock Treasury Trust	Bank of New York Mellon	1,175,967	1,175,967	4.48%	N/A
Principal	Blackrock Treasury Trust	Bank of New York Mellon	1,111	1,111	4.48%	N/A
Surplus	Blackrock Treasury Trust	Bank of New York Mellon	152	152	4.48%	N/A
So Tahoe JPFA (RPA 1) Reserve	Blackrock Treasury Trust	Bank of New York Mellon	5,219,583	5,219,583	4.48%	N/A
Successor Agency to the So Tahoe RDA, CFD 2001-1, Refdg Series 2015						
Special Tax	Blackrock Treasury Trust	Bank of New York Mellon	330,429	330,429	4.48%	N/A
Interest	Blackrock Treasury Trust	Bank of New York Mellon	84,833	84,833	4.48%	N/A
Reserve	Blackrock Treasury Trust	Bank of New York Mellon	555,402	555,402	4.48%	N/A
Surplus	Blackrock Treasury Trust	Bank of New York Mellon	242	242	4.48%	N/A
City of South Lake Tahoe 2014 Pension Obligation Bonds						
Interest	Blackrock Treasury Trust	Bank of New York Mellon	379	379	4.48%	N/A
Principal	Blackrock Treasury Trust	Bank of New York Mellon	111	111	4.48%	N/A
City of So Lake Tahoe 2012 COPS, Road Improvmt.						
Lease Payment Fund	First American Govt Obligation Fund/Money Mkt	US Bank	13,813	13,813	4.19%	N/A
Reserve Account	First American Govt Obligation Fund/Money Mkt	US Bank	340,955	340,955	4.19%	N/A
	TOTAL		10,347,438	10,347,441		

Valuation is based upon the valuations contained in the monthly statements provided by the trust departments of the fiscal agents.

City of South Lake Tahoe
Operations Cash Investment Portfolio
Market Value as March 31, 2023



CITY OF SOUTH LAKE TAHOE
CASH REPORT
MARCH 31, 2023

FUND #	FUND NAME	OPERATIONS CASH BALANCE	FISCAL AGENT CASH BALANCE	TOTAL CASH BALANCE	SUBTOTAL BY CATEGORY		TOTAL CASH BALANCE
					OPERATIONS	FISCAL AGENT	
100	General Fund	33,477,405.28		$33,477,405.28			
102	Measure S - Sales Tax	596,774.01		$596,774.01	$34,074,179	$0	$34,074,179
201	Gas Tax 2105	826,418.83		$826,418.83			
207	Snow Removal	36,722.16		$36,722.16			
208	Snow Removal - Equipment Replac	206,117.52		$206,117.52			
210	Vehicle Replacement	616,569.31		$616,569.31			
211	Police Vehicle Replacement	349,218.72		$349,218.72			
213	Fire Vehicle Replacement	(9,071.77)		($9,071.77)			
216	Transit Center	39,521.20		$39,521.20			
217	Arts Program	19,159.82		$19,159.82			
218	VHR Program	336,273.70		$336,273.70			
220	Parks and Recreation	12,251,093.29		$12,251,093.29			
221	Ice Arena	127,546.90		$127,546.90			
222	Fire Safety Sales Tax	720,453.55		$720,453.55			
223	Cannabis Program	1,959,640.11		$1,959,640.11			
224	PEG Programming	260,318.52		$260,318.52			
225	Tobacco Law Enforcement Grant	(92,649.51)		($92,649.51)			
229	DUI/Traffic Safety Grant	2,183.57		$2,183.57			
230	Local Law Enforcement	1,994.32		$1,994.32			
231	AB3229 COPS	110,051.66		$110,051.66			
232	Safety Sales Tax	601,224.95		$601,224.95			
233	Forfeiture - State Fund	37,568.73		$37,568.73			
235	Forfeiture - Justice Fund	10,367.62		$10,367.62			
236	EMS - JPA	330,558.54		$330,558.54			
237	Boat Patrol - Grant	(11,516.81)		($11,516.81)			
238	Domestic Violence (DVRT) Grant	6,559.08		$6,559.08			
240	Solid Waste AB939	1,764.74		$1,764.74			
241	Clean Community	24,371.57		$24,371.57			
242	Vehicle Abatement	165,994.98		$165,994.98			
243	Nuisance Abatement	154,970.49		$154,970.49			
244	Solid Waste JPA	1,140,313.99		$1,140,313.99			
245	Storm Water Mgmt/Sweeping	165,423.90		$165,423.90			
250	Hsng&ED - Work Force Housing	804,948.34		$804,948.34			
251	Hsng & Ed - Home	1,016,113.50		$1,016,113.50			
252	Hsng & Ed - CDBG	130,141.12		$130,141.12			
253	Hsng & Ed - Administration	419,953.70		$419,953.70			
255	CDBG Program Income Loans	100,880.10		$100,880.10			
256	CDBG Economic Development	(77,528.74)		($77,528.74)			
257	CDBG - ED Program Income	238.72		$238.72			
258	Calhome Loan Repayments	129,203.76		$129,203.76			
259	First Time Homebuyers Rev Loan	9,623.65		$9,623.65			
263	TOT Revenue Fund	1,566,560.47		$1,566,560.47			
264	Local Fiscal Recovery (ARPA)	0.00		$0.00			
270	General Plan/Community Plan	574,379.52		$574,379.52			
271	Building Permit Fees	1,168,327.95		$1,168,327.95			
280	Ski Run Business Improvement	(508.69)		($508.69)			
281	Measure S Maintenance Fund	65,116.24		$65,116.24			
284	Measure S City Maintenance	320,043.13		$320,043.13			
285	Tourism Improvement District (TID)	279,750.38		$279,750.38			
290	Opioid Settlement Proceeds	151,302.88		$151,302.88	$27,047,710	$0	$27,047,710
301	City CIP	18,624,605.32		$18,624,605.32			
303	City CIP - Reg.Surf.Transp.Progr	194,372.95		$194,372.95			
306	Rehab Water Quality Projects	2,823.76		$2,823.76			
310	Long term Capital Replacement	567,325.76		$567,325.76			
320	Housing - CIP Projects	314,603.97		$314,603.97	$19,703,732	$0	$19,703,732
401	City Debt Service	183,678.90	429,858.16	$613,537.06	$183,679	$429,858	$613,537
501	Airport	1,942,034.25		$1,942,034.25			
510	Parking Management Bellamy	287,748.80		$287,748.80			
520	Parking Garage	3,893,454.10	2,549,262.50	$6,442,716.60			
550	Transit - Stage	571,783.60		$571,783.60	$6,695,021	$2,549,263	$9,244,283
601	Self Insurance - Health, Vision, Den	351,930.73		$351,930.73			
602	Self Insurance - Workers Comp	5,683,234.81		$5,683,234.81			
604	Payroll	1,281,844.24		$1,281,844.24			
605	Health Insurance Savings	44,193.71		$44,193.71	$7,361,203	$0	$7,361,203
701	Trust	917.00		$917.00			
707	Park Avenue CFD Fund	806,610.43	970,906.15	$1,777,516.58			
711	Bijou ECP CFD	165,005.36		$165,005.36			
712	Harrison Avenue CFD	134,719.49		$134,719.49			
725	RD Obligation Retirement Fund	1,569,529.47	6,397,413.97	$7,966,943.44			
751	Special Assessment District	4,572.00		$4,572.00			
762	Tahoe Transportation Authority	3,416.00		$3,416.00	$2,684,770	$7,368,320	$10,053,090
	Total Cash and Investments	$97,750,293.65	$10,347,440.78	$108,097,734.43	$97,750,294	$10,347,441	$108,097,734

City of South Lake Tahoe

Agenda Item Executive Summary

Joe Irvin, City Manager

Meeting Date: June 6, 2023
Agenda Item #: 7

Agenda Item: Fiscal Year 2022-23 Quarterly Financial Status Report - Quarter Ending March 2023

Executive Summary: In accordance with the City's Financial Policies, the Finance Department submits reports to City Council on a periodic basis to provide assurance of budget compliance and for informational and comparative purposes. Attachment 2, "FY 2022/23 Quarterly Budget and Financial Status Report for Period Ending March 31, 2023" summarizes operating revenues and operating expenditures (unaudited figures) for the General Fund and Measure S Sales Tax Fund for the year-to-date providing an analysis of any significant budget variances.

Requested Action / Suggested Motions: Receive and file.
Responsible Staff Member: Andrew Black, Financial Services Supervisor

Responsible Staff Member: Andrew Black, Financial Services Supervisor

Reviewed and Approved By:
Susan Blankenship, City Clerk
Olga Tikhomirova, Director of Finance
Heather Stroud, City Attorney

Attachments:

01 - Staff Report - Mar 2023 Quarterly Budget Report.docx
02 - FY 2022-23 Qtrly Budget Report Mar 2023.pdf

City of South Lake Tahoe
Report to **City Council**

Meeting Date: June 6, 2023

Title: Fiscal Year 2022/23 Quarter End Financial Status Report as of March 2023

Location: Citywide

Responsible Staff Member: Olga Tikhomirova, Director of Finance, (530) 542-7431; Andrew Black, Financial Services Supervisor, (530) 542-6016

Background: The Finance Department submits quarterly reports to City Council to provide assurance of budget compliance and for informational and comparative purposes throughout the year. Attachment 2, "FY *2022/23 Quarterly Budget and Financial Status Report for Period Ending March 31, 2023"* is an unaudited snapshot of year-to-date actual revenues and expenditures for the General Fund for that period.

Issue and Discussion: At the end of March 2023 with 50% of the year complete, primary General Fund actual revenues were at 41.6% of the amended budget, while expenditures were at 37.1% of appropriations. All departmental expenditures were below the total 50.0% threshold allocated to the first two quarters of the fiscal year. Measure S Sales Tax revenue, accounted for in a separate general fund, amounted to approximately 34% of the adopted budget. See Attachment 2 for further analysis.

Financial Implications: FY 2022/23 General Fund budgeted revenues and expenditures through March 2023 presented in the attached report include mid-year budget adjustments for supplemental appropriations adopted by City Council on March 14, 2023. As of March 31, 2023, or after the first six months of the fiscal year, actual General Fund revenues exceeded expenditures by $1.7 million, primarily due to strong performance in the City's top revenue sources, Property Tax, TOT and Sales Tax, as well as Building fees.

Compared to the same period last year, overall revenues have increased by approximately 10.1%, or $2.1 million, primarily due to increases in the City's top three revenue sources, while expenditures were down by approximately 5.8%, or $1.3 million largely as a result of decreased transfers-out compared to FY 2021/22, which included one-time transfers for various capital expenditures and projects.

Environmental Considerations: This is not a "project" subject to review under the California Environmental Quality Act (CEQA) Guidelines section 15378(b)(5) (organizational or administrative activities that will not result in direct or indirect physical changes in the environment).

Policy Implications: Consistent with City's Financial Policies.

CITY OF SOUTH LAKE TAHOE
2022-23 QUARTERLY FINANCIAL REPORT
2nd QUARTER ENDING MARCH 31, 2023

This report summarizes the City's financial position for the General Fund for Fiscal Year 2022-23 displaying expenditures at the department level and revenues by type. It compares actual revenues and expenditures received through March 2023 to the total budget.

General Fund Financial Condition

As of March 31st, with 50% of the year complete, General Fund revenues are at 41.6% of projections and expenditures are at 37.1% of appropriations.

Revenues by Type	Total Budget as of March 31	Actuals through March 31	As % of Budget
Property Tax	$ 10,160,000	$ 5,748,943	56.6%
Transient Occupancy Tax - City	10,413,562	3,961,583	38.0%
Transient Occupancy Tax - Project Area	7,040,000	2,929,730	41.6%
Sales Tax	7,100,000	2,214,031	31.2%
Measure Q	3,500,000	1,189,721	34.0%
Motor Vehicle License Fees (MVLF)	2,515,000	1,383,748	55.0%
Franchise Taxes	1,650,000	264,974	16.1%
Business License Tax	1,692,000	225,864	13.3%
Finance - Other Revenues	1,128,050	738,890	65.5%
General Government	227,965	1,298	0.6%
Police	2,205,398	838,957	38.0%
Fire	2,946,285	359,581	12.2%
Public Works	493,300	504,552	102.3%
Development Services	1,459,503	1,237,954	84.8%
Parks and Recreation	1,048,481	289,336	27.6%
Transfers In	392,438	362,438	92.4%
Miscellaneous General Fund	351,699	346,730	98.6%
REVENUES TOTAL	$ 54,323,681	$ 22,598,329	41.6%

Expenditures by Department	Total Budget as of March 31	Actuals through March 31	As % of Budget
General Government	$ 5,288,816	$ 1,926,402	36.4%
Finance	2,636,315	1,315,128	49.9%
Miscellaneous General Fund	13,011,653	4,245,630	32.6%
Police	13,588,970	5,464,633	40.2%
Fire	11,474,696	3,841,958	33.5%
Public Works	4,750,338	2,129,693	44.8%
Development Services	2,120,137	762,222	36.0%
Parks and Recreation	3,364,195	1,167,575	34.7%
EXPENDITURES TOTAL	$ 56,235,120	$ 20,853,241	37.1%

Revenues. The top three revenues, Property Tax, City Transient Occupancy Tax (TOT), and Sales Tax generated 58.0% of the total $22.6 million General Fund revenues collected through March 31st.

Revenue from Property Tax and Motor Vehicle License Fees (MVLF) continues to show positive trends, increasing by 12.6% or $641K, and 8.0% or $103K, respectively, compared to the previous fiscal year. Sales tax and Measure Q revenue combined were 3.5% or approximately $116K higher than the same period last fiscal year, partially due to inflation-driven higher consumer prices. Total Transient Occupancy Tax (TOT) receipts, including TOT from the Project area but excluding TOT audits, showed an increase of $724K or 11.7% compared to the previous year. Within this amount, $325K is attributed to an overpayment of January 2023 TOT by two large hotels, which will be applied to the next quarter. Franchise taxes, currently at 16.1% of budget as of March 2023, were $305K or 53.6% lower compared to the same period last year due to the timing of received payments.

Development Services and Public Works revenue experienced respective increases of $306K and $202K compared to the previous year, primarily due to increases in building and planning fees, as well as motor pool internal service charges. The positive performance of various other categories, such as Finance Other Revenue (which saw a $242K increase primarily driven by interest/dividend revenue) and Police revenue (which experienced a $199K increase primarily due to higher parking fees revenue), played a significant role in the overall revenue growth of $2.1 million compared to the first two quarters of the previous year. The increases were partially offset by several decreases with the largest decrease of $376K in Fire revenue primarily due to reduced overtime and SAFER grant reimbursements.

Expenditures. Out of the actual expenditures totaling $20.9 million through March 31st, approximately $13.4 million or 64.2% was allocated to personnel expenses, covering 13 payroll periods, which represents 50.0% of the total payroll periods for the year. Out of the remaining 35.8% or approximately $7.5 million of actual expenditures, $3.4 million is attributed to transfers-out, $1.5 million to professional, technical and other contract services, $1.1 million to miscellaneous general expense including taxes and fees, travel and training, communications etc., $0.7 million to purchases of tools, parts, software, machinery and equipment, and the remaining $0.8 million to utilities, general supplies, and other miscellaneous expense.

All departments remained below the 50% expenditure threshold allocated for the first two quarters of the fiscal year. The annual payment of the CalPERS Unfunded Accrued Liability (UAL) due in July and amounting to $6.1 million from the General Fund will significantly impact the percentage of actual expenditures to the total budget in the final quarter of FY 2022/23.

In comparison to the first two quarters of the previous year, overall expenditures were lower by 5.8%, equivalent to approximately $1.3 million. The most significant decrease occurred in the Miscellaneous General Fund category, primarily resulting from decreased transfers out. These expenditure reductions were partially offset by increases in General Government, Police, and Public Works primarily attributed to lower vacancies, hiring of new personnel, as well as higher costs related to software, technical services, and litigation expense.

Measure S Sales Tax General Fund

Measure S Sales Tax	Total Budget as of March 31	Actuals through March 31	As % of Budget
REVENUES			
Measure S Sales Tax	$ 7,000,000	$ 2,373,170	33.9%
Interest/Dividends Revenue	-	7,366	100.0%
REVENUES TOTAL	$ 7,000,000	$ 2,380,536	34.0%
EXPENDITURES and FINANCING USES			
Technical Services	5,000	-	0.0%
Transfer out to/for:			
Debt Service - Communication System	554,643	554,643	100.0%
Debt Service - Snow Removal Equip	301,361	-	0.0%
Fire Marshall postion (50%)	110,692	-	0.0%
Fire Station II Rehabilitation	500,000	-	0.0%
General Fund - Safety Equip.	121,400	29,400	24.2%
Hazardous Fuels Reduction - Airport	200,000	-	0.0%
Police Lieutenant position	271,745	-	0.0%
Police Officer (if grant not renewed)	70,013	-	0.0%
Road Reconstruction	2,500,000	2,500,000	100.0%
Seven (7) Firefighters	979,030	202,830	20.7%
South Shore Fuels Reduction Program	392,987	-	0.0%
Stateline Ave Complete Streets	100,000	-	0.0%
Storm Water Program	50,000	50,000	100.0%
Stormdrain Replacement	200,000	-	0.0%
Street and Snow Vehicle Replacement	843,263	600,086	71.2%
EXPENDITURES TOTAL	$ 7,200,134	$ 3,936,959	54.7%

Measure S, a 1% city-wide sales and use tax, went into effect on April 1, 2021 and is projected to generate $7.0 million for fiscal year 2022/23.

Revenues. The City received Measure S Sales Tax totaling $2.4 million as of March 31st, 2023.

Expenditures. During the adoption of the FY 2022/23 budget, City Council allocated a significant portion of the total projected annual revenue for various purposes. These allocations included financing for year 3 of the emergency communications system for Fire, Police, and Public Works, funding for annual road reconstruction, setting aside funds for the rehabilitation of Fire Station II, supporting the Storm Water program, acquiring miscellaneous Safety equipment, replacing Stormdrains, and funding the replacement of Streets and Snow Vehicles and Equipment. Other allocations included hazardous fuels reduction at the airport and the Stateline Avenue Complete Streets project.

Measure S revenue additionally fully or partially funds several Safety personnel positions including seven firefighters previously funded by the SAFER grant, Fire Marshal position at 50%, one Police Lieutenant, and one Police Officer previously funded by the Tobacco Grant (the grant was not renewed). On March 28, 2023, City Council adopted Resolution 2023-029 authorizing a lease/purchase agreement for the purchase of snow removal equipment and designating Measure S funds totaling $301K for related debt service and $433K for the remaining cost of equipment. As of March 31st, a total of $3.9 million has been transferred out for these Measure S designated projects and programs.

City of South Lake Tahoe

Agenda Item Executive Summary

Joe Irvin, City Manager

Meeting Date: June 6, 2023
Agenda Item #: 8

Agenda Item: School Resource Officer Agreement with Lake Tahoe Unified School District

Executive Summary: This is a resolution approving a Memorandum of Agreement for the Police Department to dedicate a School Resource Officer for the 2023-2024 school year and approve budget with up to $68,212.00 reimbursement from LTUSD.

Requested Action / Suggested Motions: Pass a Resolution approving a Memorandum of Agreement between the City of South Lake Tahoe and the Lake Tahoe Unified School District (LTUSD) regarding the operation of the School Resource Officer (SRO) for the 2023-2024 School Year and approve budget for reimbursement from LTUSD to the City in the amount up to $68,212.00.
Responsible Staff Member: Lt. Scott Crivelli

Responsible Staff Member: Lt. Scott Crivelli (530) 542-6130

Reviewed and Approved By:
Susan Blankenship, City Clerk
Olga Tikhomirova, Director of Finance
Heather Stroud, City Attorney

Attachments:

01-Staff Report - School Resource Officer.docx
02-Resolution - School Resource Officer Agreement with LTUSD.docx
03 - LTUSD MOU (Exh. A to Reso).pdf

City of South Lake Tahoe
Report to **City Council**

Meeting Date: June 6, 2023

Title: School Resource Officer Agreement

Location: Citywide

Responsible Staff Member: Lt. Scott Crivelli (530) 542-6130

Background: The South Lake Tahoe Police Department is very supportive of the Lake Tahoe Unified School District and has developed a working partnership with the District by being committed to a variety of programs and services that will continue to reduce truancy, juvenile delinquency, and overall crime in our community. For the past 30 years, one of the ways the Department and the District have partnered together is through the School Resource Officer (SRO) program.

The SRO is mainly dedicated to handling criminal and school safety related incidents at South Tahoe High School and other schools in the city as needed. The SRO also acts as a mentor to a number of students and provides guidance and counseling on various related topics from sports to criminal behavior involving family members of students.

The SRO Program is a valuable program for the School District and the community. Our ability to positively impact the behaviors of students and their families has been and will continue to be a great benefit to our community.

Issue and Discussion: This item is before the City Council for approval of the attached Memorandum of Agreement concerning the operation of the School Resource Officer (SRO) Program between the City of South Lake Tahoe Police Department, and the Lake Tahoe Unified School District. The Agreement requires the Police Department to provide one Police Officer for the 2023-24 school year and for the District to reimburse the City in the amount up to $68,212.00 for this officer. This amount pays the base pay of the Police Officer's salary for the nine- month school year.

Financial Implications: There will be no additional burden to the general fund for the School Resource Officer. This position has been budgeted as an existing allocation for the Police Department. The District will reimburse the Department in the amount up to $68,212.00.

Once received, these funds will be applied to account # 100 02110 34210

Environmental Considerations: The proposed action is not a "project" subject to review under the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15378(b)(4) (creation of government funding mechanisms or government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment).

Policy Implications: This proposed agreement with LTUSD supports the following strategic priorities:

5.1 – Public Safety

Resolution 2023-XXX

Adopted by the City of South Lake Tahoe
City Council

June 6, 2023

Memorandum of Agreement with the Lake Tahoe Unified School District for a School Resource Officer (SRO) for the 2023-2024 School Year with Budget for Reimbursement from LTUSD to the City in the amount up to $68,212.00

BACKGROUND

A. The South Lake Tahoe Police Department is very supportive of the Lake Tahoe Unified School District and has developed a working partnership with the District by being committed to a variety of programs and services that will continue to reduce truancy, juvenile delinquency, and overall crime in our community. For the past 30 years, one of the ways the Department and the District have partnered together is through the School Resource Officer (SRO) program.

B. The Agreement between the City of South Lake Tahoe Police Department and the Lake Tahoe Unified School District requires the Police Department to provide one Police Officer for the 2023-2024 school year and for the District to reimburse the City in the amount up to $68,212.00 for this officer. The amount pays the base pay of the Police Officer's salary for the nine-month school year.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, BE IT RESOLVED, that the City Council of the City of South Lake Tahoe:

1. Authorizes and directs the Mayor to execute the SRO memorandum of agreement with LTUSD for the 2023-2024 school year, which is attached hereto as Exhibit "A."
2. Authorizes budget up to $68,212.00 from the Lake Tahoe Unified School into the Police Special Services account for Fiscal Year 2023-2024 as follows:

10002110-34210	Police Special Services	(+) 68,212.00

Adopted by the City of South Lake Tahoe City Council on June 6, 2023 by the following vote:
Yes:
No:
Absent:
Abstain:

_____ Date:_____

Cristi Creegan, Mayor

Attest:

_____

Susan Blankenship, City Clerk

The presence of electronic signature certifies that the foregoing is a true and correct copy as approved by the South Lake Tahoe City Council.

MEMORANDUM OF AGREEMENT
OPERATION OF THE SCHOOL RESOURCE OFFICER PROGRAM
JULY 1, 2023 - JUNE 30, 2024

WHEREAS, the Police Department of the City of South Lake Tahoe ("City") desires to make available to the Lake Tahoe Unified School District ('District") the services of one School Resource Officer ("SRO"); and

WHEREAS, the District desires to have said services available for use to fulfill the goal of safe, secure, and drug free schools; and

WHEREAS, the City is willing to provide the personnel resources to operate said program upon the payment of a portion of the costs by the District.

NOW, THEREFORE, for and in consideration of the mutual promises herein set forth, the City of South Lake Tahoe and the Lake Tahoe Unified School District agree as follows:

1. City shall provide one sworn Police Officer to conduct resource programs at school locations to be designated by the School District, as police department personnel deployment allows, and at such times as may be mutually agreed upon between the chief executive officer of the District and the City Manager, of the City or their designees. The City will be responsible for compensation of all police employees who are assigned to conduct resource programs at school locations, including compensation for necessary overtime hours and the health and/or retirement benefits of police employees.

2. The District agrees to reimburse the City for the 2023-2024 school year (from July 1, 2023 to June 30, 2024), an amount not to exceed Sixty-Eight Thousand Two Hundred Twelve Dollars ($68,212.00). The $68,212.00 is for the base wage of the Police Officer.

3. This agreement may be terminated by any party hereto upon ten (10) days written notice, first class mail, postage prepaid, to the chief executive officer of the non-canceling party. Upon such cancellation and subject to the ceiling described in Paragraph two above, City shall be reimbursed for the actual hours expended and administrative charges as of the date of cancellation.

4. District shall reimburse City upon receipt and approval of an invoice showing the hours expended and administrative charges, in accordance with the customary payment processes of the District. The invoices shall be submitted to the District by July 1, 2024.

5. City reserves the right to temporarily withdraw any or all assigned personnel for the duration of an emergency situation that arises. After any withdrawal, assigned personnel shall be returned to their regular assignment as soon as practical. If the withdrawal is protracted, affected positions may be backfilled by the City. Whenever assigned personnel are withdrawn from the District jurisdiction for an emergency assignment, notification shall be provided to the District Superintendent without delay. The Chief of Police or his designee shall have final discretion on emergency reassignment decisions related to any SRO.

6. The relationship between the City and District and their respective employees as provided herein shall be that of an independent contractor. No agency, joint powers agreement, or other relationship is created or intended to be created by this agreement.

7. The City shall indemnify and defend the District against, and hold harmless from any and all loss, damage and liability for damages, including attorney's fees or other costs of defense incurred by District, whether from damages to or loss of property, or injury to or death of District officers, agents and employees, which shall in any way arise out of or be connected by City's operation hereunder, unless such damage, loss, injury or death shall be caused solely by the negligence of District.

8. The District shall indemnify and defend the City against, and hold harmless from any and all loss, damage and liability for damages, including attorney's fees or other costs of defense incurred by City, whether from damages to or loss of property, or injury to or death of City officers, agents and employees, which shall in any way arise out of or be connected by District's operation hereunder, unless such damage, loss, injury or death shall be caused solely by the negligence of City.

9. This agreement may be terminated by either party upon ten (10) days of written notice, first class mail, postage prepaid, to the following:

To City: Manager
City of South Lake Tahoe
1901 Airport Road
South Lake Tahoe, CA
96150

To District: Superintendent
Lake Tahoe Unified School District
1021 Al Tahoe Blvd.
South Lake Tahoe, CA 96150

10. This agreement shall take effect upon the approval of the governing bodies of the parties hereto.

IN WITNESS WHEREOF, this agreement is dated June 6, 2023, in South Lake Tahoe, California.

CITY OF SOUTH LAKE TAHOE

BY:_____
Cristi Creegan, Mayor

Date:_____

ATTEST

BY:_____
Susan Blankenship, City Clerk

Date:_____

LAKE TAHOE UNIFIED SCHOOL DISTRICT

BY:_____
Dr. Todd Cutler, Superintendent

Date: 5/31/2023

Approved as to Form

BY: _____
Heather Stroud, City Attorney

Date:_____

City of South Lake Tahoe

Agenda Item Executive Summary

Joe Irvin, City Manager

Meeting Date: June 6, 2023
Agenda Item #: 9

Agenda Item: Memorandum of Understanding with the Lake Valley Fire Protection District Regarding Fuels Reduction Work

Executive Summary: This is an update to a previous MOU whereby the LVFPD provided service within the City of South Lake Tahoe. At that time, chipping, defensible space, and fuel reduction services were conducted by the LVFPD. The South Lake Tahoe Chipping crew and Defensible inspectors are in the process of being hired and through this MOU, the agencies plan to conduct work together when needed and focus on increasing the capacity of fuels reduction work within the South Shore division of the Tahoe Fire and Fuels Team.

Requested Action / Suggested Motions: Pass a Motion authorizing and directing the Mayor to execute a Memorandum of Understanding with the Lake Valley Fire Protection District to focus on increasing the capacity of fuels reduction work within the South Shore division of the Tahoe Fire and Fuels Team.
Responsible Staff Member: Jim Drennan, Fire Chief and Jay Manning, Battalion Chief

Responsible Staff Member: Jim Drennan, Fire Chief (530) 542-6152
Jay Manning, Battalion Chief (530) 542-6164

Reviewed and Approved By:
Susan Blankenship, City Clerk
Oga Tikhomirova, Director of Finance
Heather Stroud, City Attorney

Attachments:

01-Staff Report - MOU with LVFPD.docx
02-MOU SLT LVFD.pdf

City of South Lake Tahoe
Report to **City Council**

Meeting Date: June 6, 2023

Title: Memorandum of Understanding Between the City of South Lake Tahoe and the Lake Valley Fire Protection District

Location: Citywide

Responsible Staff Members: Jim Drennan, Fire Chief (530) 542-6052; Jay Manning, Battalion Chief (530) 542-6164

Background: Over the past year, South Lake Tahoe Fire Rescue (SLTFR) and LVFPD staff have been planning and coordinating a single wildfire prevention division from Stateline, NV to Echo Summit. As we all know and have witnessed, wildfire knows no boundaries. The SLTFR and the LVFPD desire to cooperate to eliminate the mutual threat of a catastrophic wildfire. To accomplish this goal, the SLTFR and LVFPD desire to enter into an MOU in order to streamline the process for landowners and homeowners seeking aid in eliminating fire hazards and creating defensible space. Furthermore, the SLTFR and LVFPD desire to work together to perform fuel reduction work on federal, state, local and private lands in South Lake Tahoe regardless of jurisdiction.

Issue and Discussion: This is an update to a previous MOU whereby the LVFPD provided service within the City of South Lake Tahoe. At that time, chipping, defensible space, and fuel reduction services were conducted by the LVFPD. The South Lake Tahoe Chipping crew and Defensible inspectors are in the process of being hired and through this MOU, the agencies plan to conduct work together when needed and focus on increasing the capacity of fuels reduction work within the south shore division of the Tahoe Fire and Fuels Team.

Financial Implications: This MOU language allows us to receive funding for south shore prevention and fuels work that will be brought back to city council at a later date.

Environmental Considerations: Defensible space provides a fuel buffer for structures and other flammable fuels as well as provides firefighters access from which to defend a threatened area. The proposed action of applying for the grant funds is not a “project” under the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15378(b)(2) because it is a continuing administrative or maintenance activity such as purchases for supplies and personnel-related actions.

Policy Implications: This MOU adheres to the City Council’s strategic plan section 5.1 for Public Safety. “Continue to modernize our wildfire preparedness and emergency evacuation plan in coordination with neighboring jurisdictions” as well as “Build out the Fire Prevention Bureau to include defensible space and commercial building inspections.”

MEMORANDUM OF UNDERSTANDING
BETWEEN THE CITY OF SOUTH LAKE TAHOE
AND THE LAKE VALLEY FIRE PROTECTION

This Memorandum of Understanding ("MOU") is entered into this ___ _____ _____ between the City of South Lake Tahoe (hereinafter, the "City"), a municipal corporation located in the County of El Dorado, California and the Lake Valley Fire Protection District (hereinafter "LVFPD"), a multi-county special district operating under the authority of the Fire Protection District Law of 1987, within the State of California.

Recitals:

A. WHEREAS, the City has statutory authority to provide for the protection of life and property within its boundaries. Because of the urban/forest interface, wild-land fires remain one of the greatest threats to the residents of the City. Hazardous fuel reduction on local, private, state and federal land within the City is paramount to reducing the threat of catastrophic wildfire. The CSLT's South Lake Tahoe Fire Rescue (SLTFR) has managed the threat of wildfire through fuel reduction administered by their prevention department.

B. WHEREAS, the LVFPD has statutory authority to provide for the protection of life and property within its boundaries. Because of the urban/forest interface, wild-land fires remain one of the greatest threats to the residents of the LVFPD. Hazardous fuel reduction on local, private, state and federal land within the LVFPD is paramount in terms of reducing the threat of another catastrophic wildfire like the Caldor Fire. The LVFPD has managed the threat of wildfire through fuel reduction administered by their Wildfire Prevention Division.

C. WHEREAS, the City has the authority under South Lake Tahoe City Code Chapter 12 *et seq.* to require the elimination and removal of fire hazards on private lands within the city, including the removal and elimination of dry grass, stubble, brush, or other flammable material that in its judgment constitutes a fire hazard. Pursuant to the Tahoe Regional Planning Agency ("TRPA") Code of Ordinances section 61.1.7.D, the City can issue permits for removal of trees for defensible space purposes associated with a building or structure that have been determined to be a fire hazard by a qualified forester (as defined in TRPA Code section 90.2) or a defensible space assessor (as defined in TRPA Code section 90.2), subject to approval by TRPA. Pursuant to TRPA Code section 61.3.6.D, within areas of significant fire hazard, as determined by local, state or federal agencies, combustible vegetation may be removed, thinned, or manipulated to prevent the spread of wildfire.

D. WHEREAS, pursuant to El Dorado County (EDC) Ordinance 5101 Chapter 8.09 – Hazardous Vegetation and Defensible Space, the LVFPD has the authority to require the elimination and removal of fire hazards on private lands within the district, including the removal and elimination of dry grass, stubble, brush, or other flammable material that in its judgment constitutes a fire hazard. In addition, the District has the authority to utilize the fire safety standards set forth in California Public Resources Code Sections 4290-4291 and to refer violations thereof to CALFIRE. Pursuant to the TRPA Code of Ordinances section 61.1.7.D, LVFPD can issue permits for removal of trees for defensible space purposes associated with a building or structure that have been determined to be a fire hazard by a qualified forester (as defined in TRPA Code section 90.2) or a defensible space assessor (as defined in TRPA Code section 90.2), subject to approval by TRPA. Pursuant to TRPA Code section 61.3.6.D, within areas of significant fire hazard, as determined by local, state or federal agencies, combustible vegetation may be removed, thinned, or manipulated to prevent the spread of wildfire.

E. WHEREAS, the City and the LVFPD are members of the Tahoe Fire and Fuels Team ("TFFT") and have received federal funding to treat hazardous fuels. The TFFT is a collaborative of the local fire agencies in the Lake Tahoe Basin.

F. WHEREAS, the City and the LVFPD educate and assist private property owners in reducing fire hazard vegetation and achieving defensible space.

G. WHEREAS, the City and the LVFPD desire to cooperate to eliminate the mutual threat of a catastrophic wildfire. In an effort to accomplish this goal, the City and LVFPD desire to enter into this MOU in order to streamline the process for landowners and homeowners seeking aid in eliminating fire hazards and creating defensible space. Furthermore, the City and LVFPD desire to work together to perform fuel reduction work on federal, state, local and private lands in South Lake Tahoe regardless of jurisdiction.

H. WHEREAS, the City wishes to authorize the LVFPD to act on its behalf to accomplish these goals thereby reducing the threat of wildfires within the CSLT.

I. WHEREAS, the LVFPD wishes to authorize the SLTFR to act on its behalf to accomplish these goals thereby reducing the threat of wildfires within the LVFPD.

J. WHEREAS, this MOU is for the purpose of ensuring that that work conducted by the SLTFR and LVFPD pursuant to this MOU will reduce fire hazards and provide defensible space within the City and LVFPD while complying with all applicable statutory responsibilities of the City and the LVFPD.

NOW THEREFORE, IT IS UNDERSTOOD BY THE CITY AND THE LVFPD:

1. Pursuant to direction provided by the Fire Chief of the City and LVFPD, the City may delegate to the LVFPD and the LVFPD may delegate to SLTFR the authority held by it to:

a. Represent each the City and SLTFR to local, federal, and state wildfire prevention partners and on the Tahoe Fire and Fuels Team.
b. Direct SLTFR and LVFPD staff performing prevention services in the City and LVFPD.
c. Assist the SLTFR and LVFPD in developing an update to the Community Wildfire Protection Plan (CWPP).
d. Manage fuel reduction projects identified within the City and the LVFPD in accordance with the CWPP.
e. Apply for grant or other funding for defensible space and hazard fuel reduction; manage and direct all said grants including the administration of the grants, procurement of all required permits and authorizations, and implementation of work pursuant to the grants.
f. Assist SLTFR and LVFPD with defensible space inspections and tree marking.
g. Provide guidance, training and protocol to both the SLTFR and LVFPD or other departments.
h. Coordinate to determine whether there are prior or pending actions with regard to any of the delegated authorities set forth herein in paragraph 1.

2. The SLTFR and LVFPD shall not be entitled to any compensation for the services provided in paragraph 1 herein by this MOU. However, the SLTFR and the LVFPD may enter into additional contracts, including but not limited to professional services agreements in the event both entities wish for SLTFR and LVFPD to perform services for which compensation is due. The City shall not authorize compensation to be paid by the City to the LVFPD without a separate and additional contract or vice versa.

3. The SLTFR and LVFPD shall be entitled to receive any such grants or other funding described in paragraph 1 herein as compensation for services provided by SLTFR and LVFPD to the City or LVFPD.

4. The LVFPD is not obligated to use its general fund to provide the services set forth in paragraph 1 herein to the City.

5. The SLTFR and LVFPD shall provide to the SLTFR and LVFPD quarterly updates on defensible space and fire hazard reduction program within the City and LVFPD.

6. The City shall work with the LVFPD to develop informative materials for delivery to the public with regard to defensible space and hazard fuel reduction.

7. None of the authorities, duties or responsibilities set forth in this MOU shall be assigned, transferred or subcontracted by the SLTFR and LVFPD without the prior written consent of both agencies

8. Indemnity. The City hereby agrees to and shall defend, indemnify and hold harmless LVFPD, its elected and appointed boards, officers, agents, employees and volunteers from and against any liability for any and all claims, demands, actions, losses, damages and injuries, direct or indirect (including any and all costs and expenses in connection therein), arising out of the negligent performance of this MOU or its breach of its obligations contained in this MOU, except for any such claims arising out of the sole negligence or willful misconduct of the LVFPD, its boards, officers, agents, employees or volunteers. LVFPD hereby agrees to and shall defend, indemnify and hold harmless the City, its elected and appointed boards, officers, agents, employees and volunteers from and against any liability for any and all claims, demands, actions, losses, damages and injuries, direct or indirect (including any and all costs and expenses in connection therein), arising out of the negligent performance of this MOU or its breach of its obligations contained in this MOU, except for any such claims arising out of the sole negligence or willful misconduct of the City, its boards, officers, agents, employees or volunteers.

9. SLTFR and LVFPD's Books and Records.

   a. SLTFR and LVFPD shall maintain all documents and records which demonstrate performance under this MOU for a minimum period of three (3) years, or for any longer period required by law, from the date of termination or completion of this MOU.
   b. Any records or documents required to be maintained pursuant to this MOU shall be made available for inspection or audit, at any time during regular business hours, upon written request by the SLTFR and LVFPD. Copies of such documents shall be provided to the SLTFR and LVFPD for inspection.

10. Termination. Either party may cancel or terminate this MOU at any time upon providing the other party notice of such termination and specifying the effective date thereof, at least ten (10) days before the effective date of such termination. In the event of termination, the SLTFR and LVFPD shall be entitled to the grants or other funding provided for the services rendered by the SLTFR and LVFPD under this MOU.

11. The SLTFR and LVFPD shall provide skilled professional and technical personnel to perform all services under this MOU. All services rendered under this MOU by the SLTFR and LVFPD shall be in accordance with all applicable federal, state, regional and local laws, codes, ordinances and regulations.

In witness whereof, the parties have entered into this Memorandum of Understanding.

Date: 5/18/23

Lake Valley Fire Protection District

By: Chad Stephen
Fire Chief

Date:

South Lake Tahoe Fire Rescue

By: Jim Drennen
Fire Chief

Date:

City of South Lake Tahoe

By: Joeseph D. Irvin
City Manager

Date: 5/19/23

Lake Valley Fire Protection District

By: John Rice
Director, Chairperson

Date:

City of South Lake Tahoe

By: Cristi Creegan
Mayor

City of South Lake Tahoe

Agenda Item Executive Summary

Joe Irvin, City Manager

Meeting Date: June 6, 2023
Agenda Item #: 10

Agenda Item: Senate Bill 1 Road Maintenance and Rehabilitation Account Project List for Fiscal Year 2023-2024

Executive Summary: City Council will consider approving a proposed project list and resolution for the expenditure of Senate Bill 1 Road Maintenance and Rehabilitation Account funds for FY 2023 - 2024. These funds require establishing a project list each year for the City to be eligible to receive SB 1 funding. The State currently estimates that $529,631 will be distributed to the City via SB 1, and staff recommends including Pioneer Trail and 10th Street for roadway rehabilitation.

Requested Action / Suggested Motions: Pass a Resolution adopting a list of projects for Fiscal Year 2023-2024 funded by S.B. 1, The Road Repair and Accountability Act of 2017.
CEQA Determination: The project is exempt from review under CEQA Guidelines section 15301(c) (Existing Facilities).
Responsible Staff Member: Anush Nejad, Director of Public Works

Responsible Staff Member: Anush Nejad, Director of Public Works

Reviewed and Approved By:
Susan Blankenship, City Clerk
Olga Tikhomirova, Director of Finance
Heather Stroud, City Attorney

Attachments:

01-Staff_Report-RMRA_Project_List_23-24.docx
02-Resolution_SB1_Road_Maintenance_and_Rehabilitation_23-24.docx
03-SB_1_Estiimated_Revenue_23-24.pdf

City of South Lake Tahoe
Report to **City Council**

Meeting Date: June 6, 2023

Title: Senate Bill 1 Road Maintenance and Rehabilitation Account Project List for FY23/24

Location: Citywide

Responsible Staff Member: Anush Nejad, Director of Public Works (530) 542-6031
Stan Hill, Engineering Manager (530) 542-6039

Background: In April 2017, the State passed Senate Bill 1 (S.B. 1), increasing the State's Gas Tax. "This act presents a balance of new revenues and reasonable reforms to ensure efficiency, accountability, and performance from each dollar invested in improving California's transportation system."

S.B. 1 creates the Road Maintenance and Rehabilitation Account (RMRA) and the Road Maintenance and Rehabilitation Program (RMRP). Programs funded by this account include the Local Partnership Program (LPP), the Active Transportation Program (ATP), the State Highway Operation and Protection Program (SHOPP), and Local Streets and Roads apportionments.

S.B. 1 states that "it is the intent of the Legislature that the Department of Transportation and local governments are held accountable for the efficient investment of public funds to maintain the public highways, streets, and roads, and are accountable to the people through performance goals that are tracked and reported."

Under S.B. 1, the City is eligible to receive funds for local streets and road rehabilitation and maintenance from the RMRA. The funds are a census-based apportionment and are subject to certain eligibility requirements. According to the latest estimate of the State FY 23/24 RMRA apportionment for Cities (Attachment A), the City is eligible to receive approximately $529,631 in FY 23/24.

Issue and Discussion: To be eligible for the RMRA funds, the City must submit a list of proposed projects to the California Transportation Commission (CTC) no later than July 1, 2023. The project(s) must be approved in the City's annual budget adoption or amended into the budget before submission to the CTC. As such, staff requests that the attached resolution be adopted for the following roadway rehabilitation projects in the FY 23/24 Capital Improvement Plan.

1. Pioneer Trail from Ski Run to U.S. 50
2. 10th Street from Dunlap to 15th Street

The proposed construction will include grinding 3-4” of asphalt and replacing it with new asphalt. This rehabilitation technique should provide a 20-year life extension to the roadways. The project will commence summer of 2024 and will be completed by fall of 2024.

The streets selected for this program are consistent with the City’s 5-year paving plan for 2024. Each of these streets has low Pavement Condition Index (PCI) ratings. These streets have also recently had new utility lines installed, which has resulted in long stretches of patch paving. Consistent with the City’s dig once policy, the City will concurrently install new stormwater infrastructure with these projects. Additional coordination with the remaining utility providers has also occurred, and no further utility work is expected in these areas.

The amount of funds received through S.B. 1 is limited and will be insufficient to cover the paving of some of these streets. These funds will be added to the overall project budget and will supplement the paving portion of the project. The exact Street to be paved with these funds will be determined in the future and will be dependent on additional funding allocation for the projects.

Financial Implications: RMRA funds have no match requirement but must be used for road rehabilitation, or they will be rescinded back to the State. The City will utilize the $529,631 worth of RMRA funding to pave streets within the two proposed project areas.

Environmental Considerations: This project is considered roadway rehabilitation and will not extend the boundaries of the existing roadways. As such, the project is exempt from Tahoe Regional Planning Agency (TRPA) permits and the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15301(c) (Existing Facilities). All applicable best management practices will be utilized to protect air and water quality during construction.

Policy Implications: The use of these funds to supplement paving on these projects is consistent with the City’s Strategic Plan. It aligns with City’s Transportation goals by rehabilitating City owned streets. The use of these funds is also consistent with Infrastructure and Maintenance goal. These funds help maintain City roadway infrastructure and are available on an annual basis with no requirements other than submitting an annual expenditure report. These funds are very sustainable and should continue to be available for years.

Resolution 2023-XXX

Adopted by the City of South Lake Tahoe
City Council

June 6, 2023

Adopting a List of Projects for the Fiscal Year 2023-24 Funded by S.B. 1: The Road Repair and Accountability Act of 2017

BACKGROUND

A. Senate Bill 1 (S.B. 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017), was passed by the Legislature and Signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide.

B. S.B. 1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year.

C. The City must adopt by resolution a list of projects proposed to receive fiscal year funding from the Road Maintenance and Rehabilitation Account (RMRA), created by S.B. 1, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement.

D. The City will receive an estimated $529,631 in RMRA funding in the Fiscal Year 2023-24 from S.B. 1.

E. This is the seventh year in which the City is receiving S.B. 1 funding and will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging bridges, and increasing access and mobility options for the traveling public that would not have otherwise been possible without S.B. 1.

F. The City has undergone a robust public process to ensure public input into our community's transportation priorities/the project list.

G. The City used a Pavement Management System to develop the S.B. 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the communities priorities for transportation investment.

H. The funding from S.B. 1 will help the City maintain and rehabilitate two roads throughout the City this year and one to two similar projects in the future.

I. The 2018 California Statewide Local Streets and Roads Needs Assessment found that the City's streets and roads are in an "at-risk" condition, and this revenue will help us increase the overall quality of our road system and, over the next decade, will bring the streets and roads into an "at-risk" condition.

J. The S.B. 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials, and practices, will have significant positive co-benefits statewide.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, BE IT RESOLVED that the City Council of the City of South Lake Tahoe:

1. Declares the foregoing recitals are true and correct.
2. Adopts the following list of newly proposed projects will be funded in part with Fiscal Year 2023-24 Road Maintenance and Rehabilitation Account revenues:

Title	Description	Location	Component	Priority Status	Est. Schedule		Useful Life		Assembly	Senate
					Start	Finish	Min	Max		
Pioneer Trail Road Rehab and Sidewalk Installation	The project will include the rehabilitation of existing pavement	Ski Run to U.S. 50	Con	New 23/24	6/24	10/24	20	20	5	1
10th Street Road Rehab	The project will include the rehabilitation of existing pavement	Dunlap Drive to 15th Street	Con	New 23/24	6/24	10/24	20	20	5	1

Adopted by the City of South Lake Tahoe City Council on June 6, 2023, by the following vote:
Yes:
No:
Absent:
Abstain:

_____ Date:_____

Cristi Creegan, Mayor

Attest:

_____

Susan Blankenship, City Clerk

The presence of electronic signature certifies that the foregoing is a true and correct copy as approved by the South Lake Tahoe City Council.

Local Streets and Roads - Projected Revenues

Estimated January 2023	2022-23 Hwy Users Tax Account	2022-23 Road Mntnc Rehab Acct	2022-23 TOTAL	2023-24 Hwy Users Tax Account	2023-24 Road Mntnc Rehab Acct	2023-24 TOTAL
DEL NORTE COUNTY						
CRESCENT CITY	174,368	146,352	320,721	193,085	166,812	359,897
County of Del Norte	1,278,930	1,273,431	2,552,361	1,420,962	1,451,456	2,872,418
Total City & County: Del Norte	1,453,298	1,419,783	2,873,082	1,614,047	1,618,268	3,232,315
EL DORADO COUNTY						
PLACERVILLE	304,450	234,472	538,922	336,951	267,250	604,202
SOUTH LAKE TAHOE	1,642,882	464,671	2,107,553	1,707,293	529,631	2,236,924
County of El Dorado	9,077,186	6,624,825	15,702,011	9,760,994	7,550,970	17,311,964
Total Cities & County: El Dorado	11,024,518	7,323,967	18,348,486	11,805,238	8,347,852	20,153,089
FRESNO COUNTY						
CLOVIS	3,088,609	2,682,076	5,770,685	3,431,879	3,057,028	6,488,907
COALINGA	457,872	391,841	849,714	508,023	446,621	954,643
FIREBAUGH	216,559	183,027	399,586	239,984	208,614	448,598
FOWLER	179,847	150,994	330,841	199,172	172,102	371,274
FRESNO	13,537,978	11,791,028	25,329,006	15,047,072	13,439,405	28,486,476
HURON	160,161	133,816	293,978	177,288	152,524	329,812
KERMAN	422,378	360,871	783,249	468,565	411,320	879,885
KINGSBURG	318,648	271,233	589,881	353,363	309,151	662,514
MENDOTA	320,662	272,990	593,652	355,601	311,154	666,754
ORANGE COVE	245,864	208,597	454,462	272,562	237,759	510,321
PARLIER	370,926	315,976	686,902	411,367	360,149	771,516
REEDLEY	631,751	541,816	1,173,567	701,096	617,561	1,318,657
SANGER	671,396	576,408	1,247,805	745,169	656,990	1,402,159
SAN JOAQUIN	97,742	80,225	177,967	108,010	91,440	199,450
SELMA	624,164	536,068	1,160,232	692,774	611,010	1,303,784
County of Fresno	26,172,202	23,307,378	49,479,580	29,056,485	26,565,732	55,622,217
Total Cities & County: Fresno	47,516,761	41,804,344	89,321,105	52,768,408	47,648,560	100,416,968
GLENN COUNTY						
ORLAND	209,299	179,297	388,595	231,980	204,362	436,342
WILLOWS	164,228	139,390	303,618	181,861	158,877	340,738
County of Glenn	2,839,094	2,985,977	5,825,071	3,106,543	3,403,414	6,509,957
Total Cities & County: Glenn	3,212,621	3,304,664	6,517,285	3,520,384	3,766,653	7,287,037

City of South Lake Tahoe

Agenda Item Executive Summary

Joe Irvin, City Manager

Meeting Date: June 6, 2023
Agenda Item #: 11

Agenda Item: Agreement with California Department of Transportation for Pedestrian Light Maintenance for the US 50 Safety Project

Executive Summary: The City executed a Cooperative Agreement with the California Department of Transportation (Caltrans) to design and construct safety upgrades along US 50 from Junction 89 to Pioneer Trail. The project entails improving roadway lighting, installing green bike lane treatment, and enhancing the visibility of crosswalks, including pedestrian signals at mid-block crossings. Caltrans is currently in the final stages of the design of the project. Construction is expected to begin by May 2024. As a part of the project, Caltrans will upgrade the decorative pedestrian lighting placed on State Highway on State Route 50. The City is expected to maintain the decorative streetlights. Caltrans will install the city-adopted Dark Sky LED light at 2,200 Kelvin. This agreement will add 219 decorative LED lights along US 50.

Requested Action / Suggested Motions: Pass a Motion authorizing and directing the Mayor to execute a Maintenance Agreement with the California Department of Transportation (Caltrans) for the Decorative Pedestrian Light Maintenance as a part of the US 50 Safety Project.
CEQA Determination: The proposed maintenance agreement and maintenance of the streetlights are categorically exempt from review under the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15301(c) (Existing Facilities) because it involves the maintenance and minor alteration of an existing public highway involving negligible or no expansion of existing or former use.
Responsible Staff Members: Anush Nejad, Director of Public Works and Stan Hill, Engineering Manager

Responsible Staff Member: Anush Nejad, Director of Public Works (530) 542-6031
Stan Hill, Engineering Manager (530) 542-6039

Reviewed and Approved By:
Susan Blankenship, City Clerk
Olga Tikhomirova, Director of Finance
Heather Stroud, City Attorney

Attachments:

01-Staff_Report__US_50_Maintenance_Agreement.docx
02 - C-090-2021 Caltrans Coop Agreement_Executed.pdf
03 - Maintenance Agreement US-50.pdf

City of South Lake Tahoe
Report to **City Council**

Meeting Date: June 6, 2023

Title: Maintenance Agreement with Caltrans for US 50 Safety Project

Location: U.S. 50 between State Route 89 (Y") and Pioneer Trail

Responsible Staff Member: Anush Nejad, Director of Public Works – (530) 542-6031 and Stan Hill – (530) 542-6039

Background: On September 10, 2021, the city executed a Cooperative Agreement with the California Department of Transportation (Caltrans) to design and construct safety upgrades along US 50 from Junction 89 to Pioneer Trail. The safety upgrades include improving roadway lighting, installing green bike lane treatment, and enhancing crosswalks' visibility, including pedestrian signals at mid-block crossings. Caltrans agreed to be the lead agency for environmental clearance, design, right-of-way engineering, and construction. Caltrans is also responsible for funding their areas of responsibility (See Attachment 01 for Cooperative Agreement).

The project is currently in the final design phase and expected to be bid out this summer, with the start and completion of the construction in 2024. The city has requested 2,200 Kelvin LED lights that conform with the newly adopted Dark Sky standards for the decorative lights. Safety lights conform to standard Caltrans standards.

Issue and Discussion: Caltrans is requesting an agreement with the Maintenance and Repair of the Decorative Street Lights that will be installed as a part of the US 50 Safety Project. (See Attachment 02). As a part of the agreement, in general, the city would agree to the following:

- Maintain or have an authorized licensed contractor with the appropriate class of license in California to maintain the lights conforming to those plans and specifications (PS&E) pre-approved by Caltrans.
- Have in place a valid, necessary encroachment permit before starting any work within Caltrans' right of way.
- Obtain an Encroachment Permit before starting any work within Caltrans right of way.
- Have adequate scheduled routine maintenance and a neat and attractive appearance during the entire life of the Agreement, including expeditiously maintaining, replacing, and repairing any lighting system that has become unsafe or unsightly.
- Furnish electricity for lighting system controls for all lighting.
- Remove dirt, debris, graffiti, weeds, and any deleterious item or material on or about the lighting.

- Remove lighting and appurtenances and restore Caltrans-owned areas to a safe and attractive condition acceptable to Caltrans if this Agreement is terminated as set forth herein.

Financial Implications: The project is expected to be completed by the Summer of 2024, and at that point, the City needs to begin maintaining the decorative streetlights. There are a total of 219 LED luminaires. The city plans to retain a contractor to manage the maintenance and repair of the luminaires. The estimate annual maintenance and repair costs for the 219 luminaires is $60,650, as shown in the table below:

Item	Number	Unit Price	Annual Total
Routine Maintenance	219	30	$ 6,570
Repair Knock Downs	2	12000	$ 24,000
Graffiti and Other Clean Up	20	100	$ 2,000
Electricity	219	50	$ 10,950
Misc. Repair	1	5000	$ 5,000
Sub-Total			$ 48,520
Contingency at 25%			$ 12,130
Estimated Annual Total			$ 60,650

The budget for the annual maintenance work will be requested during annual budgeting, beginning at the mid-year budgeting process in 2024.

Environmental Considerations: The proposed maintenance agreement and maintenance of the street lights are categorically exempt from review under the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15301(c) (Existing Facilities) because it involves the maintenance and minor alteration of an existing public highway involving negligible or no expansion of existing or former use. Caltrans has obtained Environmental clearance for the project as a separate action.

Policy Implications: Maintenance of the Street Lights will provide additional safety and amenities for pedestrians and bicyclists along US 50.

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COOPERATIVE AGREEMENT

This AGREEMENT, effective on 9/10/2021, is between the State of California, acting through its Department of Transportation, referred to as CALTRANS, and:

City of South Lake Tahoe, a body politic and municipal corporation or chartered city of the State of California, referred to hereinafter as CITY.

An individual signatory agency in this AGREEMENT is referred to as a PARTY. Collectively, the signatory agencies in this AGREEMENT are referred to as PARTIES.

RECITALS

1. PARTIES are authorized to enter into a cooperative agreement for improvements to the State Highway System per the California Streets and Highways Code, Sections 114 and 130.

2. For the purpose of this AGREEMENT, United States 50 from Junction 89 to Pioneer Trail, improve roadway lighting, install green bike lane treatment and enhanced visibility crosswalks including pedestrian signals at mid-block crossings (PM 75.4/80.1) will be referred to hereinafter as PROJECT. The PROJECT scope of work is defined in the Project Report.

3. All obligations and responsibilities assigned in this AGREEMENT to complete the following PROJECT COMPONENTS will be referred to hereinafter as WORK:

   - PLANS, SPECIFICATIONS, AND ESTIMATE (PS&E)
   - RIGHT-OF-WAY

   Each PROJECT COMPONENT is defined in the CALTRANS Workplan Standards Guide as a distinct group of activities/products in the project planning and development process.

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4. The term AGREEMENT, as used herein, includes this document and any attachments, exhibits, and amendments.

   This AGREEMENT is separate from and does not modify or replace any other cooperative agreement or memorandum of understanding between the PARTIES regarding the PROJECT.

   PARTIES intend this AGREEMENT to be their final expression that supersedes any oral understanding or writings pertaining to the WORK. The requirements of this AGREEMENT will preside over any conflicting requirements in any documents that are made an express part of this AGREEMENT.

   If any provisions in this AGREEMENT are found by a court of competent jurisdiction to be, or are in fact, illegal, inoperative, or unenforceable, those provisions do not render any or all other AGREEMENT provisions invalid, inoperative, or unenforceable, and those provisions will be automatically severed from this AGREEMENT.

   Except as otherwise provided in the AGREEMENT, PARTIES will execute a written amendment if there are any changes to the terms of this AGREEMENT.

   PARTIES agree to sign a CLOSURE STATEMENT to terminate this AGREEMENT. However, all indemnification, document retention, audit, claims, environmental commitment, legal challenge, maintenance and ownership articles will remain in effect until terminated or modified in writing by mutual agreement or expire by the statute of limitations.

5. The following work associated with this PROJECT has been completed or is in progress:

   - CALTRANS approved the Negative Declaration on September 19, 2019.
   - CALTRANS approved the Categorical Exclusion on September 19, 2019.
   - CALTRANS is developing the Project Report.

6. In this AGREEMENT capitalized words represent defined terms, initialisms, or acronyms.

7. PARTIES hereby set forth the terms, covenants, and conditions of this AGREEMENT.

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RESPONSIBILITIES

Sponsorship

8. A SPONSOR is responsible for establishing the scope of the PROJECT and securing the financial resources to fund the WORK. A SPONSOR is responsible for securing additional funds when necessary or implementing PROJECT changes to ensure the WORK can be completed with the funds obligated in this AGREEMENT.

9. CALTRANS is the SPONSOR for the WORK in this AGREEMENT.

Implementing Agency

10. The IMPLEMENTING AGENCY is the PARTY responsible for managing the scope, cost, schedule, and quality of the work activities and products of a PROJECT COMPONENT.

    - CALTRANS is the Plans, Specifications, and Estimate (PS&E) IMPLEMENTING AGENCY.

      PS&E includes the development of the plans, specifications, and estimate; obtaining any resource agency permits; and the advertisement/award of the construction contract.

    - CALTRANS is the RIGHT OF WAY IMPLEMENTING AGENCY

      RIGHT OF WAY includes coordination with utility owners for the protection, removal, or relocation of utilities; the acquisition of right-of-way interests; and post-construction work such as right-of-way monumentation/recordation, relinquishments/vacations, and excess land transactions. The RIGHT OF WAY component budget identifies the cost of the capital costs of right-of-way acquisition (RIGHT-OF-WAY CAPITAL) and the cost of the staff work in support of the acquisition (RIGHT-OF-WAY SUPPORT).

11. Any PARTY responsible for completing WORK will make its personnel and consultants that prepare WORK available to help resolve WORK-related problems and changes for the entire duration of the PROJECT including PROJECT work that may occur under separate agreements.

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Funding

12. Funding sources, PARTIES committing funds, funding amounts, and invoicing/payment details are documented in the Funding Summary section of this AGREEMENT.

    PARTIES will amend this AGREEMENT by updating and replacing the Funding Summary, in its entirety, each time the funding details change. Funding Summary replacements will be executed by a legally authorized representative of the respective PARTIES. The most current fully executed Funding Summary supersedes any previous Funding Summary created for this AGREEMENT.

13. PARTIES will not be reimbursed for costs beyond the funds obligated in this AGREEMENT.

14. Unless otherwise documented in the Funding Summary, overall liability for project costs within a PROJECT COMPONENT will be in proportion to the amount contributed to that PROJECT COMPONENT by each fund type.

15. Unless otherwise documented in the Funding Summary, any savings recognized within a PROJECT COMPONENT will be credited or reimbursed, when allowed by policy or law, in proportion to the amount contributed to that PROJECT COMPONENT by each fund type.

16. WORK costs, except those that are specifically excluded in this AGREEMENT, are to be paid from the funds obligated in the Funding Summary. Costs that are specifically excluded from the funds obligated in this AGREEMENT are to be paid by the PARTY incurring the costs from funds that are independent of this AGREEMENT.

CEQA/NEPA Lead Agency

17. CALTRANS is the CEQA Lead Agency for the PROJECT.

18. CALTRANS is the NEPA Lead Agency for the PROJECT.

Environmental Permits, Approvals and Agreements

19. PARTIES will comply with the commitments and conditions set forth in the environmental documentation, environmental permits, approvals, and applicable agreements as those commitments and conditions apply to each PARTY's responsibilities in this AGREEMENT.

20. Unless otherwise assigned in this AGREEMENT, the IMPLEMENTING AGENCY for a PROJECT COMPONENT is responsible for all PROJECT COMPONENT WORK associated with coordinating, obtaining, implementing, renewing, and amending the PROJECT permits, agreements, and approvals whether they are identified in the planned project scope of work or become necessary in the course of completing the PROJECT.

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21. The PROJECT will not require environmental permits/approvals.

Plans, Specifications, and Estimate (PS&E)

22. As the PS&E IMPLEMENTING AGENCY, CALTRANS is responsible for all PS&E WORK except those activities and responsibilities that are assigned to another PARTY and those activities that are excluded under this AGREEMENT.

23. CALTRANS will prepare Utility Conflict Maps identifying the accommodation, protection, relocation, or removal of any existing utility facilities that conflict with construction of the PROJECT or that violate CALTRANS' encroachment policy.

24. CALTRANS will determine the cost to positively identify and locate, accommodate, protect, relocate, or remove any utility facilities whether inside or outside the State Highway System right-of-way in accordance with federal and California laws and regulations, and CALTRANS' policies, procedures, standards, practices, and applicable agreements including but not limited to Freeway Master Contracts.

25. PARTIES acknowledge that the activities Final District PS&E Package (255.20) and Contract Bid Documents "Ready to List" (260) will be performed by CALTRANS. Because CALTRANS is anticipated to perform the advertisement, award, and administration (AAA) of the construction contract, the PS&E package must be reviewed and approved by CALTRANS District and HQ Office Engineers prior to advertisement.

    CITY will ensure that any consultant involved in the preparation of the PS&E package will remain available to address all comments generated during the performance of the Final District PS&E Package and Contract Bid Documents "Ready to List" activities.

RIGHT-OF-WAY

26. As the RIGHT-OF-WAY IMPLEMENTING AGENCY, CALTRANS is responsible for all RIGHT-OF-WAY WORK except those activities and responsibilities that are assigned to another PARTY and those activities that are excluded under this AGREEMENT.

27. CALTRANS will purchase easement rights in the CITY's name, identified as permanent easement areas, in the name of the CITY for CITY's decorative lighting improvements, which is part of this PROJECT. CITY agrees to accept easements.

28. Any condemnation for right of way easements will be in CALTRANS' name using a Director's Deed. CALTRANS will then convey those areas via Director's Easement Deed to the CITY, subject to approval by the California Transportation Commission. CITY agrees to accept easements.

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29. The California Transportation Commission is responsible for hearing and adopting Resolutions of Necessity.

30. CALTRANS will provide Right-of-Way Certification prior to PROJECT advertisement.

31. Physical and legal possession of the right-of-way must be completed prior to advertising the construction contract, unless PARTIES mutually agree to other arrangements in writing.

32. Right-of-way conveyances must be completed prior to WORK completion unless PARTIES mutually agree to other arrangements in writing.

Schedule

33. PARTIES will manage the WORK schedule to ensure the timely use of obligated funds and to ensure compliance with any environmental permits, right-of-way agreements, construction contracts, and any other commitments. PARTIES will communicate schedule risks or changes as soon as they are identified and will actively manage and mitigate schedule risks.

34. The IMPLEMENTING AGENCY for each PROJECT COMPONENT will furnish PARTIES with a final report of the WORK completed.

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Additional Provisions

Standards

35. PARTIES will perform all WORK in accordance with federal and California laws, regulations, and standards; Federal Highway Administration (FHWA) standards; and CALTRANS standards. CALTRANS standards include, but are not limited to, the guidance provided in the:

- CADD Users' Manual
- CALTRANS policies and directives
- Plans Preparation Manual
- Project Development Procedures Manual (PDPM)
- Workplan Standards Guide
- Standard Environmental Reference
- Highway Design Manual
- Right of Way Manual

Qualifications

36. Each PARTY will ensure that personnel participating in WORK are appropriately qualified or licensed to perform the tasks assigned to them.

37. CITY will issue any encroachment permits that are necessary for WORK within its jurisdiction and outside the State Highway System right-of-way. CITY will provide encroachment permits to CALTRANS, its contractors, consultants and agents, at no cost.

38. The IMPLEMENTING AGENCY for a PROJECT COMPONENT will coordinate, prepare, obtain, implement, renew, and amend any encroachment permits needed to complete the WORK.

Protected Resources

39. If any PARTY discovers unanticipated cultural, archaeological, paleontological, or other protected resources during WORK, all WORK in that area will stop and that PARTY will notify all PARTIES within 24 hours of discovery. WORK may only resume after a qualified professional has evaluated the nature and significance of the discovery and CALTRANS approves a plan for its removal or protection.

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Disclosures

40. PARTIES will hold all administrative drafts and administrative final reports, studies, materials, and documentation relied upon, produced, created, or utilized for the WORK in confidence to the extent permitted by law and where applicable, the provisions of California Government Code, Section 6254.5(e) will protect the confidentiality of such documents in the event that said documents are shared between PARTIES.

    PARTIES will not distribute, release, or share said documents with anyone other than employees, agents, and consultants who require access to complete the WORK without the written consent of the PARTY authorized to release them, unless required or authorized to do so by law.

41. If a PARTY receives a public records request pertaining to the WORK, that PARTY will notify PARTIES within five (5) working days of receipt and make PARTIES aware of any disclosed public records.

Hazardous Materials

42. HM-1 is hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law, irrespective of whether it is disturbed by the PROJECT or not.

    HM-2 is hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law only if disturbed by the PROJECT.

    The management activities related to HM-1 and HM-2, including and without limitation, any necessary manifest requirements and disposal facility designations are referred to herein as HM-1 MANAGEMENT and HM-2 MANAGEMENT respectively.

43. If HM-1 or HM-2 is found the discovering PARTY will immediately notify all other PARTIES.

44. CALTRANS, independent of the PROJECT, is responsible for any HM-1 found within the existing State Highway System right-of-way. CALTRANS will undertake, or cause to be undertaken, HM-1 MANAGEMENT with minimum impact to the PROJECT schedule.

    CALTRANS will pay, or cause to be paid, the cost of HM-1 MANAGEMENT for HM-1 found within the existing State Highway System right-of-way with funds that are independent of the funds obligated in this AGREEMENT.

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45. CITY, independent of the PROJECT, is responsible for any HM-1 found within the PROJECT limits and outside the existing State Highway System right-of-way. CITY will undertake, or cause to be undertaken, HM-1 MANAGEMENT with minimum impact to the PROJECT schedule.

    CITY will pay, or cause to be paid, the cost of HM-1 MANAGEMENT for HM-1 found within the PROJECT limits and outside of the existing State Highway System right-of-way with funds that are independent of the funds obligated in this AGREEMENT.

46. The CONSTRUCTION IMPLEMENTING AGENCY is responsible for HM‑2 MANAGEMENT within the PROJECT limits.

    CITY and CALTRANS will comply with the Soil Management Agreement for Aerially Deposited Lead Contaminated Soils (Soil Management Agreement) executed between CALTRANS and the California Department of Toxic Substances Control (DTSC). Under Section 3.2 of the Soil Management Agreement, CALTRANS and CITY each retain joint and severable liability for noncompliance with the provisions of the Soil Management Agreement. CITY will assume all responsibilities assigned to CALTRANS in the Soil Management Agreement during PROJECT COMPONENTS for which they are the IMPLEMENTING AGENCY except for final placement and burial of soil within the State right-of-way, per Section 4.5 of the Soil Management Agreement, which is subject to CALTRANS concurrence and reporting to DTSC which will be performed by CALTRANS.

47. CALTRANS' acquisition or acceptance of title to any property on which any HM-1 or HM-2 is found will proceed in accordance with CALTRANS' policy on such acquisition.

Claims

48. Any PARTY that is responsible for completing WORK may accept, reject, compromise, settle, or litigate claims arising from the WORK without concurrence from the other PARTY.

49. PARTIES will confer on any claim that may affect the WORK or PARTIES' liability or responsibility under this AGREEMENT in order to retain resolution possibilities for potential future claims. No PARTY will prejudice the rights of another PARTY until after PARTIES confer on the claim.

50. If the WORK expends state or federal funds, each PARTY will comply with the Federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards of 2 CFR, Part 200. PARTIES will ensure that any for-profit consultant hired to participate in the WORK will comply with the requirements in 48 CFR, Chapter 1, Part 31. When state or federal funds are expended on the WORK these principles and requirements apply to all funding types included in this AGREEMENT.

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Accounting and Audits

51. PARTIES will maintain and ensure that any consultant hired by PARTIES to participate in WORK will maintain, a financial management system that conforms to Generally Accepted Accounting Principles (GAAP) that can properly accumulate and segregate incurred PROJECT costs and billings.

52. PARTIES will maintain and make available to each other all WORK-related documents, including financial data, during the term of this AGREEMENT.

    PARTIES will retain all WORK-related records for three (3) years after the final voucher.

    PARTIES will require that any consultants hired to participate in the WORK will comply with this Article.

53. PARTIES have the right to audit each other in accordance with generally accepted governmental audit standards.

    CALTRANS, the State Auditor, FHWA (if the PROJECT utilizes federal funds), and CITY will have access to all WORK -related records of each PARTY, and any consultant hired by a PARTY to participate in WORK, for audit, examination, excerpt, or transcription.

    The examination of any records will take place in the offices and locations where said records are generated and/or stored and will be accomplished during reasonable hours of operation. The auditing PARTY will be permitted to make copies of any WORK-related records needed for the audit.

    The audited PARTY will review the draft audit, findings, and recommendations, and provide written comments within thirty (30) calendar days of receipt.

    Upon completion of the final audit, PARTIES have forty-five (45) calendar days to refund or invoice as necessary in order to satisfy the obligation of the audit.

    Any audit dispute not resolved by PARTIES is subject to mediation. Mediation will follow the process described in the General Conditions section of this AGREEMENT.

54. If the WORK expends state or federal funds, each PARTY will undergo an annual audit in accordance with the Single Audit Act in the Federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards as defined in 2 CFR, Part 200.

55. When a PARTY reimburses a consultant for WORK with state or federal funds, the procurement of the consultant and the consultant overhead costs will be in accordance with the Local Assistance Procedures Manual, Chapter 10.

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Interruption of Work

56. If WORK stops for any reason, each PARTY will continue with environmental commitments included in the environmental documentation, permits, agreements, or approvals that are in effect at the time that WORK stops, and will keep the PROJECT in environmental compliance until WORK resumes.

Penalties, Judgements and Settlements

57. The cost of awards, judgements, or settlements generated by the WORK are to be paid from the funds obligated in this AGREEMENT.

58. The cost of legal challenges to the environmental process or documentation may be paid from the funds obligated in this AGREEMENT.

59. Any PARTY whose action or lack of action causes the levy of fines, interest, or penalties will indemnify and hold all other PARTIES harmless per the terms of this AGREEMENT.

Environmental Compliance

60. If during performance of WORK additional activities or environmental documentation is necessary to keep the PROJECT in environmental compliance, PARTIES will amend this AGREEMENT to include completion of those additional tasks.

GENERAL CONDITIONS

61. All portions of this AGREEMENT, including the Recitals Section, are enforceable.

Venue

62. PARTIES understand that this AGREEMENT is in accordance with and governed by the Constitution and laws of the State of California. This AGREEMENT will be enforceable in the State of California. Any PARTY initiating legal action arising from this AGREEMENT will file and maintain that legal action in the Superior Court of the county in which the CALTRANS district office that is signatory to this AGREEMENT resides, or in the Superior Court of the county in which the PROJECT is physically located.

Exemptions

63. All CALTRANS' obligations under this AGREEMENT are subject to the appropriation of resources by the Legislature, the State Budget Act authority, programming and allocation of funds by the California Transportation Commission (CTC).

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Indemnification

64. Neither CALTRANS nor any of its officers and employees, are responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by CITY, its contractors, sub-contractors, and/or its agents under or in connection with any work, authority, or jurisdiction conferred upon CITY under this AGREEMENT. It is understood and agreed that CITY, to the extent permitted by law, will defend, indemnify, and save harmless CALTRANS and all of their officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, inverse condemnation, or other theories and assertions of liability occurring by reason of anything done or omitted to be done by CITY, its contractors, sub-contractors, and/or its agents under this AGREEMENT.

65. Neither CITY nor any of its officers and employees, are responsible for any injury, damage, or liability occurring by reason of anything done or omitted to be done by CALTRANS, its contractors, sub-contractors, and/or its agents under or in connection with any work, authority, or jurisdiction conferred upon CALTRANS under this AGREEMENT. It is understood and agreed that CALTRANS, to the extent permitted by law, will defend, indemnify, and save harmless CITY and all of their officers and employees from all claims, suits, or actions of every name, kind, and description brought forth under, but not limited to, tortious, contractual, inverse condemnation, or other theories and assertions of liability occurring by reason of anything done or omitted to be done by CALTRANS, its contractors, sub-contractors, and/or its agents under this AGREEMENT.

Non-parties

66. PARTIES do not intend this AGREEMENT to create a third party beneficiary or define duties, obligations, or rights for entities not signatory to this AGREEMENT. PARTIES do not intend this AGREEMENT to affect their legal liability by imposing any standard of care for fulfilling the WORK different from the standards imposed by law.

67. PARTIES will not assign or attempt to assign obligations to entities not signatory to this AGREEMENT without an amendment to this AGREEMENT.

Ambiguity and Performance

68. Neither PARTY will interpret any ambiguity contained in this AGREEMENT against the other PARTY. PARTIES waive the provisions of California Civil Code, Section 1654.

    A waiver of a PARTY's performance under this AGREEMENT will not constitute a continuous waiver of any other provision.

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69. A delay or omission to exercise a right or power due to a default does not negate the use of that right or power in the future when deemed necessary.

Defaults

70. If any PARTY defaults in its performance of the WORK, a non-defaulting PARTY will request in writing that the default be remedied within thirty (30) calendar days. If the defaulting PARTY fails to do so, the non-defaulting PARTY may initiate dispute resolution.

Dispute Resolution

71. PARTIES will first attempt to resolve AGREEMENT disputes at the PROJECT team level as described in the Quality Management Plan. If they cannot resolve the dispute themselves, the CALTRANS District Director and the Executive Officer of CITY will attempt to negotiate a resolution. If PARTIES do not reach a resolution, PARTIES' legal counsel will initiate mediation. PARTIES agree to participate in mediation in good faith and will share equally in its costs.

    Neither the dispute nor the mediation process relieves PARTIES from full and timely performance of the WORK in accordance with the terms of this AGREEMENT. However, if any PARTY stops fulfilling its obligations, any other PARTY may seek equitable relief to ensure that the WORK continues.

    Except for equitable relief, no PARTY may file a civil complaint until after mediation, or forty-five (45) calendar days after filing the written mediation request, whichever occurs first.

    PARTIES will file any civil complaints in the Superior Court of the county in which the CALTRANS District Office signatory to this AGREEMENT resides or in the Superior Court of the county in which the PROJECT is physically located.

72. PARTIES maintain the ability to pursue alternative or additional dispute remedies if a previously selected remedy does not achieve resolution.

Prevailing Wage

73. When WORK falls within the Labor Code § 1720(a)(1) definition of "public works" in that it is construction, alteration, demolition, installation, or repair; or maintenance work under Labor Code § 1771, PARTIES will conform to the provisions of Labor Code §§ 1720-1815, and all applicable provisions of California Code of Regulations, Title 8, Division 1, Chapter 8, Subchapter 3, Articles 1-7. PARTIES will include prevailing wage requirements in contracts for public work and require contractors to include the same prevailing wage requirements in all subcontracts.

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Work performed by a PARTY's own employees is exempt from the Labor Code's Prevailing Wage requirements.

If WORK is paid for, in whole or part, with federal funds and is of the type of work subject to federal prevailing wage requirements, PARTIES will conform to the provisions of the Davis-Bacon and Related Acts, 40 U.S.C. §§ 3141-3148.

When applicable, PARTIES will include federal prevailing wage requirements in contracts for public works. WORK performed by a PARTY's employees is exempt from federal prevailing wage requirements.

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SIGNATURES

PARTIES are empowered by the law to enter into this AGREEMENT and have delegated to the undersigned the authority to execute this AGREEMENT on behalf of the respective agencies and covenants to have followed all the necessary legal requirements to validly execute this AGREEMENT.

This AGREEMENT may be executed and delivered in counterparts, and by each PARTY in a separate counterpart, each of which when so executed and delivered shall constitute an original and all of which taken together shall constitute one and the same instrument.

The PARTIES acknowledge that executed copies of this AGREEMENT may be exchanged by facsimile or email, and that such copies shall be deemed to be effective as originals.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

Greg Wong

Greg Wong
Acting Deputy District Director
D3 Program, Project and Asset Management

Verification of funds and authority:

Varinder Gurcha

Varinder K. Gurcha
District Project Control Officer

CITY OF SOUTH LAKE TAHOE

Tamara Wallace
Mayor

Attest:

Susan Blankenship
City Clerk

Approved as to form and procedure:

Heather Stroud

Heather Stroud
City Attorney

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FUNDING SUMMARY NO. 01

FUNDING TABLE

v. 12

IMPLEMENTING AGENCY→			CALTRANS	CALTRANS		
Source	Party	Fund Type	PS&E	R/W SUPPORT	R/W CAPITAL	Totals
STATE	CALTRANS	SHOPP	1,470,000	2,720,000	2,320,000	6,510,000
Totals			1,470,000	2,720,000	2,320,000	6,510,000

SPENDING SUMMARY

v 221

Fund Type	PS&E		R/W Support		R/W CAPITAL	Totals
	CALTRANS	CITY	CALTRANS	CITY	CALTRANS	
SHOPP	1,470,000	0	2,720,000	0	2,320,000	6,510,000
Totals	1,470,000	0	2,720,000	0	2,320,000	6,510,000

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Funding

1. If there are insufficient funds available in this AGREEMENT to place the PROJECT right-of-way in a safe and operable condition, the appropriate IMPLEMENTING AGENCY will fund these activities until such time as PARTIES amend this AGREEMENT.

   That IMPLEMENTING AGENCY may request reimbursement for these costs during the amendment process.

2. If there are insufficient funds in this AGREEMENT to implement the obligations and responsibilities of this AGREEMENT, including the applicable commitments and conditions included in the PROJECT environmental documentation, permits, agreements, and/or approvals that are in effect at a time that WORK stops, each PARTY accepts responsibility to fund their respective WORK until such time as PARTIES amend this AGREEMENT.

   Each PARTY may request reimbursement for these costs during the amendment process.

ICRP Rate

3. The cost of any engineering support performed by CALTRANS includes all direct and applicable indirect costs. CALTRANS calculates indirect costs based solely on the type of funds used to pay support costs. State and federal funds administered by CALTRANS are subject to the current Program Functional Rate. All other funds are subject to the current Program Functional Rate and the current Administration Rate. The Program Functional Rate and Administration Rate are adjusted periodically.

   In accordance with California Senate Bill 848, the Administration Rate is capped at 10 percent until July 1, 2021, for Self-Help Counties with a countywide sales tax measure dedicated to transportation improvements.

4. In accordance with the CALTRANS Federal-Aid Project Funding Guidelines, PARTIES must obtain approval from the Federal Highway Administration prior to any PROJECT funding changes that that will change the federal share of funds.

Invoicing and Payment

Plans, Specifications, and Estimate (PS&E)

5. No invoicing or reimbursement will occur for the PS&E PROJECT COMPONENT.

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RIGHT-OF-WAY Support

6. No invoicing or reimbursement will occur for the R/W SUPPORT PROJECT COMPONENT.

RIGHT-OF-WAY Capital

7. No invoicing or reimbursement will occur for the R/W CAPITAL PROJECT COMPONENT.

DocuSign Envelope ID: FB539CED-8106-4317-8EC4-FA86F9810956

CLOSURE STATEMENT INSTRUCTIONS

1. Did PARTIES complete all scope, cost and schedule commitments included in this AGREEMENT and any amendments to this AGREEMENT?

YES / NO

2. Did CALTRANS accept and approve all final deliverables submitted by other PARTIES?

YES / NO

3. Did the CALTRANS HQ Office of Accounting verify that all final accounting for this AGREEMENT and any amendments to this AGREEMENT were completed?

YES / NO

4. If construction is involved, did the CALTRANS District Project Manager verify that all claims and third-party billings (utilities, etc.) have been settled before termination of the AGREEMENT?

YES / NO

5. Did PARTIES complete and transmit the As-Built Plans, Project History File, and all other required contract documents?

YES / NO

If ALL answers are “YES”, this form may be used to TERMINATE this AGREEMENT.

DocuSign Envelope ID: FB539CED-8106-4317-8EC4-FA86F9810956

CLOSURE STATEMENT

PARTIES agree that they have completed all scope, cost, and schedule commitments included in Agreement 03-0743 and any amendments to the agreement. The final signature date on this document terminates agreement 03-0743 except survival articles. All survival articles in agreement 03-0743 will remain in effect until expired by law, terminated or modified in writing by the PARTIES' mutual agreement, whichever occurs earlier.

The people signing this agreement have the authority to do so on behalf of their public agencies.

This AGREEMENT may be executed and delivered in counterparts, and by each PARTY in a separate counterpart, each of which when so executed and delivered shall constitute an original and all of which taken together shall constitute one and the same instrument.

The PARTIES acknowledge that executed copies of this AGREEEMENT may be exchanged by facsimile or email, and that such copies shall be deemed to be effective as originals.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

_____

Acting Deputy District Director
D3 Program, Project and Asset Management

Date: _____

Certified as to all financial obligations/terms and policies

_____

District Project Control Officer

Date: _____

CITY OF SOUTH LAKE TAHOE

_____

Title TBD

Date: _____

MAINTENANCE AGREEMENT
WITH THE CITY OF SOUTH LAKE TAHOE

THIS AGREEMENT is made effective this _____ day of _____, 20__, by and between the State of California, acting by and through the Department of Transportation, hereinafter referred to as "STATE" and the City of South Lake Tahoe; hereinafter referred to as "CITY" and collectively referred to as "PARTIES."

1. The PARTIES hereto mutually desire to identify the maintenance responsibilities of CITY for newly constructed improvements within STATE's right of way.

2. This Agreement addresses CITY's responsibility for the decorative pedestrian lighting (collectively the "LIGHTING") placed within State Highway right of way on State Route 50, as shown on Exhibit A, attached to and made a part of this Agreement.

3. Maintenance responsibilities that include but are not limited to, inspection, providing emergency repair, replacement, and maintenance, (collectively hereinafter "MAINTAIN/MAINTENANCE") of LIGHTING as shown on said Exhibit "A."

4. The degree or extent of maintenance work to be performed, and the standards, therefore, shall be in accordance with the provisions of Section 27 of the Streets and Highways Code and the then current edition of the State Maintenance Manual.

5. When a planned future improvement is constructed and/or a minor revision has been effected with STATE's consent or initiation within the limits of the STATE's right of way herein described which affects PARTIES' division of maintenance responsibility as described herein, PARTIES will agree upon and execute a new dated and revised Exhibit "A" which will be made a part hereof and will thereafter supersede the attached original Exhibit "A" to thereafter become a part of this Agreement.

   5.1. The new exhibit can be executed only upon written consent of the PARTIES hereto acting by and through their authorized representatives.

6. CITY agrees, at CITY expense, to do the following:

   6.1. CITY will MAINTAIN or have authorized licensed contractor with appropriate class of license in the State of California, to MAINTAIN, LIGHTING conforming to those plans and specifications (PS&E) pre-approved by STATE.

6.2. CITY will have in place a valid necessary encroachment permit prior to the start of any work within STATE's right of way.

6.2.1. CITY contractors will be required to obtain an Encroachment Permit prior to the start of any work within STATE's right of way.

6.2.2. An Encroachment Permit rider may be required for any changes to the scope of work allowed by this Agreement prior to the start of any work within STATE's right of way.

6.3. CITY shall ensure that LIGHTING designated on Exhibit "A" is provided with adequate scheduled routine MAINTENANCE necessary to MAINTAIN a neat and attractive appearance during the entire life of the Agreement including the following:

6.3.1. To expeditiously MAINTAIN, replace, repair or remove from service any LIGHTING system component that has become unsafe or unsightly.

6.4. To furnish electricity for lighting system controls for all LIGHTING installed by CITY.

6.5. CITY shall remove dirt, debris, graffiti, weeds, and any deleterious item or material on or about the LIGHTING in an expeditious manner. CITY's graffiti removal shall be limited to removal of text only in accordance with Streets and Highway Code Section 96. Any graffiti that in any way resembles a mural, artwork, paintings, or other similar elements may not be removed. CITY shall discuss such possible art with STATE's District 03 Transportation Art Coordinator before conducting any graffiti removal or remediation.

6.6. To remove LIGHTING and appurtenances and restore STATE owned areas to a safe and attractive condition acceptable to STATE in the event this Agreement is terminated as set forth herein.

7. STATE may provide CITY with written notice of unsatisfactory conditions that requires correction by the CITY. However, the non-receipt of notice does not excuse CITY from maintenance responsibilities assumed under this Agreement.

8. STATE shall Issue encroachment permits to CITY at no cost to it.

9. LEGAL RELATIONS AND RESPONSIBILITIES:

9.1. Nothing within the provisions of this Agreement is intended to create duties or obligations to or rights in third parties not party to this Agreement, or affect the legal liability of either PARTY to this Agreement by imposing any standard of care respecting the design, construction and maintenance of these STATE highway improvements or CITY facilities different from the standard of care imposed by law.

9.2. If during the term of this Agreement, CITY should cease to MAINTAIN the LIGHTING to the satisfaction of STATE as provided by this Agreement, STATE may either undertake to perform that MAINTENANCE on behalf of CITY at CITY's expense or direct CITY to remove or itself remove LIGHTING at CITY's sole expense and restore STATE's right of way to its prior or a safe operable condition. CITY hereby agrees to pay said STATE expenses, within thirty (30) days of receipt of billing by STATE. However, prior to STATE performing any MAINTENANCE or removing LIGHTING, STATE will provide written notice to CITY to cure the default and CITY will have thirty (30) days within which to affect that cure.

9.3. Neither CITY nor any officer or employee thereof is responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by STATE under or in connection with any work, authority or jurisdiction arising under this Agreement. It is understood and agreed that STATE shall fully defend, indemnify and save harmless CITY and all of its officers and employees from all claims, suits or actions of every name, kind and description brought forth under, including, but not limited to, tortious, contractual, inverse condemnation and other theories or assertions of liability occurring by reason of anything done or omitted to be done by STATE under this Agreement with the exception of those actions of STATE necessary to cure a noticed default on the part of CITY.

9.4. Neither STATE nor any officer or employee thereof is responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by CITY under or in connection with any work, authority or jurisdiction arising under this Agreement. It is understood and agreed that CITY shall fully defend, indemnify and save harmless STATE and all of its officers and employees from all claims, suits or actions of every name, kind and description brought forth under, including, but not limited to, tortious, contractual, inverse condemnation or other theories or assertions of liability occurring by reason of anything done or omitted to be done by CITY under this Agreement.

9.5. PREVAILING WAGES:

9.5.1. Labor Code Compliance- If the work performed under this Agreement is done under contract and falls within the Labor Code section 1720(a)(1) definition of a "public works" in that it is construction, alteration, demolition, installation, or repair; or maintenance work under Labor Code section 1771. CITY must conform to the provisions of Labor Code sections 1720 through 1815, and all applicable provisions of California Code of Regulations found in Title 8, Chapter 8, Subchapter 3, Articles 1-7. CITY agrees to include prevailing wage requirements in its contracts for public works. Work performed by CITY'S own forces is exempt from the Labor Code's Prevailing Wage requirements.

9.5.2. Requirements in Subcontracts - CITY shall require its contractors to include prevailing wage requirements in all subcontracts when the work to be performed by the subcontractor under this Agreement is a "public works" as defined in Labor Code Section 1720(a)(1) and Labor Code Section 1771. Subcontracts shall include all prevailing wage requirements set forth in CITY's contracts.

10. INSURANCE

10.1. SELF-INSURED - CITY is self-insured. CITY agrees to deliver evidence of self-insured coverage providing general liability insurance, coverage of bodily injury liability and property damage liability, naming STATE, its officers, agents and employees as the additional insured in an amount of $1 million per occurrence and $2 million in aggregate and $5 million in excess. Coverage shall be evidenced by a certification of self-insurance letter ("Letter of Self-Insurance"), satisfactory to STATE, certifying that CITY meets the coverage requirements of this section. This Letter of Self-Insurance shall also identify the location as depicted in EXHIBIT A. CITY shall deliver to STATE the Letter of Self-Insurance with a signed copy of this AGREEMENT. A copy of the executed Letter of Self-Insurance shall be attached hereto and incorporate as Exhibit B.

10.2. SELF-INSURED using Contractor - If the work performed under this AGREEMENT is done by CITY's contractor(s), CITY shall require its contractor(s) to maintain in force, during the term of this AGREEMENT, a policy of general liability insurance, including coverage of bodily injury liability and property damage liability, naming STATE, its officers, agents and employees as the additional insured in an amount of $1 million per occurrence and $2 million in aggregate and $5 million in excess. Coverage shall be evidenced by a certificate of insurance in

a form satisfactory to the STATE that shall be delivered to the STATE with a signed copy of this Agreement.

11. TERMINATION - This Agreement may be terminated by timely mutual written consent by PARTIES, and CITY's failure to comply with the provisions of this Agreement may be grounds for a Notice of Termination by STATE.

12. TERM OF AGREEMENT -This Agreement shall become effective on the date first shown on its face sheet and shall remain in full force and effect until amended or terminated at any time upon mutual consent of the PARTIES or until terminated by STATE for cause.

PARTIES are empowered by Streets and Highways Code Section 114 & 130 to enter into this Agreement and have delegated to the undersigned the authority to execute this Agreement on behalf of the respective agencies and covenants to have followed all the necessary legal requirements to validly execute this Agreement.

IN WITNESS WHEREOF, the PARTIES hereto have set their hands and seals the day and year first above written.

THE CITY OF SOUTH LAKE TAHOE

By: _____
Cristi Creegan, Mayor

Initiated and Approved

By: _____
Joe Irvin, City Manager

ATTEST:

By: _____
Susan Blankenship, City Clerk

By: _____
Heather Stroud, City Attorney

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

By: _____
Deputy District Director
Maintenance District 03

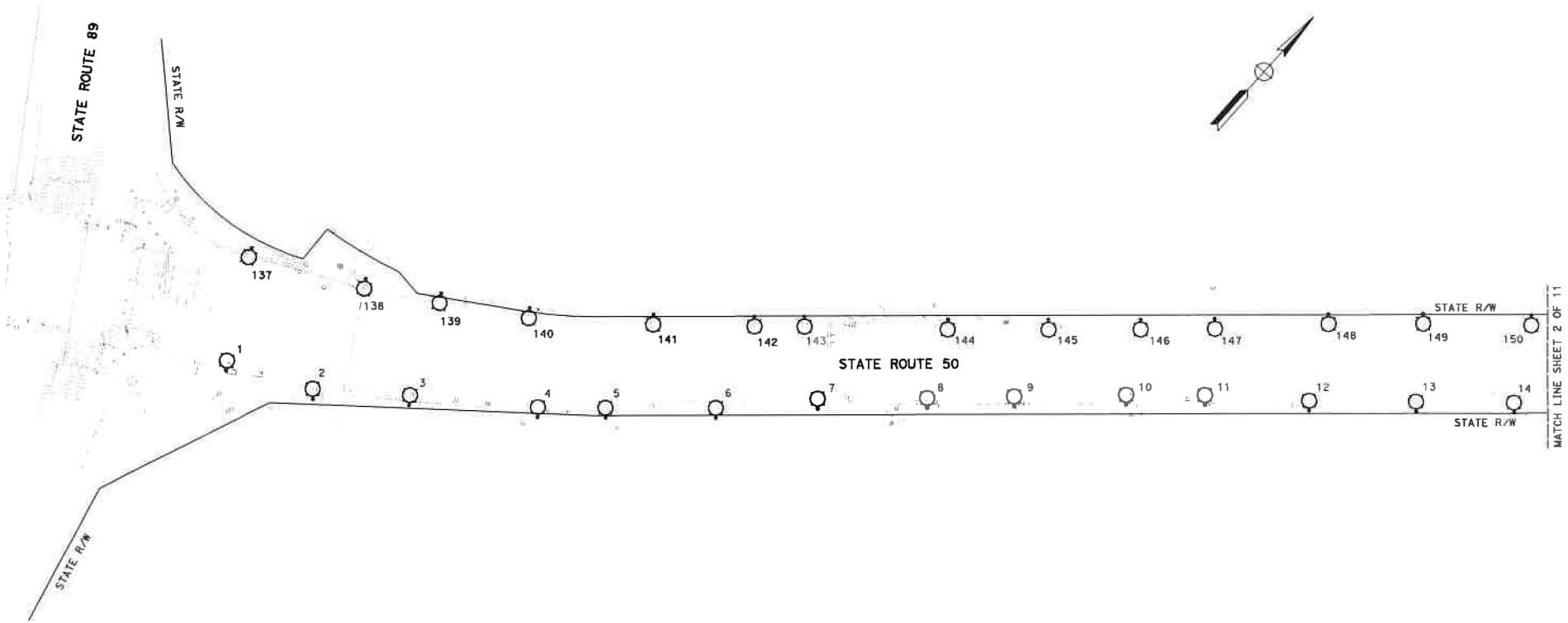
LEGEND:

CITY DECORATIVE PEDESTRIAN LIGHTING TO BE MAINTAINED BY CITY AT CITY EXPENSE

EXHIBIT A

MAINTENANCE AGREEMENT WITH THE CITY OF SOUTH LAKE TAHOE

03-ED-050 PM 75.45 - PM 80.44



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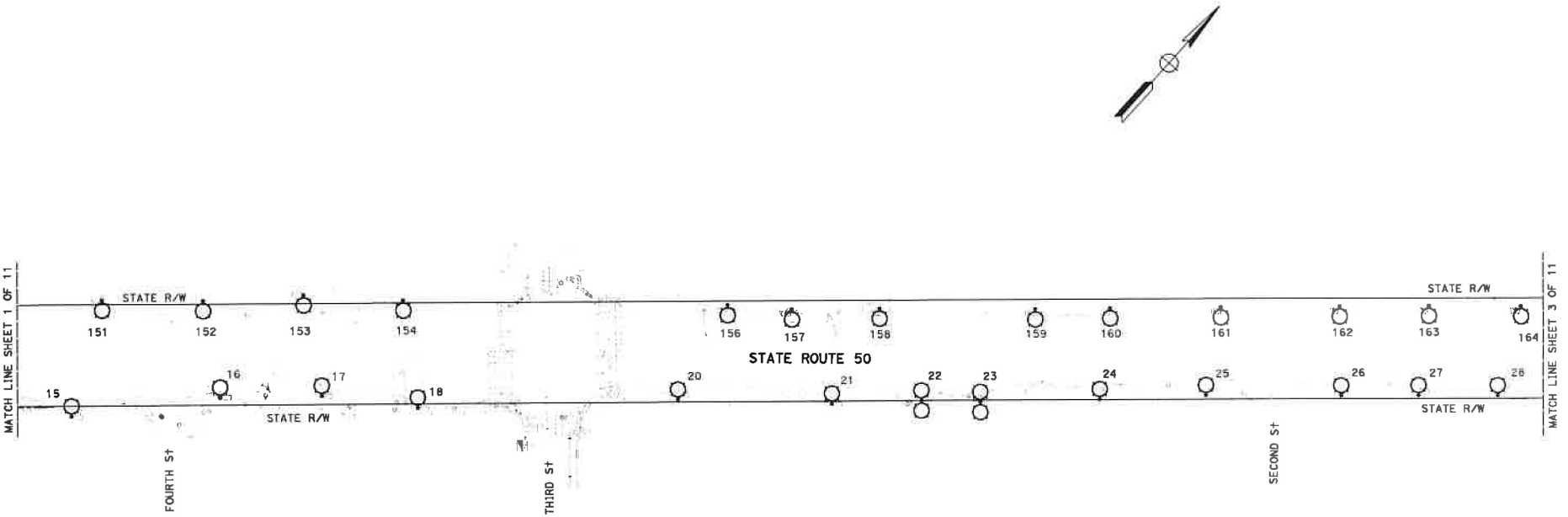
SHEET 1 OF 11

EXHIBIT A

LEGEND:

CITY DECORATIVE PEDESTRIAN LIGHTING TO BE MAINTAINED BY CITY AT CITY EXPENSE

CITY DECORATIVE PEDESTRIAN LIGHTING WITH DOUBLE LUMINARE MAST ARM TO BE MAINTAINED BY CITY AT CITY EXPENSE



SCALE: 1' = 50'

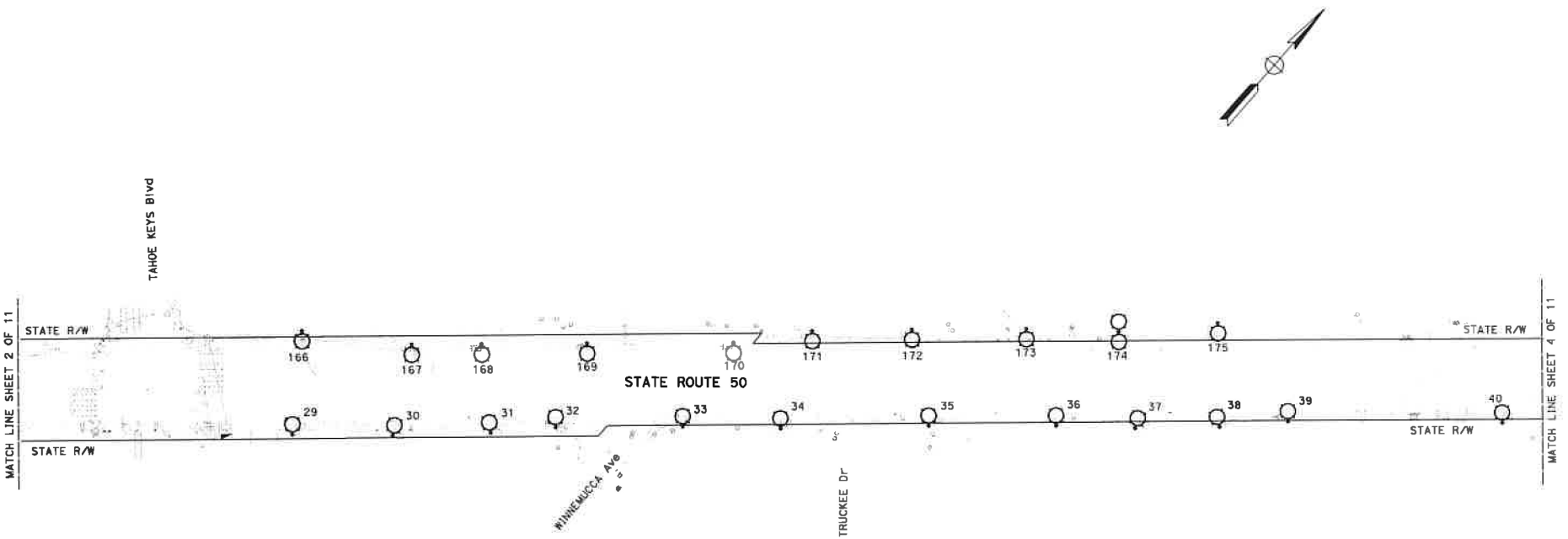
SHEET 2 OF 11

LEGEND:

CITY DECORATIVE PEDESTRIAN LIGHTING TO BE MAINTAINED BY CITY AT CITY EXPENSE

CITY DECORATIVE PEDESTRIAN LIGHTING WITH DOUBLE LUMINAIRE MAST ARM TO BE MAINTAINED BY CITY AT CITY EXPENSE

EXHIBIT A



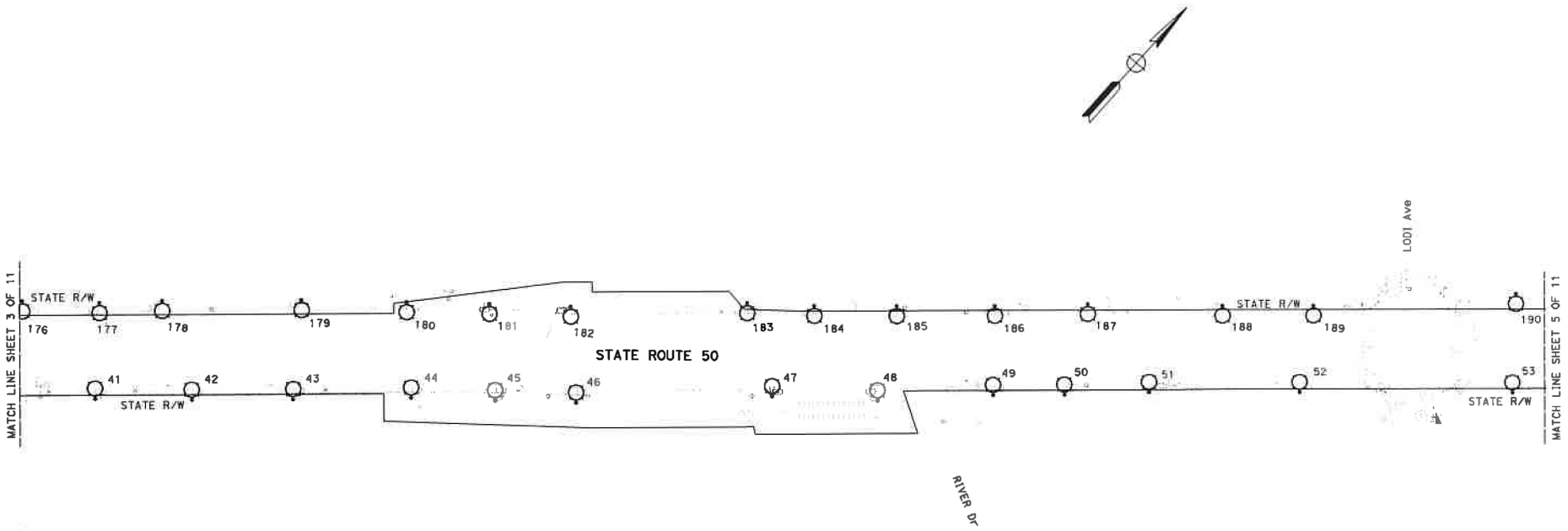
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SHEET 3 OF 11

LEGEND:

CITY DECORATIVE PEDESTRIAN LIGHTING
TO BE MAINTAINED BY CITY AT CITY EXPENSE

EXHIBIT A



SCALE: 1' = 50'

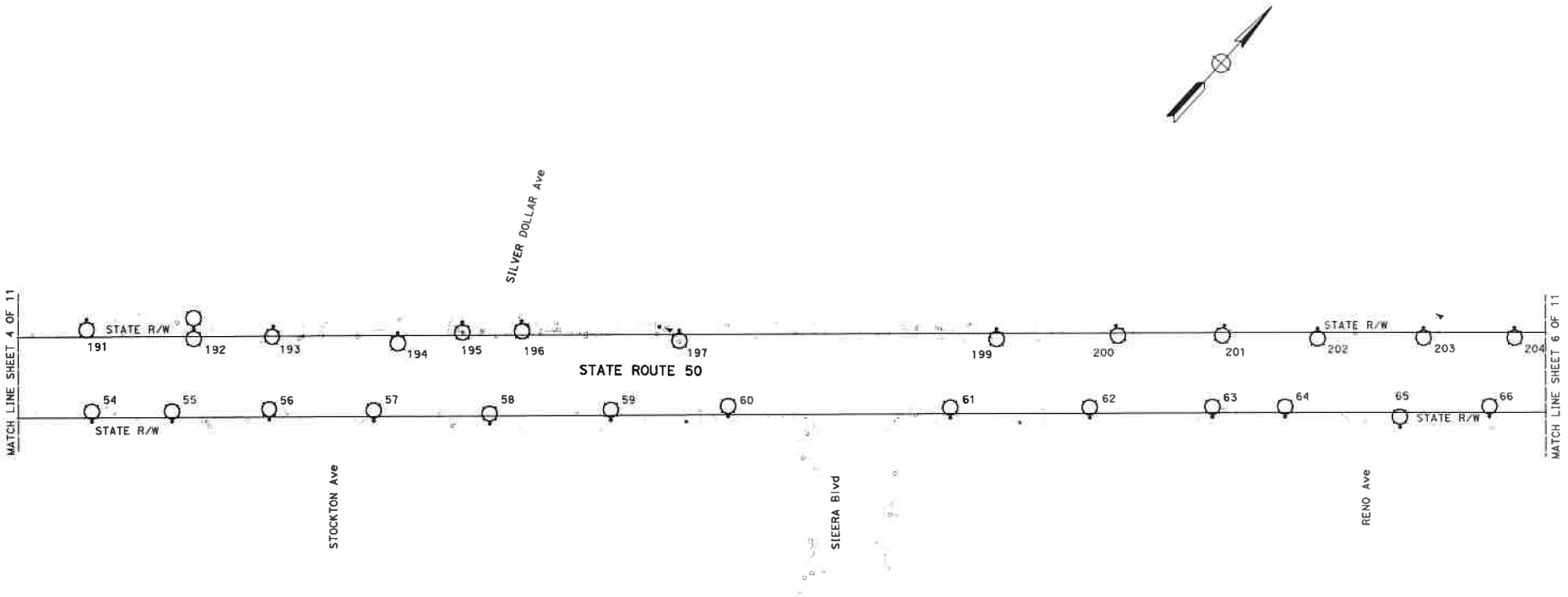
SHEET 4 OF 11

LEGEND:

CITY DECORATIVE PEDESTRIAN LIGHTING TO BE MAINTAINED BY CITY AT CITY EXPENSE

CITY DECORATIVE PEDESTRIAN LIGHTING WITH DOUBLE LUMINAIRE MAST ARM TO BE MAINTAINED BY CITY AT CITY EXPENSE

EXHIBIT A



SCALE: 1' = 50'

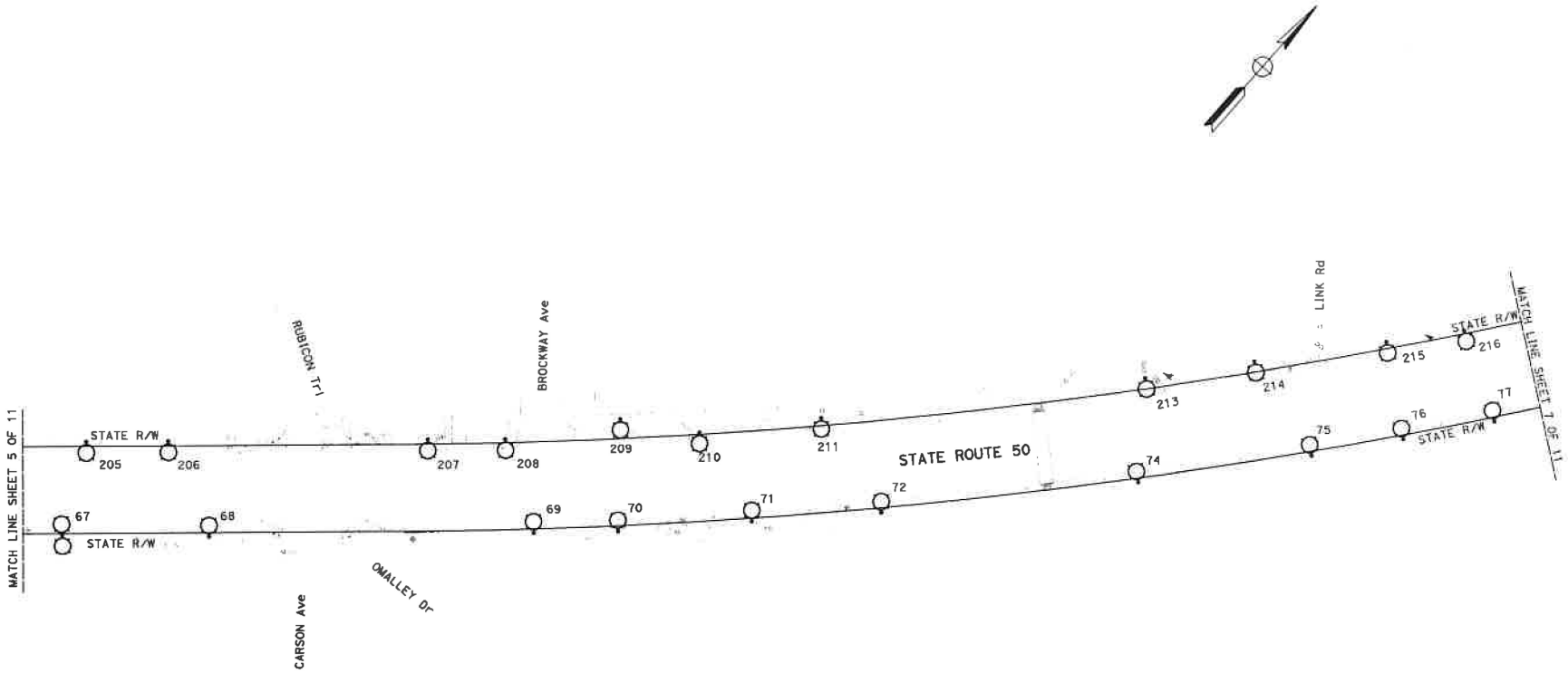
SHEET 5 OF 11

LEGEND:

CITY DECORATIVE PEDESTRIAN LIGHTING TO BE MAINTAINED BY CITY AT CITY EXPENSE

CITY DECORATIVE PEDESTRIAN LIGHTING WITH DOUBLE LUMINAIRE MAST ARM TO BE MAINTAINED BY CITY AT CITY EXPENSE

EXHIBIT A



SCALE: 1' = 50'

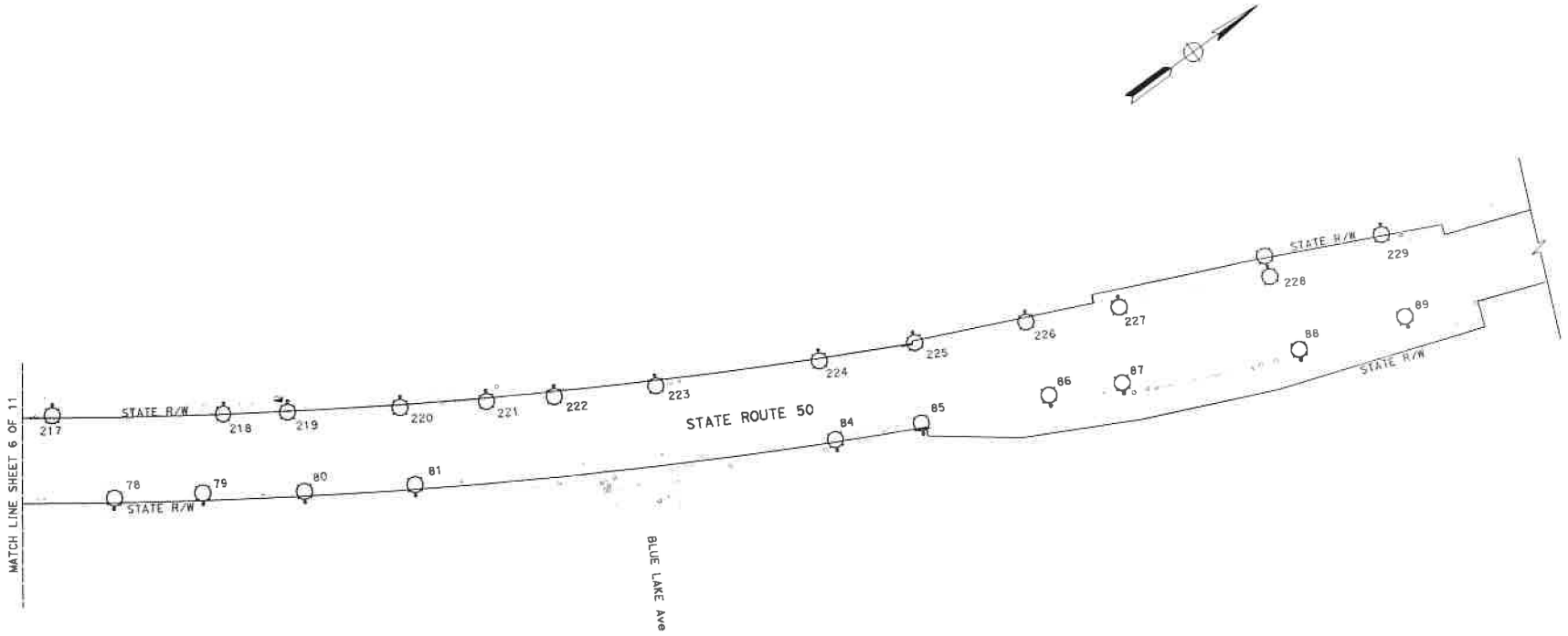
SHEET 6 OF 11

LEGEND:

CITY DECORATIVE PEDESTRIAN LIGHTING TO BE MAINTAINED BY CITY AT CITY EXPENSE

CITY DECORATIVE PEDESTRIAN LIGHTING WITH DOUBLE LUMINAIRE MAST ARM TO BE MAINTAINED BY CITY AT CITY EXPENSE

EXHIBIT A



SCALE: 1' = 50'

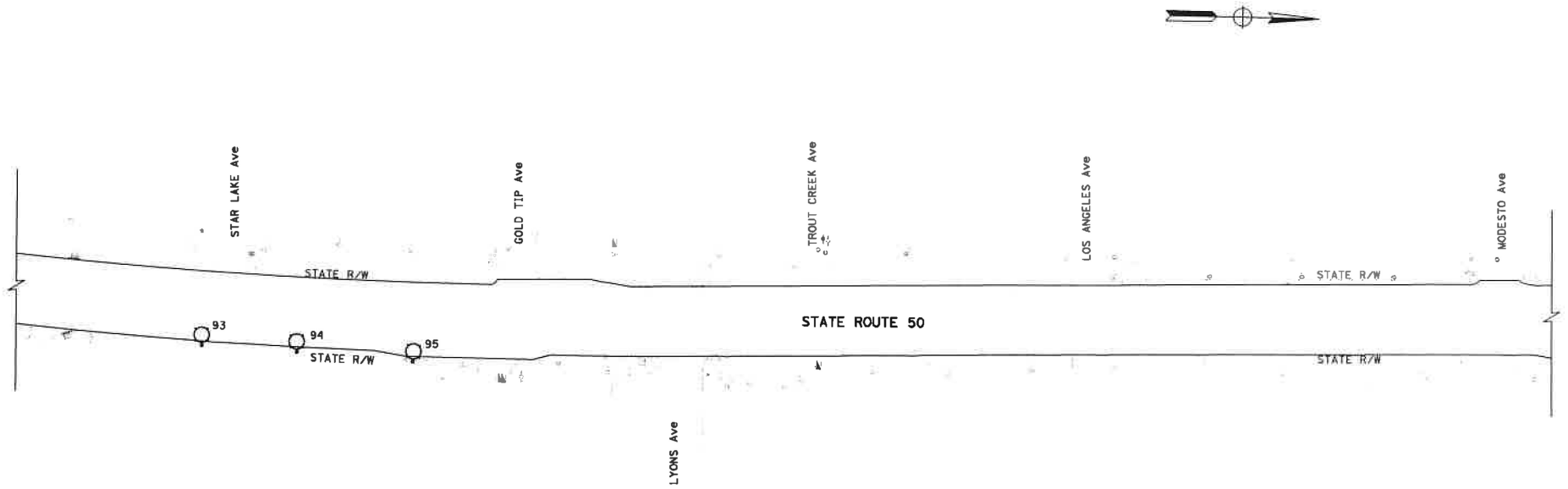
SHEET 7 OF 11

LEGEND:

CITY DECORATIVE PEDESTRIAN LIGHTING TO BE MAINTAINED BY CITY AT CITY EXPENSE

CITY DECORATIVE PEDESTRIAN LIGHTING WITH DOUBLE LUMINAIRE MAST ARM TO BE MAINTAINED BY CITY AT CITY EXPENSE

EXHIBIT A



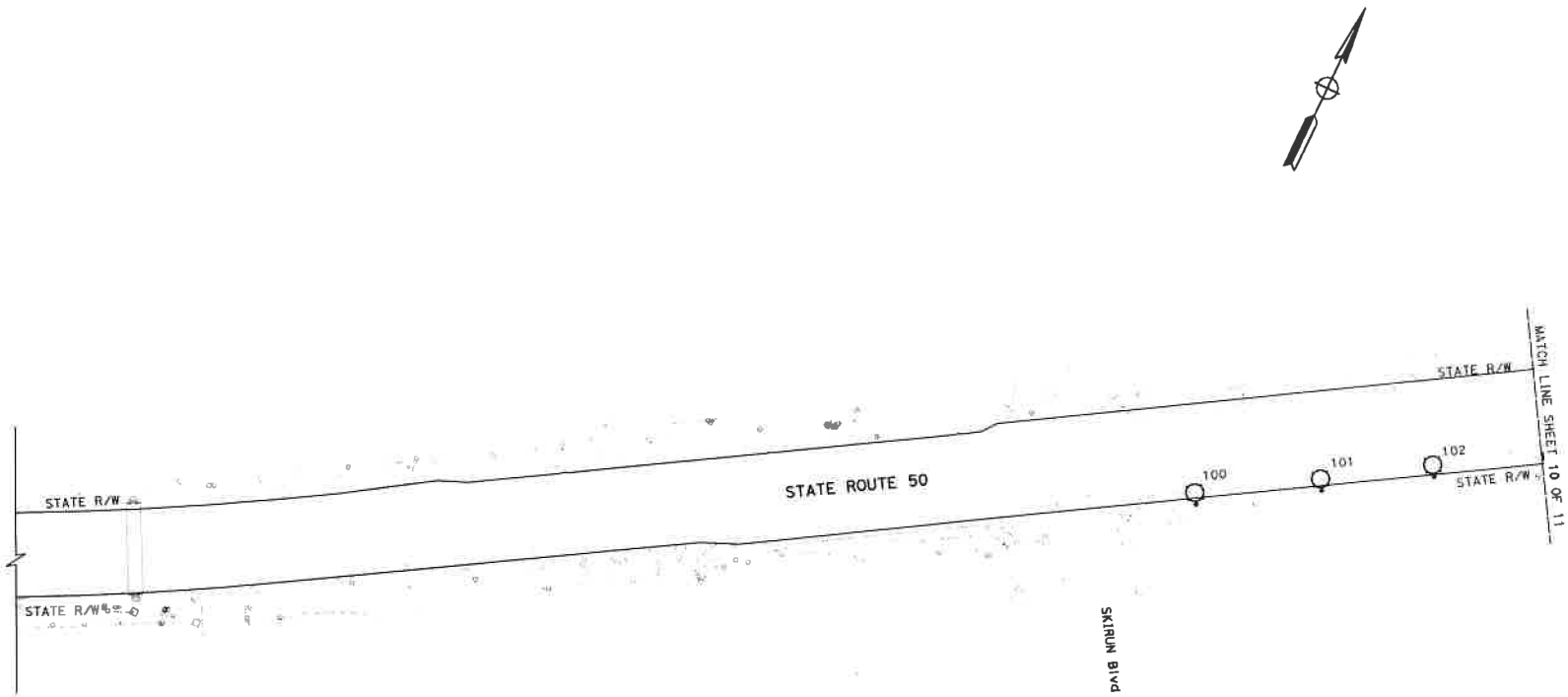
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SHEET 8 OF 11

LEGEND:

CITY DECORATIVE PEDESTRIAN LIGHTING
TO BE MAINTAINED BY CITY AT CITY EXPENSE

EXHIBIT A



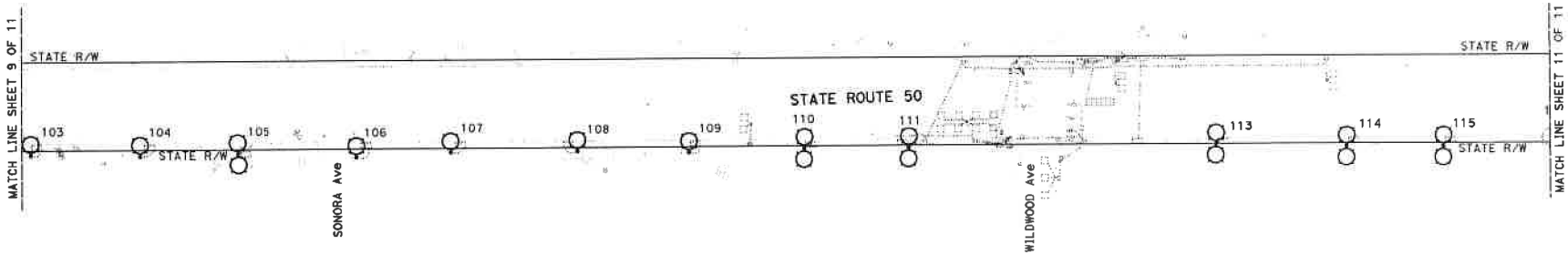
SCALE: 1" = 50'

SHEET 9 OF 11

EXHIBIT A

LEGEND:

- CITY DECORATIVE PEDESTRIAN LIGHTING TO BE MAINTAINED BY CITY AT CITY EXPENSE
- CITY DECORATIVE PEDESTRIAN LIGHTING WITH DOUBLE LUMINAIRE MAST ARM TO BE MAINTAINED BY CITY AT CITY EXPENSE



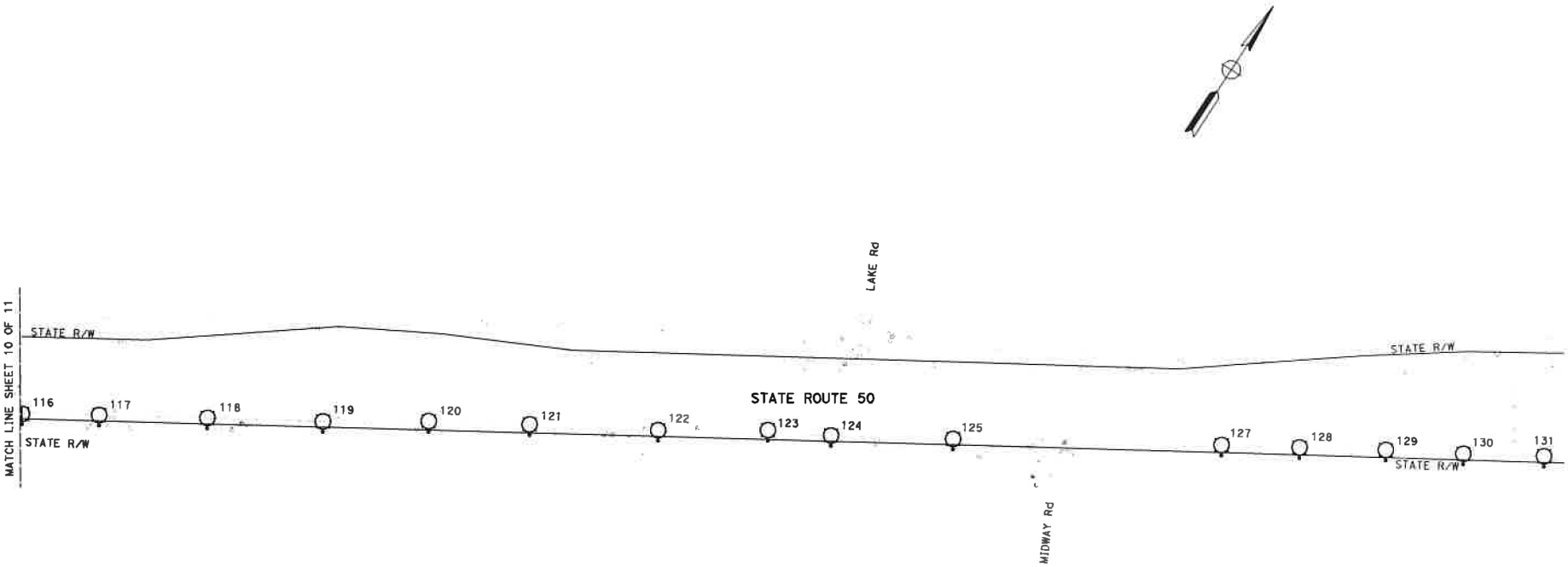
SCALE: 1" = 50'

SHEET 10 OF 11

LEGEND:

CITY DECORATIVE PEDESTRIAN LIGHTING
TO BE MAINTAINED BY CITY AT CITY EXPENSE

EXHIBIT A



SCALE: 1" = 50'

SHEET 11 OF 11

EXHIBIT B - CERTIFICATES OF INSURANCE

CERTIFICATE NO. GL1-10665 AI

CERTIFICATE OF COVERAGE

ISSUE DATE 05/30/2023

Public Risk Innovation, Solutions, and Management

C/O ALLIANT INSURANCE SERVICES, INC.
18100 VON KARMAN AVENUE, 10TH FLOOR
IRVINE, CA 92612

PHONE (949) 756-0271 / FAX (619) 699-0901
LICENSE #0C36861

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BELOW. THIS CERTIFICATE OF COVERAGE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED and/or requesting a WAIVER OF SUBROGATION, the Memorandums of Coverage must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

COVERAGE AFFORDED	**A- Public Risk Innovation, Solutions, and Management**
COVERAGE AFFORDED	**B**
COVERAGE AFFORDED	**C**
COVERAGE AFFORDED	**D**

Member:
CALIFORNIA INTERGOVERNMENTAL RISK AUTHORITY (CIRA)
ATTN: KIN ONG
2330 E. BIDWELL STREET, STE 150
FOLSOM, CA 95630

Coverages

THIS IS TO CERTIFY THAT THE MEMORANDUMS OF COVERAGE LISTED BELOW HAVE BEEN ISSUED TO THE MEMBER NAMED ABOVE FOR THE PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN. THE COVERAGE AFFORDED BY THE MEMORANDUMS DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS, AND CONDITIONS OF SUCH MEMORANDUMS. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTR	TYPE OF COVERAGE	MEMORANDUM NUMBER	COVERAGE EFFECTIVE DATE	COVERAGE EXPIRATION DATE	LIABILITY LIMITS
A	[X] Excess General Liability [X] General Liability Aggregate	PRISM PE 22 EL-76	07/01/2022	07/01/2023	$6,000,000 $7,000,000 Limits inclusive of the Member's Self-Insured Retention of $1,000,000

Description of Operations/Locations/Vehicles/Special Items:

AS RESPECTS MAINTENANCE AGREEMENT BETWEEN CITY OF SOUTH LAKE TAHOE AND STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS ALONG STATE ROUTE 50 POST MILE 75.45 AND POST MILE 80.44.

STATE OF CALIFORNIA, ITS OFFICERS, AGENTS AND EMPLOYEES ARE INCLUDED AS ADDITIONAL COVERED PARTIES, BUT ONLY INSOFAR AS THE OPERATIONS UNDER THIS CONTRACT ARE CONCERNED.

CITY OF SOUTH LAKE TAHOE IS A MEMBER OF CALIFORNIA INTERGOVERNMENTAL RISK AUTHORITY (CIRA)

Certificate Holder

STATE OF CALFIORNIA
DEPARTMENT OF TRANSPORTATION
703 B STREET
MARYSVILLE, CA 95901

Cancellation

SHOULD ANY OF THE ABOVE DESCRIBED MEMORANDUMS OF COVERAGES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WIL BE DELIVERED IN ACCORDANCE WITH THE MEMORANDUMS OF COVERAGE PROVISIONS.

AUTHORIZED REPRESENTATIVE

Gina Dean

Public Risk Innovation, Solutions, and Management

ENDORSEMENT NO. U-1

PUBLIC RISK INNOVATION, SOLUTIONS, AND MANAGEMENT
GENERAL LIABILITY 1

ADDITIONAL COVERED PARTY AMENDATORY ENDORSEMENT

It is agreed that the "**Covered Party**, Covered Persons or Entities" section of the Memorandum is amended to include the person or organization named on the Certificate of Coverage, but only with respect to liability arising out of premises owned by or rented to the Member, or operations performed by or on behalf of the Member or such person or organization so designated.

Coverage provided under this endorsement is limited to the lesser of the limits stated on the Certificate of Coverage or the minimum limits required by contract.

ADDITIONAL COVERED PARTY:

NAME OF PERSON OR ORGANIZATION SCHEDULED PER ATTACHED CERTIFICATE OF COVERAGE

AS RESPECTS:

PER ATTACHED CERTIFICATE OF COVERAGE

It is further agreed that nothing herein shall act to increase PRISM's limit of liability.

This endorsement is part of the Memorandum and takes effect on the effective date of the Memorandum unless another effective date is shown below. All other terms and conditions remain unchanged.

Effective Date: _____ **Memorandum No.: PRISM 22 EL-00**

Issued to: **ALL MEMBERS**

Issue Date: **June 29, 2022**

Gina Dean
Authorized Representative
Public Risk Innovation, Solutions, and Management

CIRA EVIDENCE OF COVERAGE & ADDITIONAL COVERED PARTY

DATE (MM/DD/YYYY) 5/30/2023

This Evidence of Coverage is used as a matter of information only and confers no rights upon the Certificate Holder. This Evidence of Coverage does not amend, extend, or alter the coverage afforded by the memoranda listed below.

California Intergovernmental Risk Authority (CIRA)
2330 E. Bidwell Street, Ste. 150
Folsom, CA 95630

CONTACT NAME CIRA Memorandum Dept.
PHONE 916-927-7727

EMAIL aavila@cira-jpa.org

JPA MEMBER (Covered Party)

City of South Lake Tahoe
1901 Airport Rd., Ste. 205
S. Lake Tahoe CA 96150-7009

The **JPA Member (Covered Party)** named above participates in **CIRA**, the **California Intergovernmental Risk Authority (JPA)**. As such, it is collectively and permissibly self-insured under Sections 990.4 and 990.8 of the California Government Code.

This is to certify that the **CIRA** Memorandum of Coverages evidenced below have been issued to the **Covered Party** for the period indicated. The coverage is in effect and is provided through participation in a risk sharing joint powers authority. Notwithstanding any requirement, term, or condition of any contract or other document with respect to which this Evidence of Coverage may be used or may pertain, the coverages afforded by the Memorandum of Coverages described herein are subject to all the terms, exclusions, and conditions of such Memorandum of Coverages.

CERTIFICATE NUMBER: 74634889

TYPE OF COVERAGE	ADDL INSR	MEMORANDUM NUMBER (MOC)	EFFECTIVE (MM/DD/YYYY)	EXPIRATION 12:01a.m.	LIMIT OF LIABILITY / COVERAGE	
✓ **GENERAL LIABILITY** Public Errors & Omissions Bodily Injury / Property Damage Personal Injury Auto Liability	✓	CIRA GL# 2022/23	7/1/2022	7/1/2023	PER OCCURRENCE GROUP SELF-INSURANCE	$ 1,000,000
					SELF-INSURED RETENTION	$ 250,000
WORKER'S COMPENSATION Employer's Liability	N/A				PER OCCURRENCE GROUP SELF-INSURANCE	$
					SELF-INSURED RETENTION	$

Re: EVIDENCE OF COVERAGE & ADDITIONAL COVERED PARTY ENDORSEMENT AS REQUIRED BY AGREEMENT OR CONTRACT

As respects to Maintenance Agreement between the City of South Lake Tahoe and the State of CA/Department of Transportation for improvements along state route 50 between post mile 75.45 and post mile 80.44.

ADDITIONAL COVERED PARTY

State of California
California Department of Transportation
703 B Street
Marysville CA 95901

CANCELLATION

Should any of the above coverages for the Covered Party be changed or withdrawn prior to the expiration date issued above, JPA will mail 30 days written notice to the Certificate Holder, but failure to mail such notice shall impose no obligation or liability of any kind upon JPA, its agents, or representatives.

amy n. N

AUTHORIZED REPRESENTATIVE: Amy Northam

This certificate cancels and supersedes ALL previously issued certificates.

CIRA ADDITIONAL COVERED PARTY ENDORSEMENT

DATE (MM/DD/YYYY)

JOINT POWERS AUTHORITY (JPA)

California Intergovernmental Risk Authority (CIRA)
2330 E. Bidwell Street, Ste. 150
Folsom, CA 95630

JPA MEMBER (Covered Party)

City of South Lake Tahoe

CERTIFICATE NUMBER: 74634889

CONDITIONS OF THIS ADDITIONAL COVERED PARTY ENDORSEMENT

Effective Date: 06/06/2023 **Expiration Date:** 07/01/2023 at **12:01a.m.**

The coverage afforded to the **Additional Covered Party** as described on the Certificate of Coverage is subject to all terms, exclusions, conditions, definitions, and other provisions of the California Intergovernmental Risk Authority's Liability Memorandum of Coverage. Coverage is afforded hereunder only to the extent the **Covered Party** is required by agreement or contract to name the **Certificate Holder** as **Additional Covered Party**.

If the **Covered Party** is required by agreement or contract to name the **Certificate Holder** as an **Additional Covered Party** and the agreement or contract requires the coverage provided to the **Additional Covered Party** to be primary, then the coverage provided by this endorsement shall be primary. In all other events, if collectible insurance with any insurer, coverage with any other joint powers authority or other self-funding mechanism is available to the **Additional Covered Party** covering a loss to which the CIRA Memorandum of Coverage applies (whether on a primary, excess or contingent basis), the coverage provided by this endorsement shall be in excess of, and shall not contribute with such other insurance or coverage; provided, however, that this clause does not apply with respect to excess insurance or coverage purchased specifically to be in excess of such Memorandum.

This Endorsement does not apply to liability arising out of the sole or active negligence of the Additional Covered Party named. Also, the Additional Covered Party is not covered for Claims by another Covered Party.

The State of California, its officers, agents, and employees are included as additional covered parties, but only insofar as the operations under this contract are concerned.

ADDITIONAL COVERED PARTY

State of California
California Department of Transportation
703 B Street
Marysville CA 95901

CANCELLATION

Coverage is in effect as stated above and will not be cancelled except upon 30 days' written notice to the Additional Covered Party.

This certificate cancels and supersedes ALL previously issued certificates.

City of South Lake Tahoe

Agenda Item Executive Summary

Joe Irvin, City Manager

Meeting Date: June 6, 2023
Agenda Item #: 12

Agenda Item: Appropriation of $100,000 from Airport Available Fund Balance for Airport Maintenance needs due to Winter Conditions

Executive Summary: During the 2022-2023 winter season the airport sustained significant damage to pavement and paint striping at the airport. The damages incurred by snow plows and other winter equipment requires immediate attention due to foreign debris (FOD) and other FAA regulatory concerns.

Requested Action / Suggested Motions: Pass a Resolution authorizing the Finance Director to appropriate $100,000.00 dollars into the airport expenditures.
CEQA Determination: The project is exempt from review under CEQA Guidelines section 15301(d) (Existing Facilities – restoration or rehabilitation of deteriorated or damaged facilities to meet current standards of public health and safety).
Responsible Staff Member: John Dickinson, Airport Manager

Responsible Staff Member: John Dickinson, Airport Manager (530) 542-6182

Reviewed and Approved By:
Anush Nejad, Director of Public Works
Susan Blankenship, City Clerk
Olga Tikhomirova, Finance Director
Heather Stroud, City Attorney

Attachments:
01-Staff Report - Airport.docx
02-Resolution Airport.docx

City of South Lake Tahoe
Report to **City Council**

Meeting Date: June 6th 2023

Title: Appropriating $100,000 from Airport Available Fund Balance for Airport Maintenance needs due to Winter Conditions.

Application Location: City Airport

Responsible Staff Member: John Dickinson, Airport Manager (530) 542-6182

Background: During the 2022-2023 winter season the airport sustained significant damage to pavement and paint striping. The damages caused by snow plows and other winter equipment requires immediate attention due to foreign debris (FOD) and other FAA regulatory concerns.

Issue and Discussion: The airport is looking to appropriate $100,000 from its cash balance on hand to fix pavement and striping issues. These projects are intended to be divided into two segments utilizing two different contractors.

- $50,000 Pavement and repairs
- $50,000 Striping repairs

Contractors will be utilized for these two projects due to the significant nature of the damage. If these issues are not addressed, it will lead to further deterioration of the pavement and possible FAA compliance issues.

Financial Implications: Airport cash balance will be allocated to fund the repairs. No general funds will be utilized. These funds will be placed into account number 501-05130-43025

Environmental Considerations: The project is exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15301(d) (Existing Facilities – restoration or rehabilitation of deteriorated or damaged facilities to meet current standards of public health and safety).

Policy Implications: The contracts will be procured based on requirements outlined in the City's purchasing policy and procedures.

Resolution 2023-XXX

Adopted by the City of South Lake Tahoe
City Council

June 6, 2023

Appropriating $100,000 from Airport Available Fund Balance for Airport Maintenance needs due to Winter Conditions.

BACKGROUND

A. On October 4, 2022, and November 15, 2022, the City Council approved new rates for certain fees to help eliminate subsidies from the General Fund. This has allowed the Airport to increase revenues, maintain financial balance for the Airport, and allocate these funds for additional Airport projects and needs.

B. There is approximately $400,000 in Airport fund balance currently available that can be utilized for additional Airport maintenance needs and capital projects.

C. The 2022-23 Winter Season has caused damages to the hangars and the airfield. As a result, repairs are required to maintain the Airport in a satisfactory manner.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, BE IT RESOLVED, that the City Council of the City of South Lake Tahoe:

1. Authorizes the Finance Director to Appropriate $100,000 into the expense line item 501-05130-43025

Adopted by the City of South Lake Tahoe City Council on June 6, 2023, by the following vote:
Yes:
No:
Absent:
Abstain:

_____ Date:_____

Cristi Creegan, Mayor

Attest:

_____

Susan Blankenship, City Clerk

The presence of electronic signature certifies that the foregoing is a true and correct copy as approved by the South Lake Tahoe City Council.

City of South Lake Tahoe

Agenda Item Executive Summary

Joe Irvin, City Manager

Meeting Date: June 6, 2023
Agenda Item #: 13

Agenda Item: Amendment to Agreement with BAE Urban Economics to prepare a Feasibility Study for Local Funding Source for Housing Initiatives

Executive Summary: At the May 2, 2023 meeting, the City Council directed that additional research be completed regarding inclusionary housing and commercial linkage fee policies. A scope and budget was prepared for the additional research. An Amendment No. 1 to the existing Professional Services Agreement (PSA) with BAE Urban Economics is necessary prior to commencing additional research.

Requested Action / Suggested Motions: Pass a Motion authorizing and directing the Mayor to execute Amendment No. 1 to the Professional Services Agreement with BAE Urban Economics for an additional amount of $38,358 and new total not to exceed amount of $164,580, to conduct enhanced analysis of inclusionary housing and commercial linkage fee policies.
Responsible Staff Member: Zach Thomas, Housing Manager

Responsible Staff Member: Zach Thomas, Housing Manager

Reviewed and Approved By:
Hilary Roverud, Development Services Director
Susan Blankenship, City Clerk
Olga Tikhomirova, Director of Finance
Heather Stroud, City Attorney

Attachments:

01-Staff Report - Additional Inclusionary Research.docx
02-Amendment No. 1 to Agreement with BAE Urban Economics.docx
03-C-060-2022 BAE Urban Economics
04-Inclusionary Commercial Linkage Update Scope and Budget.pdf

City of South Lake Tahoe
Report to **City Council**

Meeting Date: June 6, 2023

Title: BAE Urban Economics Professional Services Agreement Amendment to prepare a Feasibility Study for Local Funding Source for Housing Initiatives

Location: City-wide

Responsible Staff Member: Zach Thomas, Housing Manager

Background: At the January 24, 2023 meeting, the City Council was presented the *Analysis of Local Funding Sources for Housing Initiatives* report (Report) that analyzed eight different local discretionary funding sources that could provide revenue to fund the City's housing initiatives. Upon receiving the presentation, the Council provided direction to staff to conduct further stakeholder outreach on the potential implementation of a Transient Occupancy Tax (TOT) and a Real Estate Vacancy Tax. The Council also requested that additional nexus and feasibility analysis be completed to further inform discussion about a potential inclusionary housing percentage and in-lieu fee.

The supplemental nexus and feasibility analysis was presented to the City Council on May 2. After receiving the presentation, holding public comment and engaging in Council discussion, direction was provided for staff to conduct enhanced analysis of inclusionary housing and commercial linkage fee policies.

Issue and Discussion: A scope of work and budget for the additional analysis has been prepared consistent with City Council's direction. For BAE Urban Economics to engage in the additional work, the existing Professional Service Agreement (PSA) must be amended to include the new scope of work and budget, which has been included as an attachment to this report.

The proposed budget and scope of work includes:

- Enhanced Residential Nexus and Feasibility Analysis
- Coordination with HCD for Regulatory Compliance
- Enhanced Commercial Linkage Fee Nexus and Feasibility Analysis
- Additional Meeting Attendance

Staff recommends the City Council review the proposed scope of work and budget to ensure consistency with the Council's direction and authorize the proposed amendment to the existing PSA. The existing PSA and amendment are included as attachments to this report.

Financial Implications: Under a noncompetitive funding process, the City received $150,000 in REAP grant funds accounted for in 250 06024 Work-Force Housing account. The funds have already been awarded and Resolution 2021-056 authorized acceptance of REAP grant funds in the amount of $150,000 from the Sacramento Area Council of Governments (SACOG). The existing Professional Services Agreement contains a not to exceed amount of $126,222. The proposed amendment includes a budget for an additional $38,358 for a new not to exceed contract amount of $164,580. As of the date of writing this report, $112,000 has been paid on this contract entirely using this grant. There is approximately $30,000 of grant funds remaining, excluding grant allocation for staff time. The proposed new contract amount exceeds the available grant amount by approximately $22,000. Any amount in excess of the available grant funds will be paid out of Account # 253 06010 42020 which has available budget for professional services of approximately $39,000.

Environmental Considerations: The recommendation in this report is not a project under CEQA, because it does not involve any commitment to a specific project which may result in a potentially significant physical impact on the environment, as contemplated by Title 14, California Code of Regulations, Sections 15378(b)(2) and 15378(b)(4) and is, therefore, not subject to CEQA pursuant to CEQA Guidelines Section 15060(c)(3).

Policy Implications: The recommended action is consistent with City Strategic Plan Action Item 1.3.4: *Establish a local discretionary funding source to leverage access to and increase competitiveness for outside funds, and implement Council direction to conduct outreach to analyze vacancy tax and transient occupancy tax funding sources*

The recommended action is also consistent with the following adopted policies and programs:

<u>City General Plan Housing Element</u>

Policy 1-1. The City shall adopt programs, ordinances, incentives, land use plans and other regulatory mechanisms that provide opportunities for the private sector to address the housing needs of citizens of all economic levels.

Policy 2-5. The City shall recognize that it will become difficult to attract employees if they cannot afford to purchase or rent housing in South Lake Tahoe. The City shall encourage and support programs and activities that create a robust local economy that provides residents with good paying employment and the means to purchase and/or rent housing in the City.

CITY OF SOUTH LAKE TAHOE

Development Services Department

Amendment No. 1 to Professional Services Agreement (C-060-2022) between the City of South Lake Tahoe and BAE Urban Economics

This Amendment is made on June 6, 2023, to the Professional Services Agreement entered into as of May 3, 2022 by and between the City of South Lake Tahoe, a municipal corporation ("City") and BAE Urban Economics ("Consultant"). The parties ("City" and "Subrecipient") hereby agree to the following amended terms:

Section 3 is hereby amended as follows:

Compensation. Compensation to be paid to Consultant shall be in accordance with the Schedule set forth in Exhibit B which is attached hereto and incorporated herein by reference. In no event shall Consultant's compensation, including travel and out-of-pocket expenses, exceed $164,580 without additional written authorization from City. Payment by City under this Agreement shall not be deemed a waiver of defects, even if such defects were known to City at the time of payment. Payment is contingent upon compliance with all terms and conditions of this Agreement, as set forth herein. Consultant shall obtain prior written authorization from the City Project Manager for any costs in excess of budgeted amounts for each line item, task, or obligation under the scope of Services.

Exhibit A, Scope of Services, is hereby amended to include the full scope of work included in the May 3, 2022 Professional Services Agreement as well as the following:

1) Residential Nexus and Feasibility Analysis

BAE will conduct additional feasibility analysis necessary to inform further specification of the City's preferred inclusionary housing policy scenario, including the development of alternative standards based on the square footage of proposed units. This may include, but shall not be limited to, analysis of feasibility for housing units falling into the following size categories:

Under 2,000 sq. ft.
2,001-2,500 sq. ft.
2,501-3,000 sq. ft
3,001-5,000 sq. ft.
>/=5,001 sq. ft.

These size categories may be modified further as needed. Recognizing the work completed to date, this will require preparation of at least two additional financial feasibility models to accommodate units falling into the 2,500-3,000 square feet and 3,000-5,000 square feet ranges.

In addition, the City has requested that BAE prepare a nexus analysis and financial feasibility testing for multifamily rental apartments. This may include analysis of up to two multifamily residential prototype projects, including an average market rate project, and a higher end luxury project.

Upon completion of the supplemental feasibility analysis, BAE will prepare projections of anticipated revenue generation resulting from implementation of the preferred policy scenario based on the assumed continuation of recent development trends.

This task also includes additional consultant hours which may be used as needed to answer questions and conduct additional analysis in support of new policy development, including feasibility of setting thresholds at appraisal or sales price amounts instead of square footage.

2) Coordination with HCD Regarding Preferred Inclusionary Policy

Under this task BAE will work with City staff and representatives from the California Department of Housing and Community Development (HCD) to prepare materials necessary to facilitate a review of the City's inclusionary housing proposal by HCD to ensure consistency with AB1505. This will include up to three facilitated calls between City staff and representatives from HCD, as well as additional time needed to refine the feasibility analysis to align with State standards and to prepare other needed materials.

3) Commercial Nexus and Feasibility Analysis

Under this task, BAE will coordinate with City staff to further refine the commercial linkage fee analysis and refine the City's preferred policy provisions. This will include preparation of a nexus analysis for condo-tel units, which were not previously analyzed. BAE will then update the financial feasibility analysis for the tourist mixed-use prototype as needed and will provide recommendations regarding implications for the preferred commercial linkage fee policy scenario, including an updated revenue projection. BAE will also prepare a nexus analysis for a large-scale retail development, possibly similar to the Whole Foods shopping center, and will prepare a financial model to assess the impact of a commercial linkage fee on feasibility, including an estimate of revenue generation. BAE will work with City staff to conduct additional analysis as needed in support of new policy development.

4) Additional Meeting Attendance

BAE staff will be available to attend up to four additional public meetings, possibly including City Council and Planning Commission meetings, and/or public workshops, as requested by City staff.

Exhibit B, Schedule of Charges and Timeline is hereby amended as follows:

BUDGET

Hourly Rate:	
Associate Principle	$280
Senior Associate	$200
Analyst	$105
Executive Director	$250

Travel and out-of-pocket expenses are included in the TOTAL (not to exceed amount)

TOTAL (not to exceed) $164,580

All other provisions of the Professional Services Agreement shall remain in full force and effect.

_____	_____
Cristi Creegan, Mayor	Matt Kowta, Managing Principal
_____	_____
Date	Date
Approved as to Form:	Attest:
_____	_____
Heather Stroud, City Attorney	Susan Blankenship, City Clerk
_____	_____
Date	Date

CITY OF SOUTH LAKE TAHOE

PROFESSIONAL SERVICES AGREEMENT

This Agreement is made and entered into as of the 3rd day of May 2022 by and between the **City of South Lake Tahoe**, a municipal corporation ("City") and BAE Urban Economics, Inc. ("Consultant").

RECITALS

A. Consultant is specially trained, experienced and competent to perform the special services which will be required by this Agreement.

B. Consultant possesses the skill, experience, ability, background, certification and knowledge to provide the services described in this Agreement on the terms and conditions described herein.

C. City desires to retain Consultant to render professional services as set forth in this Agreement.

AGREEMENT

1. Scope of Services. Consultant shall perform the services set forth in this agreement and shall provide said services at the time, place, and in the manner specified in this agreement. Consultant shall have no power or authority by this Agreement to bind City in any respect.

   The Consultant agrees that it has satisfied itself by its own investigation and research regarding the conditions affecting the work to be done and labor and materials needed, and that its decision to execute this Contract is based on such independent investigation and research.
   All services provided by Consultant pursuant to this Agreement will be provided in accordance with the terms set forth in the **Exhibit A, "Scope of Services,"** attached hereto and incorporated herein by reference. **Exhibit B, "Compensation Schedule,"** attached hereto and incorporated herein by reference, outlines the fees and compensation which shall be paid pursuant to this Agreement.

2. Term/Time of Performance. The services by Consultant are to commence upon the execution of the Agreement and continue for one year.

3. Compensation. Compensation to be paid to Consultant shall be in accordance with the Schedule set forth in **Exhibit B** which is attached hereto and incorporated herein by reference. In no event shall Consultant's compensation, including travel and out-of-pocket expenses, exceed **$126,222** without additional written authorization from City. Payment by City under this Agreement shall not be deemed a waiver of defects, even if such defects were known to City at the time of payment. Payment is contingent upon compliance with all terms and conditions of this Agreement, as set forth herein. Consultant shall obtain prior

written authorization from the City Project Manager for any costs in excess of budgeted amounts for each line item, task, or obligation under the Scope of Services.

4. Method of Payment. Consultant shall submit monthly billings to City describing the work performed during the preceding month. Consultant's bills shall include a brief description of the services performed, the date the services were performed, the number of hours spent and by whom, the applicable hourly rate, and a description of any reimbursable expenditures. City shall pay Consultant no later than 30 days after approval of the monthly invoice by City staff.

5. Extra Work. At any time during the term of this Agreement, City may request that Consultant perform extra work. As used herein, "Extra Work" means any work which is determined by City to be necessary for the proper completion of the Project, but which the parties did not reasonably anticipate would be necessary at the execution of this Agreement. Consultant shall not perform, nor be compensated for, extra work without prior written authorization from City.

6. Termination. This Agreement may be terminated by City or Consultant immediately for cause or without cause upon thirty days (30) days written notice of termination. Upon termination, Consultant shall be entitled to compensation for services performed up to the effective date of termination, and City shall be entitled to all work performed to that date.

   Termination, revocation, or expiration of this Agreement shall not release either party from liability resulting from an event which occurred prior to such termination, revocation or expiration.

7. Ownership Of Documents.
   All plans, studies, documents and other writings, including working notes and internal documents, prepared by and for Consultant, its officers, employees and agents and subcontractors in the course of implementing this Agreement, shall become the property of City upon payment to Consultant for such work, and City shall have the sole right to use such materials in its discretion without further compensation to Consultant or to any other party. Consultant shall, at Consultant's expense, provide such reports, plans, studies, documents and other writings to City upon written request. All documents prepared by Consultant are confidential and shall be maintained to preserve their confidential nature. Release of any such documents to third parties shall only be made upon written consent of City.
8. Consultant's Books and Records.

   a. Consultant shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services, or expenditures and disbursements charged to City for a minimum period of three (3) years, or for any longer period required by law, from the date of final payment to Consultant for

services provided pursuant to this Agreement.

b. Consultant shall maintain all documents and records which demonstrate performance under this Agreement for a minimum period of three (3) years, or for any longer period required by law, from records shall be available at Consultant's address indicated for the date of termination or completion of this Agreement.

c. Any records or documents required to be maintained pursuant to this Agreement shall be made available for inspection or audit, at any time during regular business hours, upon written request by the City Manager, City Attorney, City Auditor or a designated representative of these officers. Copies of such documents shall be provided to City for inspection at City offices when it is practical to do so. Otherwise, unless an alternative is mutually agreed upon, the receipt of notices in this Agreement.

d. Where City has reason to believe that such records or documents may be lost or discarded due to dissolution, disbandment or termination of Consultant's business, City may, by written request by any of the above-named officers, require that custody of the records be given to City and that the records and documents be maintained at City offices. Access to such records and documents shall be granted to any party authorized by Consultant, Consultant's representatives, or Consultant's successor-in-interest.

9. Independent Contractor. It is understood that Consultant, in the performance of the work and services agreed to be performed, shall act as and be an independent contractor and shall not act as an agent or employee of City. Consultant shall obtain no rights to retirement benefits or other benefits which accrue to City's employees, and Consultant hereby expressly waives any claim it may have to any such rights. All employees, agents, contractors or subcontractors hired or retained by Consultant are employees, agents, contractors or subcontractors of Consultant and not of the City.

City is not required to make any deductions or withholdings form the compensation payable to Consultant under the provisions of this Contract, and is not required to issue W-2 Forms for income and employment tax purposes for any of Consultant's assigned personnel. Any third party persons employed by Consultant shall be entirely and exclusively under the direction, supervision, and control of Consultant. Consultant hereby indemnifies and holds City harmless from any and all claims that may be made against City based upon any contention by any third party that an employer-employee relationship exists by reason of this Contract.

10. Interest of Consultant. Consultant, (and principals, associates and professional employees of consultant) covenants and represents that it does not now have any investment or interest in real property and shall not acquire any interest, direct or indirect, in the area covered by this Agreement or any other source of income, interest in real property or investment which would be affected in any manner or degree by the performance of Consultant's services hereunder. Consultant further covenants and represents that in the performance of its duties hereunder no person having any such interest shall perform any services under this Agreement.

Consultant is not a designated employee within the meaning of the Political Reform Act because Consultant:

a. Will conduct research and arrive at conclusions with respect to his/her rendition of information, advice, recommendation or counsel independent of the control and direction of City or of any City official, other than normal agreement monitoring; and,
b. Possesses no authority with respect to any city decision beyond rendition of information, advice, recommendation or counsel. [FPPC Reg. 18700(a)(2)].

11. Professional Ability of Consultant. City has relied upon the professional training and ability of Consultant to perform the services hereunder as a material inducement to enter into this Agreement. Consultant shall therefore provide properly skilled professional and technical personnel to perform all services under this Agreement. All work performed by Consultant under this Agreement shall be in accordance with applicable legal requirements and shall meet the standard of quality ordinarily to be expected of competent professionals in Consultant's field of expertise.

12. Compliance with Laws. Consultant shall comply with all applicable federal, state, regional and local laws, codes, ordinances and regulations in carrying out his/her duties under this Agreement. Consultant shall observe and comply with all applicable laws, ordinances, regulations and codes of federal, state and local governments, and shall commit no trespass on any public or private property in performing any of the work authorized by this Agreement. The City, its officials, officers, elected officials, appointed officials and employees shall not be liable at law or in equity as a result of any failure of Consultant to comply with this section.

In the event it is determined that the Consultant is required to pay prevailing wages for the work performed under this Agreement, the Consultant shall pay all penalties and wages as required by law.

13. Licenses. Consultant represents and warrants to City that it has all licenses, permits, qualifications, insurance and approvals of whatsoever nature which are legally required of Consultant to practice its profession. Consultant represents and warrants to City that Consultant shall, at its sole cost and expense, keep in effect or obtain at all times during the term of this Agreement, any licenses, permits, insurance and approvals which are legally required of Consultant to practice its profession. Consultant shall maintain a City of South Lake Tahoe business license at all times services are performed under this Agreement. Consultant acknowledges that payments made pursuant to this Agreement may be withheld until this provision has been satisfied.

14. Indemnity. Consultant hereby agrees to and shall indemnify and hold harmless City, its elected and appointed boards, officers, agents, employees and volunteers from and against any liability for any and all claims, demands, actions, losses, damages and injuries, direct or indirect (including any and all costs and expenses in connection therein), arising out of this Agreement or caused in any way by

Consultant's negligent performance of this Agreement or its breach of its obligations contained in this Agreement, except for any such claims arising out of the negligence or willful misconduct of the City. Consultant agrees to defend City from and against any and all losses, damages, claims costs and fees arising out Consultant's negligent acts, errors, omissions, regarding this Agreement, the Consultant's work under this Agreement, or the consultant's Scope of Work.

City does not, and shall not, waive any rights against Consultant which it may have by reason of the aforesaid hold harmless agreement, because of the acceptance by City, or the deposit with City by Consultant, of any of the insurance policies hereinafter set forth.

This hold harmless agreement by Consultant shall apply to all damages and claims for damages, or alleged to have been suffered, by reason of any of the aforesaid operation of Consultant or any subcontractor, regardless of whether or not such insurance policies shall have been determined to be applicable to any of such damages or claims for damages.

Consultant further waives any and all rights to any type of express or implied indemnity or right of contribution from the City for any liability, claims, demands, costs, charges and expenses and causes of action of whatsoever arising out of or in any way connected with this Agreement, and consultant's work under this Agreement.

15. Insurance Requirements.

a. Consultant, at Consultant's own cost and expense, shall procure and maintain, for the duration of the contract, the following insurance policies.

i. Workers' Compensation Coverage. Consultant shall maintain Workers' Compensation Insurance and Employer's Liability Insurance for his/her employees in accordance with the laws of the State of California. In addition, Consultant shall require each subcontractor to similarly maintain Workers' Compensation Insurance and Employer's Liability Insurance in accordance with the laws of the State of California for all of the subcontractor's employees. Any notice of cancellation of all Workers' Compensation policies must be received by City at least thirty (30) days prior to such change. Consultant shall provide thirty (30) days written notice of nonrenewal of any Workers' Compensation policies. The insurer shall agree to waive all rights of subrogation against City, its officers, agents, employees and volunteers for losses arising from work performed by Consultant for City.

ii. Commercial General Liability Coverage. Consultant shall maintain commercial general liability insurance no less broad than ISO form CG 00 01 in an amount not less than one million dollars ($1,000,000) per occurrence for bodily injury, personal injury and property damage. Coverage must be made on the standard Occurrence form. Claims-Made forms are not acceptable without prior written consent of City. City of South Lake Tahoe must be endorsed as an

additional insured for liability arising out of ongoing operation by on behalf of Consultant. If a commercial general liability insurance form or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the work to be performed under this Agreement or the general aggregate limit shall be at least twice the required occurrence limit.

iii. Automobile Liability Coverage. Consultant shall maintain automobile liability insurance covering bodily injury and property damage for all activities of the Consultant arising out of or in connection with the work to be performed under this Agreement, including coverage for owned, hired and non-owned vehicles, in an amount of not less than one million dollars ($1,000,000) combined single limit for each occurrence.

iv. Professional Liability Coverage. Consultant shall maintain professional errors and omissions liability insurance for protection against claims alleging negligent acts, errors or omissions which may arise from Consultant or by its employees, or subcontractors. The amount of this insurance shall not be less than one million dollars ($1,000,000) on a claims-made annual aggregate basis, or a combined single-limit per occurrence basis.

b. Endorsements. Each general liability and automobile liability insurance policy shall be with insurers possessing a AM Best's rating of no less than A:VII and shall be endorsed with the following specific language:

i. City, its elected or appointed officers, officials, employees, agents and volunteers are to be covered as additional insured's under Consultant's General Liability and Automobile Liability policies with respect to liability arising out of this Agreement and/or work performed by or on behalf of the Consultant, including materials, parts or equipment furnished in connection with such work or operations.

ii. This policy shall be considered primary insurance as respects City, its elected or appointed officers, officials, employees, agents and volunteers. Any insurance maintained by City, including any self-insured retention City may have, shall be considered excess insurance only and shall not contribute with it.

iii. This insurance shall act for each insured and additional insured as though a separate policy had been written for each, except with respect to the limits of liability of the insuring Consultant.

iv. The insurer waives all rights of subrogation against City except for Consultant's Professional Liability and Employers' Liability policies, its elected or appointed officers, officials, employees or agents.

v. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to City, its elected or appointed officers, officials, employees, agents or volunteers.

vi. No policies of insurance carried by Consultant shall be suspended, voided, canceled, or changed in coverage or in limits except after thirty (30) days written notice to the City Attorney by Certified Mail.

c. Deductibles and Self-Insured Retentions. The Consultant shall be responsible for all deductibles in all of Consultant's insurance policies. The amount of deductibles for insurance coverage required herein shall be reasonable and approved by the City Attorney.

d. Certificates of Insurance. Consultant shall provide certificates of insurance with original endorsements to City as evidence of the insurance coverage required herein. Consultant shall not commence work under this contract until all insurance required under this section has been approved by City as to form, amount and carrier, nor shall Consultant allow any subcontractor to commence work on any subcontract until all similar insurance required and reasonably consistent limits of the subcontractor has been so obtained and approved. Certificates of insurance shall contain no exclusions unless negotiated with the City Attorney and approved, in writing, by the City Attorney.

16. Notices. Any notice required to be given under this Agreement shall be in writing and either served personally or sent prepaid, first class mail. Any such notice shall be addressed to the other party at the address set forth below. Notice shall be deemed communicated within 48 hours from the time of mailing if mailed as provided in this section.

If to City: City of South Lake Tahoe
1901 Airport Rd.
South Lake Tahoe, CA 96150

Provide a copy to: City Attorney's Office
City of South Lake Tahoe
1901 Airport Road, Suite 300
South Lake Tahoe, CA 96150

If to Consultant:

Provide a copy to:

17. Assignment and Subcontracting. The parties recognize that a substantial inducement to City for entering into this Agreement is the professional reputation, experience and competence of Consultant. Assignments of any or all rights, duties or obligations of the Consultant under this Agreement will be permitted only with the express consent of City. Consultant shall not subcontract any portion of the work to be performed under this Agreement without the written authorization of City. If City consents to such subcontract, Consultant shall be fully responsible to City for all acts or omissions of the subcontractor. Nothing in the Agreement shall create any contractual relationship between City and subcontractor nor shall it create any obligation on the part of City to pay or to see to the payment of any monies due to any such subcontractor other than as otherwise required by law.

18. Waiver. Waiver of a breach or default under this Agreement shall not constitute a continuing waiver of a subsequent breach of the same or any other provision under this Agreement.

19. Dispute Resolution. Any dispute concerning this Agreement will be first submitted to the City Manager or his designee for resolution. If no resolution is reached, such dispute shall be submitted to the City Council. The decision of the City Council shall be final and shall be appealable only to the El Dorado Superior Court pursuant to California Code of Civil Procedure §1094.5, and as provided by law.

20. Controlling Law Venue. This Agreement and all matters relating to it shall be governed by the laws of the State of California and any action brought relating to this Agreement shall be held exclusively in the Superior Courts in the County of El Dorado, South Lake Tahoe Division.

21. Prohibited Interests. Consultant maintains and warrants that it has not employed nor retained any Consultant or person, other than the independent contractors hired in accordance with Consultant's standard business practice, to solicit or secure this Agreement. Further, Consultant warrants that it has not paid nor has it agreed to pay any Consultant or person, other than a bona fide employee working solely for Consultant or an independent contractor hired as discussed above, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. For breach or violation of this warranty, City shall have the right to rescind this Agreement without liability. For the term of this Agreement, no member, officer or employee of City, during the term of his or her service with City, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.

22. Equal Opportunity Employment. Consultant represents that it is an equal opportunity employer and it shall not discriminate against any subcontractor, employee or applicant for employment because of race, religion, color, national origin, disability, ancestry, sex or age. Such non-discrimination shall include, but not be limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination. Consultant shall also comply with all relevant provisions of City's Minority Business Enterprise program, Affirmative Action Plan, or other related programs or guidelines currently in effect or hereinafter enacted.

23. Drug-Free Workplace Certification. By signing this Agreement, Consultant hereby certifies under penalty of perjury under the laws of the State of California that the Consultant will comply with the requirements of the Drug-Free Workplace Act of 1990 (Government Code Section 8350, et seq.) and will provide a drug-free work place by taking the following actions:
    a. Publish a statement notifying employees that unlawful manufacture, distribution dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations, as required by Government Code Section 8355 (a).

b. Establish a Drug-Free Awareness Program as required by Government Code Section 8355(b) to inform employees about all of the following:

   i. The dangers of drug abuse in the workplace;
   ii. The person's or organization's policy of maintaining a drug-free workplace;
   iii. Any available counseling, rehabilitation and employee assistance program; and
   iv. Penalties that may be imposed upon employees for drug abuse violations.

c. Provide, as required by Government Code Section 8355(c), that every employee who performs grant activities under this Agreement:

   i. Will receive a copy of the Consultant's drug-free policy statement; and
   ii. Will agree to abide by the terms of the Consultant's statement as a condition of employment on this Agreement.

Failure to comply with these requirements may result in suspension of payments under this Agreement or termination of the Agreement, or both, and Consultant may be ineligible for award of any future City agreements if City determines that any of the following has occurred: the Consultant (1) has made false certification, or (2) violates the certification by failing to carry out the requirements as noted above.

24. Anti-Lobbying Certification. Consultant shall submit to City the Anti-Lobbying Certification contained in **Exhibit C**. Further, Consultant shall require that the language of the certification in **Exhibit C** be included in all contracts or subcontracts entered into in connection with this Agreement and that all Consultants and contractors shall certify and disclose accordingly.

25. Debarment, Suspension, Ineligibility and Voluntary Exclusion. By signing this Agreement, Consultant assures that neither it nor its principals, is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.

26. Americans with Disabilities Act. By signing this Agreement, Consultant assures the City that it complies with the American with Disabilities Act (ADA) of 1990, (42 U.S.C. 12101, et.seq.), which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to ADA.

27. Amendments. This Agreement may be modified or amended only by a written document executed by both Consultant and City and approved as to form by the City Attorney.

28. Severability. If any term or portion of this Agreement is held to be invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions of this Agreement shall continue in full force and effect.

29. Entire Agreement. This Agreement constitutes the complete and exclusive statement of Agreement between City and Consultant. All prior written and oral communications, including correspondence, drafts, memoranda, and representations, are superseded in total by this Agreement.

30. Execution. This Agreement may be executed in several counterparts, each of which shall constitute one and the same instrument and shall become binding upon the parties when at least one copy hereof shall have been signed by both parties hereto. In approving this Agreement, it shall not be necessary to produce or account for more than one such counterpart.

31. Time is of the Essence. Time is of the essence for this Agreement.

32. Authority to Enter Agreement. Consultant has all requisite power and authority to conduct its business and to execute, deliver, and perform the Agreement. Each party warrants that the individuals who have signed this Agreement have the legal power, right, and authority to make this Agreement and to bind each respective party.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the date first written above.

CITY OF SOUTH LAKE TAHOE:
By _____
Devin Middlebrook (May 20, 2022 14:07 PDT)
Devin Middlebrook, Mayor

CONSULTANT:
By _____ May 20, 2022
Matt Kowta, Managing Principal,

Business License # 100118

APPROVED AS TO FORM:
By _____
Heather Stroud (May 20, 2022 12:47 PDT)
Heather Stroud, City Attorney

ATTEST:
By _____
Sue Blankenship (May 20, 2022 12:44 PDT)
Susan Blankenship, City Clerk
May 20, 2022

Attachments:
Exhibit A – Scope of Services
Exhibit B – Compensation Schedule
Exhibit C - Anti-Lobbying Certification

EXHIBIT A

SCOPE OF SERVICES

Memorandum

To: Hilary Roverud, Development Services Director, City of South Lake Tahoe
Jessica Wackenhut, Associate Housing Planner, City of South Lake Tahoe

From: Aaron Nousaine, Associate Principal
Matt Kowta, Managing Principal

Date: April 22, 2022

Re: Updated Scope and Budget for Local Funding Feasibility Study

This memorandum provides an update to BAE's April 6th proposal to prepare a feasibility study of potential local funding sources for local housing initiatives to include budget estimates for the two identified optional tasks. Per the City's request, we have added budget to accommodate the optional analysis of up to three additional funding sources, as well as preparation of financial feasibility models for up to four different development prototypes.

Proposed Scope of Work

Task 1: Project Kickoff and Ongoing Management

Under this task, the BAE team will participate in an in-person kickoff meeting with City staff to review the scope of work and the project budget and schedule. The City and BAE will each identify a main point of contact and will discuss communication procedures. The group will also agree upon a schedule and format for periodic progress reports from BAE to the City.

At the kickoff meeting, BAE will request copies of any relevant background materials, including the City's most recent Strategic Plan, as well as any other supporting materials, policy documents, and progress reports. BAE will also request any available information on affordable and workforce housing needs within the City, to the extent that they differ from those summarized in the 2019 *South Shore Region Housing Needs and Opportunities* report.

At this stage, the BAE team will also request an initial list of potential focus group topic areas, as well as prospective participants. Bill Martinez with the South Lake Tahoe FRC will also assist with identification of key stakeholders within the local Spanish speaking community.

Deliverable #1: Project Kickoff Meeting

Task 2: Analysis of current City housing programs and costs

Under this task, the BAE team will review the relevant background materials provided under Task 1 with the intent of identifying key programs and initiatives to be funded using the mechanisms analyzed in this study. BAE will then prepare a brief memorandum summarizing our understanding of the local projects and/or programs that the City is aiming to fund, both current and planned, and will work with City staff to determine the relative priority of each. City staff will provide information regarding the order of magnitude cost associated with implementation of each local project and/or program in terms of anticipated startup costs, ongoing operating/staffing costs, and/or annual project costs. BAE will work with City staff to align potential funding sources and/or financing tools with the identified projects and/or programs in terms of the required magnitude of funding, funding period (e.g., annual versus one-time), administrative requirements, and feasibility of establishment.

Per the RFP, the analysis will include the following potential revenue sources:

- Transient Occupancy Tax
- Property Transfer Tax
- Home Vacancy Tax
- Sales Tax
- Building Permits Fees
- Housing in-Lieu Fees
- Business Linkage Fee

As an option under Task 3, City staff may identify up to three additional funding sources and/or financing tools for evaluation as part of this research, such as revenue bond financing.

Deliverable #2: Program Cost Evaluation Memorandum

Task 3: Analysis of Revenue Generation Potential

Under this task, BAE will evaluate the revenue generating potential of each funding source and/or financing tool identified under Task 2 relative to the associated cost of any aligned projects and/or programs, recognizing that a given funding source or financing tool may produce revenue sufficient to support a number of objectives. BAE will then produce a memorandum summarizing the calculations and key findings, as well as considerations for establishment of each identified funding source or financing tool, such as voter approval requirements, and other local, regional, and state administrative and legislative processes that may be required for implementation, as well as best practices. The analysis will also identify stakeholder groups most directly impacted by each funding source.

Deliverable #3: Revenue Generation Evaluation Memorandum

Task 3a: Special Tax Revenue Generation

Under this subtask, BAE will evaluate the revenue generating potential associated with establishment of supplemental and/or special taxes, including Transient Occupancy Tax (TOT), Property Transfer Tax, Home Vacancy Tax, and Sales Tax.

Transient Occupancy Tax (TOT)

The City will provide BAE with available data regarding TOT receipts for the past five to ten years, as well as an inventory of registered TOT certificates located within the City. BAE will use the TOT receipts data to estimate average daily rates (ADR) and occupancy rates by accommodations type. The City will also provide BAE with a list of any planned or proposed tourist accommodation projects. BAE will also collect available information on visitor overnight stays and spending from the Lake Tahoe Visitors Authority and VisitCalifornia. BAE will then estimate the estimated new TOT revenue that could be generated through an increase in the TOT rate.

Property Transfer Tax

To assess the revenue generating potential of a flat fee parcel tax, BAE will request parcel data from El Dorado County that will allow BAE to quantify the number of housing units by type within the City of South Lake Tahoe. BAE will then evaluate the amount of revenue that could be generated based on the application of a flat fee per parcel at different fee levels.

Home Vacancy Tax

Under this subtask, BAE will then estimate the number of vacant homes in South Lake Tahoe, based on up to three different definitions of what constitutes a 'vacant' unit, and will evaluate the potential revenue that can be generated through assessment of a flat fee per unit. BAE will work with City staff to identify possible definitions of a 'vacant' unit, which may include properties not subject to a federal homeowners tax exemption, as well as those not subject to a long-term lease agreement (estimated using Census data). A third definition may be defined in consultation with staff.

Sales Tax

To estimate revenue generation from an increase in the sales tax rate, BAE will request that the City provide an estimate of gross annual sales tax receipts received from outlets in South Lake Tahoe. BAE will then apply a sales tax add on rate to estimate the additional revenue that may be generated.

Task 3b: Development Dependent Revenue Sources

Under this subtask, BAE will evaluate the revenue generating potential of establishing new revenue sources that are dependent upon new real estate development, including building permit fees, housing in-lieu fees, and business linkage fees.

Building Permit Fees

BAE will consult with the City's in-house council to assess the extent to which the City can legally establish an add-on building permit fee for affordable housing without establishing an essential nexus, such as is done with housing in-lieu and business linkage fees. Based on the outcome of that consultation, BAE will work with City staff to identify an appropriate methodology for evaluating revenue generation potential.

Housing In-Lieu Fee

To estimate the housing in-lieu fee, BAE will estimate the income needed to afford an average priced home in South Lake Tahoe, then use the IMPLAN economic model to estimate the number of jobs that such a household would support within the community as a result of their everyday spending, after accounting for full-time versus part-time occupancy. BAE would then convert jobs to workforce households by income level using data from the U.S. Census Bureau's Public Use Microdata Sample. BAE will then estimate the approximate subsidy required to deliver housing units at different income levels based on a review of recently funded housing projects and through interviews with local developers. The subsidy multiplied by the induced workforce housing demand equals the maximum justifiable in-lieu fee amount.

Business Linkage Fee

The methodology used to estimate a business linkage fee amount is similar to that described above for the housing in-lieu fee. The main difference is that BAE will estimate employment based on average employment densities for certain types of businesses to be identified by City staff. BAE will then use the workforce household conversion factors and income matrix to estimate the workforce housing supply needed to support different types of non-residential development.

Task 3c: Other Revenue Sources (Optional)

As an optional task, BAE will evaluate the revenue generating potential up to three additional revenue sources and/or financing tools. BAE will work with City staff to identify other sources of funds that may be worth considering based on the City's current Strategic Plan and housing needs. Given that the additional funding sources and/or financing tools to be analyzed have yet to be identified, BAE has allocated roughly $10,000 for this analysis per revenue source/financing tool.

Task 3d: Financial Feasibility Analysis (Optional)

As an optional task, BAE will perform financial feasibility testing to assess the extent to which new development can support establishment of new housing in-lieu or business linkage fees. BAE will work with City staff to identify up to four development prototypes that reflect the types of projects that the City expects to see in near- to medium-term. BAE will then conduct interviews and research to identify appropriate development cost and revenue assumptions for preparation of pro-forma financial model(s). BAE

will then test the extent to which each prototype can support establishment of a fee and will conduct sensitivity analysis to evaluate whether the impacts can be offset through alterations to the development program and/or other cost and revenue assumptions. The cost for preparation of the optional financial feasibility analysis is $7,000 per prototype.

Optional Deliverable #3d: Financial Feasibility Analysis Memorandum

Task 4: Community Engagement

BAE staff will facilitate a series of six focus groups to engage various stakeholders, such as community groups, business groups, special interest groups, and the general public. The proposed budget for this task assumes that all six focus groups will be hosted on the same day. The City of South Lake Tahoe will be responsible for advertising the event and coordinating stakeholder participation, as well as for securing adequate facilities. BAE will work with City staff to identify focus groups that align with the segments of the population/community that are most impacted by the identified funding sources. The budget for this task also assumes that up to two of the focus group sessions will be conducted in Spanish, with Bill Martinez of the South Lake Tahoe FRC providing translation services, including up to two two-page notices/project summaries ahead of the focus group sessions and a two-to-four-page research summary coinciding with publication of the final report. Mr. Martinez will provide in-person translation for the focus groups and will assist BAE and the City with identification of important Spanish language stakeholders. Following completion of the focus group sessions, BAE will prepare a brief memorandum summarizing the input received and discussing key implications for the analysis.

Deliverables #4-6: Public Notices; Focus Group Sessions; Research Summary

Task 5: Housing Funding Feasibility Report

Under this task, BAE will compile draft report that summarizes the work completed under prior tasks, including the economic and fiscal research and calculations used to assess different potential revenue sources to support a local housing fund, and/or local projects and programs. The report will also provide recommendations regarding a potential funding package that may best meet the City's needs. Upon receipt of one consolidated set of comments from City staff, BAE will revise the document and provide the City with a final report. BAE staff will attend one virtual meeting to discuss the draft report with City staff and one in-person City Council meeting to present key findings and answer questions from the Council and the public. BAE staff may be available to attend additional meetings as needed at an additional cost.

Deliverable #7-8: Draft and Final Housing Funding Feasibility Reports

Proposed Project Schedule

The following is BAE's proposed schedule for completion of this assignment, which will be refined further in coordination with City staff upon selection.

Table 1: Proposed Project Schedule and Deliverables

Task	Proposed Project Schedule (Weeks)												
	May					June				July			
	2	9	16	23	30	6	13	20	27	4	11	18	25
1. Project Kickoff and Management	1												
2. Analysis of Housing Programs and Costs			2										
3. Analysis of Revenue Generation							3a/b						
3c. Revenue Sources (Optional)							3c						
3d. Financial Feasibility Analysis (Optional)									3d				
4. Community Engagement													
Public Notices/Project Summary					4								
Outreach to Key Stakeholders													
Focus Group Sessions (6x)							5						
Public Research Summary								6					
5. Housing Funding Feasibility Report										7			8

Deliverables
Progress

EXHIBIT B

SCHEDULE OF CHARGES AND TIMELINE

BUDGET

Estimated fees (not to exceed)		**$126,222**
Hourly Rate:		
Associate Principle	$280	
Senior Associate	$200	
Analyst	$105	
Executive Director	$250	
Travel and out-of-pocket expenses	**$2250**	
(travel is included in the TOTAL (not to exceed amount)		
TOTAL (not to exceed)		**$126,222**

BUDGET PROPOSAL

BAE and the FRC propose to complete the scope of work described above on a fixed-fee basis for $68,190, excluding optional tasks, or $126,222 including optional tasks. The total cost includes all direct and indirect costs, as well as all anticipated out-of-pocket expenses which are passed on without markup. Table 2, below, summarizes the component costs by task, firm/organization, and staff person.

Table 2: Proposed Project Budget

Task	BAE Urban Economics				South Lake Tahoe Family Resource Center		Grand Total
	Associate Principal	Senior Associate	Analyst	BAE Subtotal	Executive Director	FRC Subtotal	
hourly rates	*$280*	*$200*	*$105*		*$250*		
1. Project Kickoff and Management	4.0	4.0	0.0	**$1,920**	1.0	**$250**	**$2,170**
2. Analysis of Housing Programs and Costs	4.0	8.0	2.0	**$2,930**	0.0	**$0**	**$2,930**
3. Analysis of Revenue Generation	88.0	80.0	40.0	**$44,840**	0.0	**$0**	**$44,840**
3a. Special Tax Revenue Generation	40.0	40.0	16.0	**$20,880**	0.0	**$0**	**$20,880**
3b. Development Dependent Revenue	48.0	40.0	24.0	**$23,960**	0.0	**$0**	**$23,960**
3c. Other Revenue Sources (Optional)	60.0	60.0	11.5	**$30,002**	n.a.		**$30,002**
3a. Feasibility Analysis (Optional)	40.0	60.0	46.0	**$28,030**			**$28,030**
4. Community Engagement	25.0	9.0	0.0	**$8,800**	14.0	**$3,500**	**$12,300**
Public Notices/Project Summary	*4.0*	*0.0*	*0.0*	*$1,120*	*2.0*	*$500*	*$1,620*
Outreach to Key Stakeholders	*4.0*	*0.0*	*0.0*	*$1,120*	*4.0*	*$1,000*	*$2,120*
Focus Group Sessions (6x)	*13.0*	*9.0*	*0.0*	*$5,440*	*6.0*	*$1,500*	*$6,940*
Public Research Summary	*4.0*	*0.0*	*0.0*	*$1,120*	*2.0*	*$500*	*$1,620*
5. Housing Funding Feasibility Report	6.0	8.0	4.0	**$3,700**	0.0	**$0**	**$3,700**
Reimbursable Expenses				**$2,000**		**$250**	**$2,250**
Data and Materials Purchase				*$2,000*		*$250*	$2,250
Totals, Excluding Optional Tasks	**$35,560**	**$21,800**	**$4,830**	**$64,190**	**$3,750**	**$4,000**	**$68,190**
Including Optional Tasks	*$63,560*	*$45,800*	*$10,862*	*$122,222*	*$3,750*	*$4,000*	*$126,222*

EXHIBIT C

ANTI-LOBBYING CERTIFICATION

Consultant shall submit to City this certification prior to or at the time of the execution of this Agreement.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U. S. Code. Any person who fails to file the required certification shall be subject to a civil penalty not less than $10,000 and no more than $100,000 for such failure.

The undersigned certifies, to the best of his or her knowledge or belief, that:

1. No federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement; and

2. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instruction.

Consultant:

By: Matt Kowta

Matt Kowta,Managing Princpal

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 05/10/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: Aliyyah Harvey	
Fidelity Insurance Service a member of United Valley 801 Allston Way Berkeley CA 94710	PHONE (A/C, No, Ext): (510) 548-8200	FAX (A/C, No): (510) 548-6145
	E-MAIL ADDRESS: aharvey@fidelityinsuranceservice.com	

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Sentinel Insurance LTD	11000
INSURER B : Property & Casualty Insurance Company of Hartford	34690
INSURER C : Ironshore Specialty Insurance Company	25445
INSURER D :	
INSURER E :	
INSURER F :	

INSURED

BAE Urban Economics, Inc.,
DBA: Bay Area Economics
2560 Ninth Street Suite 211
Berkeley CA 94710

COVERAGES **CERTIFICATE NUMBER:** 22-23 Prof L/WC Master **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☒ PRO-JECT ☐ LOC ☐ OTHER:	Y	Y	57SBABB3176	12/24/2021	12/24/2022	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG Employee Dishonesty	$ 2,000,000 $ 1,000,000 $ 10,000 $ 2,000,000 $ 4,000,000 $ 4,000,000 $ 55,000
A	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY	Y		57SBABB3176	12/24/2021	12/24/2022	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ 2,000,000 $ $ $
A	☒ UMBRELLA LIAB ☒ OCCUR EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☒ RETENTION $ 10,000			57SBABB3176	12/24/2021	12/24/2022	EACH OCCURRENCE AGGREGATE	$ 2,000,000 $ 2,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N: Y If yes, describe under DESCRIPTION OF OPERATIONS below	N / A	Y	57WBCNT0764	01/01/2022	01/01/2023	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ 1,000,000 $ 1,000,000 $ 1,000,000
C	Professional Liability-Retro Date2/24/06 for $1M Limits & 4/24/16 for $2M Limits			PEO903737-02	04/24/2022	04/24/2023	Each Wrongful Act Aggregate SIR	$2,000,000 $2,000,000 $ 100,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

City, its elected or appointed officers, officials, employees, agents and volunteers are named as additional insureds. Insurance is Primary & Non-contributory.

CERTIFICATE HOLDER

City of South Lake Tahoe
1901 Airport Road, Suite 300
South Lake Tahoe CA 96150

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Aliyyah Harvey

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C-060-2022 BAE Urban Economics

Final Audit Report 2022-05-20

Created:	2022-05-20
By:	jo Mcdonough (jmcdonough@cityofslt.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAL4n_tCCEZmiDKuMMFIepSX9-y1Gt2BbR

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Agreement completed.

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Memorandum

To: Hilary Roverud, Development Services Director, City of South Lake Tahoe
Zach Thomas, Housing Manager, City of South Lake Tahoe
Jessica Wachenhut, Associate Housing Planner, City of South Lake Tahoe

From: Aaron Nousaine, Principal

Date: May 15, 2023

Re: Scope and Budget for Additional Inclusionary Housing Policy Research

The South Lake Tahoe City Council directed staff to work with BAE Urban Economics to conduct additional analysis needed to refine the City's preferred approach to creating an inclusionary housing policy and commercial linkage fee policy. BAE proposes to complete the following tasks.

Proposed Scope of Work

1) Residential Nexus and Feasibility Analysis

BAE will conduct additional feasibility analysis necessary to inform further specification of the City's preferred inclusionary housing policy scenario, including the development of alternative standards based on the square footage of proposed units. This may include, but shall not be limited to, analysis of feasibility for housing units falling into the following size categories:

Under 2,000 sq. ft.
2,001-2,500 sq. ft.
2,501-3,000 sq. ft
3,001-5,000 sq. ft.
>/=5,001 sq. ft.

These size categories may be modified further as needed. Recognizing the work completed to date, this will require preparation of at least two additional financial feasibility models to accommodate units falling into the 2,500-3,000 square feet and 3,000-5,000 square feet ranges.

In addition, the City has requested that BAE prepare a nexus analysis and financial feasibility testing for multifamily rental apartments. This may include analysis of up to two

multifamily residential prototype projects, including an average market rate project, and a higher end luxury project.

Upon completion of the supplemental feasibility analysis, BAE will prepare projections of anticipated revenue generation resulting from implementation of the preferred policy scenario based on the assumed continuation of recent development trends.

This task also includes additional consultant hours which may be used as needed to answer questions and conduct additional analysis in support of new policy development.

2) Coordination with HCD Regarding Preferred Inclusionary Policy

Under this task BAE will work with City staff and representatives from the California Department of Housing and Community Development (HCD) to prepare materials necessary to facilitate a review of the City's inclusionary housing proposal by HCD to ensure consistency with AB1505. This will include up to three facilitated calls between City staff and representatives from HCD, as well as additional time needed to refine the feasibility analysis to align with State standards and to prepare other needed materials.

3) Commercial Nexus and Feasibility Analysis

Under this task, BAE will coordinate with City staff to further refine the commercial linkage fee analysis and refine the City's preferred policy provisions. This will include preparation of a nexus analysis for condo-tel units, which were not previously analyzed. BAE will then update the financial feasibility analysis for the tourist mixed-use prototype as needed and will provide recommendations regarding implications for the preferred commercial linkage fee policy scenario, including an updated revenue projection. BAE will also prepare a nexus analysis for a large-scale retail development, possibly similar to the Whole Foods shopping center, and will prepare a financial model to assess the impact of a commercial linkage fee on feasibility, including an estimate of revenue generation. BAE will work with City staff to conduct additional analysis as needed in support of new policy development.

4) Additional Meeting Attendance

BAE staff will be available to attend up to four additional public meetings, possibly including City Council and Planning Commission meetings, and/or public workshops, as requested by City staff.

Proposed Budget

To provide the greatest degree of flexibility, BAE proposes to complete this work on a time and materials basis with a not to exceed budget of $45,000. This includes approximately $6,642

that is remaining under BAE's existing contract as of May 10, 2023, as well as $38,358 that would need to be added to the budget as part of a contract amendment.

City of South Lake Tahoe

Agenda Item Executive Summary

Joe Irvin, City Manager

Meeting Date: June 6, 2023
Agenda Item #: 14

Agenda Item: Electric Vehicle Charging Station Ordinance Amending City Code Section 6.15.160 (Second Reading)

Executive Summary: California Assembly Bill 1236 requires jurisdictions with a population less than 200,000 residents to establish procedures for expedited, streamlined processes for permitting of electric vehicle charging stations.

Requested Action / Suggested Motions: Pass an Ordinance amending South Lake Tahoe City Code Section 6.15.160 to codify procedures for expediting permitting processing for electric vehicle charging systems.
Responsible Staff Member: Hilary Roverud, Director of Development Services

Responsible Staff Member: Hilary Roverud, Director of Development Services

Reviewed and Approved By:
Susan Blankenship, City Clerk
Olga Tikhomirova, Director of Finance
Heather Stroud, City Attorney

Attachments:

01-Staff_Report_Ord_EVCharging_2nd_Reading.docx
02-Ordinance_EV_Charging (3).docx
03-Proof of Publication.pdf

City of South Lake Tahoe
Report to **City Council**

Meeting Date: June 6, 2023

Title: Electric Vehicle Charging Station Ordinance Amending City Code Section 6.15.160 (Second Reading)

Location: Citywide

Responsible Staff Member: Hilary Roverud, Director of Development Services

Background: Assembly Bill 1236, which amended Government Code Section 65850.7 to require jurisdictions with a population less than 200,000 residents to establish procedures for expedited, streamlined processes for permitting of electric vehicle charging stations. The amendments to Section 65850.7 include the requirement for a jurisdiction to adopt an ordinance for the expedited, streamlined process.

Issue and Discussion: On May 16, 2023, City Council passed a Motion to hold a first reading (by title only) of an Ordinance amending the South Lake Tahoe City Code Section 6.15.160 to codify procedures for expediting permitting processing for electric vehicle charging systems and refer second reading and adoption to the June 6, 2023 meeting.

Financial Implications: There is no immediate financial impact or budget action necessary as a result of the recommended action.

Environmental Considerations: The proposed ordinance is exempt from environmental review per CEQA Guidelines under the General Rule (Section 15061(b)(3)), as the project involves updates and revisions to existing regulations. The proposed code amendments are consistent with California law, specifically Government Code section 65850.7. It can be seen with certainty that the proposed code amendments will have no significant effect on the environment, and are, therefore, not subject to CEQA per CEQA Guidelines Section 15060(c)(3).

Policy Implications: The proposed action is consistent with the City Climate Action Plan Strategy 3: Electric Vehicles (EVs) – Increase the Use of EVs to Reduce Emissions from Passenger and Transit Vehicles.

Ordinance 2023-XXX

Adopted by the City of South Lake Tahoe City Council

June 6, 2023

Ordinance Amending City Code Sections 6.15.160 to codify procedures for expediting permitting processing for electric vehicle charging systems

FINDINGS

A. The State of California and the City of South Lake Tahoe has consistently promoted and encouraged the use of fuel-efficient electric vehicles; and

B. The State of California adopted Assembly Bill 1236, which requires local agencies to adopt an ordinance that creates an expedited and streamlined permitting process for electric vehicle charging systems; and

C. Creation of an expedited, streamlined permitting process for electric vehicle charging stations would facilitate convenient charging of electric vehicles and help reduce the City's / County's reliance on environmentally damaging fossil fuels.

Now, Therefore, the City Council of City of South Lake Tahoe does ordain as follows:

SECTION 1.

1. That the action taken on this matter and recommendations made after consideration of the whole administrative record are consistent with Government Code Section 65853 et seq.; and

2. That the proposed ordinance is exempt from environmental review per CEQA Guidelines under the General Rule (Section 15061(b)(3)), as the project involves updates and revisions to existing regulations. The proposed code amendments are consistent with California law, specifically Government Code section 65850.7. It can be seen with certainty that the proposed code amendments will have no significant effect on the environment, and are, therefore, not subject to CEQA pursuant to CEQA Guidelines Section 15060(c)(3).

SECTION 2. City Code Sections 6.15.160 is hereby amended to read as follows:

6.15.160 Amendments, additions and deletions to the adopted codes.

A. California Building Code Section 105.5.1, California Residential Code Section R105.5.1, California Plumbing Code Section 104.4.3.1, California Mechanical Code Section 104.4.3.1 and California Electrical Code Article 89, 108.4.1 are hereby amended to read as follows:

> Every permit issued by the building official under the provision of this code shall become invalid and expired unless the work authorized by such permit is commenced within 12 months after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 12 months after the time the work is commenced. The Building Official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. In order to renew action on an invalid permit after expiration, the permittee shall pay a new full permit fee and be accompanied with updated construction documents to reflect compliance with the most recent applicable codes based on the new submittal date.

B. Any permittee holding an unexpired permit for a new structure or addition may apply for an extension of the time for which work may be completed under that permit when the permittee is unable to complete work within the time required by this section for good and satisfactory reasons. The building official may extend a permit for a period not exceeding 180 days on written request by the permittee. The written request shall be submitted to the building official prior to the expiration date of the original permit. The request for an extension of an existing permit shall show that circumstances beyond the control of the permittee have prevented completion of the work authorized by the permit. No permit may be extended more than three years cumulatively.

C. California Building Code Section 109.2, California Fire Code Section 106.2, California Residential Code Section R108.2., California Plumbing Code Section 104.5, California Mechanical Code Section 104.5 and California Electrical Code Article 80.19(H)(4) are hereby amended to read as follows:

> The fee for each permit shall be as set forth in this section and by city council resolution. The determination of value or valuation under any of the provisions of this code shall be made by the building official/fire code official. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems, and any other permanent equipment. Fees shall be determined by the valuation as shown for good construction

on the valuation table as published annually in the November/December issue of Building Standards magazine. Values shall be 100 percent of the valuation given in the basic valuation table. Fees shall be adjusted on the first day of January each year. The fee shall be as specified through adoption of resolution by the city council.

EXCEPTION: Major projects for which the city contracts for inspection and/or plan review services shall be charged permit fees in accordance with the above section. Costs of additional plan review and/or overtime inspections required for project fast-tracking, or contractor scheduling, or due to changes in plans, shall be paid by the owner on a monthly basis. The fees shall be equal to the cost of service plus a 25 percent administrative fee.

The owner shall provide on-site office space for the resident inspector. Such office space shall be private and under the exclusive control of the resident inspector. Electric power, heat and phone service shall be provided to the office. Such office shall be maintained on-site until the final certificate of occupancy is issued.

For work requiring a permit not described on the valuation table, the valuation shall be determined by contract price for the work, subject to review by the building official.

The minimum permit fee under this section shall be as specified through adoption of resolution by the city council. Additional plan review as a result of incomplete submittals or changes to plans after approval of such plans will be charged a plan review fee.

A reinspection fee shall be charged for scheduled inspections when the work, for which an inspection was requested, is not ready for inspection. A reinspection fee shall also apply to additional inspections after the initial inspection for verifying correction of items noted in a correction notice.

Special inspection fees shall be charged with a one-hour minimum charge. Any inspections requested outside of regular work hours will be charged a three-hour minimum charge.

D. California Building Code Section 115.4, California Fire Code Section 107.4, and California Residential Code Section R114.4 are hereby amended to read as follows:

When a stop work order is issued an investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The permit fee for work without a permit shall be

twice the normal permit fee. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

E. International Property Maintenance Code (IPMC) Section 107, Notices and Orders. Add the following text at the end of subsection 107.2, Item 4:

The maximum time limit shall be determined by the city building official based upon the condition of the structure and the potential hazard involved. Once such determination has been made, the building official shall serve a copy of a notice and order which specifies the dangerous condition to be remedied, together with the timeline for correction, as determined by the building official. Prior to the expiration date specified in the notice and order, the property owner shall perform either the rehabilitation, renovation or removal, as set forth in the notice and order.

Abatement of abandoned or substantially damaged non dwelling unit structures shall be subject to the provisions contained in Chapter 4.60 SLTCC.

F. Authority to Utilize Alternate Method of Recovery of Cost of Demolition. In any case where the city has found it necessary to undertake an abatement process to demolish a structure which has been found by the building official to be unsafe, as defined within Section 108 of the International Property Maintenance Code, the city may elect, at its discretion, to recover costs of such abatement using the methods prescribed in subsection (G) of this section as an alternative to the procedure outlined in Sections 110.3 and 109.4 et seq. of the aforementioned code.

G. Alternate Method of Recovery of Cost of Demolition.

1. Prior to commencement of any demolition activity undertaken as part of the abatement of an unsafe structure, the city shall take all necessary steps to ensure that all development rights which may be present on the parcel are appropriately banked with the Tahoe Regional Planning Agency and the South Tahoe Public Utility District. All such rights, which may include, but not be limited to, development rights, allocations, commercial square footage, hard and soft coverage rights, and sewer units, shall be banked to remain on the parcel upon which the demolition activity will be completed.

2. Upon completion of all demolition activities, an accounting of expenses shall be completed by the administrative services director and a public hearing to consider confirmation of the costs of the abatement shall be scheduled, noticed and conducted in accordance with Section 107 et seq. of the International Property Maintenance Code.

The notice mailed to the owner of record for the property which is the subject of the abatement process shall contain a statement which substantively reads as follows:

IMPORTANT NOTICE TO THE PROPERTY OWNER

Development rights attributable to your property and recognized by the Tahoe Regional Planning Agency have been banked with that agency. These rights have considerable value. In order to retain ownership of these development rights, you must pay any and all costs of the abatement process which may be confirmed by the City Council at the scheduled hearing no later than sixty-five (65) days following the date of said hearing.

Your failure to pay the confirmed costs of said abatement within sixty-five (65) days of the date of the hearing will result in FORFEITURE OF THE DEVELOPMENT RIGHTS ASSOCIATED WITH YOUR PROPERTY.

SUCH FORFEITURE MAY ULTIMATELY PROHIBIT YOU OR ANYONE IN THE FUTURE FROM REDEVELOPING YOUR PROPERTY.

3. Upon completion of the hearing process to confirm the costs of the abatement process, the owner of the property subject to the abatement shall have 65 days from the date of the hearing to pay all costs of the abatement which have been confirmed by the city council. In the event all costs are not paid within the specified time period, the city shall notify the Tahoe Regional Planning Agency of the city council's confirmation of costs of the abatement process and the failure of the property owner to pay said costs, and shall request that the Tahoe regional planning agency approve forfeiture of all development rights banked to be vested with the city of South Lake Tahoe. Such forfeiture and vesting shall become effective 21 days after such approval is granted.

H. Expedited Permit Process for Photovoltaic and Electric Vehicle Charging Stations~~s~~. To California Building Code Section 107.3 the following subsection shall be added:

1. Definitions. As used in this section:

2.

"Electronic submittal" means the utilization of one or more of the following:

a. Electronic mail or email

b. The internet

"Electric vehicle charging station" or "charging station" means any level of electric vehicle supply equipment station that is designed and built in compliance with Article 625 of the California Electrical Code, as it reads on the effective date of this Chapter, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle."

"Reasonable restrictions" on a solar energy system are those restrictions that do not significantly increase the cost of the system or significantly decrease its efficiency or specified performance, or that allow for an alternative system of comparable cost, efficiency, and energy conservation benefits.

"Specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

Restrictions that do not significantly increase the cost of the system or decrease its efficiency or specified performance" means:

For water heater systems or solar swimming pool heating systems: an amount exceeding ten (10) percent of the cost of the system, but in no case more than one thousand dollars ($1,000.00) or decreasing the efficiency of the solar energy system by an amount exceeding ten (10) percent, as originally specified and proposed.

For photovoltaic systems: an amount not to exceed one thousand dollars ($1,000.00) over the system cost as originally specified and proposed, or a decrease in system efficiency of an amount exceeding ten (10) percent as originally specified and proposed.
"Small residential rooftop solar energy system" means all of the following:

a. A solar energy system that is no larger than ten (10) kilowatts alternating current nameplate rating or thirty (30) kilowatts thermal.

b. A solar energy system that conforms to all applicable State fire, structural, electrical, and other building codes as adopted or amended by the county and paragraph (iii) of subdivision (c) of Section 714 of the Civil Code, as such section or subdivision may be amended, renumbered, or designated from time to time.

c. A solar energy system that is installed on a single- or duplex-family dwelling.

d. A solar panel or module array that does not exceed the maximum legal building height as defined by the authority having jurisdiction.

"Solar energy system" has the same meaning set forth in paragraphs (1) and (2) of subdivision (a) of Section 801.5 of the Civil Code, as such section or subdivision may be amended, renumbered, or designated from time to time.

"Specific adverse impact" means a significant, quantifiable, direct, unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

2. Small Residential Rooftop Solar Systems

a. All solar energy systems shall meet applicable health and safety standards and requirements imposed by the state and the City of South Lake Tahoe.

b. All solar energy systems shall be certified by an accredited listing agency.

c. All energy systems for producing and or supplying electricity shall meet all applicable safety and performance standards established by the California Electrical Code, the Institute of Electrical and Electronics Engineers, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.

d. Proof of approval by local utility must be presented with application.

3. Electric Vehicle Charging Stations

a. PURPOSE. The purpose of this Chapter is to promote and encourage the use of electric vehicles by creating an expedited, streamlined permitting process for electric vehicle charging stations while promoting public health and safety and preventing specific adverse impacts in the installation and use of such charging stations. This Chapter is also purposed to comply with California Government Code Section 65850.7.

b. EXPEDITED PERMITTING PROCESS. Consistent with Government Code Section 65850.7, the Building Official shall implement an expedited, streamlined permitting process for electric vehicle charging stations, and adopt a checklist of all requirements with which electric vehicle charging stations shall comply with in order to be

eligible for expedited review. The expedited, streamlined permitting process and checklist may refer to the recommendations contained in the most current version of the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" of the "Zero-Emission Vehicles in California: Community Readiness Guidebook" as published by the Governor's Office of Planning and Research. The City's adopted checklist shall be published on the City's website.

c. PERMIT APPLICATION PROCESSING.

(i) Prior to submitting an application for processing, the applicant shall verify that the installation of an electric vehicle charging station will not have specific, adverse impact to public health and safety and building occupants. Verification by the applicant includes but is not limited to: electrical system capacity and loads; electrical system wiring, bonding and overcurrent protection; building infrastructure affected by charging station equipment and associated conduits; areas of charging station equipment and vehicle parking.

(ii) A permit application that satisfies the information requirements in the City's adopted checklist shall be deemed complete and be promptly processed. Upon confirmation by the Building Official that the permit application and supporting documents meets the requirements of the City adopted checklist, and is consistent with all applicable laws and health and safety standards, the Building Official shall, consistent with Government Code Section 65850.7, approve the application and issue all necessary permits. Such approval does not authorize an applicant to energize or utilize the electric vehicle charging station until approval is granted by the City. If the Building Official determines that the permit application is incomplete, he or she shall issue a written correction notice to the applicant, detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.

(iii) Consistent with Government Code Section 65850.7, the Building Official shall allow for electronic submittal of permit applications covered by this Ordinance and associated supporting documentations. In accepting such permit applications, the Building Official shall also accept electronic signatures on all forms, applications, and other documentation in lieu of a wet signature by any applicant.

d. TECHNICAL REVIEW

(i) It is the intent of this Ordinance to encourage the installation of electric vehicle charging stations by removing obstacles to permitting for charging stations so long as the action does not supersede the Building

Official's authority to address higher priority life-safety situations. If the Building Official makes a finding based on substantial evidence that the electric vehicle charging station could have a specific adverse impact upon the public health or safety, as defined in this Chapter, the City may require the applicant to apply for a use permit.

(ii) In the technical review of a charging station, consistent with Government Code Section 65850.7, the Building Official shall not condition the approval for any electric vehicle charging station permit on the approval of such a system by an association, as that term is defined by Civil Code Section 4080.

e. ELECTRIC VEHICLE CHARGING STATION INSTALLATION REQUIREMENTS

(i) Electric vehicle charging station equipment shall meet the requirements of the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories, and rules of the Public Utilities Commission or a Municipal Electric Utility Company regarding safety and reliability.

(ii) Installation of electric vehicle charging stations and associated wiring, bonding, disconnecting means and overcurrent protective devices shall meet the requirements of Article 625 and all applicable provisions of the California Electrical Code.

(iii) Installation of electric vehicle charging stations shall be incorporated into the load calculations of all new or existing electrical services and shall meet the requirements of the California Electrical Code. Electric vehicle charging equipment shall be considered a continuous load.

(iv) Anchorage of either floor-mounted or wall-mounted electric vehicle charging stations shall meet the requirements of the California Building or Residential Code as applicable per occupancy, and the provisions of the manufacturer's installation instructions. Mounting of charging stations shall not adversely affect building elements.

I. Fire Watch. California Fire Code Section 403.11.1, Fire Watch Personnel, is hereby amended to read as follows:

When, in the opinion of the fire code official, it is essential for public safety in a place of assembly or any other occupancy, because of the number of persons, or the nature of the noncompliance with the California Fire Code and/or the nature of the performance, exhibition, display, contest or activity, the fire code official may require the owner,

agent or lessee, to provide one or more fire watch personnel to perform fire watch duties during the times such places are open to the public, or when such activity requiring a fire watch is being conducted.

J. Building Address. Section 502.1 of the California Building Code, California Fire Code Section 505.1 and Section R319.1 of the California Residential Code are hereby amended to read as follows:

Approved numbers or addresses shall be provided for all new buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Address numbers and internal illumination shall be maintained. The addresses for new dwellings shall be posted with a minimum of four inch (4") high numbers with proportionate width that are plainly visible from the street. During hours of darkness, the numbers shall be internally illuminated. Posted numbers shall be placed on a contrasting background. Where building setbacks exceed one hundred feet (100') from the street or road fronting the property, additional contrasting six inch (6") high numbers shall be displayed at the property entrance. The addresses for new multi-family, new commercial and new industrial buildings shall be posted with a minimum of six-inch (6") high by three-quarters inch (3/4") stroke numbers. During the hours of darkness, the numbers shall be electrically illuminated. New multi-family, new commercial and new industrial buildings shall display address/suite numbers or letters six-inch (6") high by three-quarters inch (3/4") stroke placed on a contrasting background on the front and rear doors of each suite/unit.

K. Fire Access Grade. California Fire Code Section 503.2.7 is hereby amended to read as follows:

503.2.7 Grade. The grade of the fire apparatus access road shall be within the limits established by the fire code official based on the fire department’s apparatus. Where driveways serving one- and two-family dwelling units have a driveway gradient exceeding eight percent (8%), a separate emergency egress path of travel from the primary entrance of each dwelling unit to the public way shall be provided. All components of the separate emergency egress path of travel shall comply with all applicable provisions of the California Building Code.

L. Wildland-Urban Interface (WUI). California Building Code Chapter 7A, California Fire Code Chapter 49 and California Residential Code Section R337 are adopted in their entirety with the amendments to read as follows:

CITY OF SOUTH LAKE TAHOE IS DESIGNATED AS VERY-HIGH FIRE HAZARD SEVERITY ZONE. For purposes of clarification and enforcement of the following shall be added to each chapter preface:

The City of South Lake Tahoe has adopted Ordinance 2019-1131 which designates all areas within the City of South Lake Tahoe a Very High Fire Severity Zone.

M. Freeze Protection. California Building Code and California Fire Code Section 903 are hereby added to the California Building Code and the California Fire Code to read as follows:

All sprinkler systems shall be suitably freeze-protected for climatic conditions as prescribed by the fire code official.

N. Roof Fire Rating. California Building Code Section 1505.1.1 and California Residential Code Section R902.1.1 are written here for emphasis and clarity:

The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class A.

O. Snowshed Impact Areas. Add to California Building Code Section 1608.1 and to California Residential Code Section R301.2.3:

Snow shed Impact Areas Protection of Required Entries/Exits, Parking, and Driveways.

1. Roof surfaces and photovoltaic panels that are susceptible to rooftop avalanche risk shall be designed so that snow shed impact areas will not occur in or on entries/exits (required exits only for R-3 occupancies), vehicle parking areas, driveways, LPG storage tanks, gas meters, electrical meters, walkways, and public ways.
2. The minimum snow shed impact area shall have a setback of ten feet measured horizontally from a vertical line projecting from the roof eave to the other constructed elements such as fences, sheds, and patio covers.
3. The snow shed impact area may be eliminated provided an engineered snow restraint system, designed in accordance with this code, is incorporated into the roof design and, in other than R-3 occupancies, an approved roof drainage system (e.g., heated gutter and downspout) is installed to prevent ice formation/accumulation at the grade or access level.
4. Property owners shall maintain snow shed impact areas to prevent snow from encroaching beyond the impact area boundaries.

5. Existing structures may use engineered snow slide restraint devices without an approved roof drainage system to reduce hazards associated with the existing roof design.

P. Ice Dam Membrane. Add Section 1507.1.2 to the California Building Code and Section R9045.1.2 to the California Residential Code as follows:

Title 15-10: An “Ice Guard” is required on roofs of heated areas of buildings. Roofs, regardless of covering, with a pitch of less than 8 in 12 shall be protected against leakage (caused by ice and snow) using an approved manufactured membrane installed per the manufacturer’s specifications and as approved by the building official. This application shall extend from the eave edge of the roof up the roof slope measured 5 feet beyond the wall line separating the conditioned and unconditioned space, and up 30 inches along each side of a valley. This “Ice Guard” shall be in addition to any other required underlayment.

Q. Local Design Criteria. Amend California Building Code Section 1603 and California Residential Code Table R301.2, Climatic and Geographic Design Criteria, by adding the following design criteria values as listed below in items 1 through 8 to read as follows:

1. Ground Snow Load: 150 PSF
2. Wind Design Speed: (Based on the ASCE 7-10 code cycle)
Risk Category 1: 110 mph
Risk Category 2: 120 mph
Risk Category 3: 130 mph
Risk Category 4: 130 mph
3. Seismic Design Category: D
4. Subject to Weathering from Weathering: Negligible
5. Frost Line Depth: 18 inches
6. Termites: Yes
7. Climate Zone: 16
8. Ice Barrier Underlayment Required: Yes

R. Snow Loads. Add Section 1608.4 to the California Building Code and Section R301.2.3.1 to the California Residential Code as follows:

All of the City of South Lake Tahoe shall be declared a snow area with a Ground Snow Load of 150 Pounds Per Square Foot. This pertains to all structures, modular buildings, and factory-built houses. The building official may permit deviations from the snow loading standard, provided the snow load and conditions in each individual case are derived and certified by a registered civil or structural engineer with demonstrated experience in snow load evaluation.

S. Protection of Piping from Freezing. Add Section 312.13 to the California Plumbing Code as follows:

a. All water supply piping shall be protected from freezing by a minimum of 42 inches of earth covering.
b. All water piping shall be installed in such a manner to allow for the system to be drained.
c. Water piping shall not be installed or concealed in unheated walls, ceilings and attics.

T. Exhaust Vent Protection. Add Section 802.3.3.5 to the California Mechanical Code as follows:

a. Exhaust terminals and combustion air intakes shall not be located in areas in which could be sealed off around the perimeter with snow accumulation.

U. Electrical Installations. Add Article 80.13(a) and (b) to the California Electric Code as follows:

a. All electrical systems that are over 400 amps shall be designed by a California-licensed electrical engineer.
b. When changing out or adding a new electrical main panel, the subpanel, if so equipped, shall also be changed out to a breaker subpanel. No residential fuse panels will be allowed.

Adopted by the City of South Lake Tahoe City Council on June 6, 2023 by the following vote:

Yes:
No:
Absent:
Abstain:

_____ Date:_____
Cristi Creegan, Mayor

Attest:

_____
Susan Blankenship, City Clerk

The presence of electronic signature certifies that the foregoing is true and correct copy as approved by the South Lake Tahoe City Council.

First Reading: May 16, 2023

Published:

Second Reading: June 6, 2023

Effective:

Column

OFFICIAL AD PROOF

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Notice Name: ORD 2023 EV Charging Systems | Publisher ID: 275268

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05/19/2023: Other Notice	109.08
Affidavit flat charge	4.00
Internet Flat Fee Charge	40.00
Subtotal	$153.08
Tax	$0.00
Total	**$153.08**

LEGAL PUBLICATION

CITY OF SOUTH LAKE TAHOE
SUMMARY OF PROPOSED ORDINANCE

NOTICE IS HEREBY GIVEN that on May 16, 2023, the City of South Lake Tahoe City Council waived first reading, read by title and referred to second reading and adoption at the June 6, 2023, City Council meeting the following ordinance:

"An Ordinance Amending City Code Section 6.15.160.H Setting Forth Procedures for Expedited Permitting Processing for Electric Vehicle Charging Systems"

City Attorney's Summary of Ordinance:

"This ordinance would streamline the City's permitting process for electric vehicle charging stations, in accordance with Assembly Bill 1236, which requires local agencies to adopt an ordinance that creates an expedited and streamlined permitting system for electric vehicle charging stations."

A copy of the proposed ordinance in its entirety is available for review in the City Clerk's Office located at 1901 Lisa Maloff Way, South Lake Tahoe, California.

Susan Blankenship
Susan Blankenship
City Clerk
City of South Lake Tahoe
1901 Lisa Maloff Way, Ste 206
South Lake Tahoe, Ca 96150
(530) 542-6005

Published: May 19, 2023

City of South Lake Tahoe

Agenda Item Executive Summary

Joe Irvin, City Manager

Meeting Date: June 6, 2023
Agenda Item #: 15

Agenda Item: Annual Public Hearing for Continued Snow Removal Equipment Purchase Funded Through the Existing County Service Area No. 3 Parcel Assessment

Executive Summary: On September 20, 1989, a Joint Powers Agreement (JPA) between the City of South Lake Tahoe and El Dorado County was executed to allow the County to form a Zone of Benefit within County Service Area No. 3 (CSA 3), which lies within the municipal boundaries of the City of South Lake Tahoe. The agreement allows the County to levy a charge of $20.00 per improved parcel. Pursuant to the JPA, the City acts as the advisory board to the County Service Area and shall hold at least one public hearing annually regarding the levy. Following the public hearing, the City is required to forward to the County its recommendations and the substance of the testimony, if any, for County review.

Requested Action / Suggested Motions: Pass a Motion directing the City Clerk to prepare and submit a Minute Order, including public comment regarding the current $20 parcel assessment for snow removal equipment, to the El Dorado County Board of Supervisors.
Responsible Staff Member: Anush Nejad, Director of Public Works

Responsible Staff Member: Anush Nejad, Director of Public Works (530) 542-6031

Reviewed and Approved By:
Susan Blankenship, City Clerk
Olga Tikhomirova, Director of Finance
Heather Stroud, City Attorney

Attachments:

01-Staff Report - County Service Area No. 3 Parcel Assessment.docx
02 - Direct Charge Report 73283 City of SLT FY 2223.pdf
03-Notice of Public Hearing - Service Area 3 Parcel Tax.pdf

City of South Lake Tahoe
Report to **City Council**

Meeting Date: June 6, 2023

Title: Annual Public Hearing for Continued Snow Removal Equipment Purchase Funded Through the Existing County Service Area No. 3 Parcel Assessment

Location: Citywide

Responsible Staff Member: Anush Nejad, Director of Public Works (530) 542-6031
Phil Harwood, Maintenance Manager (530) 542-6086

Background: On September 20, 1989, a Joint Powers Agreement (JPA) between the City of South Lake Tahoe and El Dorado County was executed to allow the County to form a Zone of Benefit within County Service Area No. 3 (CSA 3), which lies within the municipal boundaries of the City of South Lake Tahoe. The agreement allows the County to levy a charge of $20.00 per improved parcel. The County remits all funds collected to the City, less one percent (1%) for administrative costs. These funds are dedicated to purchasing new snow removal equipment for the City of South Lake Tahoe. Due to a ten-year sunset clause in the original JPA, an extension was executed by both parties in March 1999, and the agreement shall be continued in full force and may only be terminated upon 180 days of written notice by either party. Upon receipt of such notice, the City and County must meet and mutually agree to the termination of the agreement.

Pursuant to the JPA, the City acts as the advisory board to the County Service Area and shall hold at least one public hearing annually regarding the levy. Following the public hearing, the City is required to forward to the County its recommendations and the substance of the testimony, if any, for County review.

Issue and Discussion: Since the inception of the JPA, the City has purchased the following equipment fully or partially funded by the assessment: fifteen (15) snow graders/plows, one (1) snowblower/loader combination, and two (2) snow blowers. In 2007 more equipment was procured with the parcel tax dollars and additional debt service; three (3) graders, one (1) snowblower. This debt was paid in full in December 2015. In 2016, after the 2007 financing was paid off, additional equipment was acquired: one (1) Epoke sander/plow truck with a water tender, one (1) multi-use tractor with snowblower and broom attachments, one (1) new John Deere 644K loader, one (1) used John Deere 644K loader and four (4) attachments for the loaders; the attachments included a mounted blower, a 4-in-1 bucket, and a “V” plow, a box plow with movable wings. This debt service was paid in full in 2019.

In the fiscal year 2018/19, three (3) Caterpillar graders and one (1) Kodiak snowblower were purchased, and in the fiscal year 2019/2020, one (1) Chevrolet 5500 4x4 sander with a snowplow, one (1) Holder S-100 multi-use tractor, and in 2020/2021 one (1) Kodiak loader mount snowblower.

In 2021/2022- Loader mount blower was purchased. In 2023 (4) John Deere 872 graders, (2) Zaug truck mount blowers are on order and partially funded by the assessment. In 2023, 9 Henke cut-off gates were ordered and have arrived.

Financial Implications: For 2022/23, the total revenue anticipated to be received from El Dorado County from this special assessment is $233,500. El Dorado County Report is attached.

Environmental Considerations: This action is not a “project” subject to environmental review under the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15378(b)(4) (creation of government funding mechanisms or other governmental fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment).

Policy Implications: This action is consistent with Strategic Priority 5.1 Public Safety

1. Ensure police, fire, snow removal operations receive adequate funding to provide exceptional service to our community.

CSA 3: City of SLT Snow Removal - Direct Charge Report 22-23

Fee Parcel Number	Direct Charge Amt	Direct Charge Code
022-021-001-000	$20.00	73283
022-021-006-000	$20.00	73283
022-021-009-000	$20.00	73283
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Total	**$233,500**		**Record Count: 11,675**

Column

INTERIM AD DRAFT

This is the proof of your ad scheduled to run in **Tahoe Daily Tribune** on the dates indicated below. If changes are needed, please contact us prior to deadline at **(530) 541-3880**.

Notice ID: lslvesIqZemZ2uGo5Ozb | **Proof Updated: May. 04, 2023 at 01:40pm PDT**
Notice Name: 8CD06 Service Area 3 Parcel Assessment

See Proof on Next Page

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER	FILING FOR
CITY OF SOUTH LAKE TAHOE CITY CLERK sblankenship@cityofslt.us (530) 542-6005	Tahoe Daily Tribune

Columns Wide: 2

Ad Class: Legals

05/26/2023: Other	101.02
Affidavit flat charge	4.00
Internet Flat Fee Charge	40.00
Subtotal	$145.02
Tax	$0.00
Total	**$145.02**

Notice of Public Hearing
City of South Lake Tahoe City Council

NOTICE IS HEREBY GIVEN that the City of South Lake Tahoe City Council will conduct a public hearing on June 6, 2023, at 9:00 a.m., or as soon thereafter as possible, at City Hall, City Council Chambers, 1901 Lisa Maloff Way, South Lake Tahoe, to consider the following agenda item:

Annual Public Hearing for Continued Snow Removal Equipment Purchase Funded Through the Existing County Service Area No. 3 Parcel Assessment.

Any interested person may appear at the public hearing and speak in favor or against this item. Written testimony may be delivered at, or prior to, the Public Hearing addressed to the City Council in care of the City Clerk to PublicComment@cityofslt.us or at the address listed below.

City Council agendas and related staff reports are available at least 72 hours in advance of regular meetings on the City Council page of the City's website www.cityofslt.us or by contacting the City Clerk.

Susan Blankenship
Susan Blankenship
Elected City Clerk
City of South Lake Tahoe
1901 Lisa Maloff Way, Ste 206
South Lake Tahoe, CA 96150
(530) 542-6005

Published: May 26, 2023

City of South Lake Tahoe

Agenda Item Executive Summary

Joe Irvin, City Manager

Meeting Date: June 6, 2023
Agenda Item #: 16

Agenda Item: Ordinance - Repeal of South Lake Tahoe City Code Section 6.10.450 (Temporary Arts and Craft Shows) (First Reading)

Executive Summary: At the March 28, 2023, City Council meeting, the history and issues regarding the regulation of temporary arts and crafts shows was discussed. The City Council directed staff to bring forward an ordinance repealing Section 6.10.450 so that arts and craft shows would be regulated though City Code Section 6.55.230 Special Events and Temporary Uses.

Requested Action / Suggested Motions: Pass motion to hold first reading (by title only) of an Ordinance repealing the South Lake Tahoe City Code Section 6.10.450 and refer second reading and adoption to the June 20, 2023 meeting.
CEQA Determination: This ordinance is exempt from review under the California Environmental Quality Act (CEQA) under CEQA Guidelines sections 15323 (normal operations of facilities for public gatherings) and 15304(e) (minor alterations of land for temporary uses).
Responsible Staff Member: Madison Dederick, Assistant Planner

Responsible Staff Member: Madison Dederick, Assistant Planner

Reviewed and Approved By:
Susan Blankenship, City Clerk
Olga Tikhomirova, Director of Finance
Heather Stroud, City Attorney

Attachments:

01-Staff_Report_-_Ordinance_Arts___Crafts_Shows.docx
02-Ordinance-Repealing_City_Code_Section_6.10.450.docx
03-Article IX_Tracked Changes.pdf

City of South Lake Tahoe
Report to **City Council**

Meeting Date: June 6, 2023

Title: Repeal of South Lake Tahoe City Code Section 6.10.450 (Temporary Arts and Craft Shows) (First Reading)

Location: Citywide

Responsible Staff Member: Madison Dederick, Assistant Planner

Background: South Lake Tahoe City Code Section 6.10.450 regulates outdoor arts and craft shows, which is defined as being for the sole purpose of exhibit, display and sale of hand-produced arts and crafts, as well as fine art. All temporary arts and crafts shows are currently required to obtain a permit and are subject to provisions such as merchandise and artist/vendor standards, appearance standards, operational standards, limits on the number of shows, and eligibility requirements.

The item before the City Council is a motion to hold a first reading (by title only) of an Ordinance repealing the South Lake Tahoe City Code Section 6.10.450 and refer second reading to the City Council meeting on June 20, 2023.

Issue and Discussion: At the March 28, 2023, City Council meeting, the history and issues regarding the regulation of temporary arts and crafts shows was discussed. The City Council directed staff to bring forward an ordinance repealing Section 6.10.450 so that arts and craft shows would be regulated though City Code Section 6.55.230 Special Events and Temporary Uses. At the May 11, 2023, Planning Commission meeting a resolution was adopted recommending the City of South Lake Tahoe City Council adopt an ordinance repealing City Code Section 6.10.450 (Temporary Arts and Craft Shows).

Financial Implications: The current fee for a temporary arts and crafts show is $673 per show. If City Code Section 6.10.450 is repealed, arts and craft shows would be subject to the special event permitting process and the associated fees established in the Master Fee Schedule. Currently the fee for special events are as follows:

Fee Description	Unit	Adopted Fee
Minor Special Event Permit	each	$220
Major Special Event Permit	each	$437
Non-Profit Producer and Free to the Public – Special Event	each	$0

Environmental Considerations: This ordinance is exempt from review under the California Environmental Quality Act (CEQA) under CEQA Guidelines sections 15323 (normal operations of facilities for public gatherings) and 15304(e) (minor alterations of land for temporary uses).

Policy Implementations: It is common practice to review and revise existing Ordinances to ensure alignment with the current City mission, vision, and values. Repealing the temporary arts and craft show requirements and instead having arts and craft shows subject to the special event process streamlines procedures which aligns with Goal 3.3 of the City's Strategic Plan and Policy ED-1.10 of the City's General Plan by expanding and supporting event opportunities.

Ordinance 2023-XX

Adopted by the City of South Lake Tahoe
City Council

June 20, 2023

An Ordinance Repealing City Code Section 6.10.450

BACKGROUND

A. On July 21, 2015, the City Council adopted Ordinance 2015-1090, amending City Code Section 6.10.450 regarding temporary arts and crafts shows, which became effective on August 20, 2015.

B. At the March 28, 2023 City Council meeting, the City Council members held a discussion and received public comments regarding the regulation of temporary arts and craft shows. The City Council provided direction to staff to bring forward an Ordinance repealing City Code Section 6.10.450 and instead regulate arts and crafts shows under City Code Section 6.55.230 for special events and temporary uses.

C. On May 11, 2023, the City of South Lake Tahoe Planning Commission conducted a public hearing and passed a resolution recommending adoption of an ordinance repealing City Code Section 6.10.450.

D. On June 6, 2023, the City Council held a first reading and directed staff to bring back the ordinance for a second reading on June 20, 2023.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, BE IT RESOLVED, that the City of South Lake Tahoe City Council:

1. Finds that adoption of the proposed Resolution is categorically exempt from review under the California Environmental Quality Act (CEQA) under CEQA Guidelines sections 15323 (normal operations of facilities for public gatherings) and 15304(e) (minor alterations of land for temporary uses).

2. Repeals Section 6.10.450 of the South Lake Tahoe City Code.

3. Amends the title of Chapter 6.10 Article IX to read as follows:

Article IX. Carnival Standards

Adopted by the City of South Lake Tahoe City Council June 20, 2023, by the following vote:

Yes:
No:
Absent:
Abstain:

_____ Date:_____

Cristi Creegan, Mayor

Attest:

_____
Susan Blankenship, City Clerk

First Reading: June 6, 2023
Published: J
Second Reading:
Effective:

The presence of electronic signature certifies that the foregoing is a true and correct copy as approved by the South Lake Tahoe City Council.

Article IX. Carnival ~~and Outdoor Arts and Crafts Show~~ Standards

6.10.430 Intent.

To create a balance between the local business owner's ability to maintain an economically viable enterprise and the ability of local nonprofit organizations to raise funds to support their charitable programs.

6.10.440 Temporary carnivals.

The term "temporary carnival" shall be defined as any traveling commercial entertainment company which may include but not be limited to amusement rides, games, sideshows and the like.

All applications for temporary carnivals shall be subject to the following minimum conditions of approval:

A. Applications for a use permit to conduct a temporary carnival must be submitted to the city's planning department between October 15th and December 1st of the year preceding the summer season during which the event will occur;

B. The applicant must successfully demonstrate the event will result in a benefit to the public;

C. Only one temporary carnival shall be permitted during the period from Memorial Day through September 30th each year. The applicant demonstrating the greatest public good, in the discretion of the planning department, shall be granted the exclusive right created by this condition;

D. The duration of any temporary carnival shall not exceed seven consecutive calendar days;

E. The location of the proposed carnival shall be on a site appropriately zoned for commercial activity or otherwise permitted within an adopted community plan area;

F. The applicant, upon receipt of approval for operation of a carnival, shall obtain a business and professions certificate in accordance with Chapter 3.35 SLTCC, and shall submit evidence therefor to the planning department a minimum of 10 business days prior to the date of commencement of the carnival.

The zoning administrator or planning commission shall have the right to impose additional discretionary conditions which may be deemed necessary in the special use permit process.

~~6.10.450 Temporary arts and craft shows.~~

~~Outdoor arts and craft shows, as defined herein, are those shows that are granted permits by the city of South Lake Tahoe for the sole purpose of exhibit, display and sale of hand-produced arts and crafts, as well as fine art. Excluded are those handmade or manufactured items which have been purchased from another craftsperson or manufacturer for resale purposes.~~

~~All temporary arts and crafts shows shall obtain a permit and shall be subject to the following provisions:~~

~~A. Standards for Merchandise and Artists/Vendors. The following criteria and standards shall be used to review the proposed exhibitors, and the following standards shall apply to all approved exhibits:~~

~~1. Hand Produced. All arts and crafts and fine arts exhibited, displayed and sold shall be limited to those that are hand produced, except as follows:~~

~~a. Arts and crafts and fine arts may use premanufactured parts or goods as raw materials that are essential for the production of the final good or product.~~

~~b. Premanufactured items shall not be sold as an individual product, but may be incorporated and sold as part of the art or craft such as a premanufactured chain or bracelet for a hand-crafted art or craft, or premanufactured beads for a necklace, bracelet or earrings, or a premanufactured tee-shirt when decorated with beading, painting or other similar embellishment created by an artist.~~

~~2. Demonstrations. Exhibitors are encouraged to demonstrate artistry or craftsmanship by producing items during the show.~~

~~3. Variety. Shows shall incorporate a sampling of many types of arts and crafts and fine art.~~

~~B. Appearance Standards. The promoter shall provide the conditions of approval and appearance standards of the shows and the individual displays to each exhibiting artist. The following standards shall apply:~~

~~1. The arts and crafts shows shall provide a layout and design to present an attractive and quality appearance along the highway. Layout of the booths should be perpendicular to the roadway.~~

~~2. No display of merchandise, cartons, or items associated with the exhibit shall be visible from the street or highway.~~

~~3. Each exhibitor shall contain all merchandise, equipment and accessories within the individual booth enclosure.~~

~~4. Handcrafted items, including wearing apparel, shall not be displayed by hanging from wires or ropes stretched between poles. Items hung for display shall be kept within the confines of the booth.~~

~~5. Umbrellas, including those used with tables, shall not contain advertising copy.~~

~~6. Food may be sold in the exhibit area only and shall require approval of the El Dorado County environmental management department. Refuse containers shall be provided at each booth selling food products.~~

~~7. An adequate number of trash receptacles shall be provided throughout the site.~~

~~8. All signs shall be subject to the standards and guidelines in the South Lake Tahoe City Code and shall be included in the arts and crafts permit.~~

9. All signs shall be professionally made.

10. Balloons, pennants, flags, windsocks, whirligigs, costumed persons shall not be allowed unless they are located in the interior display area and are no higher than six feet from the ground.

11. An adequate number of portable sanitary units are required. Sanitary units must be screened from view from the surrounding streets.

12. Adequate on-site parking shall be provided for customers. Vendors shall not park on the site during the event except for loading and unloading merchandise. Exhibitor's vehicles shall not be parked in the public right-of-way. One off-site parking space per exhibitor shall be provided.

13. Electrical cords used for temporary power shall not extend over any public right-of-way. On-site electrical cords shall not be placed in any areas for pedestrian or vehicle circulation unless it is covered with a ramp approved by the building official. All temporary power cords shall require approval of the building division.

C. Operational Standards. All arts and crafts or fine arts shows shall operate as follows:

1. Duration and Setup. The duration of any temporary arts and crafts show shall not exceed four calendar days. Show setup shall be limited to 24 hours immediately preceding the show, and tear down, including complete clearing of debris, shall be completed within 12 hours of the completion of the show. No sales shall take place during the aforementioned setup or tear down periods.

2. Trash Removal. Trash receptacles shall be emptied on a regular basis.

3. Sanitary units shall be serviced on a regular basis during the show.

4. Compliance. To ensure the show participants comply, the promoter or his/her representative named in the application shall be on site at all times and monitor the vendors or artists.

5. Corrections/Self Enforcement. The promoter and/or his representative shall notify exhibitors immediately to correct any noncompliance the city identifies. The item(s) that do not comply shall be immediately removed, or the exhibitor shall provide evidence to the promoter the item is a qualified item.

D. City Enforcement. The city will enforce violations that occur during a season and may prevent recurring offenders from participating in future years.

E. Maximum Number of Shows.

1. A maximum of eight arts and crafts shows shall be held within the city limits for each summer season commencing Memorial Day weekend through the end of September each year.

2. A maximum of four arts and crafts shows shall be held at any one site during each summer season. Proposed sites shall be adequate in size to meet the permit conditions for booth

setup/access, sanitary facilities, parking, and ingress and egress. Each site is eligible for up to four shows per season, provided a standard arts and crafts permit is submitted by December 1st of each year and all other provisions of this section are met.

F. Eligible Applicants. Only local merchants' associations, local nonprofit/service organizations, professional promoters/organizers and the property owners of approved arts and crafts show sites shall be eligible to make application for a permit to conduct an arts and crafts show.

Exception: The only exception is that those arts and crafts shows, including fine arts shows which are an incidental component to a special event, shall be exempt from these conditions. "Incidental component" shall mean the inclusion of nine or less arts and crafts booths as accessory to a permissible event.

G. Business License Required. The show promoter/organizer and each individual exhibitor shall pay for and obtain a business and professions tax certificate from the city of South Lake Tahoe in accordance with Chapter 3.35 SLTCC. Each promoter/exhibitor shall pay an administrative fee pursuant to SLTCC 3.35.050, and a business tax at the rate set forth in SLTCC 3.35.310 applicable to Schedule A of SLTCC 3.35.330.

H. Sales Tax. Each individual exhibitor must obtain a sales and use tax license certificate from the California State Board of Equalization, and pay all applicable sales taxes. Any exhibitor holding an existing city of South Lake Tahoe business and professions certificate for retail sales does not need an additional certificate to participate in arts and crafts shows.

I. Exhibitor Information to City. The promoter/organizer shall, a minimum of 14 calendar days prior to the show, submit to the finance department an alphabetized list of all participating exhibitors. The list shall indicate those exhibitors having a valid business and professions tax certificate and sales tax certificate, indicating their respective license numbers. City finance staff shall verify the list and provide the promoter/organizer with the total dollar amount which remains to be paid, if any. Throughout each show, each exhibitor shall retain a copy of the receipt indicating their payment of the applicable fees and receipts showing all sales taxes collected and paid. Failure to produce such evidence of payment of local fees or collection of sales taxes may result in removal of the exhibit from the show. The promoter shall also provide a signed statement from each exhibitor acknowledging they will comply with the standards for merchandise.

J. Failure to comply with any provision of this section shall be a basis to deny future permits.

City of South Lake Tahoe

Agenda Item Executive Summary

Joe Irvin, City Manager

Meeting Date: June 6, 2023
Agenda Item #: 17

Agenda Item: Tourist Core Area Plan: 2023 Amendments

Executive Summary: The Tourist Core Area Plan, adopted by City Council on October 15, 2013, established a policy framework and provides land guidance that focuses on achieving redevelopment and re-investment opportunities in the plan area. City staff has successfully implemented policies and standards of each area plan since their adoptions; however, the plans require updates to reflect current City goals, increase consistency with recently amended TRPA regulations and state regulations, increase housing opportunities and community equity in appropriate areas, and generally improve the design and development standards.

Requested Action / Suggested Motions: Receive a presentation, hold a discussion, and provide feedback on the amendments under consideration for the Tourist Core Area Plan.
Responsible Staff Member: Madison Dederick, Assistant Planner

Responsible Staff Member: Madison Dederick, Assistant Planner

Reviewed and Approved By:
Hilary Roverud, Director of Development Services
Susan Blankenship, City Clerk
Olga Tikhomirova, Director of Finance
Heather Stroud, City Attorney

Attachments:

- 01-Staff Report - TCAP Amendments
- 02-Tourist Core Area Plan.pdf
- 03-TCAP Stakeholder Feedback.docx
- 04-PC Meeting Feedback 2023-02-23.docx
- 05-TCAP Presentation.pptx
- 06-TCAP Project Description.docx
- Public Comment - League.pdf
- Public Comment - Speal.pdf

City of South Lake Tahoe
Report to **City Council**

Meeting Date: June 6, 2023

Title: Tourist Core Area Plan: 2023 Amendments

Location: Citywide

Responsible Staff Member: Madison Dederick, Assistant Planner

Background:

The purpose of an Area Plan is to provide local governments an opportunity to consolidate and simplify regulations, eliminate regulatory inconsistencies between the Regional Plan and local plans, and increase redevelopment and property investment incentives to revitalize the Region's aging commercial centers and infrastructure. The City of South Lake Tahoe currently has two adopted area plans, the Tourist Core Area Plan (TCAP) and the Tahoe Valley Area Plan (TVAP), both of which are due for amendments to bring the plans up to date with the City's current strategic goals, new state laws, and TRPA Regional Plan goals.

Tourist Core Area Plan: Located adjacent to the Nevada and California Stateline, the Tourist Core area is the center of tourist services and recreation access and has traditionally been the area with the highest concentration of commercial and tourist services. The Tourist Core Area Plan (*Attachment 2*), adopted by City Council on October 15, 2013, established a policy framework and provides land guidance that focuses on achieving redevelopment and re-investment opportunities in the plan area. The plan aims to enhance the built environment with high-quality development, improve transportation options and the circulation network,

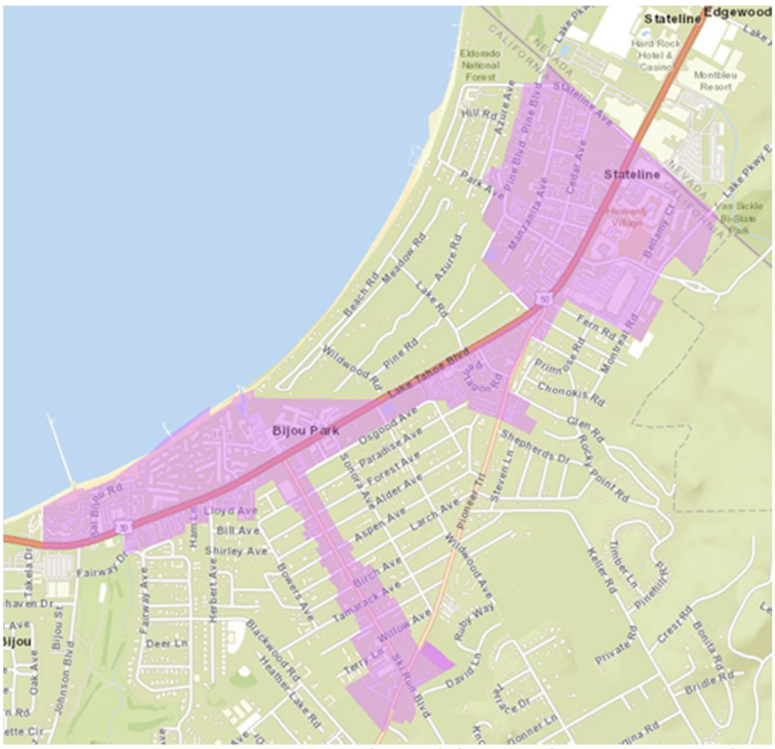


Image: Boundary of the Tourist Core Area Plan

increase access to recreation opportunities, and promote a mix of land uses.

Public Engagement

On February 1, 2023, staff held a stakeholder workshop for the Tourist Core Area Plan. The goals and concepts of the amendments were presented, and staff received feedback from participants that would inform and direct the amendments moving forward (*Attachment 3*). Participants included local business and property owners, housing advocates, public agencies, non-profit groups, and design professionals.

After incorporating stakeholder feedback and furthering the amendment concepts, a public workshop was held at the February 23, 2023, Planning Commission meeting for both the TCAP and TVAP. Here staff received feedback from commissioners and the public. Notes from this meeting are included in *Attachment 4* (both area plans).

On May 16, 2023, this item was continued to the June 6, 2023, meet where the City Council will receive a presentation (*Attachment 5*), hold a discussion, and provide feedback on the amendments under consideration for the Tourist Core Area Plan.

Issue and Discussion:

City staff has successfully implemented policies and standards of each area plan since their adoptions; however, the plans require updates to reflect current City goals, increase consistency with recently amended TRPA regulations and state regulations, increase housing opportunities and community equity in appropriate areas, and generally improve the design and development standards. *Attachments 6* provides a comprehensive and more detailed project description of the amendments that are being explored. The following provides a brief summary of the primary changes under consideration for the Toursit Core Area Plan.

- Housing Opportunities: To increase and incentivise housing opportunities, changes to density standards and unit size eligibility criteria are being considered. The current maximum multi-family residential density is 25 units per acre; staff is exploring increasing this to 65 units per acre, as well as establishing a minimum density of 8 units per acre to minimize underutilization of land in town centers. Currently, within an area plan, a mixed-use project that includes tourist accommodation units (with kitchens) and residential units can be proposed at 65 units per acre (40 units per acre for tourist units and 25 units per acre for multi-family uses). TRPA has determined that TAUs have a larger environmental impact with respect to Vehicle Miles Traveled (VMTs) and the carrying capacity of the Tahoe Basin. Thus the increase in density for multi-family uses would not have a significant effect on the environment or result in an increase of VMTs over baseline conditions. The minimum density standard would apply to all districts within the TCAP except for the Open Space district where residential uses are not allowable. Staff is also assessing a height increase from 56 feet to 65 feet in the TSC-MU district so parcels

would be able to accommodate 4 story mixed-use developments while maintaining a pitched roof design.

Currently, multi-family is an allowed use in all districts except for the Recreation and Open Space districts, however single-family and employee housing is allowed in the Recreation district. Staff is analysing the locations where multi-family, multi-person, and employee housing residential uses are allowed with the goal to create more consistency across these uses that are functionally the same.

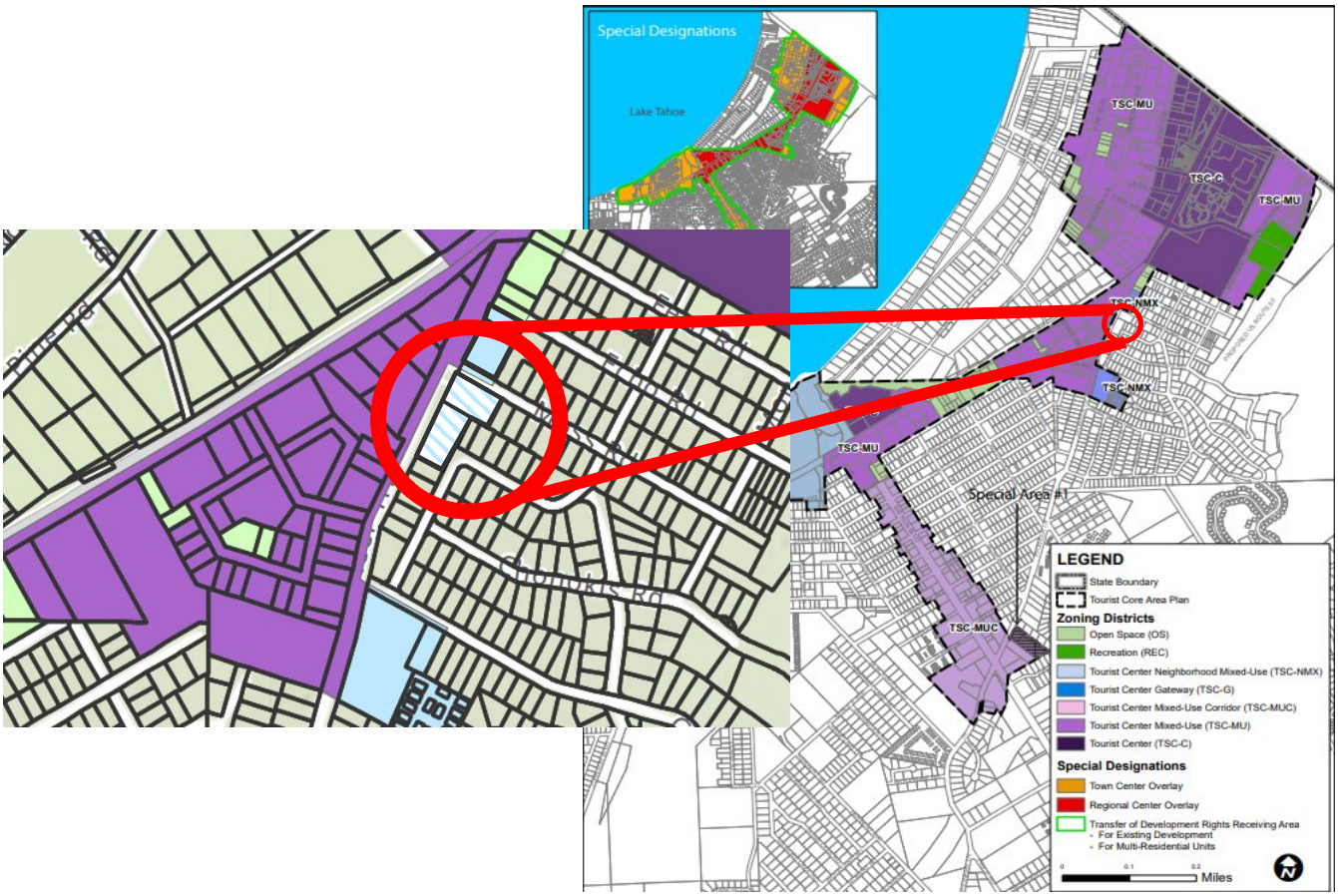
To promote affordability by design, the amendments will also consider establishing a maximum unit size for projects that utilize policy and development incentives established by the City and TRPA and will incorporate recent changes to City Code establishing standards for accessory dwelling units. The City Council is also discussing the potential for an inclusionary housing requirement which has potential to create affordable housing units. It is important to note that TRPA is working with the Tahoe Living Working Group on revising regional height, density and coverage standards throughout the region with a goal of reducing barriers to developing housing for local residents. These TRPA amendments are currently projected to be completed by the end of 2023 and City staff is participating in this process to ensure consistency with locally developed housing strategies and land use policies that have been discussed in local engagement efforts.

Staff is also exploring the inclusion of new criteria for residential project review levels that treat affordable housing equal to market-rate housing, exempting residential projects up to three units and residential projects that comply with objective development and design standards from discretionary and public hearing procedures. Currently, under TRPA Code Section 2.2, affordable housing projects require a higher level of decision-maker consideration than market-rate housing projects.

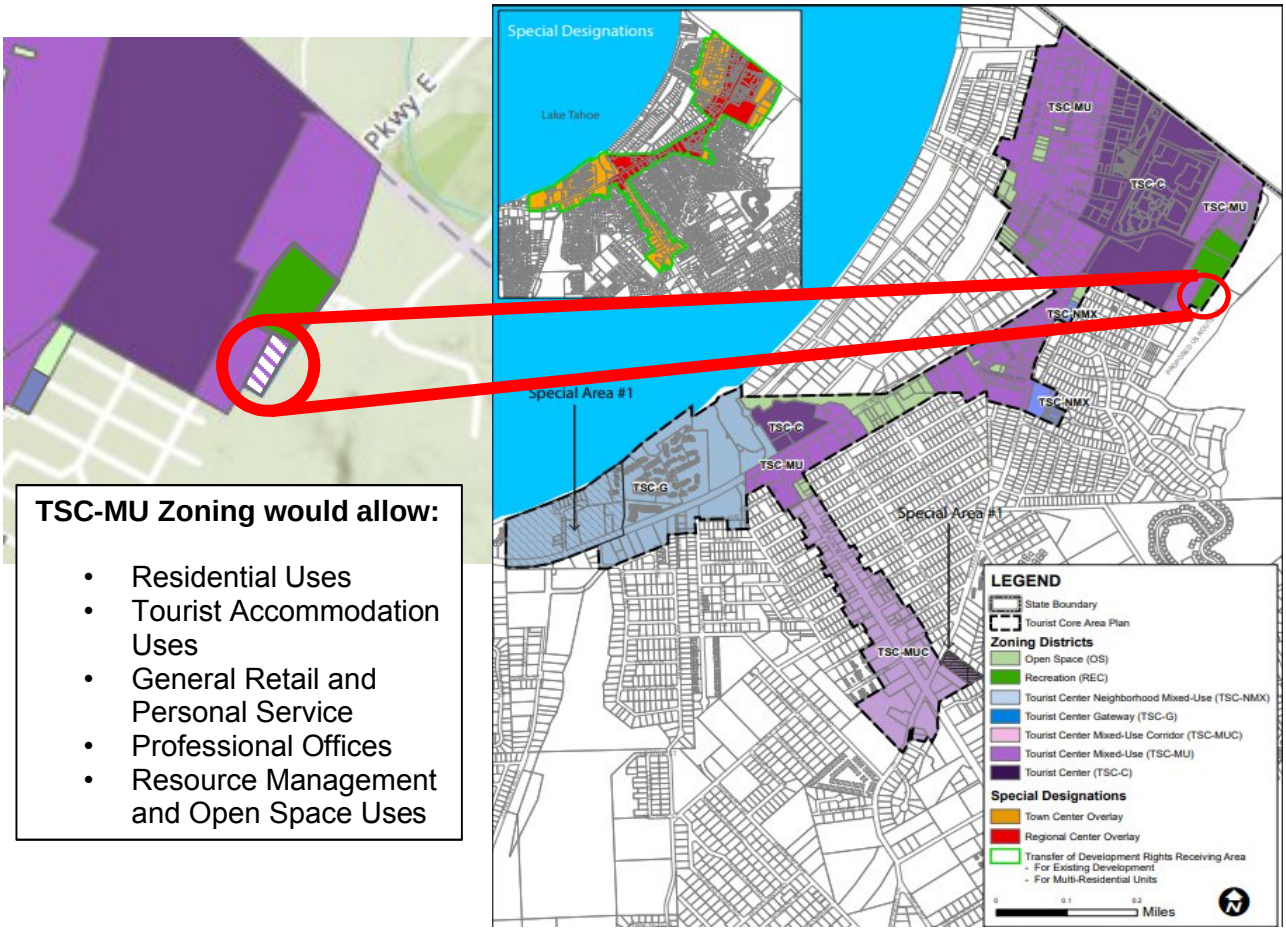
- Activating Town Centers: To activate the area plan town centers, staff is considering ways to reduce barriers to operating appropriate outdoor dining and also evaluating allowable uses for consistency with the goals of each area plan and historical uses in the area.

- Transportation and Circulation Opportunities: Another general focus of the area plan amendments is to establish policies and standards that will increase transportation opportunities to, from, and within the plan areas. Since each of the area plans respective adoptions, several of the identified transportation improvement projects have been completed or are well underway. The amendments will include updating the implementation actions to reflect new priorities to improve connectivity, transit options, and access to destinations. City staff is also developing options to allow projects to have reduced onsite parking requirements in exchange for contributions to the implementation of connectivity and transit initiatives.

- TCAP Boundary Expansion: Two tourist accommodation parcels (APNs: 029-352-010 & 029-371-016) located adjacent to the TCAP are being considered for incorporation in the plan so that they may benefit from the increased density and coverage allowed in area plans in order to facilitate additional redevelopment and housing opportunities in the vicinity of the town center.



- TCAP Rezoning: Staff will be incorporating a previously applied for zoning amendment application to rezone a parcel (APN: 029-441-024) from recreation to tourist center mixed-use to accommodate higher density housing opportunities.



TSC-MU Zoning would allow:

- Residential Uses
- Tourist Accommodation Uses
- General Retail and Personal Service
- Professional Offices
- Resource Management and Open Space Uses

Financial Implications:

There are no financial implications associated with City Council receiving this presentation.

Environmental Considerations:

The action of receiving a presentation is exempt from environmental review pursuant to CEQA Guidelines §15061(b)(3). The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential to cause a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Policy Implications:

General Plan

Updating the City's area plans is consistent with General Plan Goal LU□2, to focus future commercial, multi□family residential, tourist, civic, and social gathering space development in community plan areas in order to maximize incentives and create transit□, bicycle□, and

pedestrian-oriented places that serve the needs of both residents and visitors. Policies under this General Plan goal that are specific to the Tahoe Valley and Tourist Core include:

Policy LU-2.2: The City shall periodically update and implement the four Community Plans as a way to focus development commodities and revitalization efforts.

Policy LU-2.9: The City shall define two Nodes, one at the Tahoe Valley Y Intersection and the other at Stateline and make them a focus of future development and revitalization efforts in the city. To this end, the City shall work with the Tahoe Regional Planning Agency to encourage allocations of development commodities (e.g., Commercial Floor Area, Residential Units of Use) to these areas.

Policy LU-2.10: The City, in coordination with the Tahoe Regional Planning Agency, shall encourage compact, mixed-use, transit-oriented, and higher-density development within the Stateline Node and Tahoe Valley Gateway District by providing the maximum incentives for these types of projects. Incentives should include an increase in allowed coverage, increased commercial floor area allocations, financing opportunities available through Redevelopment Plans, and exemptions from coverage limitations for affordable and moderate-income housing.

Policy LU-2.13: The City shall create active and inviting social and economic centers in the two Nodes that include a variety of housing types, mixed-use development, recreational or social gathering spaces, cultural uses, civic uses and facilities, and commercial services.

The amendments are also consistent with Land Use Policy LU-1.2 to create walkable, mixed-use centers that provide a range of housing opportunities and choices.

<u>Tourist Core Area Plan</u>

Amending the area plan is consistent with adopted goals and policies of the TCAP, including Land Use Policies LU-1.2, which promotes a mixed-use land use pattern that combines tourist accommodation, residential, commercial and public facilities, and LU-2.2 which promotes animated streets by allowing for outdoor dining and seating oriented towards the sidewalk.

Policy LU-2.12 –Stateline Node Purpose: The City shall ensure that the Stateline Node will be an area in the city for tourist serving commercial uses, Tourist Accommodation Units, workforce housing (e.g., housing affordable to local workers in all industries), and affordable housing. The City should work with property owners to transform the Node into a pedestrian center served by transit that connects community resources, visitor facilities, recreation, and Lake Tahoe.



Tourist Core Area Plan

Linking Neighborhoods ■ Building Community ■ Promoting Recreation

October 15, 2013









TOURIST CORE AREA PLAN

City of South Lake Tahoe

Adopted by South Lake Tahoe City Council on October 15, 2013.

Adopted by Tahoe Regional Planning Agency on November 11, 2013.

‘

Prepared by:

City of South Lake Tahoe

Credits

South Lake Tahoe City Council
Tom Davis, Mayor
Hal Cole, Mayor Pro Tem
JoAnn Conner
Brooke Laine
Angela Swanson

South Lake Tahoe Planning Commission
Judy Brown
Joy Curry
Jason Drew
Patricia Hickson
Tamara Wallace

City of South Lake Tahoe
Nancy Kerry, City Manager
Hilary Roverud, Development Services Director
Jim Marino, Assistant Public Works Director
Stan Hill, Engineer
John Hitchcock, Planning Project Manager
Judy Finn, Associate Planner
Melinda Adams, Planning Technician
Lydia Zuniga, Commission Liaison
Eric Freelander, GIS Analyst

Tahoe Regional Planning Agency
Joanne Marchetta, Executive Director
John Hester, Planning Director
John Marshall, General Counsel
Arlo Stockham, Long Range Planning Manager
Paul Nielsen, Current Planning Manager
Morgan Beryl, Manager Lake Tahoe Sustainable Communities Program
Shane Romsos, Science, Monitoring and Evaluation Coordinator
Brian Judge, Principal Planner
Shay Navarro, Senior Planner
Adam Lewandowski, Senior Planner
Karen Fink, Senior Planner
Keith Norberg, Senior Planner
Pat Dobbs, Associate Planner
Lief Larson, Associate Planner
Julie Kolowith, Associate Planner
Louis Cariola, Associate Environmental Specialist
Amy Fish, GIS Manager

Douglas County
Brandy McMahon, Senior Planner

Consultants
Martha Miller, Principal, Dyett and Bhatia
John Francis, Planner, Dyett and Bhatia
Steve Noll, Principal, Design Workshop

Eric Roverud, Associate, Design Workshop
Seana Doherty, Principal, Fresh Tacks Communications
James Johnson, Project Associate, Fresh Tracks Communications

A special thanks to numerous individuals and organizations that have all played an important role in shaping the vision and delivering the contents of this Area Plan. The omission of those names here does not diminish the acknowledgement that each of them deserve.

Strategic Growth Council
The work upon which this publication is based was funded in whole or in part through a grant awarded by the Strategic Growth Council."

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Table of Amendments

Ordinance 1060, October 14, 2013.	City Council Adoption.
Ordinance 2013-08, November 20, 2012.	TRPA Governing Board Adoption.
Ordinance 2014-2, January 14, 2014	City Council Amendments to Sections 1, 7, 10, Appendix C, and Figure 5-1:Zoning Map.
Resolution 2020-024, March 10, 2020	City Council Amendments to Appendix C and all Figures.
Ordinance 2020-03, April 22, 2020	TRPA Governing Board Amendments to Appendix C and all Figures.
Ordinance 2020-1147, September 8, 2020	City Council Adoption of Tourist Core Area Plan/Specific Plan & Bijou/Al Tahoe Community Plan Boundary Amendment
Ordinance 2020-04, October 28, 2020	TRPA Governing Board Adoption Area Plan/Specific Plan & Bijou/Al Tahoe Community Plan Boundary Amendment
Ordinance 2021-1158, November 16, 2022	City Council Adoption of Amendments to Table 1: Permitted Uses by Zoning District
Ordinance 2022-02, February 23, 2022	TRPA Governing Board Adoption to Table 1: Permitted Uses by Zoning District

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Section 1
INTRODUCTION

The Tourist Core Area Plan (Area Plan) defines a vision for the future of the area of the City that has previously been guided by the Stateline/Ski Run Community Plan. This is an area of special attention in the Tahoe Basin for a number of reasons. It is the center of tourist services and recreation access, spanning the Nevada and California Stateline and has traditionally been the area with the highest concentration of services and density. The Tourist Core is located within the City of South Lake Tahoe and is centered on US Highway 50 and Ski Run Boulevard from Fairway Avenue to the California and Nevada Stateline (Figure 1-1). In order to be responsive to the unique needs and opportunities of the Region and local communities, the Tahoe Regional Planning Agency (TRPA) 2012 Regional Plan encourages and authorizes local jurisdictions to develop and adopt individual Area Plans that provide more specific development objectives and standards that are adapted to the needs of the specified area.

This Area Plan provides more detailed direction than the City of South Lake Tahoe's General Plan and TRPA's 2012 Regional Plan. It addresses land use regulations, development and design standards, transportation, recreation, public services and environmental improvements for the area. It encourages general improvement and enhancement for the built environment. This Area Plan provides a framework that will change the existing conditions into opportunities for redevelopment with a focus on achieving on the ground environmental improvements consistent with the City's General Plan and environmental thresholds goals of the 2012 Regional Plan.

1.1 PLAN PREPARATION

This Area Plan was prepared by the City of South Lake Tahoe in collaboration with TRPA to implement the City's General Plan and TRPA's 2012 Regional Plan. The Tourist Core Area Plan is developed on the foundation of the existing adopted Stateline/Ski Run Community Plan and incorporates other planning efforts such as the South Shore Vision Plan.

The South Shore Vision Plan was initiated in September, 2011 with the formation of an advisory group to help guide development of a vision plan for the south shore's major tourist destination area. The advisory group included representatives of the South Tahoe Alliance of Resorts (STAR), regional planning agencies, local governments, and property owners along the US Highway 50 corridor. A joint public workshop between the City Council and the Douglas County Commissioners was held on November 4, 2011 to take public comments on the Vision Plan. Advisory group meetings were facilitated by the consulting firm Design Workshop which consolidated all the input provided by the representatives into the South Shore Vision Plan. The Vision Plan identifies a vision for the primary tourist destination area in the region and recommends key strategies to encourage redevelopment to achieve environmental, physical and economic improvements.

1.2 ORGANIZATION OF AREA PLAN

All of the land within the Lake Tahoe Basin falls under the jurisdiction of the Tahoe Regional Planning Agency. This includes all the land within the local jurisdiction of the City of South Lake Tahoe. Local jurisdictions are permitted to develop, adopt, and implement regulations so long as they are consistent with the TRPA's 2012 Regional Plan. The 2030 South Lake Tahoe General Plan is the City's primary policy document guiding land use, transportation, infrastructure, community design, environmental, and other decisions in a manner consistent with the planning statues for the State of California. The Tourist Core Area Plan is designed to supplement the City's General Plan by designating zoning districts and providing specific guidance for the area. Therefore, this plan supports the goals and policies outlined in the 2030 South Lake Tahoe General Plan as well as the TRPA 2012 Regional Plan.

Policies and regulations in the TRPA Code of Ordinances apply to all development within the Tahoe Region. In some cases, the regulations, such as parking, design, and lighting standards adopted in the Area Plan will supersede the regulations in the TRPA Code of Ordinances. If compliant with this Area Plan, proposed projects will be reviewed and approved by the City of South Lake Tahoe pursuant to the provisions of a Memorandum of Understanding (MOU) with TRPA. However, projects determined to be of regional concern will require TRPA review and approval. Projects meeting any of the following criteria will require approval by the TRPA Governing Board or Hearings Officer:

- Located within the Shorezone of Lake Tahoe
- Located within a Resort Recreation District
- Located within the Conservation District
- Any new building floor area meeting the criteria in the following table:

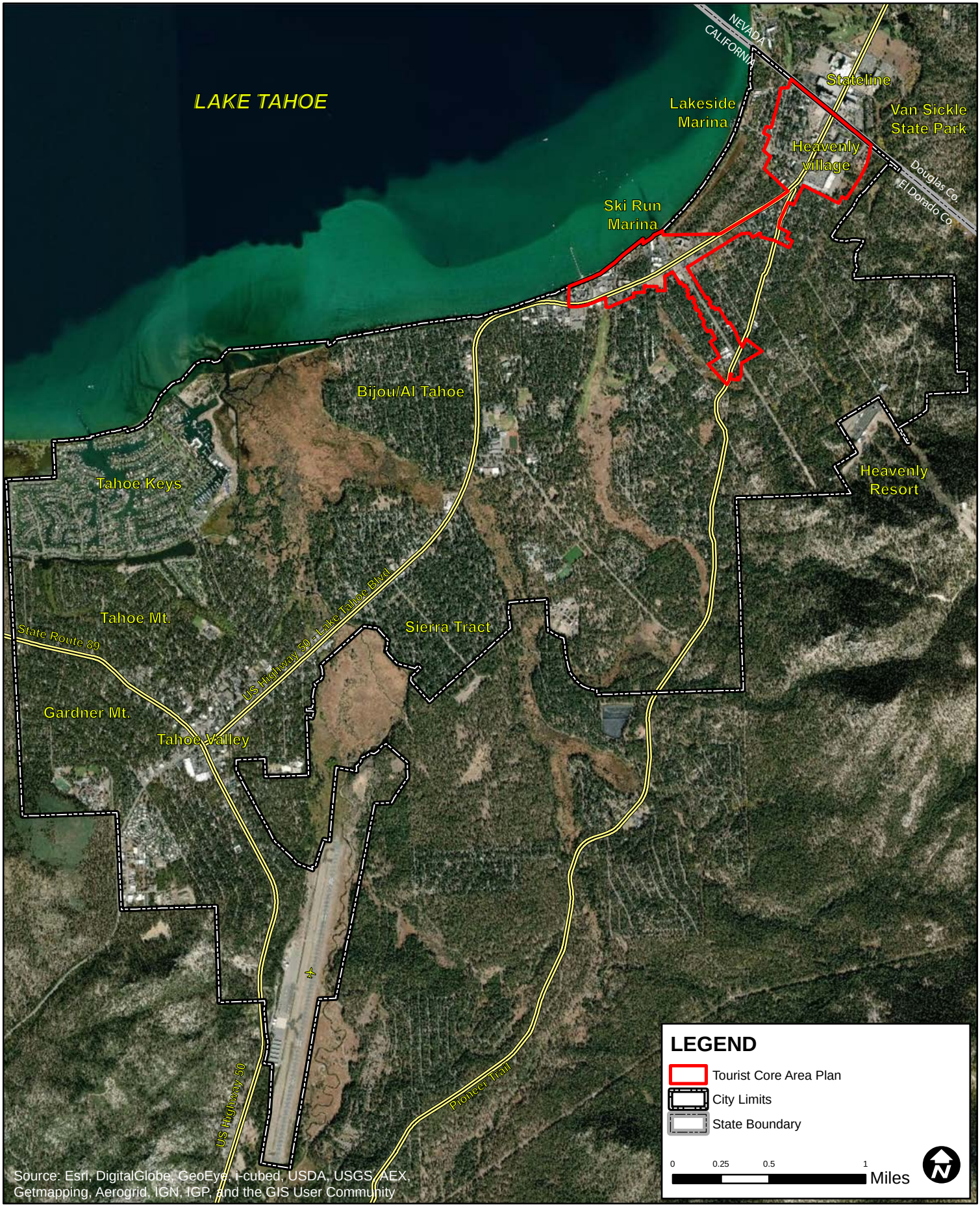
THRESHOLDS FOR GOVERNING BOARD REVIEW OF PROJECTS IN CENTERS			
	Regional Center	Town Center	Not in Center
Residential	≥100,000 sq. ft	≥50,000 sq. ft.	≥25,000 sq. ft.
Non-residential	≥80,000 sq. ft.	≥40,000 sq. ft.	≥12,500 sq. ft.

All projects permitted by the City of South Lake Tahoe under the MOU are appealable to the TRPA Governing Board. Specifically, the TRPA Code of Ordinances allows final decisions on projects delegated to a lead agency to be appealed to the TRPA by any "aggrieved person". Furthermore, TRPA requires quarterly monitoring and annual review of an approved Area Plan. On at least a quarterly basis, the City is required to submit copies of building permits issued under the MOU to TRPA for review. At a minimum the permits shall contain and make clear the necessary development information that TRPA needs to measure compliance with the terms of the Area Plan, such as additional land coverage, commercial floor area, residential units, or tourist accommodation units. Annual review and recertification of the Area Plan is conducted by TRPA and is based on TRPA review of a sample of development permits issued within the Area Plan boundaries. TRPA must certify that permits are issued in conformance with the Area Plan and implementing ordinances. Based on the annual review, TRPA may take one of the following actions: 1) recertify the Area Plan; 2) recertify the Area Plan with conditions; or, 3) revoke all or part of the MOU for non-compliance.

1.3 PLAN ADOPTION

The Tourist Core Area Plan was adopted by the South Lake Tahoe City Council on October 14, 2013 and by the TRPA Governing Board on November 11, 2013. The Area Plan was amended on January 14, 2014 to incorporate amendments requested by the TRPA Governing Board.

This Tourist Core Area Plan supersedes the Stateline/Ski Run Community Plan for the purposes of land use regulation for both the agencies and will provide management direction for all projects proposed within the Plan's boundaries.



City of South Lake Tahoe, CA
Tourist Core Area Plan

Figure 1-1
Location Map
September 2020

Section 2
LEGAL AUTHORITY AND REGULATORY SETTING

The City of South Lake Tahoe plans and regulates within the policy and regulatory framework of both the Tahoe Regional Planning Agency (TRPA) and the State of California. This section describes the policy and regulatory framework that pertains to the Tourist Core Area Plan and its relationship to TRPA's 2012 Regional Plan, the City's General Plan and other relevant plans.

The purpose of the Tourist Core Area Plan is to define land use guidelines for planning decisions. The Tourist Core Area Plan presents principles, goals, policies and implementation strategies designed to encourage redevelopment, create a vibrant walkable pedestrian oriented community and provide for environmental improvements. The Area Plan is used by the ~~Community~~ Development Services staff, the City Planning Commission, and the City Council to review specific development proposals in the Tourist Core. The Plan also provides direction to property owners, community groups, and interested individuals in formulating and review of development and redevelopment projects.

The Tourist Core Area Plan~~, once adopted~~, ~~will~~ is ~~become~~ a part of TRPA's 2012 Regional Plan and the City of South Lake Tahoe General Plan. It ~~will~~ replaced the Stateline/Ski Run Community Plan. ~~which has been adopted by the City of South Lake Tahoe and TRPA and currently provides guidance for land use decisions in the area.~~

2.1 TAHOE REGIONAL PLANNING AGENCY

2012 TRPA REGIONAL PLAN

In December 2012, the TRPA Governing Board adopted an updated Regional Plan. The TRPA Regional Plan Goals and Policies serve as a guide for all future land use decisions within the Lake Tahoe Region. Priorities of the updated Regional Plan that apply to this Area Plan include:

- Accelerating water quality restoration and other Threshold gains by supporting environmental redevelopment opportunities, restoration of disturbed lands and Environmental Improvement Program (EIP) investments.
- Transitioning to more permitting by local governments to create "one-stop-shopping" for homeowner improvements in order to return TRPA to the more regional role the Compact originally intended.
- Creating walkable communities and increasing alternative transportation options.

Important policies addressed in the 2012 Regional Plan include:

- Retaining the established regional growth control system. Under this system, rampant overdevelopment was stopped and open spaces preserved. Most of the policies from the 1987 Regional Plan stayed in place with adoption of the 2012 Regional Plan.
- Creating a more efficient planning system that integrates TRPA requirements into the plans and permits of other government agencies.
- Encouraging property owners to transfer development rights from sensitive or outlying areas to Town Centers with the goal of restoring these lands.
- Eliminating regulatory barriers to the environmental redevelopment of rundown buildings.
- Simplifying burdensome regulations for homeowners while achieving threshold gain.
- Integrating with the TRPA Regional Transportation Plan to support sidewalk and bike trail projects that reduce automobile dependency and increase walkability and safety.
- Continuing to deliver restoration projects under the EIP that achieve erosion control on roadways and restore forests and wetlands.

TRPA's Regional Plan Conceptual Land Use Map classifies the Tourist Core as Tourist and designates the area with two Overlay Districts: Town Center and Regional Center. The Tourist Core is also assigned a special designation as a receiving area for the transfer of development rights for existing development and multi-residential units, a scenic restoration area and a preferred affordable housing area.

TRPA's Regional Conceptual Land Use Map is depicted in Figure 2-1.

The following description identifies the intention and purpose of TRPA's land use classification, overlay districts and special designations:

Tourist: Are urban areas that have the potential to provide intensive tourist accommodations and services or intensive recreation. These lands include areas that are:

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

Town Center Overlay Districts: As areas that contain most of the regions non-residential services 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. This district functions as a pedestrian- and transit oriented , mixed-use activity center that encourages mix of uses that promotes convenience, economic vitality, and a pleasant quality of life and improved access to a greater range of facilities and services for surrounding residential neighborhoods and visiting tourists.

Regional Center Overlay Districts: Areas that includes a variety of land uses in the core of South Lake Tahoe, including the gondola and base lodge facilities for Heavenly Mountain Resort. Development patterns in the Regional Center have been, and should continue to be, more intensive than Town Centers and less intensive than the High Density Tourist District Overlay

District (located in Stateline, NV). 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. This district functions as a pedestrian- and transit oriented, mixed-use regional tourist and recreation activity center that encourages mix of uses that promotes convenience, economic vitality and improved access to a greater range of facilities and services for tourist and permanent residents.

Transfer of Development Rights Receiving Areas: Indicates areas that are eligible to receive the transfer of existing residential, tourist and commercial uses and potential residential units of use pursuant to Chapter 51 of the TRPA Code of Ordinances. Receiving Areas designated for Existing Development are eligible to receive the transfer of existing uses that are permissible uses in the Tourist Core. Receiving Areas designated for Multi-Residential Units are eligible to receive the transfer of potential residential units of use and parcels within this designation area are eligible to receive one or more development right.

Scenic Restoration Area: Indicates one or more highway units or shoreline units in the Tourist Core that are not in compliance with the Scenic Threshold rating and that this area is therefore subject to the scenic quality provisions of Chapter 66: Scenic Quality of the TRPA Code of Ordinances.

Preferred Affordable Housing Areas: Areas with the preferred affordable housing designation are eligible for subdivision of post-1997 residential projects pursuant to TRPA Code of Ordinances subparagraph 39.2.5.F

AREA PLANS

The 2012 TRPA Regional Plan and TRPA Code of Ordinances, Chapter 13, *Area Plans*, include new provisions that allow for local, state, and federal agencies, in coordination with TRPA staff, to prepare coordinated Area Plans for the implementation of land use goals, policies, and ordinances. The Area Plans, which must include implementing ordinances and zoning designations, are required to be consistent with the 2012 Regional Plan. Once an Area Plan has been found in conformance with 2012 Regional Plan, local, state, or federal agencies may assume development review authority by Memorandum of Understanding (MOU) with TRPA.

Chapter 13 of the TRPA Code of Ordinances defines the required content of Area Plans and establishes that Area Plans may be approved by TRPA if they contain policies and development standards that are consistent with and further the goals and policies of the 2012 Regional Plan. With an adopted conforming Area Plan, local governments can opt to take over limited permitting authority from TRPA. Upon adoption, the provisions of the Area Plan supersede the underlying Plan Area Statements or Community Plans. Chapter 13 requires that the Area Plan incorporate minimum development and community design standards consistent with Chapter 13.For TRPA to make a general finding of conformance the Area Plan shall at a minimum address and incorporate the following:

- Identify all zoning designation;
- Be consistent with the Regional Plan growth management system;
- Demonstrate consistency with the Regional Plan Conceptual Land Use Map;
- Recognize and support planned, new or enhanced Environmental Improvement Projects;
- Promote environmentally beneficial redevelopment and revitalization within centers;
- Preserve the character of established residential areas outside a center;
- Protect and direct development away from Stream Environment Zones;

- Identify facilities and implementation measures to enhance pedestrian, bicycling and transit opportunities; and
- Where applicable TRPA will use the local governments load reduction plans for registered catchments as the default water quality standards.

In addition, for Area Plans that include designated Town Centers or a Regional Center the following provisions must be covered in the Area Plan:

- Include building and site design standards that reflect the unique character off each area;
- Include policies and strategies to promote walking, bicycling, transit use and shared parking;
- Address the form of development that promotes pedestrian activity and transit use.
- Ensure adequate capacity for redevelopment;
- Identify an integrated community strategy for coverage reduction and enhanced storm water management; and
- Provide for threshold gain.

2.2 STATE OF CALIFORNIA

In addition to the TRPA requirements, the Tourist Core Area Plan is designed to meet the California requirements related to specific plans.

California State law requires every city and county in California to prepare a comprehensive, long-term general plan for the physical development of the county or city, and any land outside its boundaries which bears relation to its planning. The general plan acts as a constitution for future development, and expresses the community's development goals and policies relative to the distribution of future land uses, both public and private. Government Code Section 65302 requires that the general plan address at a minimum the following seven topics or elements to the extent they are relevant to the community:

- Land Use
- Circulation
- Housing
- Conservation
- Open Space
- Noise
- Safety

Through State law and code, the general plan must be implemented consistently through zoning, subdivision approvals, specific plans, public works projects, redevelopment plans, and many other implementation programs.

Under California State law, cities and counties may adopt specific plans for the "systematic implementation of the general plan" (Government Code Section 65450 et. Seq.). The law requires the following:

- A specific plan shall include a text and a diagram or diagrams which specify all the following in detail:
  - The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.
  - The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste, disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.
  - Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.
  - A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out the above bullets.
- The specific plan shall include a statement of the relationship of the specific plan to the general plan.

California Government Code Section 65452 provides that the specific plan may address any other subjects which in the judgment of the planning agency are necessary or desirable for the implementation of the general plan.

The Tourist Core Area Plan was prepared to be consistent with the requirements of a specific plan under California State law and implements development goals and policies by establishing zoning districts, standards and criteria for development and sets the distribution, location and extents of planned land uses consistent with the adopted City General Plan.

2.3 CITY OF SOUTH LAKE TAHOE

In 1999, the City of South Lake Tahoe adopted a General Plan under the requirements of California Planning Law. In conjunction with that adoption, the City adopted TRPA's system of Plan Area Statements and Community Plans in lieu of its previous traditional zoning system. The action eliminated inconsistencies between the City's and TRPA's land use plans. Subsequently, the City adopted three of four anticipated community plans including the Stateline/Ski Run Community Plan in March 1994. The Community Plan provides land use and development guidance to the Stateline/Ski Run Area.

In 2011, the City of South Lake Tahoe updated its General Plan and amended its Land Use Element to include a policy that directs the City to periodically update and implement the three adopted Community Plans within the City's jurisdiction as a way to focus development commodities and revitalization efforts (see Policy LU-2.2, City of South Lake Tahoe General Plan, May 17, 2011).

The adoption of the Tourist Core Area Plan in 2013 meets the directive of LU-2.2 of the City's General Plan and the requirements of TRPA's Regional Plan The Tourist Core Area Plan replaced the Stateline/Ski Run Community Plan and provide future land use and development guidance.

The City of South Lake Tahoe General Plan designation for the Tourist Core is Tourist Center (TSC). This designation provides for the most intensive land uses including major

commercial/visitor centers and mixed-use residential. This designation is applied to areas currently developed as major commercial/visitor centers, areas of excess land coverage, and areas that are near commercial, employment, transit, and public services.

The City's General Land Use Diagram is depicted in Figure 2-2.

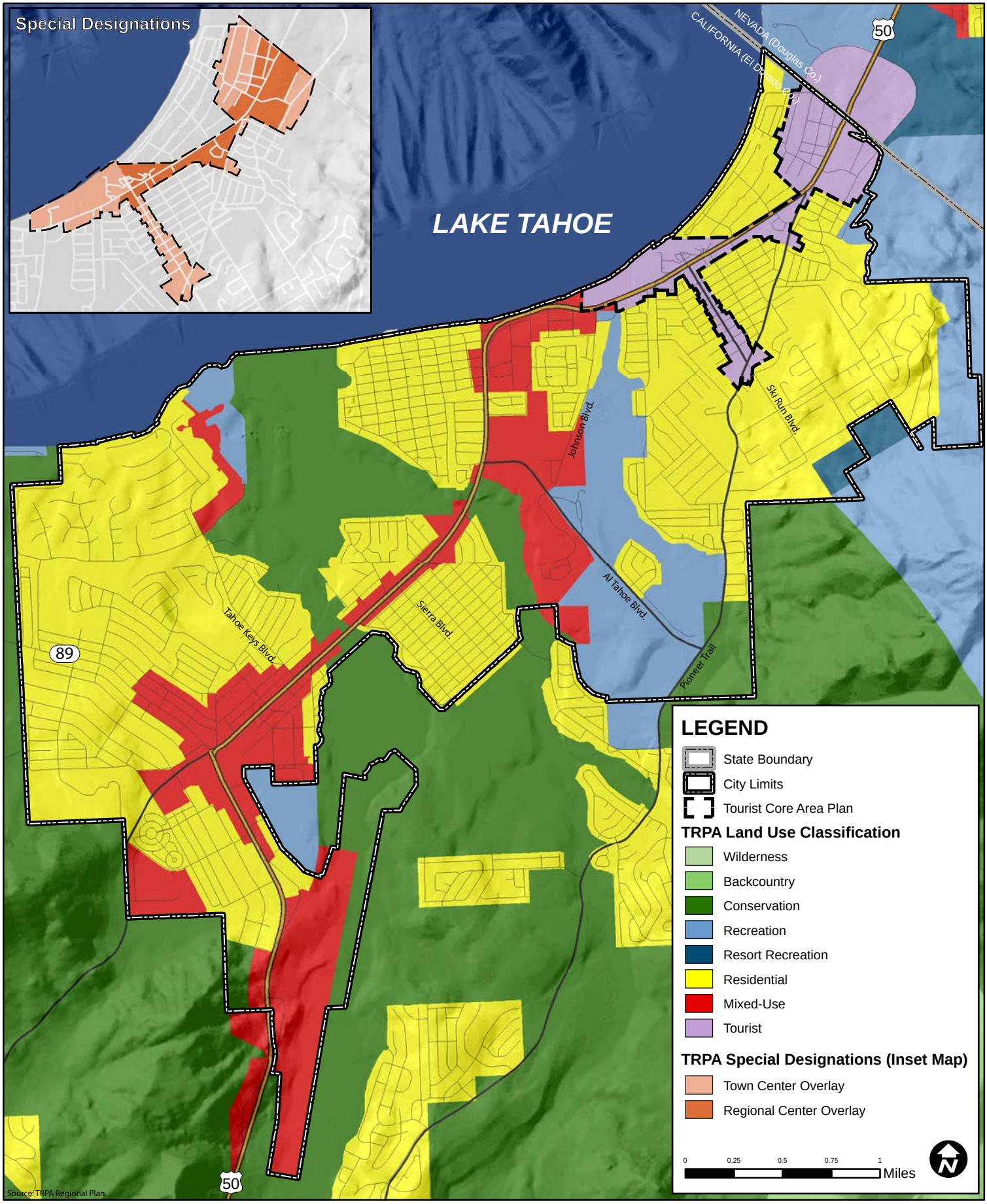
The overall purpose of the Tourist Center is to:

- Provide for the orderly, well-planned, and balanced growth of the Tourist Center and support the area's role as an important regional commercial, tourist destination and recreation center that provides full services and gathering places for visitors and residents.

- Promote the Tourist Center as a pedestrian- and transit-oriented, mixed-use activity center and a gateway to outdoor tourism recreational destination and expand its role as an economic center for South Lake Tahoe.

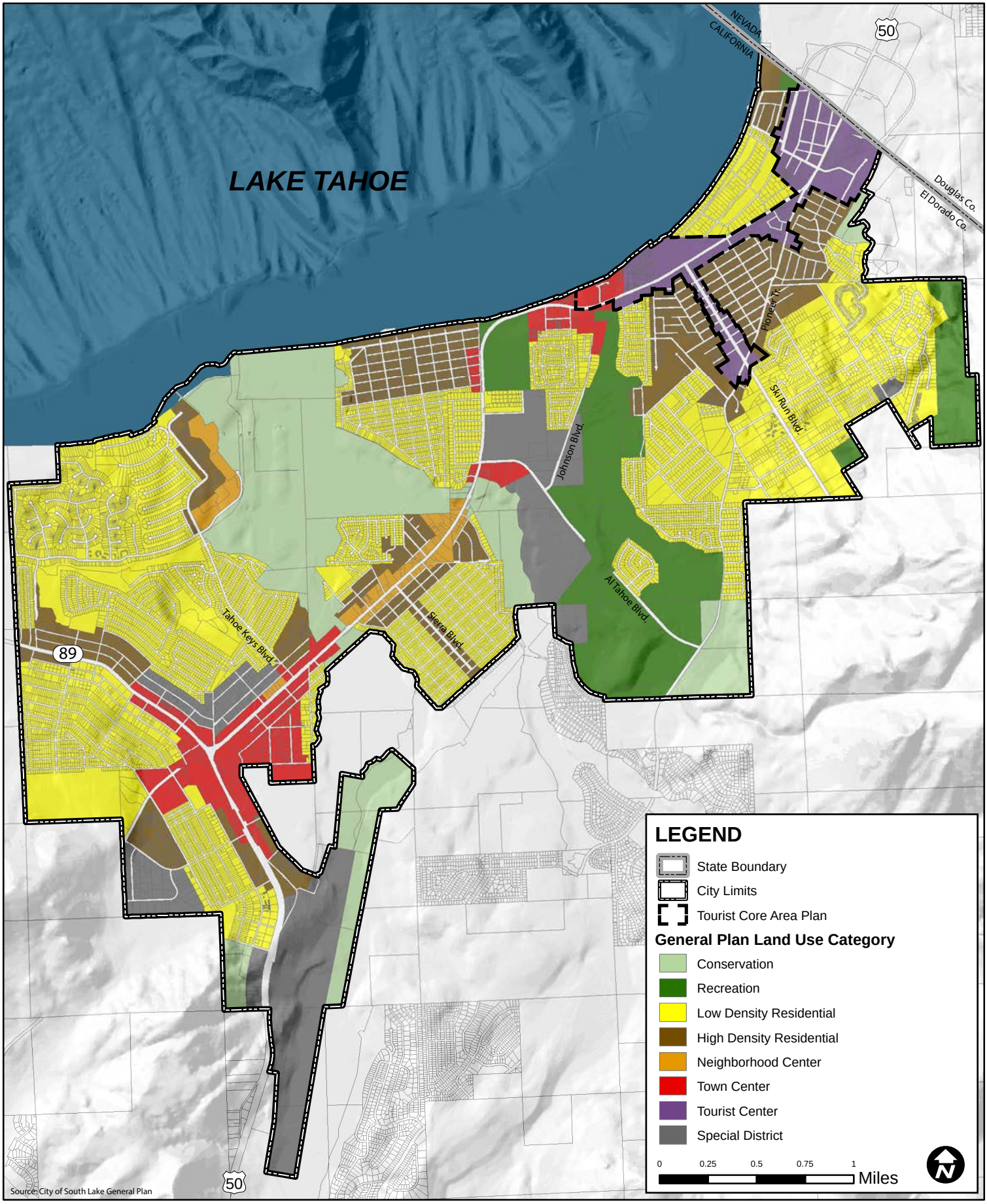
- Encourage a mix of uses that promotes convenience, economic vitality, and a pleasant quality of life and improve access to a greater range of facilities and services for visitors and surrounding residential neighborhoods.

- Establish development and design standards that improve the pedestrian- and transit-orientation and visually quality of development and create a unified, distinctive, and attractive charter along mixed-use streets.



City of South Lake Tahoe, CA
Tourist Core Area Plan

Figure 2-1
Conceptual Regional Land Use Map
September 202



City of South Lake Tahoe, CA
Tourist Core Area Plan

Figure 2-2
General Plan Land Use Diagram
September 2020

Section 3
EXISTING CONDITIONS

This section describes the existing physical conditions within the Tourist Core, both natural and man-made. The conditions summarized in this section act as opportunities or constraints (or sometimes both) to development, redevelopment, and conservation of resources within the Tourist Core.

3. 1 CONTEXT AND BACKGROUND

The South Shore Area has long served as the primary destination for visitors to Lake Tahoe. The area's development began to gather momentum beginning in the 1950's and now includes a number of land uses that serve tourists and permanent residents in the region. The area contains the US Highway 50 corridor which is the major access route and the principal entry to many properties and businesses in the Tourist Core. Although this Area Plan specifically focuses on properties within the boundary of the City of South Lake Tahoe, the nature of the Area Plan boundary necessitated a collaborative planning effort involving the active participation of Douglas County, Nevada, the City of South Lake Tahoe, California, Nevada Department of Transportation (NDOT), California Department of Transportation (CalTrans), Tahoe Regional Planning Agency (TRPA), as well as dozens of affected private property owners and business organizations. In Douglas County, the primary structures are the resort casinos that each occupy significant land parcels and house gaming, entertainment and the bulk of the hotel rooms in the area. Historically, these resorts have been the driving economic force for the area. The majority of investments and attractions have been contained within these resorts. In the last decade, redevelopment in the City of South Lake Tahoe has included significant new accommodations and commercial areas, as well as the Heavenly Gondola connecting the ski area to the accommodations base. Redevelopment has included the Lake Tahoe Resort Hotel (formerly Embassy Suites), Heavenly Village, Lake Tahoe Vacation Resort and the Ski Run Marina Site, all of which have been welcome investments and proof of South Shore's viability as a destination

3. 2 TRENDS AND ISSUES

The Tourist Core Area Plan is influenced by the surrounding context and features that influence land use decisions within the plan area. The adjacent areas are not considered to be isolated, but rather planning for the Tourist Core respects that these influences exist outside the Area Plan boundary. There have been significant, on-going changes that have influenced the attractiveness of this portion of Lake Tahoe. However, there is a widespread feeling that the majority of the facilities are outdated. The physical environment is in need of upgrades to make the area more attractive as a central destination. Shifts in the gaming locations available in California and Nevada have created a downward trend in revenues, employment and opportunities to attract the traditional market to the South Shore. As a result of these shifting travel patterns, deteriorating

economic conditions and community efforts to envision a new future, a new community vision was created in 2012. The South Shore Vision Plan illustrates the possibilities for redevelopment with a new program of uses and the potential to reconstruct the highway and transportation systems. The Tourist Core Area Plan is premised on the idea that needed redevelopment is possible and that a transformation will result from the new land use and transportation policies established herein.

3. 3 EXISTING CONDITIONS

LAND USE

Land Use: The Tourist Core stretches approximately two miles along US Highway 50 extending from Fairway Drive to the California and Nevada state line and along Ski Run Boulevard from Lake Tahoe to Pioneer Trail (see Figure 1-1). This area functions as the primary visitor and tourist district in the south shore and provides direct access to recreation opportunities such as Heavenly Ski Resort, Edgewood Gold Course, Ski Run Marina, Lakeside Marina and Van Sickle Bi-State Park. The Tourist Core is approximately 282 acres in size (232 acres excluding roadway infrastructure) and the land use pattern varies, although the predominant theme of the land uses are tourist related, with a large number of motels, hotels, restaurants, and tourist oriented retail shops (Figure 3-1). Table 3-1 provides a breakdown of land use by land use category.

TABLE 3-1: EXISTING LAND USES

Land Use	Acres	Percent of Acreage
Vacant Public	1.5	0.5%
Vacant Private	26.9	9.5%
Open Space	14.4	5.1%
Recreation	3.2	1.1%
Public Service	1.7	0.6%
Quasi-Public Service	0.3	0.1%
Residential	38.4	13.6%
Commercial	38.6	13.7%
Tourist	100.5	35.5%
Transportation Routes	57.3	20.3%
TOTAL	282.8	100.0%

Source: El Dorado County Assessor's Parcel Data, 2013 & TRPA GIS, 2013

Excluding the transportation routes, 64.6% of the parcels are developed, 10.0% remain vacant and the remaining 5.1% are dedicated to open space. Of the remaining 34 vacant parcels in the Tourist Core, 30 parcels are held in private ownership, 1 is publicly owned by the City of South Lake Tahoe, and 3 are owned by the South Lake Tahoe Redevelopment Successor Agency. The vacant parcels are generally scattered throughout the Tourist Core with a concentration of vacant parcels located adjacent to the Van Sickle Bi-State Park as shown in Figure 3-1.

The Tourist Core has two major commercial/tourist centers: the area centered on Heavenly Village/Crescent V Shopping Center adjacent to Stateline, Nevada and the area centered on the intersection of US 50 and Ski Run Boulevard running from Ski Run Marina to Pioneer Trail. The Heavenly Village area is a mixed-use development that provides tourist accommodation, retail, entertainment and restaurants set in a pedestrian and walkable environment. The Ski Run Boulevard area provides a more traditional commercial/tourist land use setting running the length of Ski Run Boulevard that can be accessed via a Class I shared use path.

Existing uses in the Tourist Core occupy structures ranging in height, age and physical conditions, from units built in the 50s and 60s to some of the newest buildings in the south shore and from single story structures to 6 to 8-story tourist accommodation facilities. Many of the newer structures are the result of the former South Lake Tahoe Redevelopment Agency's partnership with private developers to implement the City's Redevelopment Plan. Redevelopment in the area included the construction of tourist, commercial and retail facilities, pedestrian and transit facilities, and water quality improvements in the late 1990's and early 2000s. Projects constructed include the Embassy Suites (now known as Lake Tahoe Resort), Lake Tahoe Vacation Resorts, Heavenly Village, Heavenly Gondola, Stateline Transit Center, Crescent V Shopping Center and the Wildwood Basin Water Quality Improvement Project. In addition, the area has also experience private redevelopment efforts that include the redevelopment of the Ski Run Center, Valero Gas Station, Ski Run Marina Shops, Holiday Inn Express and Applebee's Restaurant. All these redevelopment efforts have been identified in TRPA's Threshold Evaluations as positively contributing to scenic, community design and water quality improvements (TRPA, 2011).

Commercial Floor Area: Within the Tourist Core, there is approximately 424,316 square feet of existing commercial floor area. The Stateline/Ski Run Community was allocated 45,000 square feet of additional commercial floor area upon adoption of the community plan. The majority of that commercial floor area has been assigned to constructed or permitted projects. Currently, 8,662 square feet remains.

NATURAL RESOURCES AND CONSERVATION

Soils, Land Capability and Stream Environment Zones (SEZs): In preparing the 1994 Stateline/Ski Run Community Plan, TRPA staff updated the mapped land capability districts for portions of the community plan and remapped the SEZ boundaries. The TRPA's official land capability map for this area is reflected in Exhibit 7 of the Stateline/Ski Run Community Plan which is depicted in Figure 3-2. Table 3-2 below provides a breakdown by acreage of the mapped land capability districts.

TABLE 3-2: EXISTING LAND CAPABILITY

Capability	Acres	Percent
1A	1.4	0.5
1B (SEZ)	88.8	31.4
3	7.4	2.6
4	6.0	2.1
5	94.9	33.5
7	84.3	29.8
Total	282.8	100.0

Source: Stateline/Ski Run Community Plan, 1994. TRPA GIS, 2013.

Approximately 34% of the Tourist Core is located in sensitive lands (LC 1-3) with the majority of lands classified as SEZ (31. 4%). SEZ lands are located throughout the Tourist Core and are mostly covered by existing development except for areas that have been restored. The remainder of the Tourist Core is classified primarily as Land Capability Class 5 and 7 with some pockets of Class 4 lands.

As noted above in Table 3-3, SEZs account for 31.4 percent (88.8 acres) of land within the Tourist Core. The Stateline/Ski Run Community Plan noted the extensive disturbance of SEZs in the Tourist Core and identified SEZ restoration opportunities. The following water quality

improvement projects have been implemented and resulted in approximately 4.7 acres of SEZ restored in the Tourist Core:

- Ski Run Erosion Control Project: Constructed a 3.3 acre artificial wetlands on the north side of US 50 across from the Wildwood Basins.
- Osgood SEZ Restoration: Adjacent to the Osgood Basins, existing structures and hard coverage was removed and 1.2 acres of SEZ was restored.

Figure 3-5 depicts locations of SEZ restoration projects within the Tourist Core and its vicinity.

Land Coverage: An analysis of TRPA's LiDAR impervious coverage data estimates land coverage in the Tourist Core at approximately 60% (169 acres) for hard coverage and 2% (5 acres) for soft coverage (Table 3-3). Coverage at the parcel level ranges from vacant parcels with no coverage to parcels that are 100% covered. On average, parcels with existing development are approximately 72% covered. See Figure 3-3 for areas of existing coverage.

TABLE 3-3: IMPERVIOUS LAND COVERAGE

Coverage	Roads	Trails	Buildings	Other	Total Impervious	Total Area	Total Impervious Percent
Hard	31. 3	5. 6	48. 6	83. 6	169. 1	282. 8	59. 8%
Soft	-	0. 4	-	4. 5	4. 9		1. 7%
Total	31. 3	6. 0	48. 6	89. 1	174. 0		61. 5%
Percent	11. 1%	2. 1%	17. 2%	31. 2%	61. 5%		

Source: TRPA GIS LiDAR, 2010.

The Stateline/Ski Run Community Plan noted numerous opportunities to mitigate excess land coverage within the area. Since 1994 over 1,107,900 square of hard coverage has been removed. Examples include:

- Park Avenue Redevelopment Project (Heavenly Village, Raley's Center and US 50 Pedestrian Improvement Project) resulted in over 356,500 square feet of coverage removed to create open space and landscaping features.
- Redevelopment Project Area #1 (former Embassy Suites, Lake Tahoe Vacation Resort at Ski Run Boulevard, Marina Village, McDonalds, Valero Gas Station) resulted in 388,000 square feet of coverage reduction by removing older commercial/tourist buildings to create open space and landscaping features.
- Ski Run Boulevard Improvement Project reduced the overall width of Ski Run Boulevard and installed landscaping features.
- The Colony Inn which was located in SEZ lands by the intersection of Montreal Road and Heavenly Village Way was demolished and 64,800 square feet of land coverage was removed and banked, and the site stabilized. The existing tourist accommodation units removed from the site are proposed for transfer to the Boulder Bay Project in North Stateline. A condition of the Boulder Bay permit requires that the property be restored to a functioning SEZ prior to the units being transferred.
- Slalom Inn located on Ski Run Boulevard was demolished; the site was returned to its natural state and 20,435 square feet of coverage was removed and transferred.

- Wildwood and Fern Water Quality Improvement Projects resulted in the removal of existing commercial/tourist buildings and 202,500 square feet of hard coverage from SEZ lands to construct retention basins to treat stormwater runoff. The tourist accommodation units that were formerly sited on the Wildwood parcels were transferred to Redevelopment Project No. 1.
- Osgood SEZ Restoration resulted in removal of existing residential structures and 50,900 square feet of land coverage from SEZ lands.

Of the total land coverage removed approximately 318,200 square feet or 7.3 acres came from SEZ lands. Figure 3-4 depicts major public and private projects that have resulted in the removal of existing hard coverage within the Tourist Core and its vicinity.

Water Quality

Best Management Practices: Every property within the Tourist Core Area Plan boundary is subject to the requirements of TRPA Code of Ordinances Chapter 60: *Water Quality*, which requires implementation of Best Management Practices (BMPs) to reduce storm water runoff, minimize soil erosion and capture polluted water before it enters Lake Tahoe. The TRPA Code requires all property owners to infiltrate the volume of a 20-year/1 hour storm on their property or meet alternative standards in instances where special circumstances limit infiltration.

All projects permitted by the City under the Memorandum of Understanding (MOU) with TRPA are reviewed for compliance with Chapter 60. In some cases, the City has entered into agreements with private property owners to treat runoff in the City's area-wide stormwater systems. For example, stormwater from Heavenly Village and Crescent V Shopping Center is conveyed and treated in the City's Park Avenue basins.

According to TRPA's BMP database the Tourist Core Area Plan has a 44% BMP compliance rate for BMP certification. Based on TRPA's BMP database a total of 291 out of 664 parcels have been issued their Certificate of Compliance from TRPA. However, it should be noted that the BMP compliance rate is based on issuance of a BMP certificate and not on actual BMP installation which is a permit requirement for all project approvals. Within the Tourist Core there are parcels that have BMPs installed but have not been issued a Certificates of Compliance. These parcels include Heavenly Village, Crescent V, Embassy Suites, Lake Tahoe Vacation Resort, and the Valero gas station.

Currently, TRPA is focusing its compliance efforts on commercial and multi-family projects in watersheds that are connected to the lake, or in catchments that have planned environmental improvement projects, or capital improvement projects proposed. Because of Caltrans' on-going water quality improvement project along US 50 within the City of South Lake Tahoe, TRPA has sent Notices of Failure to implement BMPs to commercial properties along the US 50 corridor that do not have Certificates of Compliance or active permits on file. Although the majority of the properties that were notified are located outside the area plan boundary, 20 properties within the area plan boundary did receive notices. An analysis of the notified properties indicate that some parcels have BMPs installed but have not requested a Certificate of Compliance. In other instances, properties are on hold in order to participate in an area-wide treatment system such as the Bijou Commercial Core Erosion Control Project.

Storm Water Drainage: Caltrans and the City are responsible for reducing erosion and storm water runoff from roads under their jurisdiction. This includes installing curbs, gutters, rock-lined channels, bio-swales, infiltration basins and other improvements that capture runoff from developed areas. The Stateline/Ski Run Community Plan called for implementation of an area-wide solution with construction of a series of detention basins and wetlands, interconnected by

pipes and stream channels. This area-wide solution was implemented with the construction of the Park Avenue Redevelopment Project (Heavenly Village and Crescent V Shopping Center) and is further described below. Within the Tourist Core the following water quality improvement projects have been constructed:

- Stateline Water Quality Improvement Project: This project collects and treats drainage from Pine Avenue to Stateline Avenue to Van Sickle Road to Park Avenue. In addition, this system collects "clean" stormwater runoff from the area easterly (mountain side) of Montreal Road and directs it to the North Ditch. It consists of curb and gutter, drainage conveyance systems, retention basins and revegetation.
- Park Avenue Redevelopment Project: Is a completely separate "urban storm water collection and conveyance system" that collects runoff from Heavenly Village and Crescent V Shopping Center and is treated by the Stateline Water Quality Improvement Project described above.
- Ski Run Blvd Boulevard/Osgood Drainage Basin Water Quality Improvement Project: This project collects and treats drainage from Ski Run Boulevard. It consists of curbs, gutters, drop inlets, and drainage pipes that convey storm water to the Osgood Basin for treatment prior to being released into the Ski Run Marina.
- Rocky Point 1-4: This project collects and treats drainage from the road right-of-way in the vicinity of Pioneer Trail and US Highway 50 and the residential neighborhood adjacent to the Tourist Core.
- US 50 Water Quality Improvement Project: This project collects and treats water along US 50 within the Caltrans right-of-way beginning at Al Tahoe Boulevard to 1000 west of the intersection of US 50 and Ski Run Boulevard. It consists of curb, gutters, drainage conveyance, ADA compliant pedestrian sidewalks, Class II bike lanes and pedestrian street lighting.

Figure 3-5 depicts completed water quality improvement projects within the Tourist Core and its vicinity.

Total Maximum Daily Load (TMDL): The TMDL program is a requirement of the Federal Clean Water Act. The program is designed to protect Lake Tahoe, an Outstanding Natural Resource Water, from certain pollutants of concern, including fine sediments, phosphorus and nitrogen.

Through the Lake Tahoe TMDL, the Lahontan Regional Water Quality Control Board (Lahontan) established five-year load reduction targets to assess each jurisdiction's progress towards meeting overall load reduction goals. Load reduction targets for Fine Sediment Particles (FSP), Total Phosphorus (TP), and Total Nitrogen (TN) have been established based on attainment of California's Lake Tahoe transparency standard (~ 97 feet) over an estimated 65-year implementation period. To meet the requirements of the TMDL Program, each jurisdiction holding a NPDES permit is required to reduce their baseline pollutant load by the following amounts shown in Table 3-4.

TABLE 3-4: LOAD REDUCTION TARGETS FOR THE TAHOE TMDL				
Pollutant	**5-Year Milestone 2016**	**10-Year Milestone 2012**	**15-Year Milestone 2026**	**Transparency Standards (~65-Years)**
Fine Sediment Particles	10%	21%	34%	71%
Total Phosphorus	7%	14%	21%	50%
Total Nitrogen	8%	14%	19%	46%
Source: Final Lake Tahoe Total Maximum Daily Load, August 2011)				

In 2011, the City submitted to Lahontan the City's Lake *Tahoe TMDL Baseline Pollutant Load Estimate Report* which was subsequently incorporated into the City's NPDES permit. The City's load reduction requirement through 2016 under the NPDES permit is shown in Table 3-5.

TABLE 3-5: CSLT 2016 LOAD REDUCTION REQUIREMENTS				
Parameter	**Baseline Load (kg/year)**	**Required Percent Reduction**	**Required Load Reduction (kg/year)**	**Allowable Load (kg/year)**
Fine Sediment Particle (mass)	176,450	10%	14,650	158,800
Fine Sediment Particles (# of particles)	1. 94E+19	10%	1. 94E+18	1. 75E+19
Total Phosphorus	789	7%	55	734
Total Nitrogen	3,361	8%	269	3,092
Source: City of South Lake Tahoe Pollutant Load Reduction Plan, January 2013.				

The City authorized development of a *Pollutant Load Reduction Strategy Report* to assess potential approaches for reducing pollutant loading to Lake Tahoe from urban stormwater runoff. The goal of the Strategy Report was to identify feasible and cost effective actions to meet anticipated targets to. Subsequently, in February 2013, the City Council adopted the *City of South Lake Tahoe Pollutant Load Reduction Plan* which documents the City's proposed approach and timeline for meeting the 2016 load reduction targets set forth in the City's NPDES permit. Lahontan subsequently approved the City's Load Reduction Plan in June 2013. Proposed strategies outlined in the Load Reduction Plan for meeting the load reduction targets are incorporate in the Tourist Core Area Plan and are discussed in detail in Section 7, *Natural and Cultural Resources* and Section 10, *Implementation*.

Scenic Resources: TRPA has adopted three separate regional scenic resource thresholds: 1) travel route ratings; 2) scenic quality ratings of individual resources; and 3) scenic resources seen from public recreation areas. All are numerical in nature. The first two thresholds apply to scenic resources visible from the Region's state and federal highways and Pioneer Trail and from Lake Tahoe itself. The Tourist Core contains a portion of Roadway travel route Unit #32, Casino Core, a portion of Roadway Unit #33, The Strip, a portion of Roadway Units #45, Pioneer Trail (North), and a portion of Shoreline Unit #31, Bijou. Figure 3-6 depicts the roadway and shoreline scenic units including identified scenic resources located within each corridor.

Roadway Units #32, #33 and #45 are all presently not in attainment with the threshold and are targeted for restoration in the Scenic Quality Improvement Program (SQIP) and the Stateline/Ski Run Community Plan. All three units had identified areas of concern and the SQIP and the Stateline Community Plan outlined recommended scenic improvements to bring the units toward attainment status. Scenic improvements called for in the community plan included improving the architectural style of existing and new buildings, using natural appearing building material, using natural colors, consolidating driveway access, locating parking lots in the rear or side yards, incorporating landscaping treatment, sign compliance and the undergrounding of utility line whenever possible.

Since the adoption of the Community Plan, numerous redevelopment, transportation and water quality projects have been implemented in the Tourist Core that have directly contributed towards scenic threshold gains. The 2006 Threshold Evaluation (Evaluation) noted that the majority of roadway units with improved threshold scores fall partially or wholly within Community Plan areas. Removal of degraded structures, improvement in architectural quality of new and remodeled structures, increased landscaping, creation of open space and landscape drainage basins, installing curb, gutters and pedestrian sidewalks and consolidating highway curb cuts, and improved signage have all contributed to a transformation in many of these units. This improvement affects both travel route and scenic quality ratings.

Within Unit #32 and #33, the Evaluation noted that sidewalk/landscaping projects, erosion control and water quality improvement projects, land buy-out by public agencies that removed decrepit structures have without exception improved the sense of place and the functionality of a core community area that resulted in scenic threshold improvements. Specifically, the Threshold Evaluation noted an improvement in scenic indicators for man-made features and roadway distractions, as a result of the completion of the former Embassy Suites Vacation Resort, Heavenly Village, and Crescent V Shopping Center. Future redevelopment efforts in the casino core and on the lakeside of US Highway 50 from the state line to Park Avenue are expected to improve the scenic and visual quality of this unit dramatically.

Along the US Highway 50 corridor from Park Avenue to Ski Run Boulevard the Evaluation also noted an improvement in scenic indicators for man-made features, roadway distractions, lake views and landscape views as a result of the completion of the Ski Run Marina Village, the linear park and the landscaped wildwood drainage basins. Moreover, the Evaluation noted improved lake views from US 50 and Ski Run Boulevard as a result of improved site design and large setback of the Lake Tahoe Vacation Resorts. Although the 2011 Evaluation noted that between 2006 and 2011, relatively few development and redevelopment projects were carried out in Unit #33, those projects that were implemented, the Evaluation noticed improvements in architectural and design quality that incrementally improves the scenic resource threshold. Examples of these projects include the Ski Run Center and the Valero Gas Station both located at the intersection of US 50 and Ski Run Boulevard. The following photographs illustrate completed projects in the Tourist Core that have been identified by TRPA's Threshold Evaluations as contributing to improving the scenic and community design thresholds.



Ski Run Commercial Center Rebuild



Ski Run Commercial Center Screening



Valero Gas Station Rebuild



McDonalds Rebuild



Lake Tahoe Resort Hotel (formerly Embassy Suites)



Linear Parkway



Heavenly Village Mixed-Use Project



Wildwood Basins and Children's Memorial

Unit #45 has also seen minor increase in its threshold score. The improvement is a result of implementation of the Ski Run Boulevard pedestrian improvements that improved the overall character of the roadway corridor resulting in an increase in the man-made feature and lake view threshold scores. Only a portion of Unit #45 is located within the Tourist Core and therefore the plan is not fully responsible for bringing Unit #45 into full attainment. However, it's expected that continual implementation of the SQIP at the project level and the installation of the pedestrian sidewalks along Pioneer Trail will contribute towards bringing this unit into threshold attainment.

Shoreline Unit #31 is currently in attainment for the Scenic Threshold. The 2011 Threshold Evaluation noted improvements along the shoreline as a result of the redesign and rehabilitation of El Dorado Beach (Lakeview Commons). The Evaluation also noted that additional improvement could be realized in the manmade environment if the Lake Tahoe Vacation Resort building improved color/material of the existing roof. Lake Tahoe Vacation Resort is currently upgrading their roof and siding to darker earthtone colors that will reduce the overall visual contrast and improve the view as seen from Shoreline Unit #31.

Scenic Quality Ratings (Scenic Resources 31. 3, 32. 1, 33. 2, 45. 1, 45. 2, and 45. 3) for the individual scenic resources located within the Roadway and Shoreline Travel Routes are all currently in attainment for the Scenic Threshold.

The current scenic threshold scores are provided in Table 3-6 below.

TABLE 3-6: THRESHOLD TRAVEL ROUTE AND SCENIC QUALITY RATINGS

Unit	1982	1991	1996	2001	2006	2011	Need for Attainment
31	9. 0	9. 0	9. 0	9. 5	9. 5	10. 5	+0. 0
32	13. 0	11. 0	11. 0	11. 5	13. 5	13. 5	+2. 0
33	6. 0	7. 0	7. 5	11. 5	14. 0	14. 0	+1. 5
45	10. 0	10. 0	10. 0	11. 0	11. 5	11. 5	+4. 0
Unit #31							
	Man-Made Features	**Roadway Distractions**	**Road Structure**	**Lake Views**	**Landscape Views**	**Variety**	**Threshold Score**
1982	**1**	**NA**	**NA**	**NA**	**4**	**4**	**9**
1991	**1**	**NA**	**NA**	**NA**	**4**	**4**	**9**
1996	**1**	**NA**	**NA**	**NA**	**4**	**4**	**9**
2001	**1. 5**	**NA**	**NA**	**NA**	**4**	**4**	**9. 5**
2006	**1. 5**	**NA**	**NA**	**NA**	**4**	**4**	**9. 5**
2011	**2. 5**	**NA**	**NA**	**NA**	**4**	**4**	**10. 5**
Unit #32							
	Man-Made Features	**Roadway Distractions**	**Road Structure**	**Lake Views**	**Landscape Views**	**Variety**	**Threshold Score**
1982	3. 0	1. 0	2. 0	2. 0	1. 0	4. 0	13. 0
1991	2. 0	1. 0	2. 0	2. 0	1. 0	3. 0	11. 0
1996	2. 0	1. 0	2. 0	2. 0	1. 0	3. 0	11. 0
2001	2. 5	1. 0	2. 0	2. 0	1. 0	3. 0	11. 5
2006	3. 5	2. 0	2. 0	2. 0	1. 0	3. 0	13. 5
2011	3. 5	2. 0	2. 0	2. 0	1. 0	3. 0	13. 5
Unit #33							
	Man-Made Features	**Roadway Distractions**	**Road Structure**	**Lake Views**	**Landscape Views**	**Variety**	**Threshold Score**
1982	1. 0	1. 0	1. 0	1. 0	1. 0	1. 0	6. 0
1991	1. 0	1. 0	1. 0	1. 0	2. 0	1. 0	7. 0
1996	1. 0	1. 5	1. 0	1. 0	2. 0	1. 0	7. 5
2001	3. 0	3. 0	1. 0	1. 5	2. 0	1. 0	11. 5
2006	4. 0	4. 0	1. 0	1. 5	2. 5	1. 0	14. 0
2011	4. 0	4. 0	1. 0	1. 5	2. 5	1. 0	14. 0
Unit #45							
	Man-Made Features	**Roadway Distractions**	**Road Structure**	**Lake Views**	**Landscape Views**	**Variety**	**Threshold Score**
1982	1. 0	1. 0	3. 0	2. 0	2. 0	1. 0	10. 0
1991	1. 0	1. 0	3. 0	2. 0	2. 0	1. 0	10. 0
1996	1. 0	1. 0	3. 0	2. 0	2. 0	1. 0	10. 0
2001	1. 5	1. 0	3. 0	2. 5	2. 0	1. 0	11. 0
2006	2. 0	1. 0	3. 0	2. 5	2. 0	1. 0	11. 5
2011	2. 0	1. 0	3. 0	2. 5	2. 0	1. 0	11. 5

Source: 2012 TRPA Threshold Evaluation

Open Space: Open space parcels in the planning area are primarily held in public ownership and generally include environmentally sensitive lands and lands designated for the treatment of stormwater runoff. The Tourist Core contains 15 acres of land that is designated as open space. This accounts for 5.3% percent of the total land in the Tourist Core.

Cultural Resources: Most of the Tourist Core has been subject to archaeological survey during the preparation of the Stateline/Ski Run Community Plan and during review of development projects. The archival review and field surveys resulted in no evidence of, potentially significant prehistoric, archaeological or Washoe cultural sites within the Tourist Core. However, several potential significant historic properties were identified in the south shore in TRPA's historic resource database. Resources identified include Tahoe Meadows, located adjacent to the Tourist Core, which is designated as a Historic District by TRPA and is listed on the National Register of Historic Places. The Lapham Hotel (later Lakeside House or Lakeside Park) was situated at the present day intersection of Pioneer Trail and Highway 50 (Koval, 1990). Modern development in the area has in all likelihood destroyed any archaeological evidence that might have remained. The McCombers Station was situated near the intersection of Pioneer Trail and Ski Run Boulevard; however, subsequent surveys during project review for the City of South Lake Tahoe Fire Station #1 and the Aspens at South Lake Affordable Housing projects did not turn up intact archaeological evidence of the site. The Lake Valley Lumber Pier and Railroad was located adjacent to and paralleled the present day Timber Cove Pier. Due to safety and navigation concerns the pier and railroad was demolished in the mid-1980s. In addition, the Pony Express Trail (California Trail) travels through the boundaries of the Tourist Core. The Pony Express was a mail service delivering messages and mail from St. Joseph, Missouri across the Great Plains, over the Rocky Mountains and the Sierra Nevada to Sacramento, California by horseback, using a series of relay stations. The route generally follows Pioneer Trail through the Tourist Core to Yank's Station in Meyers and then roughly follows U. S. Highway 50 to Placerville and Sacramento.

All Projects and activities affecting sites, objects, structures, or district that have been designated, or are pending designation by TRPA, or are discovered are subject to TRPA Code of Ordinances Chapter 67, Historic Resource Protection.

TRANSPORTATION

Highways and Streets: The highway and street network within the Tourist Core is largely dominated by US Highway 50 which provides access along the entire length of the plan area. US Highway 50 is the major east-west roadway facility connecting Sacramento, California and Carson City, Nevada, and is the main facility serving the south shore area of Lake Tahoe. Along most of its 2 mile length within the Area Plan, US Highway 50 is a five-lane arterial with a continuous two-way left-turn median lane that transitions to dedicated left-turn pockets at major intersections. In addition to US Highway 50, there is an irregular network of arterial, collector, and local streets that provide the remaining framework for the overall roadway system. These secondary streets serve as the connection points to local neighborhoods as well as serving as some of the few points where access is available to Lake Tahoe and mountain-based recreation opportunities. The existing transportation and circulation facilities are shown in Figure 3- 7.

The combination of a relatively limited network of roads along with the high traffic volumes created during peak visitor periods emphasizes the importance of having a well-functioning transportation and circulation system. During peak hours, congestion affects the area. Currently under consideration is a plan to realign a portion of US Highway 50 within the plan area in an effort to minimize peak season traffic delays. Along with this highway realignment the proposal is to narrow the existing highway right of way in order to create a pedestrian friendly main street, while helping achieve the TRPA's water quality and scenic thresholds. The proposed plan is

currently titled the US 50/South Shore Community Revitalization Project and is currently undergoing environmental review.

Level of Service: TRPA's existing Goals and Policies set standards for vehicle "level of service" (LOS). LOS is a qualitative measure that describes the operating performance of transportation facilities. For roadways, LOS is an indicator of traffic flow from the perspective of motorists based on factors such as speed, travel time, delay, freedom to maneuver, volume, and capacity. It is defined on a scale from LOS A, the least congested operating conditions, to LOS F, the most congested operating conditions.

The TRPA Goals and Policies and the Stateline Community plan require that peak period traffic flow not exceed LOS D for major roadways (arterials and collector routes), and signalized intersections shall be at LOS D. LOS E may be acceptable during peak periods, not to exceed 4 hours per day.

Within the Tourist Core the US 50/Ski Run Boulevard intersection is operating at LOS D and the US 50/Park Avenue and Heavenly Village Way is operating at LOS C while US 50 roadway segment is operating at LOS E during the summer Friday evening peak hour (TRPA, 2012).

As noted previously, TRPA LOS policies permit LOS E operations in urban areas not to exceed four hours per day. To determine whether LOS E operations occur for more than four hours, hourly traffic volume data were obtained from Caltrans' PeMS database for a Friday in August 2010 for several segments of US 50. The analysis concluded that the US 50 roadway segment, within the Tourist Core, currently operates within the TRPA LOS goals.

While a number of roadways currently operate at LOS D or E, the key intersections connecting those facilities generally operate at LOS C or better. This is because many of those intersections have been designed with additional travel lanes, channelized "free" right-turn movements, and other capacity enhancements to operations for this segment (TRPA, 2012a).

Multi-Modal Transportation: Ongoing and proposed development within the Tourist Core highlights the importance of improving area connectivity by providing multi-modal transportation options to mitigate peak period traffic congestion along US 50 in the project area. Public transportation options, bike paths and sidewalks are all integral to establishing a comprehensive multi-modal system that promotes pedestrian safety and access to ensure that the area will be a safe, convenient, and an attractive place to visit. Currently public transportation options along US 50 include the South Shore fixed-route service (Blue Go Buses), the summer seasonal Nifty 50 Trolley, winter seasonal ski shuttles and commuter bus service to Carson City and the Carson Valley. In addition, there are two transit centers, one located within the Tourist Core and one located just outside. The Stateline Transit Center is located adjacent to the Heavenly Gondola in the Tourist Core and the Kingsbury Transit Center is located at the base of SR 207 in Nevada. . These services and facilities are designed to provide mobility options to both local residents and visitors by connecting the outlying residential areas with employment, resort and entertainment facilities.

While US 50 serves as the primary vehicular route through the plan area, there is a need for a continuous pedestrian infrastructure and bicycle lanes to encourage the use of alternative forms of transportation. US 50 currently has a Class I bike path that extends from Ski Run Boulevard to the intersection of US 50 and Pioneer Trail which then connects to an existing pedestrian sidewalk that extends the length of US 50 to the state line on the mountain side. The portion of pedestrian sidewalk that runs on the mountain side of US 50 from Heavenly Village Way to the state line is designed to meet Class I shared use path standards. In addition, a Class I shared use path extends from Ski Run Marina along Ski Run Boulevard to the intersection of Pioneer Trail which then connects to a Class II bike lane that extends to the intersection of Pioneer Trail

and US 50. Other Class II bike lanes in the plan area include a short segment along Heavenly Village and a 1.95 mile segment that extends westward along US 50 from the intersection of Ski Run Boulevard out of the plan area to just past Al Tahoe Boulevard. In general sidewalks are not adequately sized to accommodate the pedestrian demand and their location in most places directly adjacent to the highway which limits the potential for creating attractive and enjoyable places to walk. One exception exists in the vicinity of the Heavenly Village area, where the sidewalks are buffered from the highway with landscaping and sidewalk widths are up to 26'. This area is also one of the primary access points to Heavenly Mountain Resort via the gondola.

Parking Facilities: Most private businesses located within the Tourist Core provide off-street parking for employees and patrons. The majority of businesses provide at grade paved lots with the exception of two structured parking lots. One is located on Ski Run Boulevard and provides parking for the Lake Tahoe Vacation Resort and the second is located at Heavenly Village and is owned by the City of South Lake Tahoe. In most cases, newer facilities have incorporated landscaped islands and berms to reduce the visual and scenic impact of large expanses of asphalt. In addition, on-street parking is permitted on local streets on the lakeside of US 50 between Park Avenue and the state line. Parking is limited to two hours and is enforced by the City.

RECREATION

Access to year-round recreational facilities and activities within the Tourist Core or within close proximity includes beach recreation, boating, golfing, skiing, snowmobiling, hiking and biking.

Public access to the lake for boating and beach recreation is provided at Ski Run Marina, Lakeside Marina and Timber Cove Pier. Forest lands managed by the US Forest Service located nearby at Rabe Meadow also provide access to the lake and beach recreation at Nevada Beach as well as walking, bike riding and passive outdoor recreation opportunities. Access to hiking, equestrian and mountain biking trails are directly accessible from the Tourist Core through the Van Sickle Bi-State Park which connects to the Lake Tahoe Rim Trail. Two publicly accessible golf courses are located adjacent to the Tourist Core. They are the privately owned Edgewood Golf Course and the City owned Bijou Golf Course. Access to winter sport activities is provided by Heavenly Resort which is accessible from Ski Run Boulevard or directly from Heavenly Village at Stateline via the gondola. During the summer months, Heavenly Ski Resort provides numerous summer recreation opportunities via the gondola.

Other informal recreation activities such as biking, jogging and walking are provided by an extensive multi-modal transportation network that includes shared use paths, pedestrian sidewalks and Class II bike lanes that provides access within the Tourist Core to many of the recreation facilities mentioned above. In addition, the recreation facilities are accessible via public transit which is provided by Blue Go.

Figure 3-8 depicts recreation facilities and recreation access opportunities within the Tourist Core and those within close proximity.

PUBLIC SERVICES AND FACILITIES

Within the Tourist Core Area Plan, the following utility services are provided:

Water: South Tahoe Public Utility District (STPUD) and Lakeside Park Association provide water service to the Tourist Core.

STPUD is a California Special District established in 1950. The 27,000-acre service area encompasses the south shore area of Lake Tahoe from Emerald Bay on the west, Christmas Valley in the south, to the California-Nevada state line on the east. The California portion of the Lake Tahoe Basin is allocated a total annual surface water and groundwater diversion of 23,000 acre-feet per year (AFY). Of this, the California State Water Resources Control Board (SWRCB) allocated a total maximum of 12,493 AFY for use within the STPUD service area. STPUD currently owns a total maximum allocation of 9,528 AFY, and the district projects that its available water supplies will remain at 9,528 AFY through 2030 (STPUD, 2007 & CSLT, 2011).

According to STPUD's 2005 Urban Water Management Plan, water demands within the service area will increase from an estimated 7,600 AFY in 2010 to approximately 8,400 AFY in 2030. This is a projected increase of only 800 AFY, or 10. 5 percent, over the 20-year period and is still well within STPUD's existing 9,528 AFY (STPUD, 2007 & CSLT, 2011). Due to TRPA's strict growth controls as well as the low number of remaining vacant parcels within the STPUD service area (approximately 3,000); it is unlikely that the maximum water diversion allocation for the STPUD service area will be exceeded as a result of development within the Tourist Core.

Lakeside Park Association (LPA) was incorporated in 1938 to provide water and recreation facilities to the first subdivision at South Tahoe, which subdivision had been established in 1909. LPA, a non-profit corporation, owns and operates a Mutual Water District whose franchise area serves the neighborhood now located in the Tourist Core between US Highway 50 and Pine Boulevard and between Stateline Avenue and Park Avenue, as well as the neighborhood adjacent to the Tourist Core from Azure Avenue to the Lake and from Park Avenue to the state line. Lakeside Park Association service covers potable water as well as interior and neighborhood fire suppression.

LPA serves the entire area within the LPA Mutual Water District with the exception of 6 parcels and 6 fire hydrants which were or are served by STPUD. Current plans to develop the Chateau Project at the corner of US Highway 50 and Stateline Avenue encompass 2 parcels originally served by LPA and 4 parcels served by STPUD. , All but 2 of the remaining parcel's water service will be the responsibility of LPA upon completion of the project.

The LPA obtained water rights from SWRCB to pump approximately 1 million gallons per day (mgd) of water from Lake Tahoe. LPA draws water from Lake Tahoe thru an intake line from a point 2300 feet from the shore line to a depth of 33 feet. The water is transferred from a pump station located at the North end of Lakeside Park Beach on the shoreline of Lake Tahoe to the treatment plant which includes a 220,000 gallon treatment/storage tank located on Pine Boulevard located within the Tourist Core. The water treatment system can supply up to 700 gpm with a 37,000 gallon reserve storage for consumption using a combination of surface and ground water. LPA can also supply ground water from a well (Well #3) that is located next to the storage tank. An 10 inch inter-tie exists with STPUD should either system require additional water supplies during an emergency.

Lakeside's current surface water pumping rate is approximately 200 gpm as a result of the reduced number of lodging and commercial customers from the Project 3 redevelopment. Lakeside also pumps groundwater from well #3 at a rate of approximately 350 gpm during the summer months and during peak usage hours (LPA, 2013). LPA's average daily flow is 124,300 gpd with a throughput capacity of 1 million gallons. All the flow rates calculated above are for potable quality water. In the event of a major fire the rate can be increased further. LPA Mutual Water District has the capacity to serve the future development in its franchise area by a factor of 8 (LPA 2013). Since only a small portion of the Lakeside community is located within the Tourist Core, and it is primarily built out, and adequate capacity exists, it is unlikely that the maximum water diversion allocation for the LPA service area will be exceeded as a result of development within the Tourist Core.

Wastewater: South Tahoe Public Utility District provides wastewater treatment service to those areas of the Tahoe Basin in El Dorado County, including the entire City of South Lake Tahoe.

STPUD's wastewater collection/treatment/recycling processes are a 7.7 mgd advanced secondary operation serving approximately 17,000 customers (STPUD, 2007). STPUD operates 22 pump stations in its service area including 2 located within the Area Plan: Ski Run and Bijou. STPUD's wastewater treatment plant has a 7.7 mgd capacity and treats about 1.8 billion gallons of wastewater annually with an average flow of 4.0 mgd (STPUD, 2013).

Because the STPUD wastewater treatment plan currently exhibits excess capacity of approximately 3.7 mgd on average dry days and 1.7 mgd on peak dry days, the limited amount of anticipated development or the redevelopment of existing commercial or residential uses in the Tourist Core is not expected to require additional treatment capacity at the wastewater treatment plant.

Solid Waste: South Tahoe Refuse (STR) provides solid waste removal service in the Tourist Core. STR has a franchise agreement with the City of South Lake Tahoe for the collection and transportation of solid waste to processing and/or disposal facilities. Solid waste is delivered to the Lockwood Regional Landfill in Storey County, Nevada. The Lockwood Regional Landfill has a remaining capacity of 32 million cubic yards (approximately 22 million tons) with plans to expand the total capacity from 64.8 million cubic yard to 302 million cubic yards (approximately 204 million tons) (TRPA, 2012). The growth permitted by the adopted TRPA Regional Plan is anticipated to increase solid waste by 111,600 tons per year basin wide and only a fraction of that total would be generated in the Tourist Core. Given the substantial existing capacity of 22 million tons, and the planned expansion of the landfill, the Tourist Core will be adequately served in the future.

Electricity Services: Liberty Utilities provides electrical service to the Tourist Core. Liberty Utilities has one major transmission line rebuild on the north shore in the planning phases and a variety of smaller projects underway to ensure system wide reliability for it planning horizon. Liberty Utilities claim to have enough excess capacity to accommodate any future development anticipated in the adopted TRPA Regional Plan (TRPA, 2012).

Gas Services: Southwest Gas provides natural gas service to Tourist Core. Southwest Gas has experienced around 1 percent growth per year in the Lake Tahoe Area. Although it has a number of projects underway to replace old polyvinyl chloride (PVC) main lines, it has no plans for substantial expansion of the existing system, which it believes can accommodate growth anticipated in the adopted TRPA Regional Plan (TRPA, 2012).

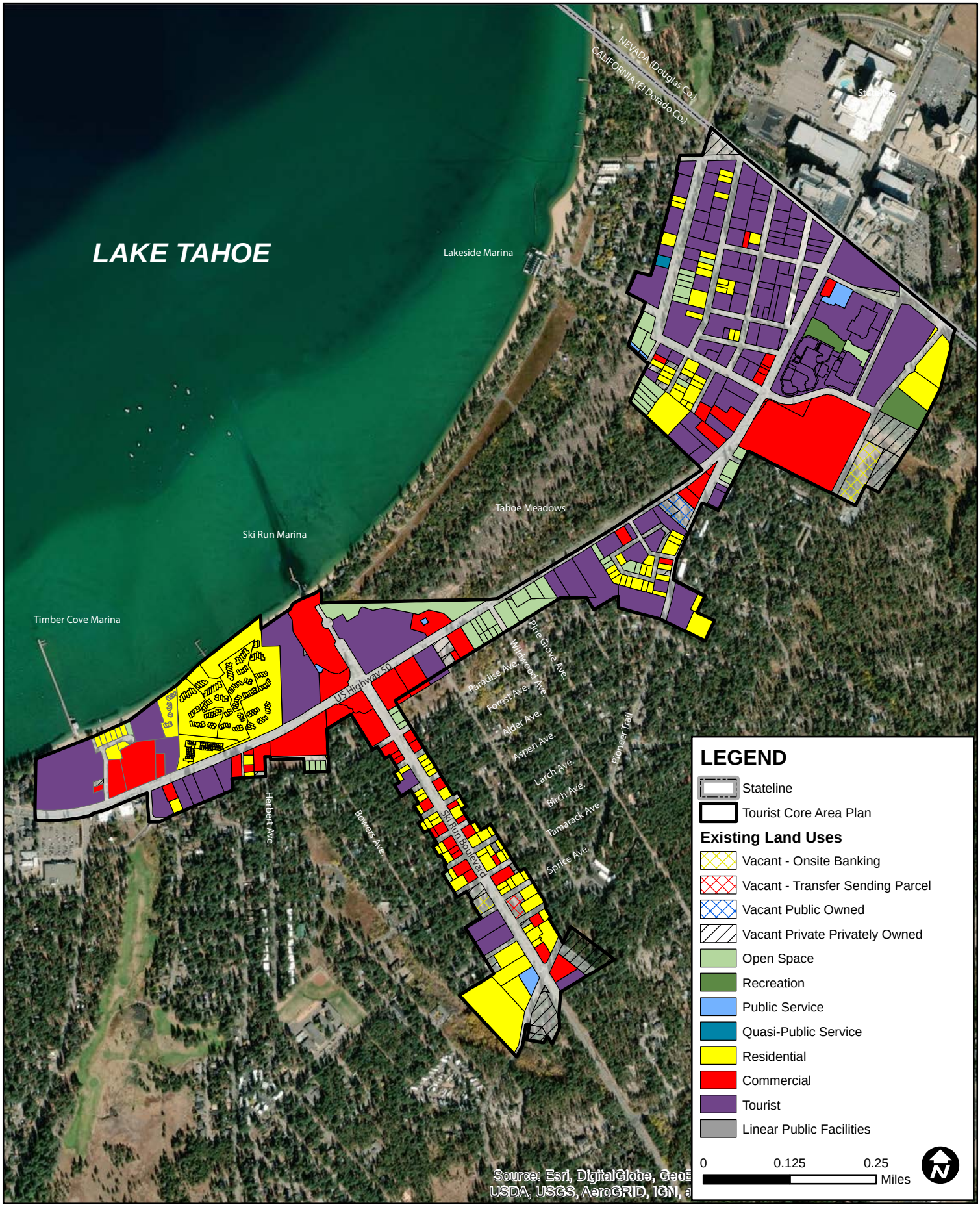
Telephone and Cable Services: AT&T and Charter Communications provide telephone and cable services to the Tourist Core.

City of South Lake Tahoe Facilities: Fire Station #1 is located at 1252 Ski Run Boulevard. This facility is owned by the City and is one of four that serve South Lake Tahoe. This station services the Ski Run and Stateline area with response time between three and five minutes. The Fire Department provides local ambulance service, and has mutual aid agreements with other fire and emergency response agencies in the Tahoe Region.

The City General Plan does not identify any new locations for new fire protection facilities within the Tourist Core. However, the General Plan does identify requirements for future development to ensure adequate fire protection services, which could result in new or expanded facilities. It is expected that new development in the Tourist Core will increase demand for fire protection;

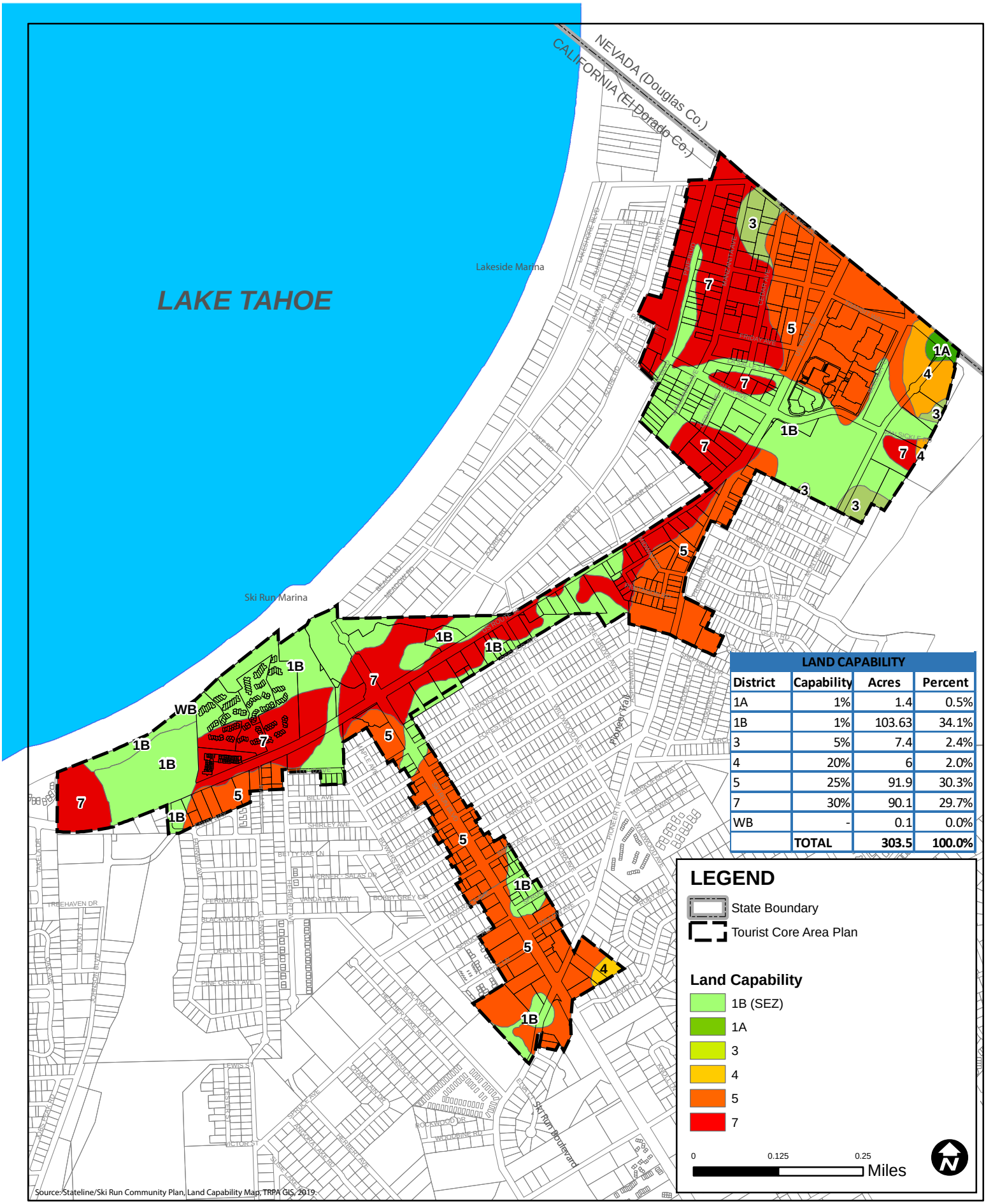
however, implementation of fire protection provisions of the General Plan would ensure that existing fire protection service impacts area addressed.

Figure 3-9 depicts the locations of public and quasi-public service facilities with the Tourist Core.



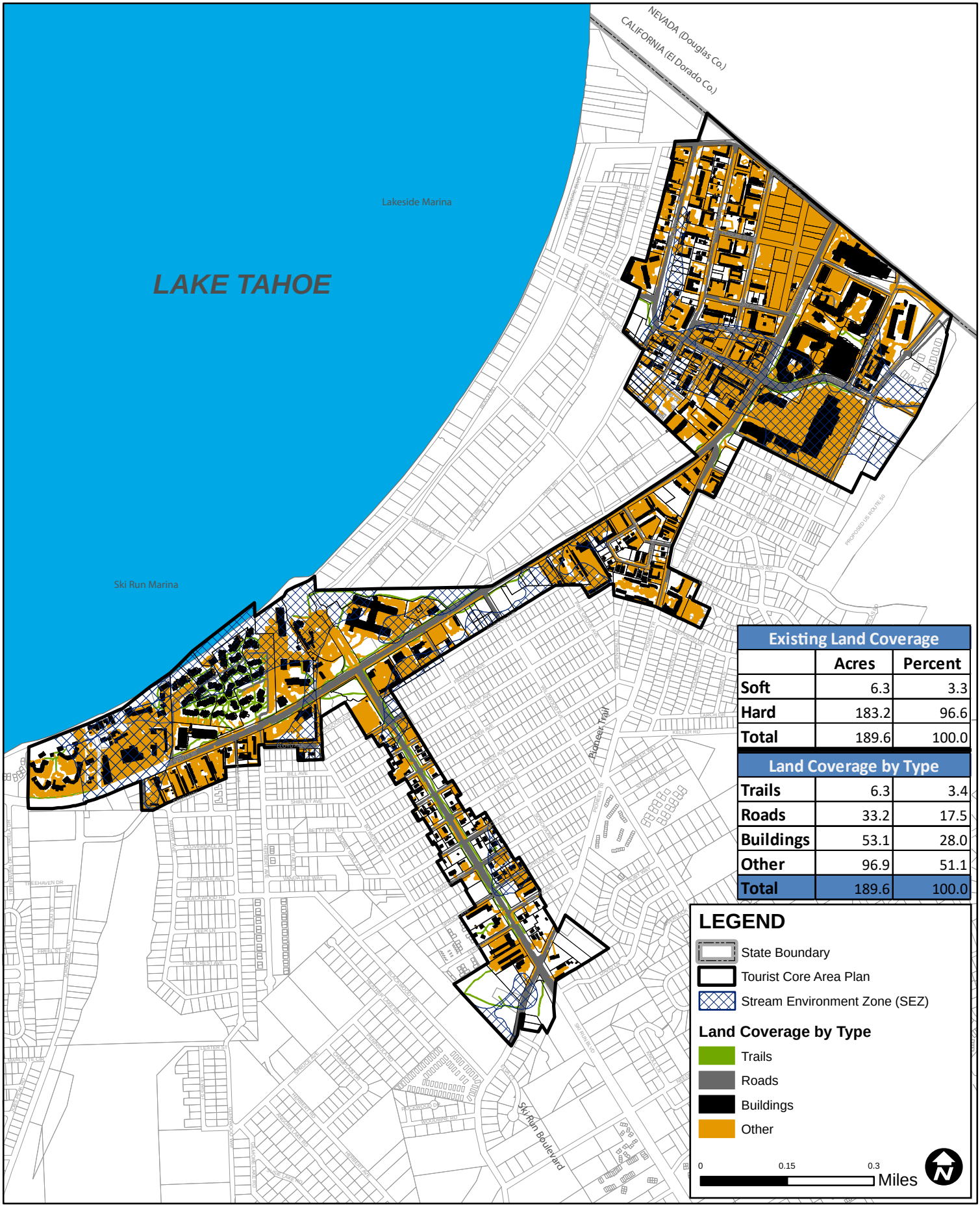
City of South Lake Tahoe, CA
Tourist Core Area Plan

Figure 3-1
Existing Land Uses
September 2020



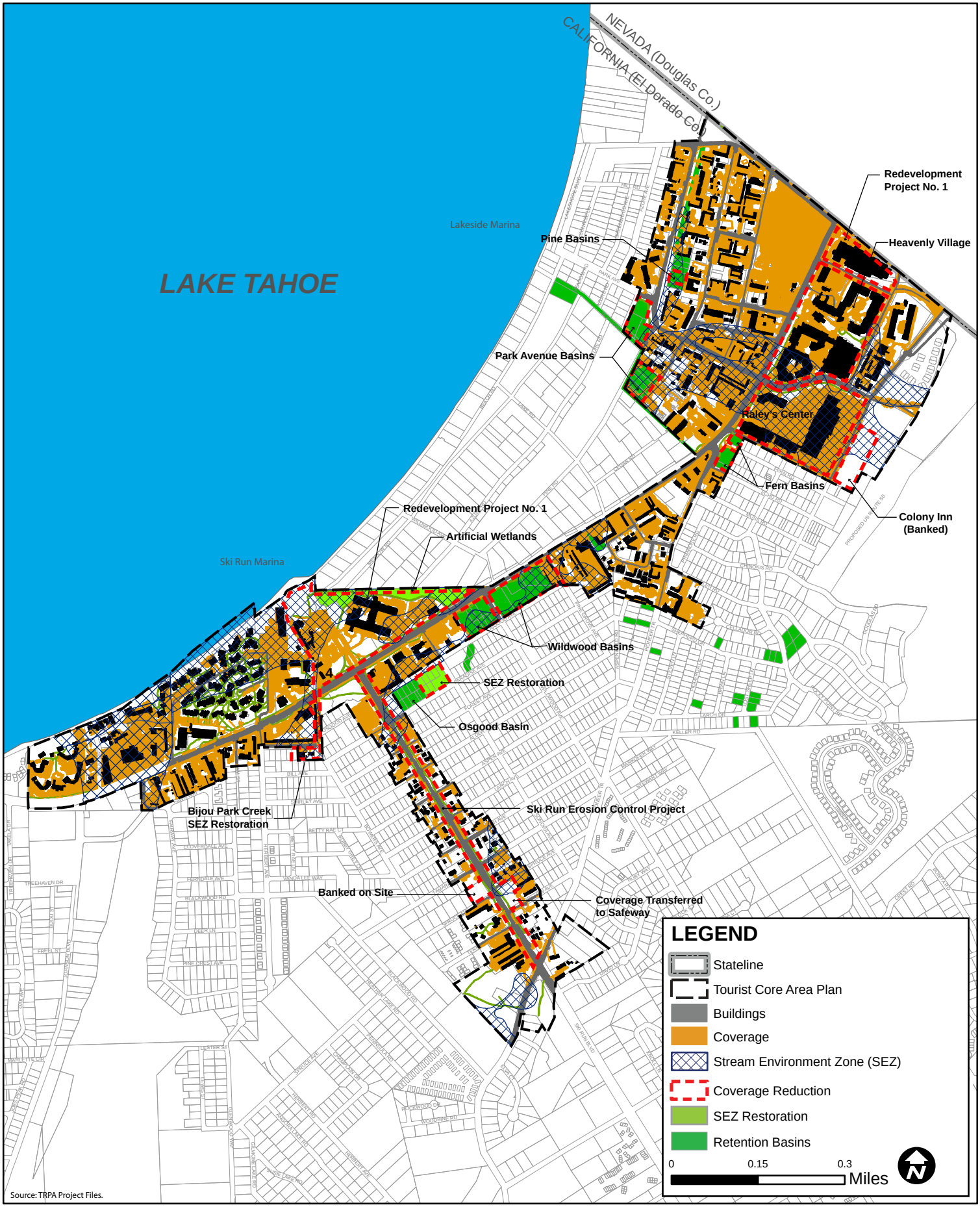
City of South Lake Tahoe, CA
Tourist Core Area Plan

Figure 3-2
Mapped Land Capability
September 2020



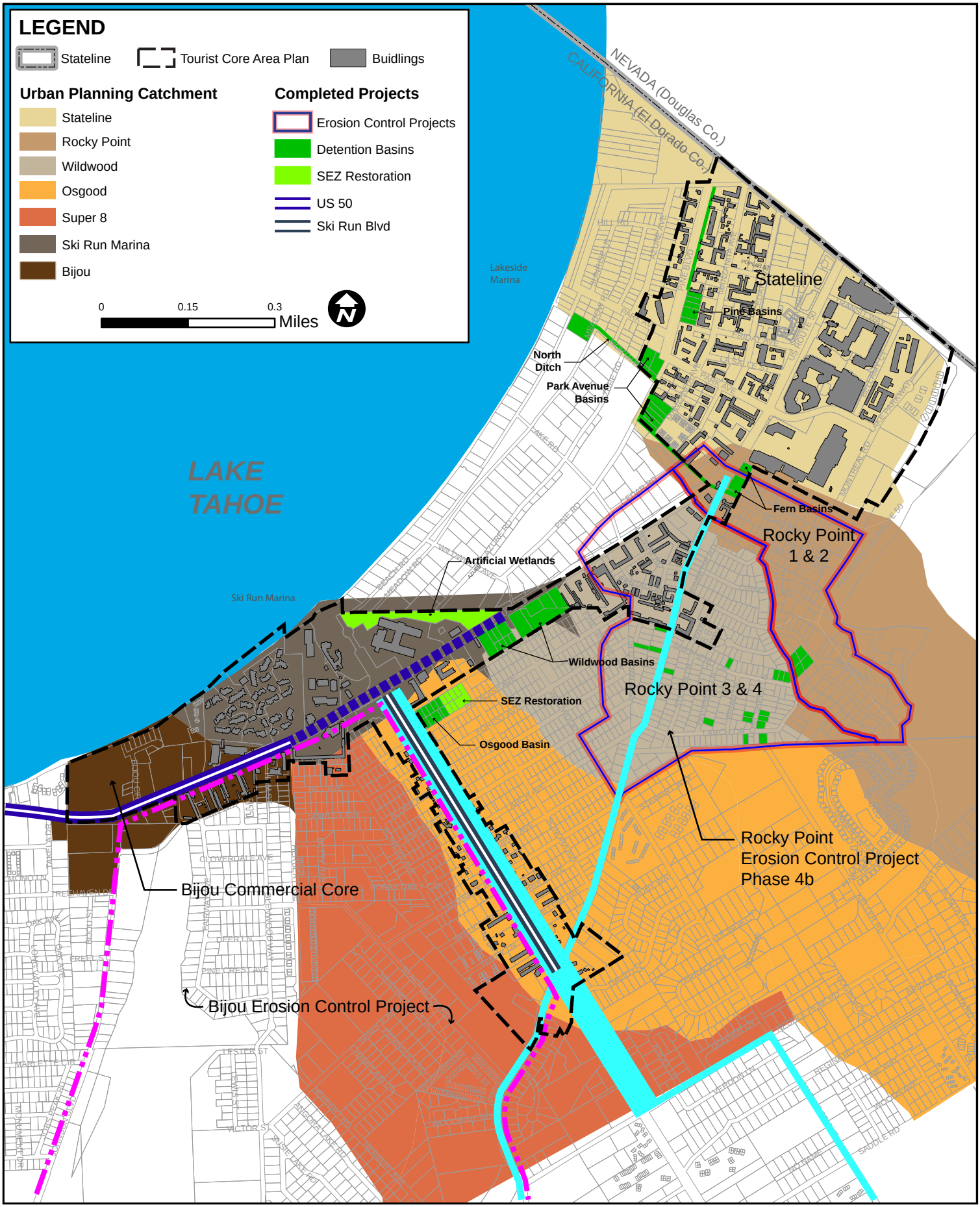
City of South Lake Tahoe, CA
Tourist Core Area Plan

Figure 3-3
Existing Land Coverage
September 2020



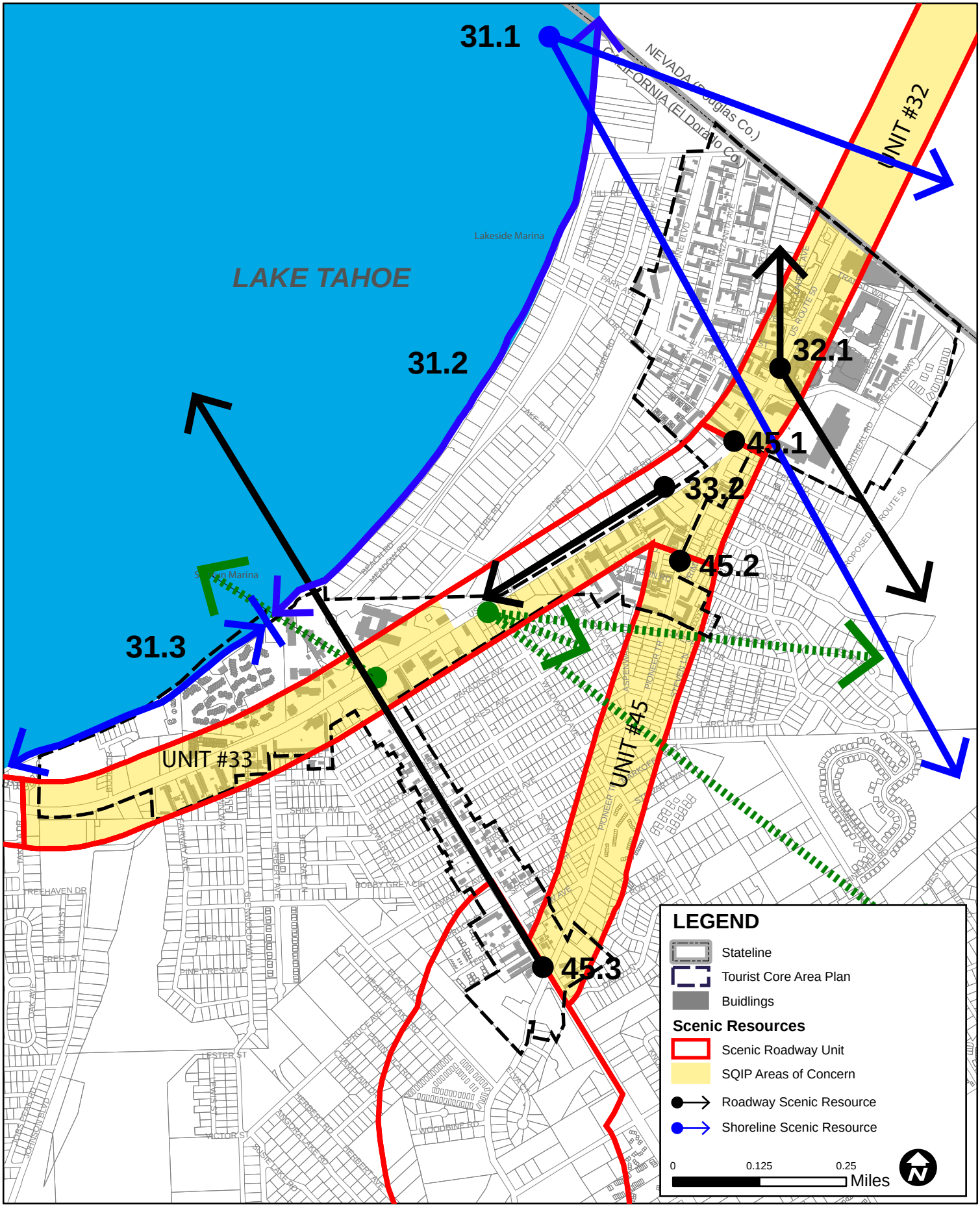
City of South Lake Tahoe, CA
Tourist Core Area Plan

Figure 3-4
Land Coverage Reduction
September 2020



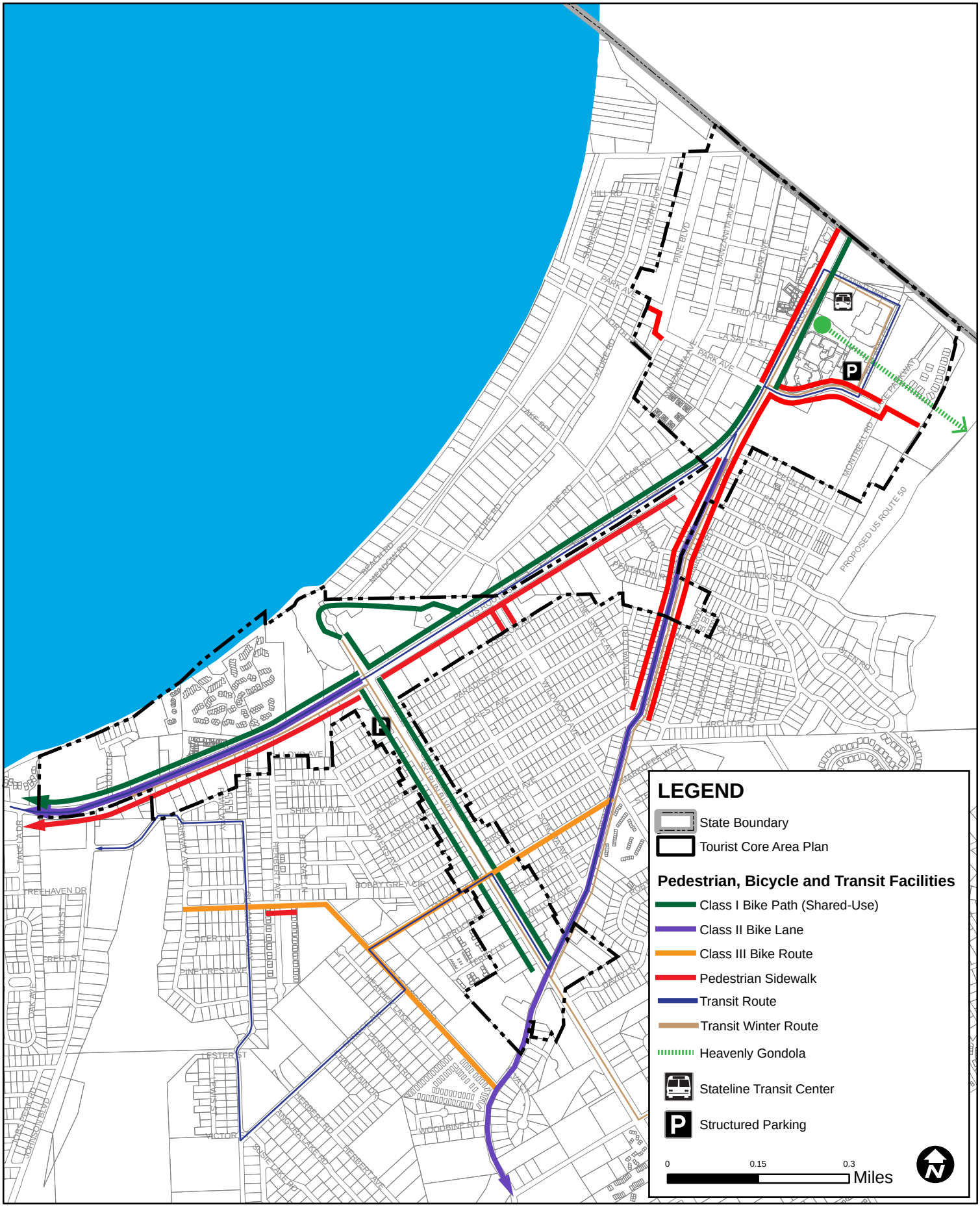
City of South Lake Tahoe, CA
Tourist Core Area Plan

Figure 3-5
Existing Water Quality Improvements
September 2020



City of South Lake Tahoe, CA
Tourist Core Area Plan

Figure 3-6
Existing Scenic Resources Map
September 2020



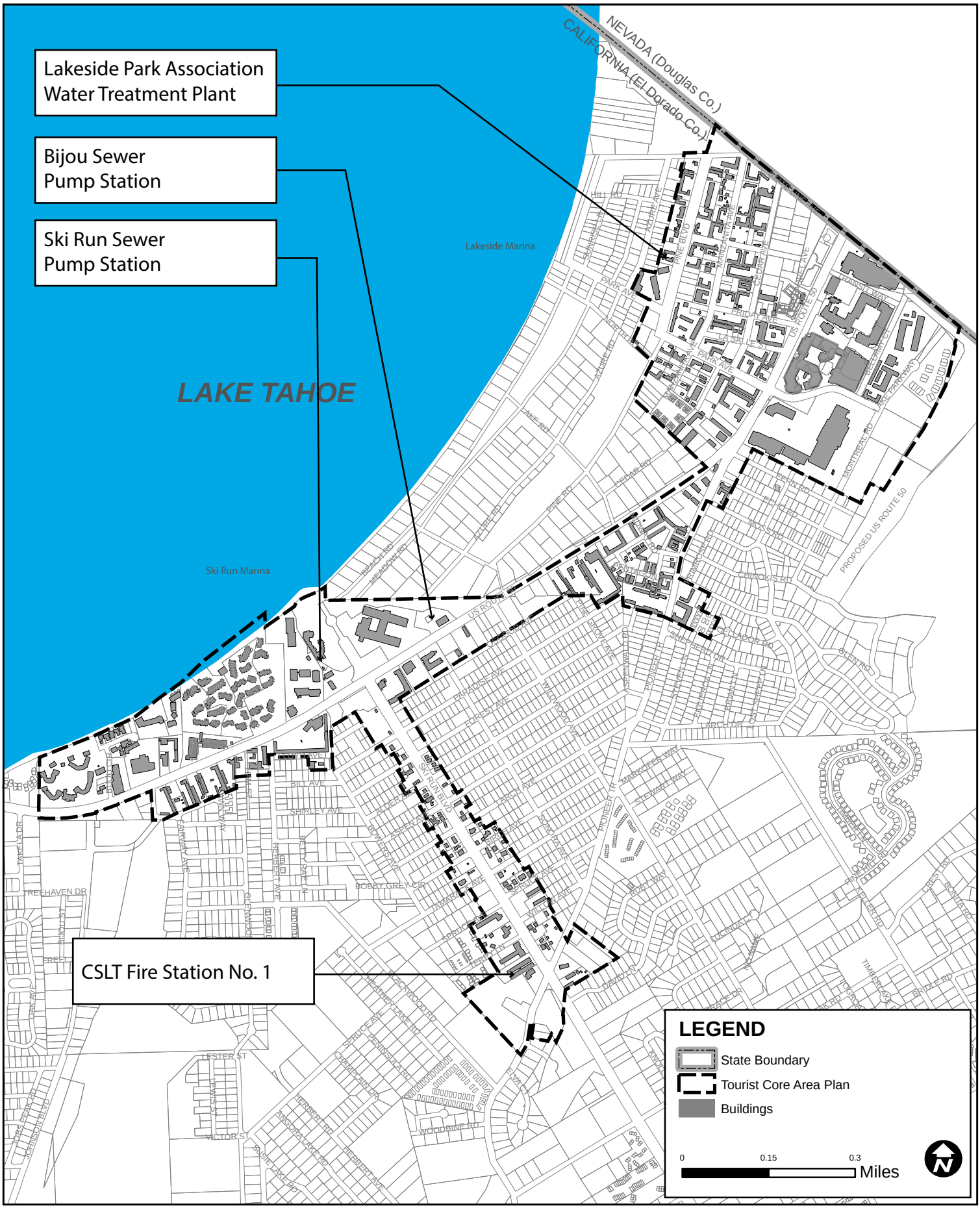
City of South Lake Tahoe, CA
Tourist Core Area Plan

Figure 3-7
Existing Transporation Network
September 2020



City of South Lake Tahoe, CA
Tourist Core Area Plan

Figure 3-8
Existing Recreation Facilities
September 2020



City of South Lake Tahoe, CA
Tourist Core Area Plan

Figure 3-9
Existing Public/Quasi-Public Facilities
September 2020

Section 4
VISION AND GUIDING PRINCIPLES

By virtue of its location in proximity to Lake Tahoe with access to excellent skiing facilities, beach recreation and gaming in Nevada, the Stateline/Ski Run area is one of the most popular destinations within the Lake Tahoe Region. The Tourist Core Area Plan reflects the City of South Lake Tahoe and the community's effort to rekindle the economic vitality of the Stateline/Ski Run area. A fundamental cornerstone of this Area Plan is the conviction that Stateline/Ski Run area should be a regional tourist destination and recreation center. To accomplish this vision, guiding principles, goals and policies encourage diversification of tourist, recreation and commercial attractions to create the high quality development expected in a destination resort community.

4.1 VISION STATEMENT

The area is envisioned as a central destination that provides full services for tourists and permanent residents and offers unique experiences related to the many outdoor recreation possibilities that surround the core area. The revitalization of the South Shore will catalyze the transformation from a failing and vestigial gaming economy into a sustainable outdoor tourism recreational destination by incorporating active streetscapes, shopping, entertainment and outdoor dining opportunities. In addition, transit and alternative travel will provide an essential part of the envisioned destination resort experience resulting in significant environmental gain and improved scenic quality.

4.2 GUIDING PRINCIPLES

Guiding principles for this Area Plan are derived from the South Shore Vision Plan and the existing adopted Stateline/Ski Run Community Plan. The following principles of the Area Plan create the foundation for a more a sustainable, economically prosperous, communal and environmental future:

- Include transit and alternative travel modes as an essential part of the destination resort experience.
- Implement transportation improvements that provide for both vehicular and pedestrian circulation.
- Create complete streets that allow for multiple uses including automobiles, bikes, and pedestrians.
- Implement environmental improvements to upgrade the natural and built environment.
- Establish a diversity and concentration of mixed-uses that create a strong, lively market.
- Establish gateway mixed-use resort nodes with a strengthened recreational presence.

- Establish the areas between the resort nodes on Highway 50 as open space areas (remove old buildings and restore stream zones and open space).
- Establish a low speed Main Street in the center.
- Surround the resort center with visual open space.
- Establish a physical environment that creates a distinct sense of place.
- Establish an animated street for retail, dining, entertainment and events.
- Accomplish urban place making through the creation of interesting public gathering places.
- Locate recreation uses in close proximity to the bed base and include a diverse array of outdoor activities.
- Create high quality accommodations to replace the obsolete properties.
- Originate critical access to Lake Tahoe from the resort center and visually and physically make the lake central to the resort experience.
- Develop new programs and facilities as catalysts to improve market attraction and improve area attractions (conference, indoor and outdoor theater, visitor center, museum).

These principles are incorporated into the land use districts, development and design standards and other sections of this Area Plan.

4.3 GOALS

In addition to the principles established above, the goals of the Tourist Core Area Plan are:

- Reduce dependency on the automobile and improve the movement of people, goods, and services within the Tourist Core and Region consistent with the economic and environmental goals of the Area Plan.
- Maintain a balance between economic health and environment by correcting past deficiencies in land use and being responsive to the needs and opportunities of the Tourist Core.
- Preserve, enhance and create additional high quality recreational opportunities and experiences within the Tourist Core.
- Ensure that the design elements of new, remodeled and rehabilitated development are compatible with the scenic, recreation, and community values of the Tourist Core Area Plan and that physical development is consistent with the environmental and ecology of the Tahoe Region.
- Public services and facilities should be upgraded to support existing and new development.

Section 5
LAND USE
AND COMMUNITY DESIGN

This section sets forth goals and policies for both land use and community design for the Tourist Core Area Plan.

5.1 GOALS AND POLICIES

This subsection outlines land use goals and policies for the Tourist Core Area Plan. These goals and policies implement the vision and guiding principles discussed earlier.

Goal LU-1 Land Use
Continue to shape the Tourist Core into a pedestrian-oriented destination center for tourist and permanent residents that provide high quality services, accommodations, and recreational experiences.

- **Policy LU-1.1**
  Reinforce the Tourist Core as the primary visitor and tourist district in South Lake Tahoe.

- **Policy LU-1.2**
  Promote the revitalization of the Tourist Core by encouraging a mixed land use pattern that combines tourist accommodation, residential, commercial, public facilities, and public spaces to serve visitors- and locals alike.

- **Policy LU- 1.3**
  Create distinctive, connected, and walkable districts that have a strong sense of identity.

- **Policy LU-1.4**
  Animate streets by allowing uses such as retail, entertainment, special events, outdoor dining and seating, oriented towards the sidewalk.

- **Policy LU-1.5**
  Continue to promote a vibrant pedestrian oriented center that includes retail, entertainment, tourist accommodation and residential uses, and community activity centers such as a public plaza that serves the needs of visitors and residents.

- **Policy LU-1.6**
  Continue to develop Ski Run Boulevard as a multi-modal mixed-use corridor with a streetscape that provides identity to the street and allows for a rich mix of uses including but not limited to services, public facilities, recreation, entertainment, retail, restaurants, tourist accommodation, residential and office spaces.

- **Policy LU-1.7**
  Create a connection to the casino core in Nevada with a seamless pedestrian street environment on both sides of the Hwy 50 and across the state line.

- **Policy LU-1.8**
  Designate areas within the tourist center and mixed-use corridor districts as a Special Events Area allowing for temporary events and activities to increase pedestrian and economic activity in these areas. All other temporary events and uses proposed outside these areas shall require a temporary use permit.

- **Policy LU-1.9**
  Encourage the operation of Farmers' and Outdoor Markets in the Tourist Center and Mixed-Use Corridor districts.

- **Policy LU-1.10**
  Allow for the diversification of land uses within the Tourist Core to promote mixed uses and increase commercial, recreation and tourist business opportunities to strengthen the south shore's economic base.

- **Policy LU-1.11**
  All proposed new uses located within the Heavenly Village District requires prior approval by the Park Avenue Development Management Association (PADMA) Board of Directors.

Goal LU-2 Community Design
Ensure that the design of new, remodeled, and rehabilitated development improves the community character of the Tourist Core through appropriate site and building design standards that promotes a high quality physical environment that establishes a distinct sense of place.

- **Policy LU-2.1**
  Create an intriguing built environment by promoting the use of architectural themes in new development and redevelopment that complement the surrounding natural beauty. Encourage the use of pitched roofs, natural colors, and natural materials or natural appearing materials such as rock and wood.

- **Policy LU-2.2**
  Maximize views of the Lake and surrounding mountain ridgelines from U.S. 50 and public gathering places through appropriate site and building design.

- **Policy LU-2.3**
  Establish pedestrian-scaled and strategically-placed lighting along sidewalks and multi-use paths that promotes pedestrian safety and comfort and enhances architectural and site design concepts. Prevent unnecessary and intrusive lighting that detracts from the night time dark skies.

- **Policy LU-2.4**
  Locate parking so that it is not a dominant visual feature of the pedestrian environment by locating parking to the side or rear of buildings. Encourage underground parking and shared parking where appropriate.

- **Policy LU-2.5**
  All projects within the Tourist Core that propose to change an exterior façade or site design shall require City Design Review.

- **Policy LU-2.6**
  The maximum density for parcels developed as part of the South Tahoe Redevelopment Demonstration Project No. 1 shall be subject to TRPA Code Section 31.4.3.

Goal LU-3 Housing
Provide for adequate housing in close proximity to the Casino Core, Heavenly Village and the Crescent V Shopping Center.

- **Policy LU-3.1**
  Promote multi-family and condominium units to be constructed as part of a mixed-use development.

- **Policy LU-3.2**
  Promote home ownership by allowing for condominium units in TSC-NMX district.

Goal LU-4 Coordination
Coordinate with local, State and federal agencies and private entities to develop Area Plans and codes that conform to the TRPA Regional Plan.

- **Policy LU-4.1**
  Coordinate with Douglas County on the South Shore Area Plan and ensure compatible land use strategies and street design standards within the Tourist Core Area Plan.

- **Policy LU-4.2**
  Coordinate with El Dorado County and Heavenly Resort as appropriate to ensure any Area Plan anticipated for the California Base Resort Recreation District is compatible and integrated with the goals, policies and implementation strategies of the City's General Plan and the Tourist Core Area Plan.

Goal LU-5 Sustainability
Create a sustainable and energy-efficient built environment

- **Policy LU-5.1**
  Incorporate green building components into the design, construction, and operation of new construction and major renovations.

Goal LU-6 Transfer of Development
To focus development in centers in order to maximize incentives and create transit-, bicycle-, and pedestrian-oriented places that serve the needs of both residents and visitors.

- **LU-6.1**
  Encourage and allow for the revitalization and consolidation of development within centers by allowing for the transfer of residential units of use and tourist accommodation units that have been converted to commercial floor area pursuant to TRPA Code Section 50.10.

Goal LU-7 Noise
To reduce exposure of harmful and annoying effects of excessive noise and groundbourne noise levels within the Tourist Core.

- **Policy LU-7.1**
  The City shall require the mitigation of new transportation noise sources to the levels

shown in Table HS-2 of the City General Plan at all outdoor activity areas and interior spaces of existing noise-sensitive land uses.

- **Policy LU-7.2**
  The City shall require an acoustical analysis as part of the environmental review process when noise-sensitive land uses are proposed in areas exposed to existing or anticipated exterior noise levels exceeding the levels shown in Table HS-1 and HS-2 of the City General Plan, so noise mitigation may be included in the project design. All acoustical analysis shall:

  - Be the financial responsibility of the applicant;
  - Be prepared by a qualified person experienced in the fields of environmental noise assessment and architectural acoustics;
  - Include representative noise level measurements with sufficient sampling periods and locations to adequately describe local conditions and the predominant noise sources; and
  - Estimate existing and projected cumulative (20 year) noise levels in terms of Ldn or CNEL and/or the standards shown in Table HS-1, and compare those levels to the policies in this section;
  - Recommend appropriate mitigation to achieve compliance with the adopted policies and standards in this section, giving preference to proper site planning and design over mitigation measures which require the construction of noise barriers or structural modifications to buildings which contain noise-sensitive land uses;
  - Estimate noise exposure after the prescribed mitigation measure(s) has been implemented; and
  - Describe a post-project assessment program that could be used to evaluate the effectiveness of the proposed mitigation measures.

- **Policy LU-7.3**
  The City shall require an analysis of potential vibration impact be conducted for all construction activities that include impact equipment and activities such as pile driving, soil compaction, or vibratory hammers that occur within 200 feet of existing structures. The analysis will address the potential for adverse vibration levels based on the criteria contained in Table 4.6-12 of the City General Plan Draft EIR. The City will ensure that construction operations are designed to avoid or mitigate for vibrations above 0.02 inches/second (0.5 mm/second).

- **Policy LU-7.4**
  The City shall incorporate measures to ensure noise/land use compatibility on a project-specific basis. Such measures may include, but are not limited to, the following:

  - Construction of barriers, berms, and/or acoustical shielding;
  - Establishment of setback requirements for new development in specific areas exposed to roadway noise;
  - Noise-reducing acoustical treatment of existing and proposed buildings; and
  - Use of building layout and project features for noise-screening purposes.

5.2 LAND USE AND ZONING

This section describes planned land use zoning districts for the Tourist Core Area Plan.

Pursuant to TRPA's Regional Plan, Chapter 13 of the TRPA Code of Ordinances, the City of South Lake Tahoe is partnering with TRPA to prepare an Area Plan that conforms to the TRPA Regional Plan Conceptual Land Use Map and the City of South Lake Tahoe General Plan Land Use Diagram. The Tourist Core Area Plan will serve as the regulating plan with specific zoning districts and specific regulations that establish permitted and conditional land uses, and development standards that establish regulations for maximum density, building setbacks, and building height.

TOURIST CORE AREA PLAN

The zoning districts for the Tourist Core Area Plan are Tourist Center Core (TSC-C), Tourist Center Mixed-Use (TSC-MU), Tourist Center Mixed-Use Corridor (TSC-MUC), Tourist Center Gateway (TSC-G) and Tourist Center Neighborhood Mixed-Use (TSC-NMX). The location and boundaries of the zoning districts are depicted in Figure 5-1.

Tourist Center Core (TSC-C)
This district is the activity center of the Tourist Core Area Plan and intended to become a commercial, tourist and recreation destination with public gathering places, animated streets and intensive retail activity meeting the needs of both tourists and residents of the south shore. This district allows for horizontal and vertical mixed use projects with a focus on street-level active storefronts encouraging pedestrian activity. The sub-district contains complete streets that support multi-modal transportation options. Permissible uses include tourist accommodation, retail commercial, entertainment, restaurants, recreation and mixed-use residential development.

Tourist Center Mixed-Use (TSC-MU)
This district is intended to primarily provide for tourist accommodation uses, with supporting retail commercial uses to meet the regional demand for quality accommodation in the Stateline area in a manner compatible with a pedestrian environment.

Tourist Center Mixed-Use Corridor (TSC-MUC)
This district is intended to support Ski Run Boulevard as a multi-modal, mixed-used corridor with a wide array of uses that encourage pedestrian activity. Permissible uses include a rich mixture of employment services, professional offices, commercial, public service, recreation, tourist accommodation and residential organized around an aesthetically-pleasing pedestrian environment.

Tourist Center Gateway (TSC-G)
This district is intended to create an attractive mixed-use commercial and tourist accommodation corridor that provides a welcoming gateway to the South Shore area. The physical form varies to reflect the mixed-use character of the gateway corridor and to transition to the more intensive Tourist Center Core District. Permissible uses include tourist accommodation, residential, commercial, restaurants, and recreation.

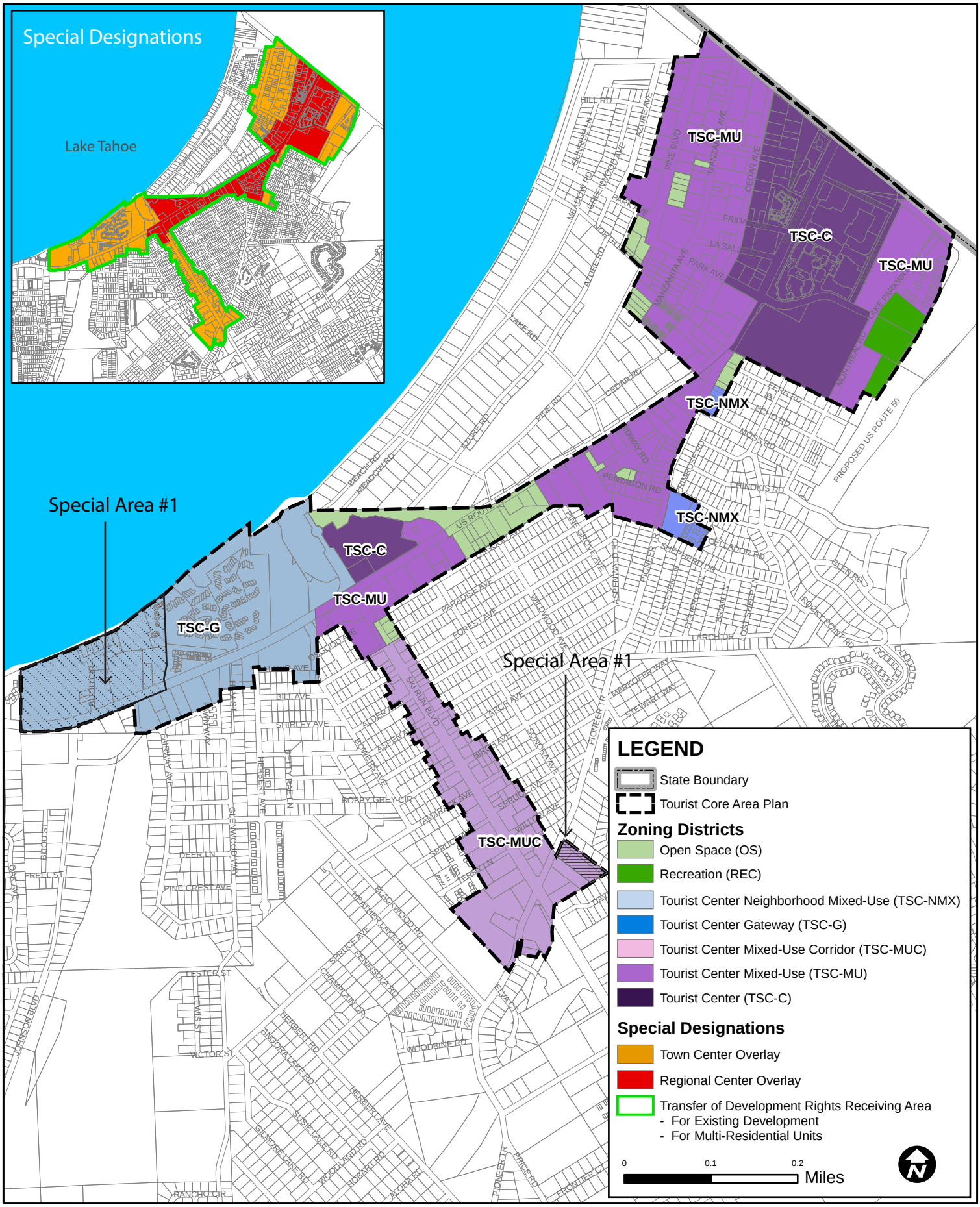
Tourist Center Neighborhood Mixed Use (TSC-NMX)
This district is intended to allow a variety of residential and non-residential uses to encourage a greater mix and intensity of uses in a pedestrian scaled environment that is appropriate to its neighborhood context and adjacent residential uses. Permissible uses include commercial, public service, professional offices, as well as residential and tourist development.

Recreation (REC)
This district is intended to allow a variety of recreation uses such as dispersed recreation and parks . Permissible uses include day use areas and group facilities.

Open Space (OS)
This district is intended to preserve land in its present use that would: 1) conserve and enhance natural or scenic resources; 2) protect streams environment zones, sensitive lands, water quality or water supply; 3) promote soil and habitat conservation; 4) enhance recreation opportunities; and/or 5) preserve visual quality along highways, roads, and street corridors or scenic vistas. The land is predominantly open, undeveloped, or in a lightly developed and is suitable for any of the following: natural areas, wildlife and native plant habitat; erosion control facilities, stream environment zones, stream corridors; passive parks; and/or trails for non-motorized activities.

PERMISSIBLE USES, DEVELOPMENT AND DESIGN STANDARDS

The permissible use list, development standards and design standards for all zoning districts in the Tourist Core Area Plan are found in Appendix C of this Plan.



City of South Lake Tahoe, CA
Tourist Core Area Plan

Figure 5-1
Zoning Map
September 2020

Section 6
TRAFFIC AND CIRCULATION

This section sets forth goals and policies for transportation and recommends strategies to enhance mobility patterns by enabling users to satisfy their travel needs while supporting the area's environmental, social, and recreational goals.

6.1 GOALS AND POLICIES

This subsection outlines transportation and circulation goals and policies for the Tourist Core Area Plan that implements the vision and guiding principles discussed earlier in Section 4.

Goal T-1
Provide for safe and efficient vehicular circulation for the Tourist Core Area Plan.

- **Policy T-1.1**
  Encourage the modification of US Highway 50 to a low speed pedestrian main street through the TSC-C District.

- **Policy T-1.2**
  Strive to maintain a level of service (LOS) D or better on all arterials, collectors and at signalized intersections. This LOS standard may be exceeded during peak periods, not to exceed 4 hours per day when provisions for multi-modal amenities and/or services (such as transit, bicycling, and walking facilities) are adequate to provide mobility for users.

- **Policy T-1.3**
  Install an integrated way-finding and directional signage program throughout the Tourist Core Area Plan directing visitors to recreation, commercial, tourist, transit and parking facilities.

- **Policy T-1.4**
  Reduce the number of ingress/egress points along US 50 by combining and realigning driveways to improve traffic flow and eliminate pedestrian conflict.

- **Policy T-1.5**
  The City shall participate with the TMPO, TTD, FHWA, NDOT, Caltrans, Douglas County, the State Parks of California and Nevada in the planning and implementation of the South Shore Community Revitalization Project.

Goal T-2
To create a functional, safe, convenient, and integrated pedestrian and bikeway system which

provides access to recreation, retail and entertainment opportunities as an alternative to vehicle trips.

- **Policy T-2.1**
  Establish Stateline Avenue and Park Avenue as a pedestrian/bike street connection to Lakeside Marina and access to Lake Tahoe

- **Policy T-2.2**
  Provide adequate pedestrian and bicycle facilities such as continuous sidewalks, bike paths and bike lanes throughout the plan area that connect commercial, entertainment and recreation areas of the plan.

- **Policy T-2.3**
  Install bicycle racks or lockers at public parks, gathering areas, and the transit center, and require them in all new private construction developments or remodels that require major or minor design review.

- **Policy T-2.4**
  Bicycle and pedestrian improvement projects identified in The City General Plan, TRPA Regional Plan, Area Plans and/or TRPA Bike and Pedestrian Master Plan, which are adjacent to or within private development areas, shall be implemented as conditions of approval.

- **Policy T-2.5**
  Where applicable sidewalks shall be required for all new and expanded uses as conditions of project approval.

- **Policy T-2.6**
  Install an integrated way-finding and directional signage program for pedestrians to encourage walking and biking to recreation, commercial and tourist facilities.

- **Policy T-2.**
  Where feasible the City shall strive to maintain sidewalks and bicycle facilities for year-round use.

Goal T-4
To promote the use and expansion of multi-modal transportation options including transit for visitors and residents.

- **Policy T-4.1**
  Collaborate with the Tahoe Transportation District and other transportation entities and service providers to ensure adequate transit service and facilities in the Tourist Core Area Plan. Ensure that the Tourist Core Area Plan is served by frequent bus service along US 50 and along routes that provide access to the lake and other recreation opportunities. Ensure that adequate bus shelters and bus pullout are installed throughout the Tourist Core Area Plan.

- **Policy T-4.2**
  Encourage the use of water borne transit along the south shore from Camp Richardson Resort to Zephyr Cove Resort and provide stops at Ski Run and Lakeside Marinas.

Goal T-5
To develop complete streets in the South Shore Area that allow for multiple uses including automobiles, bikes and pedestrian.

- **Policy T-5.1**
  Develop and adopt complete street roadway design standards for US 50 and the following collector streets: Park Avenue, Heavenly Village Way, Stateline Avenue, and Pioneer Trail and Ski Run Boulevard.

Goal T-6
To provide adequate parking facilities that are integrated with and support a walkable, vibrant Tourist Core.

- **Policy T-6.1**
  Encourage underground parking where feasible, shared parking, reduce parking, or on-street parking to promote a pedestrian friendly main street in the Tourist Core.

- **Policy T-6.2**
  Allow projects in pedestrian areas, areas with concentration of overnight accommodations, and in areas served by transit to reduce the parking requirement of the Citywide Parking Ordinances and waive the onsite parking requirement if a parking study and a plan is completed and approved.

6.1 PROPOSED IMPROVEMENTS

This subsection outlines transportation and circulation improvements that implement the vision, guiding principles and the goals and policies of the Tourist Core Area Plan listed above.

A variety of improvements to the area's transportation and mobility system intended to encourage safety, connectivity, and access to the area's recreational opportunities are proposed by various agencies and are in various phases of design, permitting or environmental review.

The South Tahoe Greenway and the Nevada Stateline-to-Stateline Bikeway are examples of projects that would enhance the area's recreational opportunities by establishing an alternative mode of transportation for visitors and locals interested in connecting to the region's recreation attractions, community centers, transportation facilities, and residential neighborhoods.

CITY OF SOUTH LAKE TAHOE

The following Capital Improvement Projects will be constructed or are planned within the Tourist Core Area Plan or its vicinity:

- Pioneer Trail Pedestrian Upgrades: The Pioneer Trail Pedestrian Upgrade project includes five-foot wide paved sidewalks and streetlights on both sides of Pioneer Trail from U.S. Highway 50 to Larch Avenue. The sidewalks will meet American Disability Act (ADA) design standards. In addition, transit bus shelter pads will be constructed at bus transit stops in the Pioneer Trail project area. The Tahoe Transportation District (TTD) will follow up with arranging the construction of the bus shelters on the concrete pads in the near future. The improvements are expected to provide safe pedestrian access from adjacent residential neighborhoods to the Tourist Core, a major commercial and

employment center, and encourage workers and visitors in the area to walk to their destinations. Work is scheduled to begin in mid-July and be completed by October 15, 2013.

- Linear Park Improvements: This project includes upgrading landscaping, lighting, irrigation, and the shared use pedestrian-bicycle pathway pavement section. The proposed streetlight work includes the removal of existing bollard lights and replacing them with the City's current streetlight standard (Ski Run Blvd streetscape style lighting). The existing pedestrian-bicycle path pavement has large transverse cracks that will be pulverized to provide a better structural sub-section and repaved with crack resistant polymer modified pavement. The improvements are expected to enhance the pedestrian and bicycling experience between the major tourist and commercial uses at Stateline to the recreation opportunities and lake access at Ski Run Boulevard. In addition, the project is expected to improve the visual quality of the scenic corridor. This project has been approved by TRPA and work is scheduled to begin in early May and be completed by mid-July 2013.

- El Dorado Beach to Ski Run Bike Trail: The El Dorado Beach to Ski Run Bike Trail project includes construction of an approximately 1-mile long Class 1 bike path (paved bike path in dedicated right-of-way separated from roadway right-of-way) on the north side of U.S. Highway 50 between El Dorado Beach and Ski Run Boulevard.

- Fixin' Highway 50 Initative: The Fixin' Highway 50 Initiative was adopted by the City Council in May, 2011 with the adoption of the City's first-ever Business Plan. The goal of the Initiative is to leverage resources to construct improvements adjacent to Highway 50 at the same time as Caltrans is improving Highway 50 during the next two to three years.

CALIFORNIA TAHOE CONSERVANCY

- South Tahoe Greenway: The proposed South Tahoe Greenway Shared Use Trail will create the backbone of the bicycle and pedestrian network in South Lake Tahoe and will take a major step forward in furthering sustainability goals of the south shore communities. The Greenway will connect residents and visitors to community and recreation destinations from Stateline to Meyers, providing a high quality alternative to private automobile use. The highest priority 1.8-mile segment will link urban neighborhoods in the core of South Lake Tahoe to shopping, social services, schools, and recreation destinations. Continuing the trail system northward to the state line provides important connections to the largest concentration of visitor services in the region, including shopping, lodging and transit. Completion of this link also connects the recreation resources at Van Sickle Bi-State Park to the network. A southern trail extension to Meyers, not part of the current project, would complete the transportation link. Future actions will identify the best alignment for this extension. Because the share use trail terminates within the Tourist Core it's imperative that the Area Plan leverages this resource by supporting connectivity from within the plan area to those trails.

TAHOE TRANSPORTATION DISTRICT

- South Shore Community Revitalization Project: The most significant change would be the implementation of the US 50/South Shore Community Revitalization Project. This project would promote increased safety, efficient traffic flow, and environmental and visual improvements. The proposed plan would convert the US Highway 50 existing route through the commercial/resort core into a main street with pedestrian amenities. The project is currently under environmental review and four alternatives are being analyzed.

- Nevada State-to-Stateline Biketrail: Although not located within the Area Plan this important linkage connects the Tourist Core to the proposed region-wide bike trial network and recreation opportunities. The entire 30+-mile Nevada Stateline-to-Stateline Bikeway will extend from the Nevada Stateline in Crystal Bay to the Nevada Stateline in South Lake Tahoe. The project also includes two demonstration projects that are approximately 3 miles in length—the north demonstration project extends from Incline Village to Sand Harbor and the south demonstration project extends from Lake Parkway to Round Hill Pines. Partnering with Douglas County and the US Forest Service Lake Tahoe Basin Management Unit, TTD managed construction of the one-mile Rabe Meadow Bike Path, the first phase of the 3.2-mile Stateline to Round Hill segment. This segment was completed in October 2012 and accesses Nevada Beach and the Kahle Community Center.

  In June of 2013, the second phase of the bike trail from Elks Point to Roundhill and a spur to Nevada beach will be constructed.

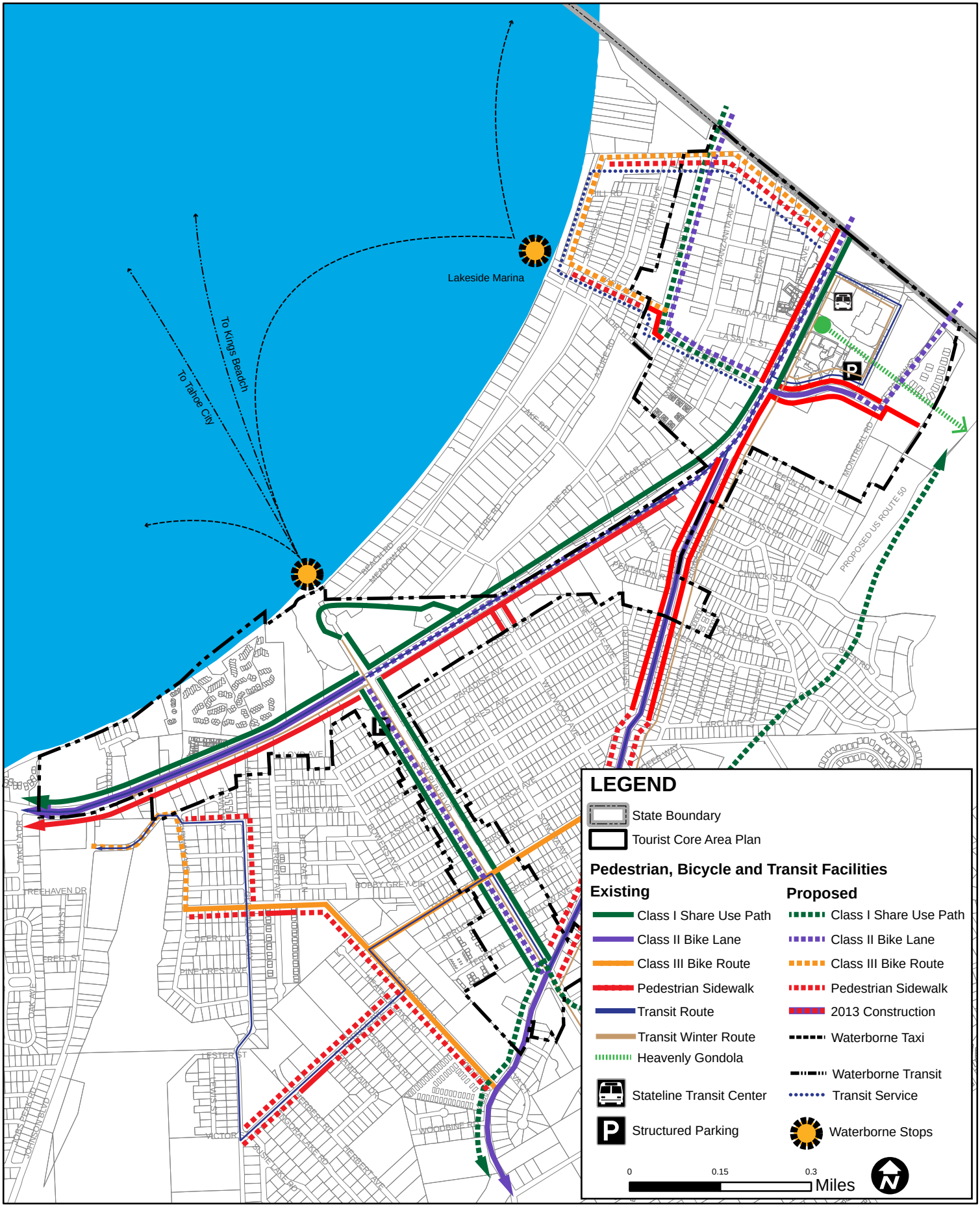
- Waterborne Transit: The TTD in collaboration with local and state governments and the private sector are evaluating a waterborne solution, such as a passenger ferry service, as an option in the "North-South Transit Connection Alternatives Analysis." The study is currently underway to apply for federal funding.

PRIVATE SECTOR

- Water Taxi: A secondary water taxi service would connect the marinas and beaches along the south shore creating a unique and convenient way for connecting people to local recreation resources. Currently, a water taxi service is provided between Camp Richardson, Timber Cove Pier and Lakeside Marina.

Future improvements to the area's transportation and circulation system will provide opportunities for residents and visitors to walk, bike or use public transit throughout the area. While slight adjustments to the existing roadway system may be possible, the greatest potential for improving the overall transportation and circulation system will be achieved through the development of a comprehensive multi-modal network. Continuing to make connections between the completed trails and sidewalks and proposed additions as well as strengthening the connections to public transportation options will create the foundation for a transportation network with the ability to improve TRPA's thresholds for Vehicles Miles Travelled (VMT), air quality, water quality and noise, support the local economy, improve public health and support a connected, walkable and bikeable community.

Figure 6-1 depicts proposed improvements to the transportation network.



City of South Lake Tahoe, CA
Tourist Core Area Plan

Figure 6-1
Proposed Transportation Network
September 2020

Section 7
NATURAL AND CULTURAL RESOURCES

This section sets forth Natural and Cultural Resources goals and policies for the Tourist Core Area Plan. In addition, it lists specific strategies to achieve environmental improvements in the areas of water quality, scenic resources, and Stream Environment Zones (SEZs).

7.1 GOALS AND POLICIES

This subsection outlines Conservation goals and policies for the Tourist Core Area Plan. These goals and policies implement the vision and guiding principles discussed in Section 4.

Goal NCR-1 Scenic Resources
To protect and enhance the visual connection between South Lake Tahoe and the Lake Tahoe Region's scenic resources.

- **Policy NCR-1.1**
  Improve the visual quality of the built environment consistent with the general recommendations for site planning found in the TRPA Scenic Quality Improvement Program (SQIP) to attain threshold attainment for Scenic Roadway Units # 32, 33 and 45.

- **Policy NCR-1.2**
  Maintain Stream Environment Zone (SEZ) restoration sites and stormwater drainage basins as view corridors and scenic resources to relieve the strip commercial character along US 50 within the Tourist Core.

- **Policy NCR-1.3**
  Adopt siting and building design standards and guidelines to protect, improve, and enhance the scenic quality of the natural and built environment and take full advantage of scenic resources through site orientation, building setbacks, preservation of viewsheds, and height limits.

Goal NCR-2 Stream Environment Zones
To protect past Stream Environmental Zone (SEZ) restoration projects and areas of undisturbed SEZ within the Tourist Core Area Plan.

- **Policy NCR-2.1**
  Increase the area of naturally functioning SEZs by preserving existing SEZs and initiating and completing the restoration/rehabilitation of 7 acres of disturbed SEZs.

- **Policy NCR-2.2**
  Protect and direct development from SEZs, and encourage the removal and transfer of

existing development from disturbed SEZs that can be feasibly restored by creating incentives for their removal.

- **Policy NCR-2.3**
  Encourage the use and access to designated open space for passive recreation uses when they conform to resource restrictions.

- **Policy NCR-2.4**
  Restore SEZs and other sensitive lands within and outside of the Area Plan through transfers of existing development, development potential, and coverage to high capability lands within the Tourist Core.

Goal NCR-3 Water Quality
To protect and enhance the clarity of Lake Tahoe and water quality in the area's rivers, creeks, and groundwater

- **Policy NCR-3.1**
  Ensure installation and maintenance of Best Management Practices (BMPs) on all projects delegated under the permitting authority of the Memorandum of Understanding between TRPA and the City of South Lake Tahoe.

- **Policy NCR-3.2**
  Coordinate with TRPA to support and/or enforce private property BMP certification with a near-term focus on commercial and multi-family land uses that are adjacent, have connected impervious surfaces, or are in the same catchment as EIP or public projects.

- **Policy NCR-3.2**
  Coordinate with TRPA to prioritize and implement Environmental Improvement Program (EIP) water quality improvement projects based primarily on their ability to reduce pollutant loads.

- **Policy NCR-3.3**
  Implement the recommendations outlined in the *City of South Lake Tahoe Pollutant Load Reduction Plan (PLRP)* to achieve the Lake Tahoe TMDL five-year load reduction target for year 2016.

- **Policy NCR-3.4**
  Collaborate with Lahontan to update and refine the *Pollutant Load Reduction Strategy* for load reduction targets beyond the year 2016 and update the *Pollutant Load Reduction Plan* as necessary to achieve the Lake Tahoe TMDL load reduction targets. The Tourist Core Area Plan hereby incorporates by reference all, monitoring ,operations and maintenance, and reporting required by the City's NPDES permit, the adopted Pollutant Load Reduction Plan and the Stormwater Management Plan, which will also be utilized by TRPA in the 4-year Area Plan recertification process pursuant to TRPA Code Sections 13.8.2 and 13.8.5.

- **Policy NCR-3.5**
  Coordinate with Caltrans to ensure implementation of water quality improvement projects along US 50 within the Tourist Core Area Plan.

Goal NCR-4 Land Coverage
Maximize opportunities to remove or mitigate excess land coverage throughout the Tourist Core Area Plan

- **Policy NCR-4.1**
  Onsite land coverage reduction will occur primarily through environmental redevelopment by providing development incentives in centers that promote the relocation and transfer of land coverage. The City will endeavor, where feasible, to reduce and avoid creating new coverage in order to benefit the objectives of the TCAP and other areas of South Tahoe.

- **Policy NCR-4.2**
  The City shall consider opportunities for coverage reduction in all private and public redevelopment projects in the Tourist Core.

- **Policy NCR-4.3**
  Encourage onsite landscaping in all private and public redevelopment projects that results in coverage reduction. Landscape features should be integrated with BMPs to treat stormwater runoff.

- **Policy NCR-4.4**
  Priority should be given to transferring hard coverage from SEZs and other sensitive lands to high capability lands within the Tourist Core.

Goal NCR-5 Air Quality
To incorporate air quality improvements and emission reductions in the Tourist Core.

- **Policy NCR-5.1**
  The City shall incorporate measures to reduce construction-generated emissions to the extent feasible on a project-specific basis. Such measures may include, but are not limited to, the following:

  - Implement measures recommended by the El Dorado County Air Quality Management District.
  - Prohibit open burning of debris from site clearing unless involved with a fuels reduction project.
  - Utilize low emission construction equipment and/or fuels and use existing power sources (e.g., power poles), wherever feasible.
  - Restriction of idling of construction equipment and vehicles.
  - Apply water to control dust as needed to prevent dust impacts offsite.

7.2 IMPLEMENTATION STRATEGIES

This subsection outlines natural resource strategies that implement the vision, guiding principles and the goals and policies of the Tourist Core Area Plan.

SCENIC RESOURCES

As discussed in the Section 3, Existing Conditions, TRPA Threshold Evaluations noted that the majority of roadway units with improved threshold scores fall partially or wholly within Community Plan areas. Removal of degraded structures, improvement in architectural quality of new and remodeled structures, increased landscaping, creation of open space and landscape drainage basins, installing curb, gutters and pedestrian sidewalks and consolidating highway curb cuts,

and improved signage have all contributed to a transformation in many of these units. This improvement affects both travel route and scenic quality ratings.

Within the Area Plan, two Scenic Threshold Travel Routes (Units #32 and #33) are close to threshold attainment and one (Unit #31) is in attainment. Continued improvements in the built environment by implementing the recommendations of the Scenic Quality Improvement Program, implementing design standards of the Area Plan that upgrade the overall architectural quality, preserving open space and viewsheds, installing curb and gutter along US 50 are expected to move these units into attainment. The following implementation strategies are intended to promote threshold attainment:

- Zone SEZ restoration sites and stormwater drainage basins as Open Space in the Tourist Core Area Plan
- Designate the following as scenic resources:
  - The view of the Wildwood Basins and artificial wetlands located adjacent to US Highway 50.
  - The mountain and ridgeline viewshed located at the intersection of US Highway 50 and Ski Run Boulevard looking towards East Peak and Heavenly Ski Resort.
  - The view of Lake Tahoe located at the intersection of US Highway 50 and Ski Run Boulevard looking towards Lake Tahoe and Ski Run Marina.
- Incorporate design standards that enhance the scenic quality of the natural and built environment in the Tourist Core for the following areas:
  - Architectural Style
  - Building Materials
  - Building Colors
  - Building Height
  - Access Drives
  - Parking
  - Lighting
  - Landscaping
  - Signs
  - Utility Lines
- Install pedestrian sidewalks along Pioneer Trail from the intersection of US 50 to Larch Avenue
- Upgrade the Linear Parkway.
- Install curb and gutters as part of the Caltrans US 50 Water Quality Improvement Project from just west of Ski Run Boulevard to Wildwood Avenue.
- Implement the City of South Lake Tahoe's Business Façade Improvement Program to provide low-interest loans to local businesses and Business Improvement Districts to aesthetically improve building facades.

Figure 7-1 depicts proposed new scenic resources within the Tourist Core Area Plan.

STREAM ENVIRONMENT ZONE

The Tourist Core Area Plan responds to the needed SEZ improvements. The following programs and key strategies are intended to promote SEZ threshold attainment:

- Prioritize the existing tourist accommodation uses east of the wildwood basins for SEZ restoration. Encourage property owners to use TRPA's transfer incentives to relocate the tourist accommodation units to more appropriate locations.

- Restore the disturbed SEZ on the Colony Inn parcel located along Montreal Road.

WATER QUALITY

The Tourist Core Area Plan responds to the needed EIP improvements in water quality by continuing to require installation of on-site BMPs, construction and maintenance of water quality improvement projects within the Tourist Core and implementation of the City's TMDL Pollutant Load Reduction Plan. The following programs and key strategies are intended to promote water quality threshold attainment.

BMPs:

- Focus BMP installation and compliance on commercial and multi-family projects within the Tourist Core that are adjacent, have connected impervious surfaces, or the same catchment as EIP or public projects.
- The City shall require BMPs to be installed and maintained in all projects reviewed under the City's MOU to capture a 20-year, one-hour storm or alternative BMPs if infiltration is not possible.
- Coordinate with TRPA to support and/or enforce private property BMP certification with a near-term focus on approximately 290 acres of commercial land uses that directly discharge stormwater to Lake Tahoe

EIP Projects: Implement the following Water Quality Improvement Projects (WQIPs):

- US 50 Water Quality Improvement Project: Caltrans will treat storm runoff from US 50 from the intersection of US 50 and Ski Run Boulevard to Wildwood Avenue. This project is under construction.
- Rocky Point Erosion Control Project, Phase 4b: Implement adaptive management to previously constructed water quality improvements to improve storm water treatment efficiency. Adaptive management measures include improved storm drain inlets to increase the amount of storm water captured and infiltrated in basins, vegetation restoration, rock slope protection, and addressing perceived safety issues. This project is scheduled for construction in 2013.
- Bijou Area Erosion Control Project: Phase I project focuses on two key elements: (1) replacement of the existing Bijou Creek storm drain system that conveys storm water runoff from the 1,300-acre Bijou Creek watershed to Lake Tahoe; and (2) construction of a comprehensive regional treatment system for runoff generated in the Bijou commercial core. The existing, failing fifty (50) year old Bijou Creek storm drain system will be replaced from the outlet of Bijou Meadow, under Fairway Drive and U.S. Highway 50, through the Bijou commercial core, and to Lake Tahoe, with a new underground drainage system. Replacement will allow for separation of storm water from the upper watershed from high pollutant load storm water in the commercial core. The Bijou commercial core

component is designated as a priority project in the City's Pollution Load Reduction Plan and is discussed in further detail below under the Tahoe TMDL.

Tahoe TMDL: Implement the recommendations identified in the City of South Lake Tahoe Pollutant Load Reduction Plan (PLRP) for achieving the 10 percent load reduction target for the first five-years.

The City's selected approach to meet load reduction targets combines the registration of Water Quality Improvement Projects (WQIP) completed from 2004-2016 with the implementation of a pilot program to improve road operations for water quality. Specific actions include the following:

- Register Completed WQIPs (2004-2012): The City has completed seven WQIPs. The Urban Planning Catchments (UPCs) that encompasses the seven completed project areas will be registered with the Lake Clarity Crediting Program. Of the seven WQIP projects completed by the City that will be registered, two are located within the Tourist Core Area Plan and treat runoff from within the Area Plan and from adjacent neighborhoods. The two WQIPs are Rock Point 1 & 2 and Rock Point 3 & 4.
- Construct and Register Active WQIPs (2013-2016): Three WQIPs are in active stages of planning and design. Construction is expected to be completed by the load reduction deadline of September 2016 and the UPCs associated with the three projects will be registered with the Lake Clarity Crediting Program. The three new projects identified in the Load Reduction Plan are: 1) Bijou Commercial Core, 2) Harrison Avenue and 3) Sierra Tract Phase 3 & 4. Of the three projects, only the Bijou Community Core falls partially within the Tourist Core Area Plan.

  High pollutant storm water from City right-of-way, Caltrans right-of-way, and private property in the Bijou commercial core will be collected in a separate drainage system and directed through a series of underground vaults to remove sediment. Storm water will then be pumped through an underground storm drain pipe to water quality treatment basins in the upper watershed for infiltration.

- Implement a Pilot Program for Improved Road Conditions: Through a pilot program, the City will implement the following: 1) Switch to a road abrasive source with less Fine Sediment Particle (FSP) to reduce the average annual mass of FSP generated by City roads from sanding practices, and 2) Improve FSP recovery on a subset of City roads that generate high amounts of pollutants through frequent sweeping. The pilot program will target frequent sweeping of Primary Roads within UPCs that are directly connected to Lake Tahoe. Specifically, these roads include Ski Run Boulevard, Pioneer Trail, and portions of Needle Peak road and Wildwood Avenue. Of the targeted roads, Ski Run Boulevard and Pioneer Trail are located within the Tourist Core Area Plan. The targeted roads will be swept with the City's dustless regenerative air sweepers after each winter abrasive application, as road conditions allow, and once monthly otherwise.

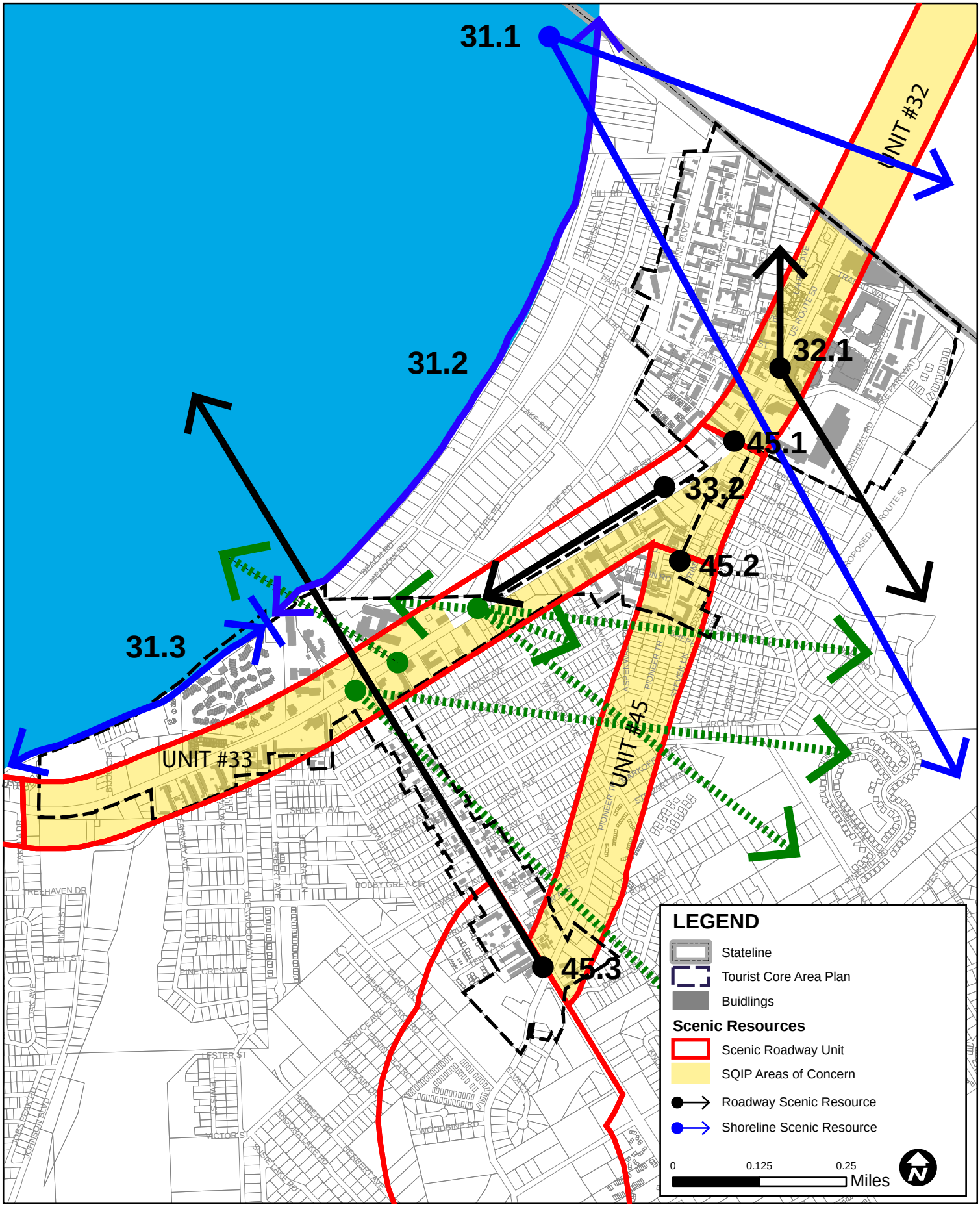
Using the Lake Clarity Credits as the defining performance metric, the PLRM analysis estimates that the City will obtain the necessary credits to achieve the 10 percent reduction by 2016.

In addition to the load reduction targets, the MS4 permit issued by Lahontan to the City of South Lake identified a number of milestones for load reduction planning efforts which include:

- Pollutant Load Reduction Progress Report – October 1, 2013
- Report of Waste Discharge and Updated Pollutant Load Reduction Plan – June 9, 2016

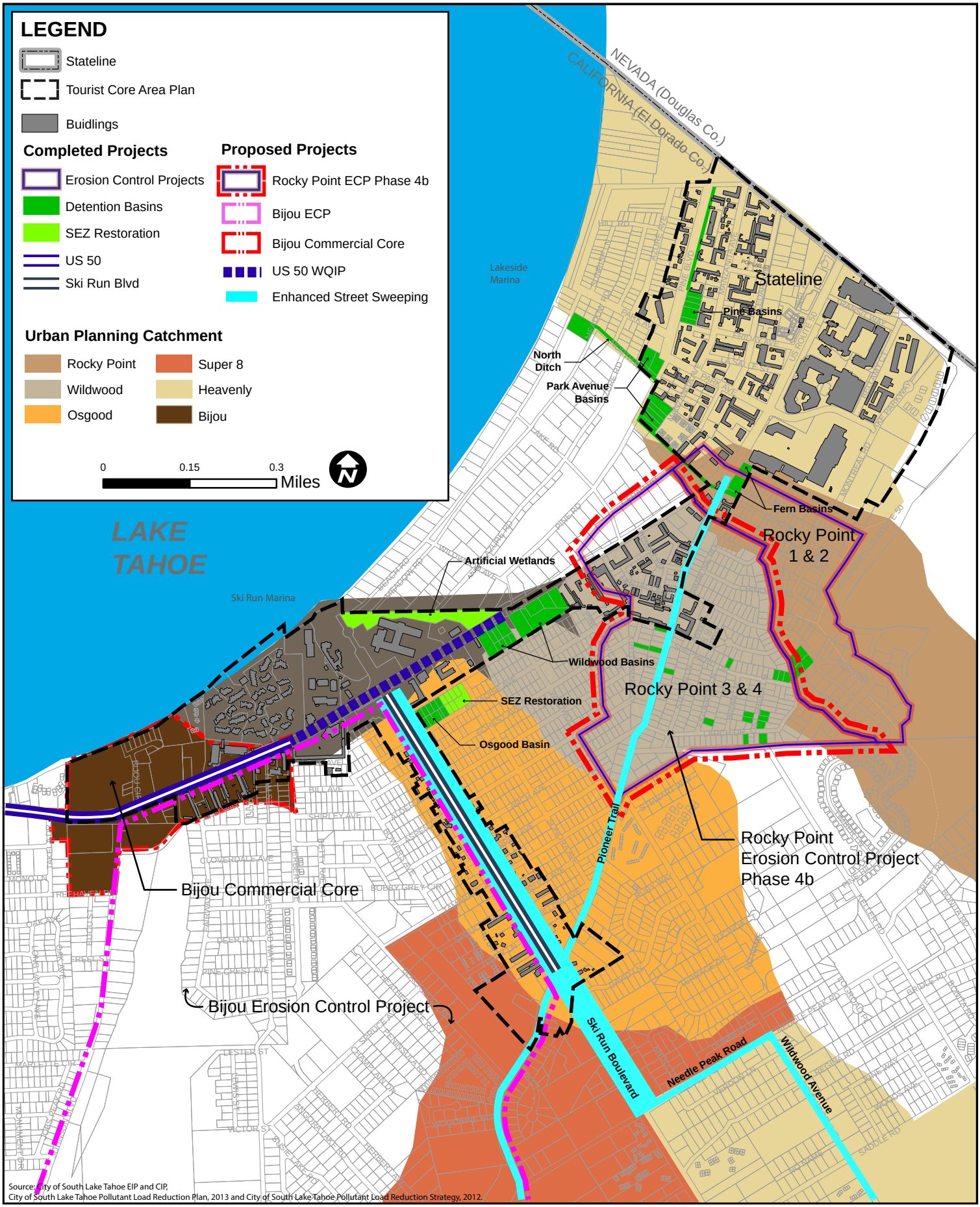
The City will continue to track abrasive applications and materials recovered by sweeping and vactoring, which helps identify areas with high pollutant loading. City will continue to inspect facilities during large runoff events, to determine whether constructed source control, conveyance, and treatment measures are functioning as designed. The City will also complete annual stormwater system, construction and commercial, industrial, and municipal site inspections required in the MS4 permit. These activities form the foundation of the City's internal approach to assess its stormwater management activities and provide data to support assessments and reporting of load reduction progress during the implementation of the PLRP. Moreover, it provides valuable data for updating of the PRLP for year 2016 and beyond.

Figure 7-2 depicts proposed EIP and TMDL water quality improvement projects within the Tourist Core Area Plan and its vicinity to be implemented to improve the water quality, soils and SEZ thresholds.



City of South Lake Tahoe, CA
Tourist Core Area Plan

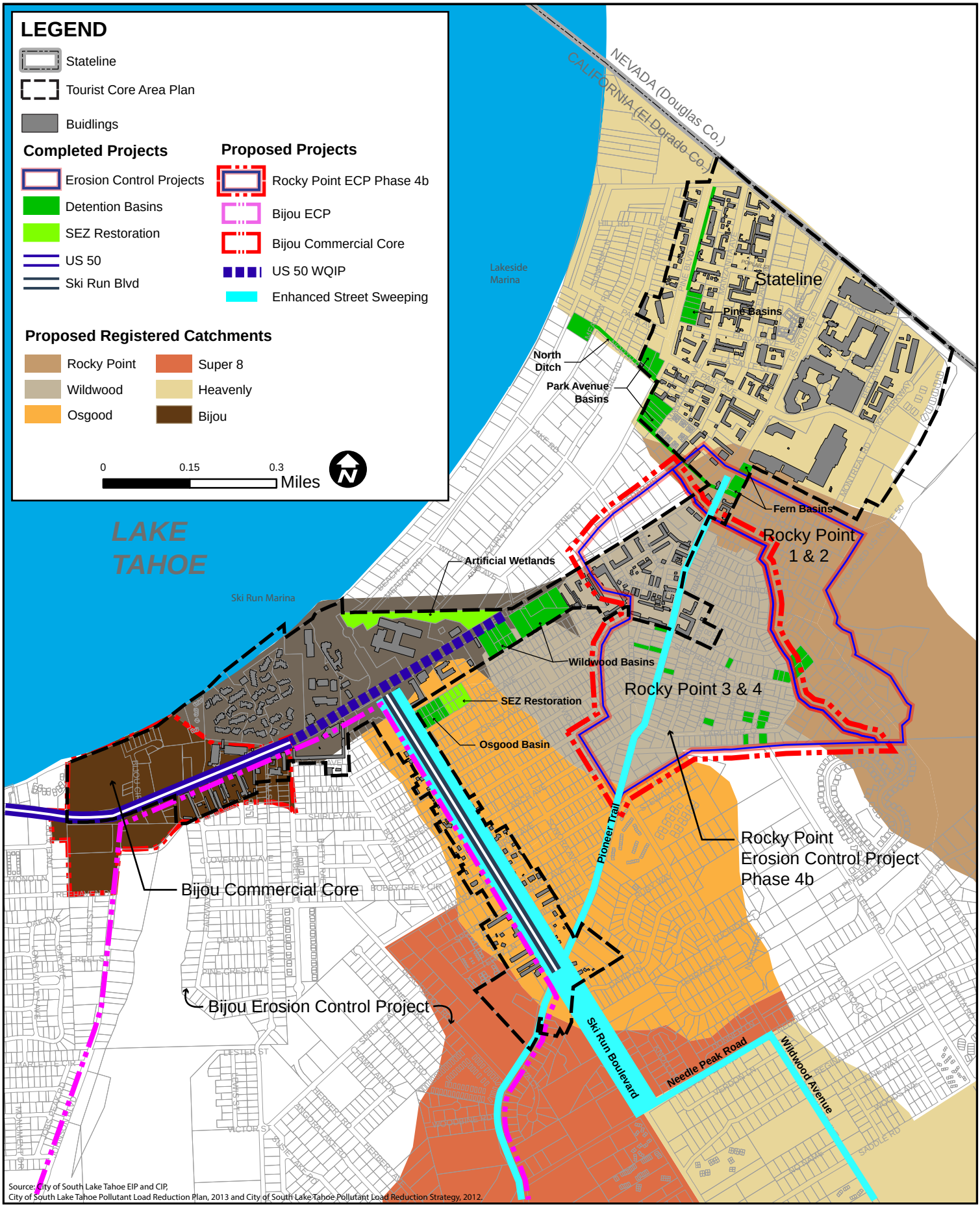
Figure 7-1
Proposed Scenic Resources Map
September 2020



Source: City of South Lake Tahoe EIP and CIP,
City of South Lake Tahoe Pollutant Load Reduction Plan, 2013 and City of South Lake Tahoe Pollutant Load Reduction Strategy, 2012.

City of South Lake Tahoe, CA
Tourist Core Area Plan

Figure 7-2
Proposed Water Quality Improvement Projects
September 2020



City of South Lake Tahoe, CA
Tourist Core Area Plan

Figure 7-3
Proposed Registered Catchments
September 2020

Section 8
RECREATION

This section outlines recreation goals and policies for the Tourist Core Area Plan. These goals and policies implement the vision and guiding principles discussed in Section 4.

8.1 GOALS AND POLICIES

Goal R-1
To preserve and enhance the high quality recreational experience in the Tourist Core

- **Policy R-1.1**
  Develop an interconnected system of open spaces, gathering places, bike and pedestrian trails, and other types of public and private spaces as part of new development and redevelopment of existing sites.

Goal R-2
To increase open space opportunities within the Tourist Core.

- **Policy R-2.1**
  Encourage the reduction of roadway width of US 50 thoroughfare between Park Avenue through the Casino Resort area and increase the amount of landscaping and pedestrian sidewalks on both sides of the highway.

- **Policy R-2.2**
  Encourage open space to "spill" into the adjacent roadways, parking lots and commercial areas with planting islands and landscape walking trails.

- **Policy R-2.3**
  Encourage landscaped, small passive parks in and around the Tourist Core.

Goal R-3
To increase connection to recreation access and opportunities.

- **Policy R-3.1**
  Develop a bike trail system that links Ski Run Marina, Ski Run Boulevard, the pedestrian/tourist center at Stateline, Lakeside Beach area and Van Sickle Bi-State Park.

- **Policy R-3.2**
  Provide pedestrian and bicycle access from the Tourist Center District to Lake Tahoe and Van Sickle Bi-State Park along Stateline Avenue and Park Avenue.

- **Policy R-3.3**
  Install an integrated way-finding signage system to direct bicycles and pedestrians to recreation opportunities and the Lake.

- **Policy R-3.4**
  Maintain and develop information centers for entertainment information and recreation opportunities in the south shore.

- **Policy R-3.5**
  Incentivize the establishment of businesses and facilities that promote the south shore as an eco-tourism recreation destination.

Goal R-4
To increase public access to Lake Tahoe from the Tourist Center District.

- **Policy R-4.1**
  Improve transit and trail connections that access beach recreation facilities.

- **Policy R-4.2**
  Encourage increase public use of the Ski Run and Lakeside Marina through such means as public access, commercial expansion and waterborne transit.

Goal R-5
To create public gathering spaces for visitors and residents to meet, socialize, relax and interact.

- **Policy R-5.1**
  Require projects over 50,000 square feet within the TSC-C district to provide informal gathering areas and places for community activities and performances.

- **Policy R-5.2**
  Require all gathering places to include seating, table and other amenities attractive to shoppers and pedestrians.

- **Policy R-5.3**
  Promote Art in Public Places in open space parcels, pedestrian areas as well as within and surrounding tourist accommodations and commercial shopping centers.

Goal R-6
Provide for temporary events in the Tourist Center District.

- **Policy R-6.1**
  Encourage temporary events and activities within the Tourist Core on public and private lands to increase pedestrian activity in commercial areas.

8.2 IMPLEMENTATION STRATEGIES

This subsection outlines recreation improvements that implement the vision, guiding principles and the goals and policies of the Tourist Core Area Plan listed above.

- Expand the City's Way-Finding program in the Tourist Center District to direct pedestrian and bicycle traffic to recreation opportunities including but not limited to: Van Sickle Bi-State Park, Lakeside Marina, Edgewood Golf Course, Heavenly Gondola and the Nevada Beach Trail.
- Prioritize the existing tourist accommodation uses east of the wildwood basins for SEZ restoration. Encourage property owners to use TRPA transfer incentives to relocate the tourist units to higher capability lands in the Tourist Core.
- Establish a dialogue with the CTC and the USFS to consider allowing access to open space parcels for passive recreation uses that conform to resource restrictions within the Tourist Core and its surroundings.
- Modify policies on CFA and coverage allocations from the City's bank to incentivize businesses and facilities that promote the South Shore as an eco-tourism recreation destination.



City of South Lake Tahoe, CA
Tourist Core Area Plan

Figure 8-1
Proposed Recreation Facilities
September 2020

Section 9
PUBLIC/QUASI-PUBLIC FACILITIES AND SERVICES

This section outlines public/quasi-public facilities and services goals and polices for the Tourist Core Area Plan. These goals and policies implement the vision and guiding principles discussed in Section 4.

9.1 GOALS AND POLICIES

Goal PS-1
To improve public and quasi-public facilities in the Tourist Core.

- **Policy PS-1.1**
  Public and quasi-public service facilities should be upgraded to supporting existing development, redevelopment and planned development within the Tourist Core consistent with TRPA's Regional Plan and the City's General Plan.

- **Policy PS-1.2**
  Locate appropriate public service facilities within the Tourist Core so as to increase pedestrian/bicycle transportation and serve as a catalyst for private development.

Goal PS-2
To maintain adequate water and sewer capacity within the Tourist Core.

- **Policy PS-2.1**
  Support South Tahoe Public Utility District and the Lakeside Park Association in upgrading their water and sewer systems as necessary to service all properties and provide for emergency needs.

Section 10
IMPLEMENTATATION

This section sets how the goals and policies of the Tourist Core Area Plan are to be implemented. This section describes environmental and capital improvement projects, mitigation fee programs, and incentive programs to implement the policies of this area plan to promote Threshold gains.

10.1 CAPITAL AND EIP PROGRAMS

TRANSPORTATION AND CIRCULATION

To improve traffic, circulation. pedestrian mobility and air quality in the area, the following improvements are planned.

Improvements	Description	Responsible Party
US 50/South Shore Community Revitalization Project.	This project would create a pedestrian and bicycle friendly commercial core between Pioneer Trail and Stateline along US Highway 50.	TTD
South Tahoe Greenway	This project would construct a Class I multi-use path from Van Sickle Bi-State Park to Meyers.	CTC
Linear Park Improvemer	The Linear Park Improvements include the repair of the Class I bike path, re-landscaping and installing irrigation and new pedestrian lighting along the US Highway 50 frontage in the vicinity of the Tah Meadows subdivision. This project has been approved by TRPA.	CSLT
Pioneer Trail Improvements	The Pioneer Trail Pedestrian Upgrade project consists of construction of sidewalks along both sides of Pioneer Trail between U.S. Highway 50 and Larch Avenue. This project is scheduled for 2013.	CSLT
	Continue to construct pedestrian sidewalks on both sides of Pioneer Trail from Larch Avenue to the intersection of Pioneer Trail and Ski Run Boulevard.	CSLT
Ski Run Improvements	To stripe a Class II bike lane on both sides of Ski Run Boulevard from US 50 to Pioneer Trail.	CSLT
US 50 Improvements	The US 50 Water Quality Improvement Project consists of upgrading US 50 to treat stormwater runoff and installing new ADA compliant sidewalks and pedestrian streetlights from 200 feet west of Ski Run Blvd. to Wildwood Avenue on the south side of US 50. Scheduled 2013.	CALTRANS
	Construct a Class II bike lane from the intersection of Ski Run Boulevard and US 50 to the Stateline.	CALTRANS

Improvements	Description	Responsible Party
	RTP #74. US 50 Signal Synchronization and Adaptive Signals Project. Upgrade signal timing equipment at signalized intersections along US Highway 50 to improve traffic flow.	CALTRANS
	RTP #81. Signalization Upgrade. Upgrade signal timing equipment at City of South Lake Tahoe signalized intersections to improve traffic flow.	CSLT CALTRANS
Bike Paths, Lanes and Routes Improvements	Construct a Class I multi-use bike path from the intersection of Pioneer Trail to the Stateline on the lakeside of US 50.	CSLT
	Construct a pedestrian sidewalk and Class II lane from the intersection of Park and Pine Avenues down Pine Avenue to Lakeshore Boulevard.	CSLT
	Construct a Class I multi-use path connecting the Tourist Core to Van Sickle Bi-State Park in the vicinity of the state line.	TTD CTC CSLT
	Construct a Class I multi-use bike path from the US 50 and Ski Run Boulevard heading west to Lakeview Commons. Scheduled 2015.	CSLT
	Construct a Class II lane along US 50 from the intersection of Park Avenue and Pine Avenue to the state line.	CSLT
	Construct a pedestrian sidewalk and Class III route along Stateline Avenue from US 50 to Lakeshore Boulevard	CSLT PRIVATE
	Construct a Class II bike lane along Lake Parkway from Heavenly Village Way to the state line.	CSLT CALTRANS
Pedestrian Improvements	Complete the pedestrian sidewalks in the tourist core area by installing a sidewalk on the north side of US 50 from Friday Avenue to the Stateline. Schedule 2014.	PRIVATE CALTRANS

TRANSIT IMPROVEMENTS

To reduce vehicle trip ends and level of service targets; transit services should be improved.

Improvements	Description	Responsible Party
Waterborne Transit	Two forms of waterborne transit are envisioned, one would provide passenger ferry service to connect the south shore of Lake Tahoe, potentially Ski Run Marina, to the north shore, tentatively Tahoe City Marina. This service would serve as a commuter option for those traveling between north and south shore but it would also provide visitors with a quicker and more scenic alternative to driving. A secondary water taxi service would connect the marinas and beaches along the south shore creating a unique and convenient way for connecting people to local recreation resource.	Private TTD
Transit Service	Expand transit service to Lakeside Marina, Lakeside Beach and Edgewood Golf Course.	TTD

STREAM ENVIRONMENT ZONE RESTORATION PROGRAM

The purpose is to restore as much SEZ as possible where feasible to help meet TRPA threshold targets.

Improvements	Description	Responsible Party
US50/Wildwood	Prioritize the existing tourist accommodation uses east of the wildwood basins for SEZ restoration. Encourage property owners to use TRPA transfer incentives to relocate the tourist units to higher capability lands in the Tourist Core.	CSLT

WATER QUALITY IMPROVEMENTS

The purpose is to implement water quality improvement projects and programs to help achieve TRPA's water quality threshold and the California Regional Water Quality Control Board-Lahontan Region TMDL pollutant load reduction targets.

Improvements	Description	Responsible Party
US 50 Water Quality Improvement Project:	Caltrans will treat storm runoff from US 50 from the intersection of US 50 and Ski Run Boulevard to Wildwood Avenue. This project is currently under construction.	CALTRANS
Rocky Point Erosion Control Project, Phase 4b	Implement adaptive management to previously constructed water quality improvements to improve storm water treatment efficiency. Adaptive management measures include improved storm drain inlets to increase the amount of storm water captured and infiltrated in basins, vegetation restoration, rock slope protection, and addressing perceived safety issues. This project is scheduled for construction in 2013.	CSLT
Bijou Area Erosion Control Project	Phase I project focuses on two key elements: (1) replacement of the existing Bijou Creek storm drain system that conveys storm water runoff from the 1,300-acre Bijou Creek watershed to Lake Tahoe; and (2) construction of a comprehensive regional treatment system for runoff generated in the Bijou commercial core. The existing, failing fifty (50) year old Bijou Creek storm drain system will be replaced from the outlet of Bijou Meadow, under Fairway Drive and U.S. Highway 50, through the Bijou commercial core, and to Lake Tahoe, with a new underground drainage system. Replacement will allow for separation of storm water from the upper watershed from high pollutant load storm water in the commercial core The Bijou commercial core component is designated as a priority project in the City's PLRP and is discussed in further detail below under the Tahoe TMDL. Scheduled 2013.	CSLT
Register Completed WQIPs (2004-2012):	The City has completed seven WQIPs. The Urban Planning Catchments (UPCs) that encompasses the seven completed project areas will be registered with the Lake Clarity Crediting Program. Of the seven WQIP projects completed by the City that will be registered, two are located within the Tourist Core Area Plan and treat runoff from within the Area Plan and from adjacent neighborhoods. The two WQIPs are Rock Point 1 & 2 and Rock Point 3 & 4.	CSLT

Improvements	Description	Responsible Party
Construct and Register Active WQIPs (2013-2016)	Three WQIPs are in active stages of planning and design. Construction is expected to be completed by the load reduction deadline of September 2016 and the UPCs associated with the three projects will be registered with the Lake Clarity Crediting Program. The three new projects identified in the Load Reduction Plan are: 1) Bijou Commercial Core, 2) Harrison Avenue and 3) Sierra Tract Phase 3 & 4. Of the three projects, only the Bijou Community Core falls partially within the Tourist Core Area Plan. High pollutant storm water from City right-of-way, Caltrans right-of-way, and private property in the Bijou commercial core will be collected in a separate drainage system and directed through a series of underground vaults to remove sediment. Storm water will then be pumped through an underground storm drain pipe to water quality treatment basins in the upper watershed for infiltration.	CSLT
Enhanced Street Sweeping	Through a pilot program, the City will implement the following: 1) Switch to a road abrasive source with less Fine Sediment Particle (FSP) to reduce the average annual mass of FSP generated by City roads from sanding practices, and 2) Improve FSP recovery on a subset of City roads that generate high amounts of pollutants through frequent sweeping. The pilot program will target frequent sweeping of Primary Roads within UPCs that are directly connected to Lake Tahoe. Specifically, these roads include Ski Run Boulevard, Pioneer Trail, and the portion of Needle Peak road and Wildwood Avenue. Of the targeted roads, Ski Run Boulevard and Pioneer Trail are located within the Tourist Core Area Plan. The targeted roads will be swept with the City's dustless regenerative air sweepers after each winter abrasive application, as road conditions allow, and once monthly otherwise.	CSLT
Stormwater System	City will complete annual stormwater system, construction and commercial, industrial, and municipal site inspections required in the NPDES MS4 permit.	CSLT
BMP Compliance	Focus BMP installation and compliance on commercial and multi-family projects within the Area Plan that are adjacent, have connected impervious surfaces, or the same catchment as EIP or public projects.	TRPA
	Ensure BMPs are incorporated in all projects reviewed under the City's MOU to capture a 20-year, one-hour storm or alternative BMPs if infiltration is not possible.	CSLT
	Coordinate with TRPA to support and/or enforce private property BMP certification with a near-term focus on approximately 290 acres of commercial land uses that directly discharge stormwater to Lake Tahoe	CSLT TRPA
Road Operations	The City will continue to track abrasive applications and materials recovered by sweeping and vactoring in order to identify areas with high pollutant loads.	CSLT

SCENIC IMPROVEMENTS

To continue to restore the scenic quality of US 50 and Pioneer Trail scenic roadway units and improve the overall community character within the area plan.

Improvements	Description	Responsible Party
US 50	Install curb, gutter, sidewalks, street lights and landscaping to provide a "clean edge" along the roadway. Implement the following projects: - US 50 Water Quality Improvement Project - Pioneer Trail Pedestrian Upgrades - Linear Park Improvements	CALTRANS CSLT
Development and Design Standards	Implement the development and design standards and guidelines for the Tourist Core Area Plan to enhance the built environment, promote pedestrian mobility and provide for scenic viewshed protection.	CSLT
Land Use	Designate SEZ restoration sites and stormwater drainage basins as Open Space in the Tourist Core Area Plan	CSLT
Scenic Quality Ratings	Designate the following as scenic resources: - Wildwood Basins. - Mountain and ridgeline viewshed located at the intersection of US Highway 50 and Ski Run Boulevard looking towards East Peak and Heavenly Ski Resort. - Lake viewshed located at the intersection of US Highway 50 and Ski Run Boulevard looking towards Lake Tahoe and Ski Run Marina.	CSLT TRPA
Business Façade Improvement Program	Implement a program to provide low-interest loans to local businesses and Business Improvement Districts to install aesthetically improved building facades.	CSLT
SQIP	Implement the SQIP recommendations in non-attainment scenic roadway units during project review.	CSLT

RECREATION IMPROVEMENTS

To improve access to public recreation opportunities.

Improvements	Description	Responsible Party
Way-Finding Signage Program	Expand the City's Way-Finding program in the Tourist Center District to direct pedestrian and bicycle traffic to recreation opportunities including but not limited to: Van Sickle Bi-State Park, Lakeside Marina, Edgewood Golf Course, Heavenly Gondola and the Nevada Beach Trail.	CSLT CALTRANS CTC Private
Parks	Prioritize the relocation of existing tourist accommodation uses east of the wildwood basins for SEZ restoration and expand the existing passive memorial park. Encourage property owners to use TRPA transfer incentives to relocate the tourist units to higher capability lands in the Tourist Core Area Plan.	CSLT CTC
	Allow open space parcels to be utilized for passive recreation and seating areas. Ensure the use conforms with resource	CSLT

Improvements	Description	Responsible Party
	restrictions such as SEZs.	CTC
Commercial Floor Area	Amend the CFA allocations procedures to add additional criteria for earning CFA from the City unallocated pool. The City should add criteria that allow projects that promote the South Shore as an eco-tourism recreation destination to access the City's CFA pool	CSLT

10.2 ECONOMIC AND SUSTAINABILITY PROGRAMS

To promote economic activity and increase pedestrian activity in the Tourist Core.

Improvements	Description	Responsible Party
Special Event Area Designation	The City shall pursue obtaining a TRPA special event permit designation for areas within the Tourist Core. Temporary activities may occur in the special event area without further TRPA review upon approval of a special event area. All other temporary events outside the identified special event area will require a temporary activity permit.	CSLT
Commercial Floor Area	Amend the CFA allocations procedures to add additional criteria for earning CFA from the City unallocated pool. The City should add criteria that allow projects that voluntarily achieve a LEED or Energy Star green building certification to access the City's CFA pool.	CSLT

10.3 INCENTIVE PROGRAMS

The purpose of this program is to provide incentives to property owners and local governments to implement improvements in the Tourist Core and support the attainment of TRPA's Thresholds.

- Alternative Excess Land Coverage Program

  The purpose of this program is to reduce excess land coverage in the area plan and related hydrologic area. This system is in lieu of the TRPA excess coverage program set forth in Section 30.6 of the TRPA Code of Ordinances

  Excess coverage reductions, which occur when implementing CIP/EIP projects, shall be banked for use by participants in an assessment district or other such program. Pursuant to TRPA Code Subsection 30.6.1.B.5, a land banking accounting system is established to bank and credit coverage not necessary for the CIP/EIP in the Tourist Core. The TRPA, with City concurrence, will allow individual property owners to access this land bank to meet their obligations under TRPA Code Section 30.6: *Excess Land Coverage Mitigation Program*. The maximum amount of draw from the bank shall be limited to the amount of financial participation the individual property owner has made to the improvement.

Private entities which contribute financially to an assessment district projects may utilize the excess coverage credits if they are credited to the district.

- Alternate Water Quality Fee Program

  An Area Plan may propose to establish area-wide water quality treatments and funding mechanisms in lieu of certain site-specific BMPs, subject to the requirements outlined in TRPA Code section 13.5.3.B.3. All properties within the Tourist Core Area Plan that participate in an area-wide treatment system that have been implemented through public works projects will be considered as meeting the requirement of TRPA Code Chapter 60: *Water Quality* for drainage storage and treatment. Any financial contributions for these drainage systems, when onsite drainage is also provided, shall be credited to the Chapter 60 offsite mitigation fee requirements. Onsite BMP treatment such as paving and revegetation are still required where feasible as part of this program.

  Public and private entities which contribute financially are eligible to participate.

- Alternate Traffic and Air Quality Fee Program

  The purpose of this program is to implement the transportation improvements listed in the Transportation and Circulation Element and to provide a substitute to Subsection 65.2.4.C of the TRPA Code of Ordinances for collection of fees for offsite traffic and air quality mitigation.

  The Transportation and Circulation Element of the Tourist Core Area Plan lists improvements needed to help meet the VMT and Air Quality Thresholds. Implementation of the listed improvements will provide the necessary mitigation. Fees or assessments paid equivalent to the requirements of TRPA Code Section 65.2.4 to implement the improvement listed, will be considered in lieu of the requirements of TRPA Code Section 65.2.4.

  Public and private entities demonstrating equivalent contributions to the construction of the listed improvements may credit such contributions to TRPA Code Section 65.2.4 requirements.

- Land Coverage

  A conforming Area Plan is eligible for the transfer of coverage program pursuant to TRPA Code Section 30.4.2: *Transferred Land Coverage Requirements*. Maximum coverage for facilities located in the Tourist Core but further than 300 feet of the High Water Line of Lake Tahoe is 70 percent of the project area located within Land Capability Districts 4 – 7, inclusive. Moreover, transfer of soft coverage from SEZs can be used for all use types in the Tourist Core Area Plan.

  The following land coverage provisions in TRPA Code Section 30.6.4 are applicable throughout the Region:

  - Non-motorized public trails are exempt from coverage subject to accessibility, trail route design, trail design, and designation provisions.

- Coverage exemptions for non-permanent structure up to 120 square feet subject to BMPs, land capability verification, location, and aggregate limitation provisions.
- Coverage exemptions for new residential pervious decks subject to size, design, BMPs, location, and aggregate limitation provisions.
- Coverage exemptions for legally existing decks that meet all approval criteria are met.

- Transfer of Nonconforming Land Coverage in Centers

  Pursuant to TRPA Code Subsection 30.4.2.C of the TRPA Code of Ordinances, existing development relocated to a Town Center or a Regional Center where the sending site is restored and retired, may maintain nonconforming land coverage. The receiving site shall be developed in accordance with all applicable TRPA ordinances and the site shall be either the same size or larger than the prior site. If the new project site is smaller, the amount of nonconforming coverage transferred shall be reduced on a proportional basis. The balance of nonconforming coverage may be banked and transferred elsewhere.

- Offsite Excess Coverage Mitigation

  A project may mitigate its excess land coverage by reducing coverage offsite in a different hydrologically related area provided the restoration occurs on more sensitive lands than the project area.

- Onsite Removal and Retirement of Excess Coverage in the Tourist Core Area Plan

  Pursuant to TRPA Code Section 30.6.3 of the TRPA Code of Ordinances, onsite removal of remaining excess coverage in a Town Center or a Regional Center, may earn multi-residential bonus units, tourist accommodation bonus units, and/or commercial floor area.

- Commercial Floor Area Allocation

  The City of South Lake Tahoe provides a pool of Commercial Floor Area (CFA) at a reasonable cost in order to create an investment stimulant for creating change. CFA is provided as an incentive, not an entitlement, in order to encourage property owners to move forward with projects that are beneficial to the environment, community and the economy.

  Projects eligible for an allocation of CFA from the City's pools must meet the following criteria:

  1. Be within an adopted community plan area,
  2. Meet the criteria for CFA allocations required by the applicable community plan,
  3. Meet all applicable design standards,
  4. Include the construction of improvements that will benefit the public and community which are more extensive than required by the applicable community plan or City Code; and
  5. Provide an economic benefit to the community with enough significance to merit the allocation of the City's CFA resource.

An additional 160,347 square feet of CFA is available from the TRPA Pool as development transfer match to Town Centers and the Regional Center. See Transfer of Development Rights to the Tourist Core Area Plan and Transfer of Existing Development to the Tourist Core Area Plan program descriptions below.

- Tourist Accommodation Bonus Units

  A total of 147 tourist bonus units are available for use by projects in the Tourist Core. Twenty-five (25) bonus units are assigned to the Tourist Core, 40 bonus units are available from TRPA's Community Plan pool and 82 are available from TRPA's Special Projects Pool. Tourist bonus units from the TRPA Community Plan pool or units assigned to the area plan may be earned in accordance with TRPA Code Section 52.4 when matched with a transfer of an existing tourist accommodations unit. Tourist bonus units may also be earned from the Special Project Pool in accordance with TRPA Code Section 50.6.4.D.

  In addition to the TRPA Code provisions listed above, tourist bonus units may also be earned as a transfer match for the transfer of existing development to Town Centers and the Regional Center in accordance with TRPA Code Section 51.5.3: *Transfer of Existing Development to Centers*. See Transfer of Existing Development to the Tourist Core Area Plan program description below.

- Residential Bonus Units

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

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

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

- Transfer of Existing Development to the Tourist Core

  Pursuant to TRPA Code Section 51.5.3, residential bonus units, CFA and tourist bonus unit are available as development transfer match for existing development (residential, tourist accommodation and commercial uses) that is transferred to the Tourist Core.

Receiving parcels in the plan area may earn residential bonus units, tourist bonus units or CFA at an enhanced transfer ratio based on the land capability of the sending parcels. Transfers of existing residential units are eligible for an additional enhanced transfer ratio based on the sending parcel's distance from the Tourist Core and primary transit route. Residential bonus units earned under this program does not require an allocation to construct a residential unit.

- Transfer of Development Rights to the Tourist Core

  Residential bonus units from the TRPA Pool are available as development transfer match for transferring development rights to the Tourist Core Area Plan. Receiving parcels in the plan area may earn residential bonus units at an enhanced transfer ratio based on the land capability of the sending parcel, and its distance from the Tourist Core and primary transit routes. Residential bonus units earned under this program do not require an allocation to construct a residential unit. The transferred development right is eligible to receive an allocation from TRPA's unused allocation pool pursuant to Section 51.3.3.C.4 of the TRPA Code.

- Persons At One Time

  Projects are eligible for the Persons At One Time (PAOT) allocations pursuant to TRPA Code Section 50.9: *Regulation of Additional Recreation Facilities* of the TRPA Code of Ordinances.

  The TRPA Code requires that certain recreation uses and activities are assigned additional PAOTs from TRPA prior to a construction of a project or commencement of an activity. Uses such as marinas, boat launching facilities, information centers, recreation centers, day uses areas, beach recreation, commercial boating, water-oriented outdoor recreation concession, downhill ski facilities, developed campgrounds, group facilities, and recreational vehicle parks are eligible for PAOT allocations from the TRPA Pool.

- City of South Lake Tahoe Green Building Program

  In November 2010, the City Council adopted the City of South Lake Tahoe Green Building Program (Resolution 2010-92). The program encourages the incorporation of energy efficiency in City buildings and facilities, and provides clear incentives for private property owners to retrofit residential, commercial, and industrial buildings to save energy and reduce the carbon foot print.

  Residential projects that incorporate green building measures will be given priority for plan check, by all City Departments, over projects that meet only mandatory requirements. For projects that propose to voluntarily achieve a third party certification such as LEED, Energy Star or Green Point Rated would be eligible for the following:

  - Projects would receive priority plan check, over all other projects, by all City Departments.
  - Residential projects would have priority on the residential allocation waiting list – 10% of residential allocations would be offered to Green Building projects before other projects on the waiting list.
  - Projects would receive recognition at a televised City Council meeting and on the City Website.

Commercial projects that voluntarily achieve LEED certification or an Energy Star Label would be eligible for the following:

- Projects would receive priority plan check, over all other projects, by all City Departments.
- Projects would be eligible for CFA allocation rom the City's unallocated CFA pool.
- Project would receive recognition at a televised City Council meeting and on the City Website

- Change in Use

Commercial changes in use are exempt from project review if the following criteria are met:

1. The change in use is within the commercial use classification;
2. The change in use is to an allowed use;
3. The property is a member of an approved parking assessment district;
4. The change does not increase the parking requirement to a greater requirement than 1 space for 200 square feet., or the number established upon creating the district;
5. The proposed activity is consistent with the Tourist Core Area Plan, is not a project by other requirement of TRPA Code Chapter 2: *Applicability of the Code of Ordinances* of the TRPA Code of Ordinances; and
6. The change in use does not have the potential to intensify pollutant loads over and above the capability of treatment by existing installed BMPs.

- Offsite Parking

Use of offsite and shared parking is permissible pursuant to the parking standards in Appendix B of this Plan.

- Density Bonus

- Projects approved as part of the South Tahoe Redevelopment Demonstration Project No. 1 shall be subject to TRPA Code Section 31.4.3 for density calculations.

- Conversion of Use

Pursuant to TRPA Code Section 50.10: *Election of Conversion of Use*, the following conversion incentives are available in the Tourist Core Area Plan.

Up to 200 existing Tourist Accommodation Units (TAUs) basin wide can be converted to Existing Residential Units of Use for multi-unit projects subject to the following conditions:

1. Each converted unit maximum size is 1,250 square feet of residential floor area; and

2. The conversion must happen on the same parcel.

Conversion of an existing residential unit of use or tourist accommodation unit to a residential, tourist or commercial use may be permitted when the units are transferred from sensitive lands.

Conversion of an existing residential unit of use or tourist accommodation units to a residential, tourist, or commercial use may be permitted if the conversion results in the elimination of a non-conforming use.

Conversion of an existing residential unit to tourist or commercial use or an existing tourist accommodation unit to a commercial use or multi-family unit may be permitted onsite or for transfers if the project meets the TRPA standards applicable for a project proposed on an undeveloped project area.

Conversion of an existing residential unit of use to a tourist or commercial use or an existing tourist accommodation unit of use to a commercial use or a residential use may be permitted onsite or for transfer if the converted use is include as part of a project that has linked status pursuant to Chapter 15 of the TRPA Code.

Conversion of existing tourist accommodation units of use to residential may be permitted onsite if the converted units will be used for deed-restricted affordable housing.

10.4 MONITORING AND REPORTING PROGRAMS

TOURIST CORE AREA PLAN

The TRPA Code of Ordinances Section 13.8: *Monitoring, Certification, and Enforcement of Area Plan* requires quarterly monitoring of building permits issued by the City and an annual review and certification of the area plan.

- On a quarterly basis, the City shall provide TRPA with all building permits issued in the plan area. At a minimum the permits shall contain and make clear the necessary development information that TRPA needs to measure compliance with the terms of the area plan, such as additional land coverage, commercial floor area, residential units, or tourist accommodation units.

Annual review and certification shall be conducted by TRPA. TRPA shall select and review a sample of development permits issued within the plan area in order to certify that the permits are issued in conformance with the area plan.

LAKE TAHOE TMDL

Through the Lake Tahoe TMDL, Lahontan established five-year load reduction targets to assess a jurisdiction's progress towards meeting overall load reduction goals. The first load reduction target is specified in the NPDES permit (MS4), which requires a 10 percent Fine Sediment reduction, 7 percent Total Phosphorus, and an 8 percent Total Nitrogen from baseline pollutant loading by September 30, 2016.

In addition, the MS4 permit identifies the following milestones for load reduction planning and reporting efforts.

- On an annual basis (March 15), the City will provide Lahontan with a progress report on the City's Five Year Pollutant Load Reduction Plan.
- Pollutant Load Reduction Progress Report - October 1, 2013.
- Report of Waste Discharge and Updated Pollutant Load Reduction Plan – June 9, 2016.

The City will continue to track abrasive applications and materials recovered by sweeping and vactoring, which helps identify areas with high pollutant loading. City will continue to inspect facilities during large runoff events, to determine whether constructed source control, conveyance, and treatment measures are functioning as designed. The City will also complete annual stormwater system, construction and commercial, industrial, and municipal site inspections required in the MS4 permit. These activities form the foundation of the City's internal approach to assess its stormwater management activities and provide data to support assessments and reporting of annual load reduction progress during the implementation of the PLRP. Moreover, it provides valuable data for updating of the PRLP for year 2016 and beyond.

Appendix A
REFERENCES

South Lake Tahoe, City of. 2013. *Pollutant Load Reduction Plan*. Prepared for the City with assistance from NHC, Adopted by the City Council on January 2013.

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Lakeside Park Association (LPA). *2013. Lakeside Park Association Water Systems*. http://www.lakesideparkassociation.org/pages/water.html (accessed May 2013)

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Tahoe Regional Planning Agency. 2012. *2011 Threshold Evaluation, December 2012*. Accepted by the TRPA Governing Board on December 12, 2012.

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Appendix B
TRPA HEIGHT FINDINGS FOR TOWN CENTERS AND THE REGIONAL CENTER

Height up to 56 feet in Town Centers and 95 feet in the Regional Center is permitted with the adoption of a conforming Area Plan. To ensure compatibility with adjacent uses, viewshed protection, and mitigation for potentially significant scenic impacts resulting from three- or four-story buildings in the Town Centers and from three- to six-story buildings in the Regional Center, a project shall meet findings 1, 3, 5, and 9 of Section 37.7 of the TRPA Code of Ordinances.

37.7.1 Finding 1

When viewed from major arterials, scenic turnouts, public recreation areas, or the waters of Lake Tahoe, from a distance of 300 feet, the additional height will not cause a building to extend above the forest canopy, when present, or a ridgeline. For height greater than that set forth in Table 37.4.1-1 for a 5:12 roof pitch, the additional height shall not increase the visual magnitude beyond that permitted for structures in the shoreland as set forth in subsection 66.3.7, Additional Visual Magnitude, or Appendix H, Visual Assessment Tool, of the Design Review Guidelines.

37.7.3. Finding 3

With respect to that portion of the building that is permitted the additional height, the building has been designed to minimize interference with existing views within the area to the extent practicable.

37.7.5. Finding 5

The portion of the building that is permitted additional building height is adequately screened, as seen from major arterials, the waters of lakes, and other public areas from which the building is frequently viewed. In determining the adequacy of screening, consideration shall be given to the degree to which a combination of the following features causes the building to blend or merge with the background.

A. The horizontal distance from which the building is viewed;

B. The extent of screening; and

C. Proposed exterior colors and building materials.

37.7.9. Finding 9

When viewed from a TRPA scenic threshold travel route, the additional building height granted a building or structure shall not result in the net loss of views to a scenic resource identified in the 1982 Lake Tahoe Basin Scenic Resource Inventory. TRPA shall specify the method used to evaluate potential view loss.

Appendix C
Development and Design Standards

This section sets out the development standards, design standards and permissible uses for the land use districts in the Tourist Core Area Plan to achieve its desired urban form.

Applicability: All projects within the Tourist Core Area Plan shall meet the standards provided below. In addition, all projects are required to meet the Citywide Design Standards as well when applicable. Should a conflict occur between the Citywide standards and the Tourist Core Area Plan standards, the standards of this Area Plan shall apply. All regulations in the TRPA Code of Ordinances shall remain in effect unless superseded by the provisions of this Area Plan.

PERMISSIBLE USES

Table 1 lists the permitted primary land uses by district for the Tourist Core Area Plan and land use definitions are provided in Table 2. The regulations for the district are established by letter designations listed below. The designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review. Uses not listed in the Table are prohibited.

(A) designates allowed uses subject to zoning compliance. An allowed use is one that can be established as the primary use of a building.

(S) designates uses that are permitted subject to approval of a Special Use Permit. A Special Use Permit requires discretionary approval by the City Planning Commission or Zoning Administrator following review and a determination that the nature of the proposed use, at the location proposed, is not detrimental to the public welfare or injurious to property or improvements in the neighborhood. To obtain a special use permit, the applicant must generally show that the contemplated use is compatible with the zoning ordinance and land use standards. Findings that such use would be essential or desirable to the public convenience or welfare, and will not impair the integrity and character of the zoned district or be detrimental to the public health, safety, morals or welfare are required.

(TRPA) designates uses that require TRPA review and permitting

(-) designates uses that are not permitted.

Table 1: PERMITTED USES BY LAND USE DISTRICT								
Permitted Uses Key: "A" – Allowed Use "S" – Special Use "T" – Temporary Use "TRPA" – TRPA Review Required "-" – Use Not Permitted	TSC-C	TSC-MU	TSC-MUC	TSC-NMX	TSC-G	TSC-G Special Area #1	REC	OS
RESIDENTIAL								
Domestic Animal Raising	-	-	-	-	-	-	S	-
Employee Housing	S	S	A	S	S	S	A	
Multiple Family Dwelling	A	A	A	A	A	A	-	-
Multi-Person Dwelling	S	S	S	S	S	S	-	-
Single Family Dwelling (includes condominiums)	A8	A	A	A	A	A	S1	-
TOURIST ACCOMMODATION								
Bed & Breakfast Facilities	-	A	A9	S	A	A	-	-
Hotel, Motel, Other Transient Dwelling Units	A	A	A9	S	A	A	-	-
Time Sharing	A	A	A9	S	S	A	-	-
RETAIL COMMERCIAL								
General Retail and Personal Services	A	A	A9	S	A	A	-	-
Building Material & Hardware	S6	-	-	-	-	S	-	-
Nursery	-	-	A9	-	-	S	-	-
Outdoor Retail Sales	A	-	S9	-	-	S	-	-
Eating & Drinking Places	A	S	A9	S	A	A	-	-
Service Stations[11]	S	S	-	-	S	S	-	-
ENTERTAIMENT COMMERCIAL								
Amusement & Recreation	S	S	-	-	-	A	-	-
Privately Owned Assembly and Entertainment	S	S	-	-	-	S	S	-
Outdoor Amusements	-	S	S	-	S	S	S	-
SERVICE COMMERCIAL								
Animal Husbandry Services	-	-	-	-	-	A	-	-
Business Support Services	A7	S	S9	-	S	A	-	-
Health Care Services	A2,5		A9	-	A	A	-	-
Professional Offices	A3,4	A	A9	A	A	A	-	-
Schools – Business & Vocational	S	-	S9	-	A	A	-	-
LIGHT INDUSTRIAL COMMERCIAL								
Small Scale Manufacturing	S	S	S9	S	-	S12	-	-
Industrial Services[11]	-	-	-	-	-	S12	-	-
WHOLESALE/STORAGE COMMERCIAL								
Vehicle Storage & Parking[11]	S	S	S9	S	S	S	-	-
Wholesale and Distribution	-	-	-	-	-	S12		
GENERAL PUBLIC SERVICE								
Religious Assembly	-	S	S9	-	S	A	-	-
Cultural Facilities	S	S	S9	-	S	A	-	-
Daycare Centers/Preschool	A	A	A10	A	A	A	-	-
Government Offices	-	-	A9	-	-	S	-	-
Local Assembly & Entertainment	S	S	-	-	-	S	-	-
Local Public Health and Safety Facilities[11]	A	A	A	A	A	A	A	A
Public Owned Assembly & Entertainment	S	S	-	-	-	-	S	

Table 1: PERMITTED USES BY LAND USE DISTRICT								
Permitted Uses Key: "A" – Allowed Use "S" – Special Use "T" – Temporary Use "TRPA" – TRPA Review Required "-" – Use Not Permitted	TSC-C	TSC-MU	TSC-MUC	TSC-NMX	TSC-G	TSC-G Special Area #1	REC	OS
Public Utility Centers[11]	-	S	-	-	-	-	-	-
Social Service Organizations	-	-	A9	-	A	A	-	-
LINEAR PUBLIC FACILITIES								
Pipelines & Power Transmission	S	S	S	S	S	S	S	S
Transit Stations & Terminals	S	S	S	S	S	S	S	S
Transportation Routes	S	S	S	S	S	S	S	S
Transmission & Receiving Facilities	S	S	S	S	S	S	S	S
RECREATION								
Cross Country Ski Courses	-	-	-	-	-	-	S	-
Day Use Areas	A	A	A	A	A	A	A	A
Group Facilities	-	-	-	-	-	-	S	-
Outdoor Recreation Concessions	-	-	-	-	S	S	-	-
Participant Sport Facilities	S	-	-	-	-	-	-	-
Riding and Hiking Trails	-	-	-	-	-	S	S	-
Rural Sports	-	-	-	-	-	S	S	-
Snowmobile Courses	-	-	-	-	-	S	S	-
Visitor Information Centers	S	S	-	-	S	-	-	-
RESOURCE MANAGEMENT								
Forest and Timber Resource Management	A	A	A	A	A	A	A	A
Vegetation Resource Management	A	A	A	A	A	A	A	A
Water Quality Improvements and Watershed Management	A	A	A	A	A	A	A	A
Wildlife and Fisheries Resource Management	A	A	A	A	A	A	A	A
Range Management	-	-	-	-	-	-	A	-
OPEN SPACE								
Allowed in all areas of the Region	A	A	A	A	A	A	A	A
SHOREZONE								
(Tolerance Districts 1 and 4)								
Water Oriented Outdoor Recreation Concession	-	-	-	-	TRPA-A	TRPA-A	-	-
Beach Recreation	-	-	-	-	TRPA-A	TRPA-A	-	-
Water Borne Transit	-	-	-	-	TRPA-S	TRPA-S	-	-
Boat Launching Facilities	-	-	-	-	TRPA-S	TRPA-S	-	-
Tour Boat Operations	-	-	-	-	TRPA-S	TRPA-S	-	-
Safety and Navigation Devices	-	-	-	-	TRPA-A	TRPA-A	-	-
(Shorezone Tolerance District 4)								
Marinas	-	-	-	-	TRPA-S	TRPA-S	-	-

Table 1: PERMITTED USES BY LAND USE DISTRICT								
Permitted Uses Key: "A" – Allowed Use "S" – Special Use "T" – Temporary Use "TRPA" – TRPA Review Required "-" – Use Not Permitted	TSC-C	TSC-MU	TSC-MUC	TSC-NMX	TSC-G	TSC-G Special Area #1	REC	OS
Buoys	-	-	-	-	TRPA-A	TRPA-A	-	-
Piers	-	-	-	-	TRPA-S	TRPA-S	-	-
Fences	-	-	-	-	TRPA-S	TRPA-S	-	-
Boat Ramps	-	-	-	-	TRPA-S	TRPA-S	-	-
Floating Docks and Platforms	-	-	-	-	TRPA-S	TRPA-S	-	-
Shoreline Protective Devices	-	-	-	-	TRPA-S	TRPA-S	-	-
Water Intake Lines	-	-	-	-	TRPA-A	TRPA-A	-	-

Note: In the Regional Center all residential projects equal to or exceeding 100,000 square feet of new floor area or non-residential projects equal to or exceeding 80,000 square feet of new floor area require TRPA review and approval. In the Town Center all residential projects equal to or exceeding 50,000 square feet of new floor area or non-residential projects equal to or exceeding 40,000 square feet of new floor area require TRPA review and approval.

1. Caretaker Residence Only
2. All Health Care Services are allowed except emergency outpatient or urgent care facilities which shall only be considered along Heavenly Village Way, formerly Park Avenue.
3. Allow Realty Offices within the district and limit financial services to ATMs.
4. Allow consideration for placement of Realty Offices within the district, and only when operated in conjunction with approved Park Avenue Redevelopment fractional ownership tourist accommodation projects. Such use shall occupy no more than five percent (5%) of the commercial floor area with any project area within the district.
5. All Health Care Services uses permissible throughout special district; provided that any Health Care Services uses proposed to front on either side of US Highway 50 and/or the intersections of Heavenly Village Way (formerly Park Avenue) and Stateline Avenue are limited to second floor or higher. See TRPA Ordinance 2009-05 Exhibit 2 for specific limitation locations.
6. Outdoor storage and display is prohibited.
7. Shall not front on US Highway 50.
8. Condominiums only.
9. Use not permitted in Special Area #1, which comprises of APNs 028-081-02, 028-081-04 & 028-081-15.
10. Daycare center allowed as an accessory use.
11. Land use category is identified in TRPA Code Section 60.3 as a "possible contaminating activity." Triggering special requirements pursuant to TRPA Code Section 60.4 if located within a Source Water Protection Zone.
12. Use only allowed in connection with a retail commercial use where it will enhance the visitor experience and is limited in size to 30% of the associated retail space.

Table 2: LIST OF PRIMARY USES AND USE DEFINTIONS	
USE	**DEFINITIONS**
RESIDENTIAL	
Domestic Animal Raising	The keeping, feeding, or grazing of animals as an avocation, hobby, or school project, secondary to the principal residential use of a property greater than two acres. The use applies to species commonly considered as farm animals, but does not include exotic animals. Household pets, such as dogs and cats, are included when such animals are being bred for commercial reasons. Outside storage or display is included as part of the use.
Employee Housing	Residential units owned and maintained by public or private entities for purposes of housing employees of said public or private entity.
Multiple Family Dwelling	More than one residential unit located on a parcel. Multiple-family dwellings may be contained in separate buildings such as two or more detached houses on a single parcel, or in a larger building on a parcel such as a duplex, a triplex, or an apartment building. Vacation rentals are included, up to but not exceeding a four-plex, provided they meet the Local Government Neighborhood Compatibility Requirements as defined in the TRPA Code of Ordinances. One detached secondary residence is included.
Multi-Person Dwelling	A building designed primarily for permanent occupancy by individuals unrelated by blood, marriage, or adoption in other than single-family dwelling units or transient dwelling units. A multi-person dwelling includes, but is not limited to, facilities such as dormitories and boarding houses, but not such facilities as hotels, motels, and apartment houses.
Single Family Dwelling (includes condominiums)	One residential unit located on a parcel. A single-family dwelling unit may be contained in a detached building such as a single-family house, or in a subdivided building containing two or more parcels such as a town house condominium. Vacation rentals are included provided they meet the Local Government Neighborhood Compatibility Requirements as defined in the TRPA Code of Ordinances. A caretaker residence is included.
TOURIST ACCOMMODATION	
Bed & Breakfast Facilities	Residential-type structures that have been converted to or constructed as tourist accommodation facilities where bedrooms without individual cooking facilities are rented for overnight lodging, and where at least one meal daily is provided. The use does not include "Hotels and Motels," which are defined separately; nor rooming and boarding houses (see "Multi-Family Dwellings").
Hotel, Motel, Other Transient Dwelling Units	Commercial transient lodging establishments, including hotels, motor- hotels, motels, tourist courts, or cabins, primarily engaged in providing overnight lodging for the general public whose permanent residence is elsewhere. This use does not include Bed and Breakfast Facilities or Vacation Rentals.
Time Sharing	A right to exclusively use, occupy, or possess a tourist accommodation unit, according to a fixed or floating time

Table 2: LIST OF PRIMARY USES AND USE DEFINTIONS	
USE	**DEFINITIONS**
	schedule on a periodic basis occurring annually over a period of time in excess of three years.
RETAIL COMMERCIAL	
General Retail and Personal Services	An establishment for the retail sale of merchandise or the provision of personal services. A retail facility includes but is not limited to antique or art shops, clothing, drug, dry good, florist, furniture, gift, grocery, hobby, mailing services, office supply, package liquor, paint, pet, shoe, sporting, bike or moped, boats, golf carts, snowmobiles, jet skis, automobile parts, books, toy stores, and other miscellaneous retail shopping goods (auto, mobile home and vehicle sales are not included in this definition). A personal service facility includes facilities primarily engaged in providing non-medical services generally involving the care of persons, such as: beauty and barber shops; shoe repair shops; saunas and hot tubs; laundromats (self-service laundries); dry cleaning pick-up stores and small-scale dry cleaners without pick-up and delivery services; clothing rental; dating and escort services; offsite rental of sporting equipment; and wedding chapels. The use may also include the accessory retail sales of products related to the services provided.
Building Material & Hardware	Retail trade establishments within buildings primarily engaged in selling lumber and other building materials, including paint, wallpaper, glass, hardware, nursery stock, and lawn and garden supplies. The use includes all such stores selling to the general public, even if contractor sales account for a larger proportion of total sales. Outside storage or display is included as part of the use. Establishments primarily wholesaling plumbing, heating and air conditioning equipment, and electrical supplies are classified in "Wholesale and Distribution."
Nursery	Commercial retail and wholesale establishment where plants are grown or stored for transplanting at other sites. Outside storage or display is included as part of the use.
Outdoor Retail Sales	Retail trade establishments operating outside of buildings on a daily or weekly basis, such as: roadside stands; flea markets; swap meets; seasonal sales involving Christmas trees, pumpkins, or other seasonal items; regular sales of art or handcrafted items in conjunction with community festivals or art shows; and retail sales of various products from individual motor vehicles locations outside the public right-of-way, not including bakery, ice cream, and similar vending vehicles that conduct all sales within the right-of-way and do not stop in any location except on customer demand. Outside storage or display is included as part of the use.
Eating & Drinking Places	Restaurants, bars, and other establishments selling prepared foods and drinks for on-premise consumption, as well as facilities for dancing and other entertainment that are accessory to the principal use of the establishment as an eating and drinking place. The use also includes drive-in restaurants, lunch counters, and refreshment stands selling prepared goods and drinks for immediate consumption.

Table 2: LIST OF PRIMARY USES AND USE DEFINTIONS	
USE	**DEFINITIONS**
Service Stations	Retail trade establishments primarily engaged in the sale of gasoline, which may also provide lubrication, oil change and tune-up services, and the sale of automotive products incidental to gasoline sales. The use may also include as accessory uses towing, mechanical repair services, car washing and waxing, and trailer rental. The use does not include storage of wrecked or abandoned vehicles, paint spraying body and fender work, and retail sale of gasoline as an accessory use to food and beverage retail sales when limited to not more than two pumps.
ENTERTAIMENT COMMERCIAL	
Amusement & Recreation	Establishments providing amusement or entertainment for a fee or admission charge, such as: arcades and coin-operated amusements; billiard and pool halls; bowling alleys; card rooms; clubs and ballrooms that are principal uses rather than being subordinate to an eating or drinking place; dance halls; gymnasiums; health and athletic clubs; ice skating and roller skating facilities; indoor sauna, spa, or hot tub facilities; motion picture theaters; reducing salons; and tennis, handball, racquetball, indoor archery and shooting ranges, and other indoor sports activities.
Privately Owned Assembly and Entertainment	Commercially operated facilities for public assembly and group entertainment with a capacity of greater than 300 people, such as: auditoriums; exhibition and convention halls; theaters, meeting halls and facilities for "live" theatrical presentations or concerts by bands and orchestras; amphitheaters; meeting halls for rent; and similar public assembly uses.
Outdoor Amusements	Commercial establishments for outdoor amusement and entertainment such as: amusement parks; theme and kiddie parks; go cart and miniature auto race tracks; and miniature golf courses. Outside storage or display is included as part of the use.
SERVICE COMMERCIAL	
Animal Husbandry Services	Establishments primarily engaged in performing services for animals, such as veterinary services, animal hospitals, and animal kennels. The use does not include publicly operated animal control and wildlife care (see “Local Public Health and Safety Facilities”).
Business Support Services	Service establishments within buildings that provide other businesses with services including maintenance, repair and service, testing, and rental. This includes establishments such as: outdoor advertising services, mail advertising services (reproduction and shipping); blueprinting, photocopying, and photofinishing; computer-related services (rental, repair, and maintenance); commercial art and design (production); film processing laboratories; and services to structures such as window cleaning, exterminators, janitorial services, and business equipment repair services.
Health Care Services	Service establishments primarily engaged in furnishing medical, mental health, surgical, and other personal health services such as: medical, dental, and psychiatric offices;

Table 2: LIST OF PRIMARY USES AND USE DEFINTIONS	
USE	**DEFINITIONS**
	medical and dental laboratories; outpatient care facilities; and allied health services. Associations or groups primarily engaged in providing medical or other health services to members are included. Nursing homes and similar long-term personal care facilities are classified in "Nursing and Personal Care," and mental health-related services, including various types of counseling practiced by licensed individuals other than medical doctors or psychiatrists or unlicensed individuals, are included under Professional Offices.
Professional Offices	A place where the following kinds of business are transacted or services rendered: engineering, architectural and surveying; real estate agencies; educational, scientific and research organizations; financial services; writers and artists; advertising agencies; photography and commercial art studios; publishing with offsite printing facilities; broadcasting studios; employment services; off premise concessions (OPC); reporting services; computer services; management, public relations, and consulting services; organizational offices; detective agencies; professional services; attorneys; and counseling services (other than licensed psychiatrists; see "Health Care Services"). Incidental offices are considered accessory uses to a primary use.
Schools – Business & Vocational	Business and vocational schools offering specialized trade and commercial courses.
Secondary Storage	The outdoor storage of various materials or the public display of merchandise on the same site as a principal building or use that supports the activities or conduct of the principle use and does not increase the intensity of the use. This does not apply to primary uses that include outside storage and display as part of the use.
LIGHT INDUSTRIAL COMMERCIAL	
Industrial Services	Establishments providing light industrial services to an associated retail commercial primary use while providing educational and/or demonstration opportunities to the public.
Small Scale Manufacturing	Establishments primary engaging in retail sales and secondarily as a fine art or craftsman demonstration workshop of light industrial nature such as sculptor, potter, weaver, carver, jeweler, or other similar art that requires artistic skill . Outside storage or display would require approval of a Special use Permit.
WHOLESALE/STORAGE COMMERCIAL	

Table 2: LIST OF PRIMARY USES AND USE DEFINTIONS	
USE	**DEFINITIONS**
Vehicle Storage & Parking	Service establishments primarily engaged in the business of storing operative cars, buses, or other motor vehicles. The use includes both day use and long-term public and commercial garages, parking lots, and structures. Outside storage or display is included as part of the use. The use does not include wrecking yards (see "Recycling and Scrap").
Wholesale and Distribution	Retail commercial establishments engaged in, as a secondary uses, the storage of merchandise and distribution of products for sale.
GENERAL PUBLIC SERVICE	
Religious Assembly	Religious organization assembly or institutional facility operated for worship or promotion of religious activities, including churches and incidental religious education. Other establishments maintained by religious organizations, such as full-time educational institutions, hospitals, and other potentially related operations (such as a recreational camp) are not considered a religious assembly and are classified according to their respective activities.
Cultural Facilities	Permanent public or quasi-public facilities generally of a noncommercial nature, such as art exhibitions, planetariums, botanical gardens, libraries, museums, archives, and arboretums.
Daycare Centers/Preschool	Establishments used for the care of seven or more children residing elsewhere.
Government Offices	Buildings containing office for public agencies, including administrative offices, and meeting rooms that are incidental and accessory to another government use such as transit terminals, vehicle storage, campground, or storage yards.
Local Assembly & Entertainment	Facilities for public assembly and entertainment for the local community, not to exceed a capacity of 300 people, such as community centers, meeting halls, and multi-purpose centers.
Post Office	Establishments providing mail service and delivery, such as postal substations and neighborhood delivery centers.
Local Public Health and Safety Facilities	Facilities operated by public or quasi-public entities for the local protection of the public, such as: fire stations and other fire prevention facilities; police and sheriff substations; satellite highway maintenance and snow removal facilities; water tanks, pumps, wells and related facilities; monitoring facilities; sewage pumps and related facilities; and emergency services. Outside storage or display is included as part of the use.
Public Owned Assembly & Entertainment	Facilities owned and operated by a public or nonprofit entity for public assembly and group entertainment with a capacity of greater than 300 people, such as: public auditoriums; exhibition and convention halls; civic theaters, meeting halls and facilities for live theatrical presentations or concerts by bands, choirs, and orchestras; meeting halls for rent; community centers; and similar public assembly uses.

Table 2: LIST OF PRIMARY USES AND USE DEFINTIONS	
USE	**DEFINITIONS**
Public Utility Centers	Public and quasi-public facilities serving as junction points for transferring utility services from one transmission to another or to local distribution and service, such as: electrical substations and switching stations; major telephone switching centers; natural gas regulating and distribution facilities; public water system wells, treatment plants and storage; and community wastewater treatment plants and settling ponds. Outside storage or display is included as part of the use. The use does not include office or service centers (see "Professional Offices or Government Offices").
Social Service Organizations	Public and quasi-public establishments providing social services and rehabilitation services, counseling centers, welfare offices, job counseling and training centers, or vocational rehabilitation agencies, serving persons with social or personal problems requiring special services and the handicapped and the disadvantaged. The use includes organizations soliciting funds to be used directly for these and related services. The use also includes establishments engaged in community improvement and neighborhood development.
LINEAR PUBLIC FACILITIES	
Pipelines & Power Transmission	Transportation facilities primarily engaged in the pipeline transportation of refined products of petroleum, such as: gasoline and fuel oils; natural gas; mixed, manufactured, or liquefied petroleum gas; or the pipeline transmission of other commodities. The use includes facilities for the transmission of electrical energy for sale, including transmission and distribution facilities. Outside storage or display is included as part of the use. The use does not include offices or service centers (see "Professional Offices"); equipment and material storage yards (see "Storage Yards"); distribution substations (see "Public Utility Centers");and power plants (see "Power Generating Plants").
Transit Stations & Terminals	Passenger stations for vehicular and mass transit systems; also, terminal facilities providing maintenance and service for the vehicles operated in the transit system. The use includes, but is not limited to, buses, taxis, railway, and ferries. Outside storage or display is included as part of the use.
Transportation Routes	Public right-of-ways that are improved to permit vehicular, pedestrian, and bicycle travel.
Transmission & Receiving Facilities	Communication facilities for public or quasi-public, commercial, and private electronic, optic, radio, microwave, electromagnetic, and photo-electrical transmission and distribution, such as: repeater and receiving facilities, feeder lines, and earth stations for satellite communications for radio, television, telegraph, telephone, data network, and other microwave applications. The use includes local distribution facilities such as lines, poles, cabinets, and conduits. Outside storage or display is included as part of the use. The use does not include uses described under Broadcasting Studios.
RECREATION	

Table 2: LIST OF PRIMARY USES AND USE DEFINTIONS	
USE	**DEFINITIONS**
Beach Recreation	Recreational use of a beach, supported by developed facilities such as sanitation facilities, parking, and picnic sites, and nearshore facilities such as multiple-use piers and buoys. Nearshore and foreshore facilities are included in Chapter 81, *Permissible Uses and Structures in the Shorezone and Lakezone*, of the TRPA Code of Ordinances.
Boat Launching Facilities	Recreational establishments that provide boat launching, parking, and short-term trailer storage for the general public. The storage, mooring, and maintenance of boats are included under "Marinas." Raft launching is included under "Day Use Areas." Outside storage or display is included as part of the use.
Cross Country Ski Courses	
Day Use Areas	Land or premises, other than Participant Sports Facilities, designated by the owner to be used by individuals or the general public, for a fee or otherwise, for outdoor recreation purposes on a daily basis such as regional and local parks, picnic sites, vista points, snow play areas, rafting facilities, and playgrounds.
Developed Campgrounds	Land or premises designed to be used, let, or rented for temporary occupancy by campers traveling by motorized vehicle or recreational vehicles, and that contain such facilities as campsites with parking area, barbecue grills, tables, restrooms, and at least some utilities.
Group Facilities	Establishments that provide overnight accommodations and outdoor recreation to organized groups such as recreational camps, group or organized camps, and religious camps.
Marinas	Establishments primarily providing water-oriented services, such as: yachting and rowing clubs; boat rentals; storage and launching facilities; sport fishing activities, excursion boat and sightseeing facilities; and other marina-related activities, including but not limited to fuel sales and boat and engine repair. Marinas contain water-oriented facilities and structures, which are regulated and defined in Chapter 81. Outside storage or display is included as part of the use. The use does not include condominiums, hotels, restaurants, and other such uses with accessory water-oriented, multiple-use facilities.
Outdoor Recreation Concessions	Facilities that are dependent on the use of outdoor recreation areas, such as onsite food and beverage sales, onsite recreational equipment rentals, parasailing, rafting, and onsite recreation instruction. The use also includes outfitter or guide service establishments whose base facilities are located on or near a recreation area, such as horse packing outfitters or snowmobiling outfitters. Outside storage or display is included as part of the use.
Participant Sport Facilities	Facilities for various outdoor sports and recreation including, but not limited to, tennis courts, swim and tennis clubs, ice skating rinks, and athletic fields (non-professional). Outside storage or display is included as part of the use.

Table 2: LIST OF PRIMARY USES AND USE DEFINTIONS	
USE	**DEFINITIONS**
Recreation Centers	Indoor recreation establishments operated by a public or quasi-public agency providing indoor sports and community services, such as swimming pools, ice skating rinks, multi-purpose courts, weight rooms, and meeting and crafts rooms.
Riding and Hiking Trails	Planned paths for pedestrian, bike, and equestrian traffic, including trail heads.
Rural Sports	Establishments that provide for special outdoor recreation group activities, such as: outdoor archery, pistol, rifle, and skeet clubs and facilities; hunting and fishing clubs; and equestrian facilities, stables, and exhibition facilities. The use does not include indoor shooting facilities (see "Amusements and Recreational Services").
Snowmobile Courses	Mapped areas, pathways, and trails utilized in, and approved for, commercial snowmobile operations.
Visitor Information Centers	Nonprofit establishments providing visitor information and orientation.
RESOURCE MANAGEMENT	
Forest and Timber Resource Management	Activities associated with the protection, restoration, and management of timber such as reforestation, regeneration harvest, sanitation salvage cut, selection cut, special cut, thinning and timber stand improvement.
Vegetation Resource Management	Activities associated with the protection, restoration, and management of vegetation including fire detection and suppression, fuels treatment and management, insect and disease suppression, prescribed fire and burn management.
Water Quality Improvements and Watershed Management	Activities associated with the protection, restoration, and management of watersheds including erosion control, runoff control and stream environment zone restoration.
Wildlife and Fisheries Resource Management	Activities associated with the protection, restoration, and management of wildlife and fisheries resources.
Range Management	Activities associated with range management including range pasture management, range improvement and grazing.
OPEN SPACE	
Allowed in all areas of the Region	Land with no land coverage and maintained in a natural condition or landscaped condition consistent with best management practices, such as deed-restricted properties and designated open space area
SHOREZONE	Refer to TRPA Code Chapter 90 – Definitions.

COMMUNITY NOISE EQUIVALENT LEVEL (CNEL)

The maximum community noise equivalent level for this Area Plan is as follows:

TABLE 3: COMMUNITY NOISE EQUIVALENT LEVEL (CNEL)

DISTRICT	TSC-C	TSC-MU	TSC-MUC	TSC-G	TSC-NMX	REC	OS	US 50
CNEL	60	60	60[1]	60[2] (55 within the shorezone)	65	55	55	65

1. Maximum CNEL for Special Area #1, which comprises of APNs 028-081-02, 028-081-04 & 028-081-15 is 55.
2. Maximum CNEL for TSC-G Special Area #1 is identical to the TSC-G Zoning District.

DEVELOPMENT STANDARDS

The development standards for the Tourist Core are intended to provide physical development requirements to implement the South Shore Tourism Core Area Plan's vision, goals, and policies; implement the goals and policies of the recently adopted General Plan and the Regional Plan Update, and enable the South Shore Tourism Core Area Plan to be found as a conforming Area Plan by the TRPA Governing Board. The standards were developed based on a review of the TRPA Regional Plan Update policies, the TRPA Area Plans Framework, the General Plan, the Stateline/Ski Run Community Plan, the City of South Lake Tahoe Code and Design Manual, Redevelopment Demonstration Plan, and the South Shore Vision Plan.

Form-based coding techniques are used for development standards. The standards of each district list density and lot coverage limits, lot dimensional requirements, building location standards, height requirements, parking and access provisions, and minimum open space and landscaping requirements. Furthermore, supplemental standards address building orientation and design, pedestrian access, and bicycle parking. Buildings are required to be oriented toward and include a public entrance on a public street. Building design standards are intended to avoid bulky and "box-like" buildings and encourage appropriate architectural features.

Tables 4 through 9 prescribe the development standards for Tourist Center Districts. Individual letters in parentheses refer to additional regulations that directly follow the table. The numbers in each illustration below refer to corresponding regulations in the "#" column in the associated table.

LOT AND DENSITY

Maximum allowed densities are consistent with the limits set in the Regional Plan Update. The Regional Plan Update allows maximum densities of 25 units per acre for multi-family residential development and 40 units per acre for tourist accommodation with the adoption of an Area Plan. Existing lot size and dimension requirements are proposed to be carried forward. Lot coverage standards reflect the allowances established in the Regional Plan Update, 50 percent within 300 feet of the High Water Mark of Lake Tahoe, 70 percent beyond 300 feet.

TABLE 4: LOT AND DENSITY STANDARDS							
DISTRICT	**TSC-C**	**TSC-MU**	**TSC-MUC**	**TSC-G**	**TSC-NMX**	**REC**	**#**
Maximum Density: Employee Housing Family (dwelling units/ acre)	15	15	15	15	15	15	
Maximum Density: Multi-Person Dwelling (persons/ acre)	25	25	25	25	25	n/a	
Maximum Density: Multi-Family (dwelling units/ acre)	25	25	25	25	25	n/a	
Maximum Density: Single Family Dwelling	1 unit per parcel for parcels less than one acre 2 units per parcel for parcels greater than or equal to one acre, provided one unit is an authorized secondary residence						
Maximum Density: Tourist Accommodation (dwelling units/ acre)	40	40	40	40	40	n/a	
Minimum Lot Size (sq ft)	10,000 (A)	10,000 (A)	10,000 (A)	10,000 (A)	6,000 (A)	10,000 (A)	
Minimum Lot Width (sq ft)	80 (A)	80 (A)	80 (A)	80 (A)	60 (A)	80 (A)	
Minimum Lot Depth (sq ft)	100 (A)	100 (A)	100 (A)	100 (A)	100 (A)	100 (A)	
Maximum Land Coverage-Base + Transferred (% of project area located within land capability districts 4-7)	Within 300 feet of the High Water Mark of Lake Tahoe, maximum coverage shall be 50 percent of the project area that is located within Land Capability Districts 4 through 7, inclusive. Further than 300 feet from the High Water Line of Lake Tahoe, maximum land coverage shall be 70 percent of the project area that is located within Land Capability Districts 4 through 7, inclusive. Also see Section 30.4 of the TRPA Code of Ordinances						

A. **Reduced Minimum Lot Size and Dimensions.** Smaller lots may be approved as part of a condominium, or other airspace subdivision pursuant to City Code 6.55.190.

B. **Mixed-**Use Density. The maximum density for mixed-use projects includes up to 40 Tourist Units per acre and up to 25 residential units per acre. If a project includes non-conforming tourist or residential density, any new tourist or residential density must take into account the overage in overall density and reduce the allowable density for new construction so that the total density does not exceed 65 units per acre.

In the case of a mixed-use project that includes a commercial use or other use that is not subject to a density calculation, combined with residential and/or tourist uses, the project may include the total allowable commercial square footage, and the maximum allowable tourist and residential units per acre, using the full parcel area as the denominator in the density calculation.

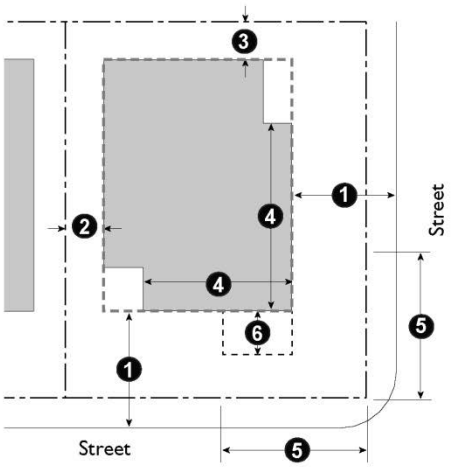
The maximum mixed-use density for TSC-G Special Area 1 is 40 units per acre. Otherwise, the lot and density standards for TSC-G Special Area 1 are identical to those in the TSC-G zoning district.

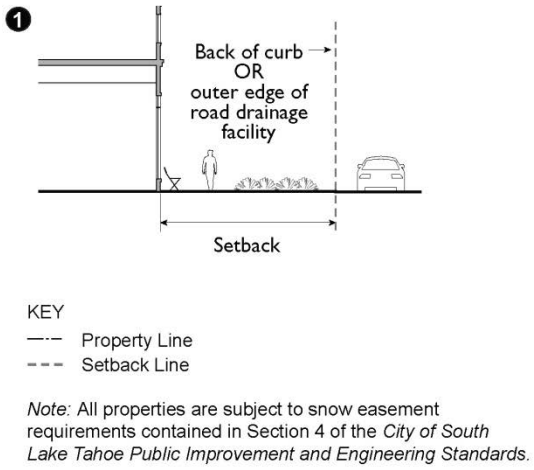
BUILDING PLACEMENT

Minimum building setbacks and street frontage improvements are established to complement a walkable, tourist center district. Along Highway 50/Lake Tahoe Boulevard, buildings are required to be setback 30 feet from the back of the curb. The setback area is to consist of a 10 foot sidewalk/use area in which a minimum of six feet clear must be reserved for pedestrian movement and the other area must be improved as part of a wider sidewalk or provide outdoor dining/seating area or landscaping.

Along all other street frontages, with exceptions as noted in the standards, buildings are required to be setback 20 feet from the back of the curb or the outer edge of road or drainage improvements where no curb exists. This setback would include a five-foot sidewalk, while the remaining area would be improved as part of a wider sidewalk or provide outdoor dining/seating area or landscaping.
Standards require buildings to be built at this setback line for a certain percentage of the linear street frontage in order to establish a consistent and engaging street frontage and improve the pedestrian experience. Additional regulations require pedestrian-oriented street frontage improvements such as the provision of street trees and lighting. Awnings, overhangs, and other elements to provide a covered walkway, public plaza, or outdoor eating area are allowed to project into the setback area.

TABLE 5: BUILDING PLACEMENT STANDARDS





DISTRICT	TSC-C	TSC-MU	TSC-MUC	TSC-G	TSC-NMX	REC	#
Minimum Setbacks (ft)							
Street Frontage, Hwy 50/Lake Tahoe Blvd (measured from back of curb)	30 ft., must include a 10 ft. sidewalk/use area with a minimum 6 ft. wide clear sidewalk for pedestrian movement and the balance of the area improved as part of wider sidewalk, outdoor dining/seating area, or landscaping; (A)					n/a	❶
Street Frontage, Ski Run Boulevard north of Hwy 50/Lake Tahoe Blvd (measured from back of curb)	75 ft. (A)	n/a		75 ft. (A)	n/a		❶
Street Frontage, Montreal Road and Lake Parkway(measured from back of curb)	n/a	50 ft.	n/a	n/a	n/a	50 ft.	❶
Street Frontage, all other streets (measured from back of curb or outer edge of road or drainage improvements if no curb)	20 ft., must include a five-foot sidewalk. The balance of the area is required to be improved as part of wider sidewalk, outdoor dining/seating area, or landscaping; (A)					n/a	❶
Interior Side	Nonresidential Uses: 0; 10 adjacent to residential district Residential Uses: 10				10		❷
Rear	Nonresidential Uses: 0; 10 adjacent to residential district Residential Uses: 10				10		❸
Minimum Building Frontage at Street Setback Line (% of linear street frontage)	75 east of intersection with Pioneer Trail (C)	50 (B)	50 (B)	50 (B)	50 (B)	n/a	❹
Corner Build Area (ft.)	50 (C)	50 (C)	50 (C)	50 (C)	n/a		❺

Maximum Projection into Setback	Awnings and overhangs to provide a covered walkway, public plaza, or outdoor eating area may project up to 10 ft. into the required setback.	n/a	❻
Shorezone Setback	100 ft. from the high waterline or in accordance with TRPA Shorezone Ordinances, whichever is more restrictive		

A. **Street Frontage Improvements.** New development shall provide street frontage improvements in accordance with the following or in accordance with the improvements outlined in this Area Plan that contains specific streetscape standards:

1. ***Street Trees.*** A minimum of two trees and four shrubs shall be planted for every 50 linear feet of street frontage.

2. ***Lighting.*** Pedestrian scaled lighting consistent with City pedestrian lighting standards. Lighting standards that include attachments from which banners identifying the area or announcing community events may be hung are encouraged.

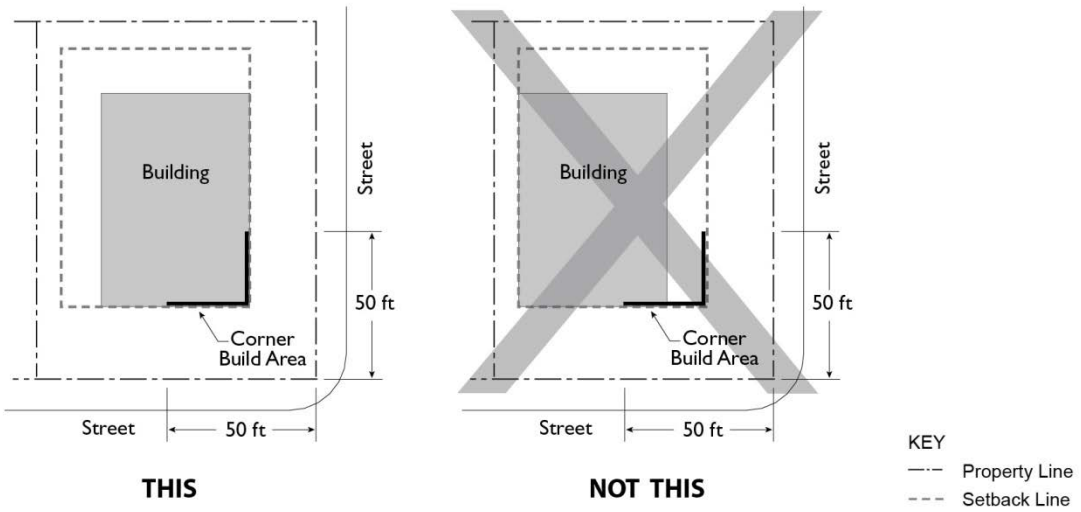
B. **Build-to Line.** Buildings shall be constructed at the required setback for the percent of linear street frontage identified in Table 5. This requirement may be modified or waived by the Director of Development Services upon finding that:

1. Entry courtyards, plazas, entries, or outdoor eating areas are located between the build-to line and building, provided that the buildings are built to the edge of the courtyard, plaza, or dining area; or

2. The building incorporates an alternative entrance design that creates a welcoming pedestrian entry feature facing the street.

C. **Corner Build Area.** Buildings must be located at the point of intersection of the two setback lines at street corners, and must occupy the street frontage at the setback line for at least 50 feet from the street corner property line. Public plazas may be at the street corner provided buildings are built to the edge of the public plaza. Where a parcel is bounded by more than two streets, this requirement only applies to the primary street frontage and one side street frontage. Corners in designated Scenic Corridors are exempt from this requirement.

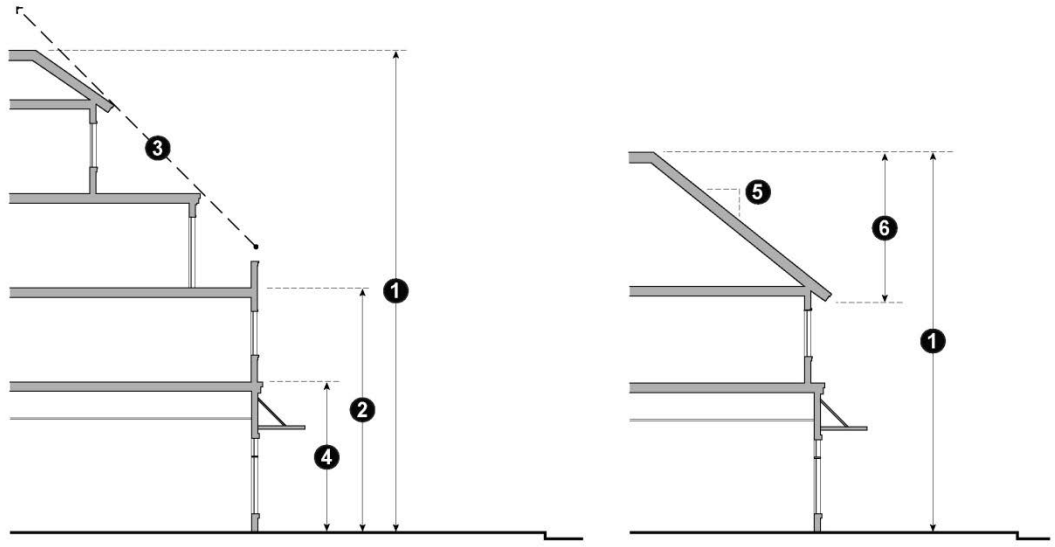
FIGURE C-1: CORNER BUILD AREA



HEIGHT

Maximum height limits proposed in the Regional Plan Update have been refined to reflect the nature of development in each sub district. Buildings are required to step back within a daylight plane along street frontages and adjacent to residential areas to address massing, protect viewsheds, allow light and air, and limit winter shading in public areas. Minimum heights are proposed for ground floors in order to establish a consistent building frontage along the street and to accommodate a wide range of uses. Roofs are required to be sloped to support alpine character in design. Limited areas of flat roofs are allowed as long as they are not visible from the public right-of-way.

TABLE 7: HEIGHT AND ROOF STANDARDS



DISTRICT	TSC-C	TSC-MU	TSC-MUC	TSC-G[1]	TSC-NMX	REC	#
Building Height Maximum (feet)	95 75 at the northeast corner of Ski Run/US Highway 50	56	56	42	36	36	❶
Building Height Maximum (stories)	6 (D)	4 (D)	4 (D)	3 (D)	3 (D)	3 (D)	❶
Minimum Number of Stories at the Street Wall along Hwy 50/Lake Tahoe Blvd	2 (Stateline Node Only)	n/a					❷
Building Stepbacks							
Street Facing	Structures shall not interrupt a line of a 1:1 slope extending upward from 30 feet above existing grade of the street facing setback line				n/a		❸
Adjacent to Residential District	Structures shall not interrupt a line of a 1:1 slope extending upward from 25 feet above existing grade of the setback line adjacent to the residential district (E)				n/a		❸

Ground Floor Minimum Height, Non-Residential Uses (ft)	15	15	15	n/a	n/a	❹
Roof Slope	5:12 to 12:12 (F)					❺
Roof Height	For buildings one to three stories, the height of the sloped roof must be a minimum 40% of the height of the building. (F)					❻
1. The maximum height for TSC-G Special Area 1 is 56 feet, or 4 stories for uses other than single-family dwelling.						

D. **Viewshed Protection.** To ensure compatibility with adjacent uses and viewshed protection, buildings must not project above the forest canopy, ridge lines, or otherwise detract from the viewshed and the review authority must make findings 1, 3, 5, and 9 of Section 37.7 of the TRPA Code of Ordinances in approving any project consisting of three or more stories (see Appendix B).

E. **Transition Height.** To ensure compatibility with adjacent residential uses, buildings that are permitted additional height shall have additional buffering in addition to the required setback. Provisions may include, but are not limited to the following:

- Reduced height
- Increase side yard or rear yard setback
- Building orientation
- Landscaping buffering with oversized trees

F. **Roof Design.** Buildings shall have a definitive “top” that steps, slopes, or otherwise breaks the rectangular form of the building. Dormer windows and other roof appurtenances (chimneys, towers, or other special features) are encouraged within the sloping roof area. A portion of the roof area may be flat. Flat roof area is limited to 50 percent of the building footprint and shall not be within the predominant view of the public right-of-way. Covered parking and parking structures are exceptions and may be permitted to have flat roofs, but must be concealed through architectural design or landscaping. Rooftop equipment shall be concealed from view and/or integrated within the building architecture.

BUILDING FORM

Building form standards limit blank walls, require a minimum amount of building transparency (i.e. windows and doors providing views into work areas, display areas, sales areas, or similar active spaces) along street frontages, and require the modulation of building facades to create visual interest and engage pedestrians.

TABLE 8: BUILDING FORM STANDARDS



DISTRICT	TSC-C	TSC-MU	TSC-MUC	TSC-G	TSC-NMX	#
Maximum Length of Blank Wall	25 (G)	25 (G)	25 (G)	25 (G)	25 (G)	❶
Required Transparency (% of building wall area)	75 (G)	60 (G)	75 (G)	60 (G)	n/a	❷
Building Modulation	Any building over 50 feet wide shall be broken down simulate a series of buildings no wider than 50 feet each				n/a	

G. **Building Transparency and Blank Wall Limits; Required Openings for Non-Residential Uses.** Exterior walls facing and within 20 feet of a front or street side property line or pedestrian walkway shall include windows, doors, or other openings for at least the percentage stated in Table 8 of the building wall area located between 2.5 and seven feet above the level of the sidewalk or adjacent ground grade. No wall may run in a continuous horizontal plane for more than 25 feet without an opening or transparency on the ground floor of a building.

1. ***Design of Required Openings.*** Openings fulfilling this requirement shall have transparent glazing and provide views into work areas, display areas, sales areas, lobbies, or similar active spaces, or into window displays that are at least three feet deep.

2. ***Exceptions for Parking Garages.*** Multi-level garages are not required to meet the building transparency requirement of this subsection. Instead, they are subject to the building setback standards in Table 5, Building Placement Standards and the following standard:

   a. *Parking Garage Rooftop Planting.* Uncovered parking on the top level of a parking structure shall have rooftop planters with a minimum dimension of 24 inches along perimeter walls of the top floor that face public streets or other public areas.

3. ***Alternatives through Director Review.*** Alternatives to the building transparency requirement may be approved if the Development Services Director finds that:

a. The proposed use has unique operational characteristics with which providing the required openings is incompatible, such as in the case of a cinema or theater; and

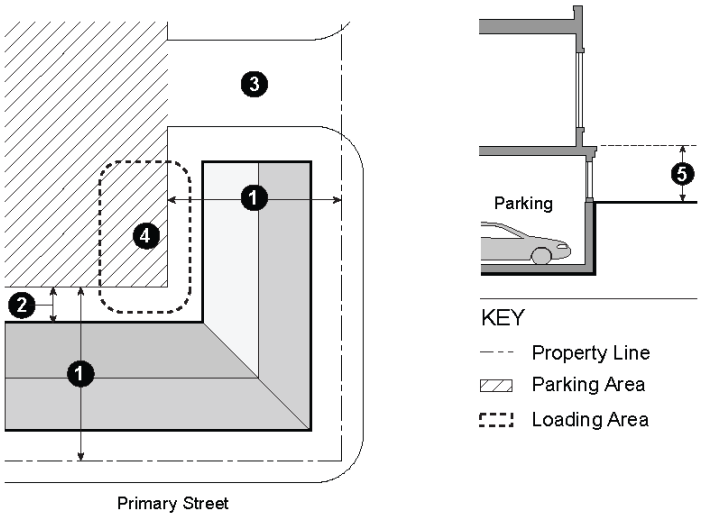
b. Street-facing building walls will exhibit architectural relief and detail, and will be enhanced with landscaping in such a way as to create visual interest at the pedestrian level.

PARKING, LOADING, LANDSCAPING AND OPEN SPACE

The proposed parking and loading location standards are intended to enhance walkability and reduce the visual dominance of surface parking lots in the area by setting them back from the street. Parking in each district is required to be setback from the street property line with access from a side street or alley wherever possible. Limitations on the number of curb cuts and driveway widths from the South Tahoe Redevelopment Demonstration Plan have been carried forward. To support a "park once" atmosphere where visitors park once and patronize multiple businesses, new parking facilities are to be designed to accommodate cross-access to/from adjacent properties to allow parking areas to become joint use facilities even if initially serving only one development.

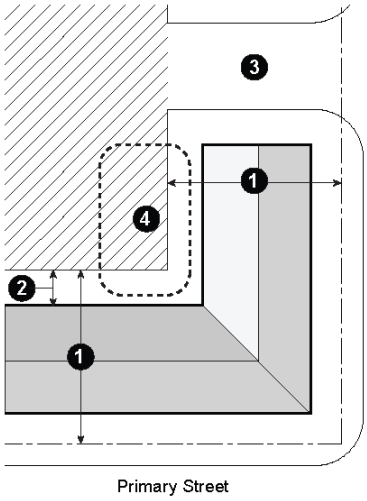
Standards are established for the minimum amount of open space and landscaping. Residential open space is required in all residential and mixed-use development. A key component of the vision for the Tourist Center District is to provide areas for public gathering. To implement this vision, public open space is required with substantial developments (developments over 50,000 square feet of nonresidential floor area on site greater than two acres in size) in the TSC-C and TSC-MUC districts.

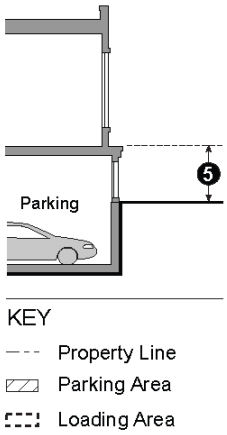
TABLE 9: PARKING, LOADING, LANDSCAPING, AND OPEN SPACE STANDARDS



DISTRICT	TSC-C	TSC-MU	TSC-MUC	TSC-G	TSC-NMX	#
Minimum Setback from Street Property Line (ft)	30 (H)	20 (H)	20 (H)	20 (H)	20 (H)	❶
Setback from Buildings and Public Plazas (ft)	Above ground parking shall be setback from buildings and public plazas with a walkway and/or landscaping.			n/a	n/a	❷
Access Location	Side street or alley wherever possible					❸

TABLE 9: PARKING, LOADING, LANDSCAPING, AND OPEN SPACE STANDARDS





DISTRICT	TSC-C	TSC-MU	TSC-MUC	TSC-G	TSC-NMX	#
Shared Access	See additional regulations (I)					❸
Curb Cuts	Minimized and in areas least likely to affect pedestrian circulation; maximum one driveway per frontage for lots with 150 feet of frontage or less, maximum two driveways for lots with more than 150 feet of frontage					
Loading/Service Areas	Side or rear of lot; must be screened from public ROW					❹
Underground Parking Visibility	Maximum height of underground parking area visible from the street (parking podium) is 3 feet from finished grade.					❺
Parking, Driveway and Loading Standards	See South Lake Tahoe City Code, Chapter 5, Land Use Development Standards, Article VIII. Parking, Driveway and Loading Spaces.					
Minimum Residential Open Space (sq ft per unit)	100 (J)	100 (J)	100 (J)	100 (J)	100 (J)	
Minimum Public Open Space, sites two acres or more in size	(K)	n/a	(K)	n/a	n/a	
Minimum Amount of Landscaping (% of site)	10	15	15	15	20	

H. **Limitations on Location of Parking.** Parking shall be located underground, behind a building, or on the interior side or rear of the site. Parking may be located within the required setback, subject to the following requirements.

1. ***Underground and Partially Submerged Parking.*** Parking completely or partially underground, may be located within the required setback.

2. ***Surface Parking.*** Above ground surface parking may be located within the required setback with Development Services Director approval provided:

   a. Buildings are built close to the public sidewalk to the maximum extent feasible;

   b. The parking area is screened along the public right-of-way with public art, hedge, trellis, and/or landscaping; and

c. The site is small and/or constrained such that locating parking outside the required setback is not feasible.

I. **Shared Access.** To encourage shared parking and shared access points on public streets, new parking facilities shall be designed to accommodate cross-access to/from adjacent properties to allow parking areas to become joint use facilities even if initially serving only one development. When cross-access for vehicles is deemed impractical by the Development Services Director, the requirement for cross-access may be waived if bicycle and pedestrian connections are provided between adjacent development.

J. **Residential Open Space.** Residential open space may be common or private open space. Private areas typically consist of balconies, decks, patios, fenced yards, and other similar areas outside the residence. Common areas typically consist of landscaped areas, walks, patios, swimming pools, barbeque areas, playgrounds, turf, or other such improvements as are appropriate to enhance the outdoor environment of the development. Landscaped courtyard entries that are oriented towards a public street are considered common areas. All areas not improved with buildings, parking, vehicular accessways, trash enclosures, and similar items shall be developed as common areas.

1. ***Minimum Dimensions***.

   a. *Private Open Space.* Private open space located on the ground level (e.g., yards, decks, patios) shall have no horizontal dimension less than 10 feet. Private open space located above ground level (e.g., balconies) shall have no horizontal dimension less than six feet.

   b. *Common Open Space.* Minimum horizontal dimension of 20 feet.

2. ***Usability.*** A surface shall be provided that allows convenient use for outdoor living and/or recreation. Such surface may be any practical combination of lawn, garden, flagstone, wood planking, concrete, or other serviceable, dust free surfacing. The maximum slope shall not exceed 10 percent. Seating areas and plazas should be located in areas with good solar exposure.

3. ***Accessibility.***

   a. *Private Open Space.* The space shall be accessible to only one living unit by a doorway to a habitable room or hallway.

   b. *Common Open Space.* The space shall be accessible to all the living units on the lot.

K. **Public Open Space.** Developments with 50,000 square feet or more of nonresidential floor area on sites two acres or more in size shall provide public open space according to the following standards:

1. ***Minimum Area.*** Forty square feet for every 1,000 square feet of nonresidential floor area for the first 100,000 square feet of floor area, plus 20 square feet for every 1,000 square feet of nonresidential floor area over 100,000 square feet.

2. ***Minimum Dimensions*.** Minimum horizontal dimension of 40 feet.

3. ***Usability.*** A surface shall be provided that allows convenient use for outdoor living, recreation, and public gathering. Such surface may be any practical combination of high quality plant and hardscape materials such as bricks, stone, concrete, permeable paving, or tile. Surfaces shall be sloped for positive drainage and constructed to withstand snow removal and de-icing maintenance. The

maximum slope shall not exceed 10 percent. Seating areas and plazas should be located in areas with good solar exposure.

4. ***Accessibility.*** On-site public space shall be visible from a public street and from on-site areas normally frequented by nearby retail uses.

5. ***Amenities.*** On-site public space shall include benches or other seating. Amenities shall be included that enhance the comfort, aesthetics, or usability of the space, including but not limited to trees and other landscaping, shade structures, drinking fountains, water features, public art, trash receptacles, information kiosks, or performance areas.

SUBSTITUE DESIGN STANDARDS

Substitute Design standards address site design and amenities, building orientation and design, pedestrian access, bicycle parking, landscaping, lighting, signage, parking, driveway and loading spaces.

Buildings are required to be oriented toward and include a public entrance on a public street. Building design standards are intended to avoid bulky and “box-like” buildings and encourage appropriate architectural features.

On-site access and circulation standards require a system of pedestrian walkways that connect all buildings on a site to each other, to on-site parking areas, and open space or pedestrian amenities. Regular connections are to be provided to the public sidewalk as well as to adjoining commercial and residential areas. Walkway standards establish requirements for minimum width, paving, grade separations, bollards, landscaping, lighting, or other means to clearly delineate pedestrian areas for both day and night use.

Standards are for the amount, design, and location of bicycle parking is incorporated. The standards have different requirements for long- and short-term bicycle parking that reflect the varying needs of visitors, locals, and employees.

Landscape standards reinforce the resort destination experience in the Area Plan by guiding the desired design of planting and hardscape materials while providing for opportunities to accommodate stormwater runoff.

Lighting standards for streets and exterior spaces is provided that are necessary to provide safety and security as well as provide, in limited areas, the night lighting that will allow for a festive atmosphere enhancing the qualities of an active civic place.

All projects within the Tourist Core Area Plan shall meet the standards listed below and the standards in the Citywide Design Standards and the Parking, Driveway and Loading Space Standards in Chapter 5 of the City Code and the Sign Standards in Chapter 25 of the City Code. Should a conflict occur between the standards of this Area Plan and the standards of the City Code, the standards of the area plan shall apply. All regulations in the TRPA Code of Ordinances shall remain in effect unless superseded by the provisions of this Area Plan.

A. **Site Design and Amenities.**

1. Site design shall consider adjoining properties to avoid creating nuisances such as noise, light intrusion, invasion of privacy, and traffic, particularly when development is adjacent to sensitive uses such as residential development.

2. Outdoor parking areas shall be designed to decrease visual impacts associated with large expanses of pavement and vehicles. They can be divided into smaller parking areas and/or include landscaping within and around them. Consider using perimeter landscaping and landscaped islands as bio-swales with a lower grade than the paved surface to reduce irrigation requirements and meet stormwater retention requirements.

3. Site design shall consider pedestrian safety during snow conditions. Sidewalks, plazas and other pedestrian areas should be designed for maximum solar exposure, with snow melt systems, or for efficient snow removal.

4. Trash and recycling receptacles shall be provided and conveniently located in areas with heavy pedestrian use.

5. Ski and snowboard racks shall be provided in areas where there will be a need to temporarily store them. Racks should be located at areas adjacent to ski related facilities, public areas, transit stops, and destination locations.

6. For developments with multiple commercial or service tenants, include directional/directory maps on-site to orient and direct pedestrians.

B. **Building Orientation and Entrances.**

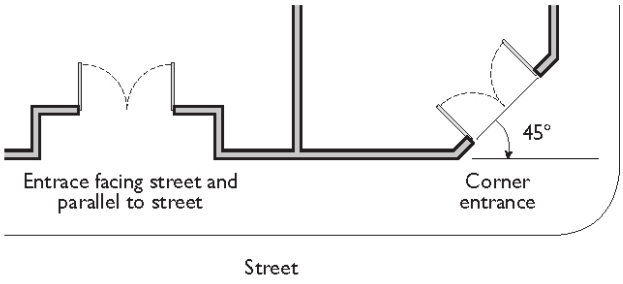
1. Primary building entrances for all buildings shall be located facing a public street.

2. Building entrances shall be emphasized with special architectural and landscape treatments, shall provide covered overhead protection in the form of recessed arcades or protruding canopies, and shall ensure protection from unloading roof snow.

3. Entrances located at corners shall generally be located at a 45 degree angle to the corner and shall have a distinct architectural treatment to animate the intersection and facilitate pedestrian flow around the corner. Different treatments may include angled or rounded corners, arches, and other architectural elements. All building and dwelling units located in the interior of a site shall have entrances from the sidewalk that are designed as an extension of the public sidewalk and connect to a public sidewalk.

4. Entrances to residential units shall be physically separated from the entrance to the permitted commercial uses and clearly marked with a physical feature incorporated into the building or an appropriately scaled element applied to the façade.

FIGURE C-2: BUILDING ORIENTATION AND ENTRANCES



C. **Building Design and Articulation.** Buildings shall provide adequate architectural articulation and detail to avoid a bulky and "box-like" appearance.

1. ***Exterior Building Materials and Colors*.**

   a. A unified palette of quality materials shall be used on all sides of buildings.

   b. Colors shall be used to help delineate windows and other architectural features to increase architectural interest.

   c. A variety of natural-appearing materials should provide contrast on building facades.

   d. Colors should be chosen to blend in with the setting and to minimize reflectivity. Bright colors should be used for accent only and should be applied to a maximum of 10 percent of the building façade.

   e. Roofs, including mechanical equipment and skylights, shall be constructed of non-glare finishes and earth tone colors that minimize reflectivity.

2. ***Building Details.*** Buildings shall provide adequate architectural articulation and detail to avoid a bulky and "box-like" appearance.

   a. Building façades shall include building projections or recesses, doorway and window trim, textured materials, differentiated piers and columns, awnings, and other details that provide architectural articulation and design interest.

   b. Cornices, balconies, roof terraces, and other architectural elements should be used, as appropriate, to terminate rooflines and accentuate setbacks between stories.

   c. All applied surface ornamentation or decorative detailing shall be consistent with the architectural style of the building.

   d. Each side of the building that is visible from a public right-of-way shall be designed with a complementary level of detailing. Particular attention shall be given to the detailing within the pedestrian's range of touch and view, such as the use of special store-front detailing and façade ornamentation to reinforce the pedestrian character of the street.

3. ***Green Building***. New buildings and retrofits to existing buildings are long term investments and should feature quality design/materials, flexible design to deal

with changing demands and be built green. The City encourages residential, commercial and industrial properties to consider incorporating green building measures. Property owners who participate in the City Green Building Incentive Program (See Appendix D) are eligible for the following incentives:

a. Projects will receive priority plan check by City Departments.

b. Residential projects will receive priority on the residential allocation waiting list.

c. Commercial projects area eligible for CFA allocations form the City's CFA pool.

d. Projects will receive recognition by the City Council.

D. **Pedestrian Orientation and Access.** On-site pedestrian circulation and access must be provided according to the following standards.

1. ***Internal Connections.*** A system of pedestrian walkways shall connect all buildings on a site to each other, to on-site automobile and bicycle parking areas, and to any on-site open space areas or pedestrian amenities.

2. ***To Circulation Network.*** Regular connections between on-site walkways and the public sidewalk shall be provided. An on-site walkway shall connect the primary building entry or entries to a public sidewalk on each street frontage.

3. ***To Neighbors.*** Direct and convenient access shall be provided from commercial and mixed-use projects to adjoining residential and commercial areas to the maximum extent feasible while still providing for safety and security.

4. ***To Transit.*** Safe and convenient pedestrian connections shall be provided from transit stops to building entrances.

5. ***Interior Pedestrian Walkway Design***.

a. Walkways shall have a minimum clear unobstructed width of six feet, shall be hard-surfaced, and paved with concrete, stone, tile, brick, pervious paving, or comparable material.

b. Where a required walkway crosses driveways, parking areas, or loading areas, it must be clearly identifiable through the use of a raised crosswalk, a different paving material, or similar method.

c. Where a required walkway is parallel and adjacent to an auto travel lane, it must be raised or separated from the auto travel lane by a raised curb at least four inches high, bollards, or other physical barrier.

E. **Bicycle Parking.**

1. ***Short-Term Bicycle Parking.*** Short-term bicycle parking shall be provided in order to serve shoppers, customers, messengers, guests and other visitors to a site who generally stay for a short time.

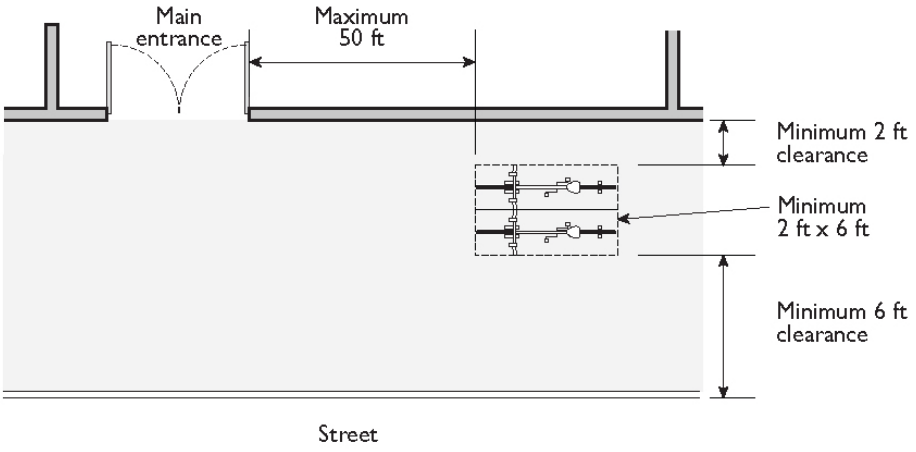
a. *Parking Spaces Required.* The number of short term bicycle parking spaces shall be at least 10 percent of the number of required automobile parking spaces, with a minimum of two spaces per establishment, for commercial, mixed-use, and multi-family structures.

b. *Location.* Short-term bicycle parking must be located within 50 feet of a main entrance to the building it serves. Bicycle parking shall be visible from the street or from the main building entrance, or a sign must be posted at the main building entrance indicating the location of the parking. Bicycle parking shall be located outside of the public right of way except with an encroachment permit in the TSC-C and TSC-MUC districts, provided an unobstructed sidewalk clearance of six feet is maintained for pedestrians at all times.

c. *Anchoring and Security.* For each short-term bicycle parking space required, a stationary, securely anchored object shall be provided to which a bicycle frame and one wheel can be secured with a high-security U-shaped shackle lock if both wheels are left on the bicycle. One such object may serve multiple bicycle parking spaces.

d. *Size and Accessibility.* Each short-term bicycle parking space shall be a minimum of two feet in width and six feet in length and shall be accessible without moving another bicycle. Two feet of clearance shall be provided between bicycle parking spaces and adjacent walls, poles, landscaping, street furniture, drive aisles, and pedestrian ways and at least five feet from vehicle parking spaces.

FIGURE C-3: SHORT-TERM BICYCLE PARKING



2. ***Long-Term Bicycle Parking.*** Long-term bicycle parking shall be provided in order to serve employees, residents, commuters, and others who generally stay at a site for four hours or longer.

a. *Parking Spaces Required.*

i. Residential Uses. A minimum of one long-term bicycle parking space shall be provided for every five units for multi-unit residential and group residential projects.

ii. Parking Structures. Long-term bicycle parking shall be provided at a minimum ratio of one space per 50 vehicle spaces.

b. *Location.* Long-term bicycle parking must be located on the same lot as the use it serves. In parking garages, long-term bicycle parking must be located near an entrance to the facility.

c. *Covered Spaces.* At least 50 percent of required long-term bicycle parking must be covered. Covered parking can be provided inside buildings,

under roof overhangs or awnings, in bicycle lockers, or within or under other structures.

d. *Security.* All long-term bicycle parking must be located in a secure area such as the following:

i. An enclosed bicycle locker;

ii. A fenced, covered, locked or guarded bicycle storage area;

iii. A rack or stand inside a building that is within view of an attendant or security guard or visible from employee work areas; or

iv. Other secure area approved by the Development Services Director.

e. *Size and Accessibility.* Each bicycle parking space shall be a minimum of two feet in width and six feet in length and shall be accessible without moving another bicycle. Two feet of clearance shall be provided between bicycle parking spaces and adjacent walls, poles, landscaping, street furniture, drive aisles, and pedestrian ways and at least five feet from vehicle parking spaces.

F. **Snow Storage**: Accommodating snow removal and storage presents unique challenges to site planning and design. During snow months, roofs, parking areas, and walkways become areas which need to be cleared of snow for safety and convenience. When snow is not disposed of off-site, provisions need to be made to store the snow on-site. Of consideration in planning for snow storage is the ability to meet surface water discharge standards.

1. Standard: Commercial, tourist accommodation, industrial, public service, recreation and multi-residential projects shall provide, within the project area, snow storage areas of a size adequate to store snow removed from parking, driveway and pedestrian areas or have arrangements by means of recorded easements or arrangements to remove and store accumulated snow off-site. Adequacy and location of snow storage shall be approved by the city.

2. Standard: Snow storage infiltration shall conform to the TRPA's Handbook of Best Management Practices.

G. **Landscape Design**: Landscaping can be used to successfully integrate the built environment into the natural environment. It can also provide pleasant outdoor spaces for people, mitigate noise and air quality impacts, and help screen undesirable elements. Regional climatic and physiographic conditions generally impact landscape and plant materials, and must be taken into account early in the design process. It is recommended that landscape design and planning take advantage of the different visual environments in formulating a design theme or concept as well as to conserve water.

1. Standard: Landscape Plan: A landscape plan shall take into consideration the following elements.

a. Planning and design: Develop a landscape plan that allows for proper placement of plants and material.

b. Grouping of plant selection: Group by water needs (hydrozones)

c. Soil analysis: Determine the type of soil and plant the appropriate plant material that will flourish.

d. Efficient irrigation: Design and installation shall reflect hydrozones. (Also see Water Conservation, Standard I.2.)

e. Practical turf areas: Place turf in appropriate areas to achieve maximum use.

f. Use of surface mulches: By using mulches, water at the root basins will last longer.

g. Appropriate maintenance: Maintenance includes a sound water management plan. In order to establish newly installed plant materials, some form of irrigation system shall be provided. Once established, some form of permanent irrigation system shall be provided that will insure the growth and survivability of the plant materials. Fertilizer use must be well thought out and carefully managed in accordance with the TRPA BMP Handbook and is prohibited in SEZ's.

2. Standard: Species on the TRPA recommended native and adapted plant list shall be used for lawns and landscaping. Modifications to these standards may be considered on a case by case basis by both the City and TRPA.

   Plant species not found on the recommended native and adapted plant list (Table 3) may be used minimally in the landscape as accent plantings. Such plants shall be limited to borders, entry ways, flower beds, and other similar locations to provide accents to the overall native or adapted landscape design.

3. Standard: Minimum Plant sizes and spacing for projects other than single family home projects, and erosion control/revegetation projects, the following spacing shall be required for woody plant materials at time of planting:

   a. Trees shall be a minimum of six feet tall or 1-1/2 inch diameter at breast height.

   b. Shrubs shall be a minimum of three gallon pot size where: upright shrubs have a minimum height of 18 inches and minimum spread of 18 inches; and spreading shrubs have a minimum spread of 18-24 inches.

   c. Groundcovers shall be a minimum four inch pot size or one gallon container and shall be a maximum 24 inches on center spacing.

4. Standard: US 50 Landscape Concept

   a. To create a clean and attractive edge to the built environment, a turf edge shall be installed along the Highway frontage at a minimum, between the curb line and the sidewalk, except at:

      i. locations of existing or restored meadows, or

      ii. where a significant length of frontage is not developed and has existing natural vegetation.

   b. To restore a vertical natural element to the Highway and to reduce the impact of the built environment, each property shall be responsible for having randomly spaced evergreen trees within the front yard setback, said evergreen trees shall be Jeffrey Pine or approved equal. The number of trees required shall be based on a ratio of one tree per 35 feet of highway frontage. The exception to this standard shall be meadows and lake views which front on US 50.

5. Standard: Obstruction of views: New landscaping shall not be located in such a manner that would create safety problems or obstruct significant views, either when first installed or upon maturity.

6. Standard: Landscaped Setbacks: All structures shall have a landscaped setback (either existing natural vegetation or introduced plantings) from any public roadway. The existing practice of having no landscaping between the facade of a structure and the roadway is not allowed.

7. Standard: Irrigation: In order to establish newly installed plant materials, some form of irrigation system shall be provided. Once established, some form of permanent irrigation system shall be provided that will insure the growth and survivability of the plant materials. The purpose of the irrigation system is to effectively manage the flow of water.

   Landscape irrigation shall:

   a. Incorporate low flow sprinkler heads.

   b. Incorporate soil moisture sensing device or automatic timer in all irrigation systems.

   c. Incorporate drip emitter heads for shrubs and trees.

   d. Select low water usage plant materials, including drought tolerant turf grasses.

   e. Develop and follow an irrigation schedule.

   f. Water at night or early in the morning to minimize evaporation.

   g. Optimize use of irrigated turf grass by minimizing the amount of turf grass area and targeting only selected areas. Exceptions to this is in a playground, park, or golf course where a majority of the site may need to be landscaped with turf.

8. Tourist Core Area Plan Landscape Design. In addition the following landscape standards apply to the Tourist Core Area, Modifications to these standards may be considered on a case by case basis by both the City and if applicable , TRPA:

   a. Plant Materials: Invasive species are prohibited. Plants adapted to the Lake Tahoe basin region are listed on TRPA's recommended species list. See list following Landscaped Standards. Plants not on the recommended list (Table 3) may be considered and used in locations that have the following characteristics:

      i. The character of the place is urban and the proposed landscape character is not natural landscape condition. This would be characterized by little natural vegetation existing on a site. This may also include street trees, areas that accents entries, exterior dining areas, and areas of high pedestrian use.

   b. Size and Conditions of Plant Material Installed: Landscape materials for projects other than single-family residential projects, shall be a minimum of 3 inch caliper for deciduous trees, 14 feet for coniferous trees, 5 gallon container for shrubs and 1 gallon containers for perennials or

groundcovers. New Plant materials shall be healthy, disease free, and be planted in prepared soils.

i. Street trees in paved areas shall have a soil volume of at least 75 cubic feet per tree. This assumes the depth of soil is 3 feet.

ii. Trees not within paved areas shall have adequate space to provide protection from vehicle traffic that would compact soils in the root zone.

c. Location of Required Landscape Areas: Required landscape areas shall be the following:

i. A minimum space of 20 feet between the street and surface parking lots shall be landscaped to buffer and screen the parking lot from the street view. Within this area sidewalks are permitted.

ii. Within surface parking lots an area equal to at least 15% of the parking lot shall be used for landscape planting .This zone may also be used for snow storage provided the design allows for landscaping that can also store snow.

iii. Landscape shall be required for the street frontage that enhances the pedestrian zone and creates a continuous street edge. This includes street trees, and landscape that creates interest, color, and identification of entries. The optimum spacing of street trees is no less than 30 feet along primary and secondary streets. However, this is an average condition and trees spacing may include close groupings or gaps for view.

iv. Landscape shall be used to screen service yards and drives. This may be done in conjunction with screen walls or other architectural features that create full screening.

v. Parking structures that face the primary and secondary streets shall have screen planting that buffers the garage from the public streets.

d. Recommended design for landscape: These are suggested design practices for the Area Plan:

i. Use deciduous trees in areas where visibility is needed to retail frontages.

ii. Create a canopy of trees to create and improve the shade conditions on pedestrian areas. This will reduce the reflectance from pavements, lower ground and air temperatures, and provide comfortable outdoor spaces.

iii. Create a quality built environment with the inclusion of amenities such as street furnishing, plantings, art works, and water features to enhance the places that people will walk, gather, or recreate. These spaces should be artfully designed and attractive for their functions.

iv. Minimize the use of turf but when used place turf in appropriate areas to achieve maximum use as a recreation amenity rather than a visual amenity.

e. Landscape applications in Low Impact Development: Low impact development refers to the integration of systems and practices that use or

mimic natural processes to infiltrate, evapotranspirate (return water to the atmosphere either through evaporation or by plants), or to accommodate stormwater runoff on the site where it is generated. Low Impact Development elements reduce the impact of built areas and promote the natural movement of water within an ecosystem or watershed. The following practices should be integrated with the overall design of landscape areas to combine the functions of stormwater treatment with aesthetically pleasing landscape features:

i. Pervious materials that allow water to pass though the paving and infiltrate into the ground are encourage for pedestrian applications. Other pavement surfaces may incorporate pervious surfaces but shall be designed in conjunction with the site's BMPs. Pervious surfaces are defined as any surface that allows at least 75 percent of precipitation to directly reach and infiltrate the ground throughout the life of the surface.

ii. Preserving existing trees should be planned for with efforts on preserving large groups of forest rather than individual trees that are subjected to changes of runoff, grades, or surface coverage. The protection zone for trees extends to the drip-line of the tree's canopy.

iii. As part of surface water management, small areas of infiltration catchments are to be incorporated into the final contour of the landscape. These features will offer the reduction in run-off from each site.

TABLE 3:TRPA SITE TYPE RECOMMENDED SPECIES LIST							
Scientific Name [1, 2]	**Common Name**	**Wetland**	**SEZ/Riparian-Wet Meadow**	**Upland—Generic**	**Upland—Full Shade**	**Upland—Full Sun/ Dry Site**	**Upland—High Disturbance**
Grasses, Rushes, and Sedges							
Achnatherum lemmonii	Lemmon's needlegrass			•		•	
Achnatherum occidentale	western needlegrass			•		•	
Agrostis exarata	spike bentgrass		•				
Bromus carinatus	California brome		•	•		•	
Bromus marginatus	mountain brome			•			
Calamagrostis canadensis	bluejoint	•	•				
Carex praegracilis	slender sedge		•				
Danthonia californica	California oatgrass			•			
Deschampsia caespitosa	tufted hairgrass		•				
Deschampsia elongata	slender hairgrass		•				
Elymus elymoides	squirreltail			•		•	
Elymus glaucus[3]	blue wildrye	•	•		•		
Elymus trachycaulus	slender wheatgrass,		•	•		•	
Festuca brevipila	hard fescue			•			•
Festuca ovina 'Covar'	sheep fescue, 'Covar'			•		•	•
Festuca rubra[3]	red fescue		•		•		•
Festuca rubra ssp. arenaria[3]	Boreal creeping red fescue		•		•		•
Glyceria striata[3]	fowl mannagrass		•		•		
Hordeum brachyantherum	meadow barley		•				
Hordeum brachyantherum ssp. californicum	California barley		•				
Juncus arcticus ssp. littoralis	mountain rush	•	•				
Juncus effusus	common rush	•	•				
Leymus triticoides	beardless wildrye		•				
Melica californica	California oniongrass			•			
Phalaris arundinacea	reed canarygrass		•				
Phleum alpinum	alpine timothy		•				
Poa ampla, 'Sherman'	big bluegrass, 'Sherman'			•		•	•
Poa secunda	Sandberg bluegrass			•		•	•
Thinopyrum intermedium	intermediate wheatgrass			•			•
Thinopyrum intermedium 'Greenar'	intermediate wheatgrass, 'Greenar'			•			•
Thinopyrum intermedium 'Oahe'	intermediate wheatgrass, 'Oahe'			•			•
Forbs							
Achillea millefolium	common yarrow		•	•			•
Aconitum columbianum	Columbian monkshood		•				
Agastache urticifolia	nettle-leaf giant hyssop		•				
Anaphalis margaritacea	western pearly everlasting		•	•			

TABLE 3:TRPA SITE TYPE RECOMMENDED SPECIES LIST							
Scientific Name [1, 2]	Common Name	Wetland	SEZ/Riparian-Wet Meadow	Upland—Generic	Upland—Full Shade	Upland—Full Sun/ Dry Site	Upland—High Disturbance
Aquilegia formosa	crimson columbine				•		
Arnica cordifolia[3]	heartleaf arnica				•		•
Artemisia douglasiana	Douglas' sagewort		•				
Balsamorhiza sagittata	arrowleaf balsamroot			•			•
Caltha leptosepala	white marsh marigold		•				
Chamerion angustifolium	fireweed		•	•			•
Delphinium glaucum[3]	mountain larkspur		•		•		
Epilobium ciliatum	fringed willowherb		•	•			•
Erigeron compositus[4]	cutleaf daisy			•			
Eriophyllum lanatum	common woolly sunflower			•			
Fragaria virginiana	wild strawberry		•				•
Geranium richardsonii	Richardson's geranium		•				
Geum macrophyllum[3]	big leaf avens		•		•		
Geum triflorum	old man's whiskers		•	•			
Gilia capitata	bluehead gilia			•		•	
Heracleum maximum	common cowparsnip		•				
Ipomopsis aggregata	scarlet gilia			•		•	
Linum lewisii	Lewis flax			•		•	
Lotus nevadensis	Nevada bird's-foot trefoil			•			
Lotus unifoliolatus var. unifoliolatus	American bird's-foot trefoil			•			•
Lupinus argenteus	silvery lupine			•		•	•
Lupinus fulcratus	greenstipule lupine			•		•	•
Lupinus grayi	Sierra lupine			•		•	•
Lupinus lepidus	Pacific lupine			•		•	•
Lupinus polyphyllus	bigleaf lupine		•				
Mertensia ciliata	tall fringed bluebells		•				
Mimulus cardinalis[3]	scarlet monkey flower		•		•		
Mimulus guttatus	common monkey flower	•	•				
Nasturtium officinale	Watercress	•					
Osmorhiza occidentalis	western sweetroot				•		
Oxyria digyna[4]	alpine mountainsorrel			•			
Paeonia brownii	Brown's peony			•			
Pedicularis groenlandica	elephant heads		•				
Penstemon rydbergii	Rydberg's penstemon		•				
Penstemon speciosus	royal penstemon			•		•	
Phacelia ramosissima	branching phacelia			•			
Potentilla fruticosa	shrubby cinquefoil		•				
Potentilla glandulosa	sticky cinquefoil		•				•
Potentilla gracilis	slender cinquefoil			•			
Ranunculus occidentalis	western buttercup		•				

TABLE 3:TRPA SITE TYPE RECOMMENDED SPECIES LIST							
Scientific Name [1, 2]	**Common Name**	**Wetland**	**SEZ/Riparian-Wet Meadow**	**Upland—Generic**	**Upland—Full Shade**	**Upland—Full Sun/Dry Site**	**Upland—High Disturbance**
Rumex salicifolius	willow dock	•	•				•
Solidago canadensis	Canada goldenrod		•	•			•
Symphyotrichum spathulatum var. spathulatum	western mountain aster		•				
Thalictrum fendleri	Fendler's meadow-rue		•				
Urtica dioica ssp. holosericea	stinging nettle		•				•
Wyethia mollis	woolly mule-ears			•		•	•
Subshrubs, Shrubs, and Trees							
Acer circinatum	vine maple				•		
Acer glabrum	Rocky Mountain maple		•				
Alnus incana ssp. tenuifolia	thinleaf alder		•				•
Amelanchier alnifolia	western Serviceberry		•				
Amelanchier utahensis	Utah serviceberry			•			
Arctostaphylos patula	greenleaf manzanita			•		•	•
Arctostaphylos nevadensis	pinemat manzanita			•			
Arctostaphylos uva-ursi	bearberry			•			
Artemisia tridentata ssp. vaseyana	mountain big sagebrush					•	
Calocedrus decurrens	incense cedar			•	•		•
Ceanothus cordulatus	whitethorn			•		•	•
Ceanothus prostratus	prostrate ceanothus, squawbush			•		•	
Ceanothus velutinus	tobaccobrush			•			
Cercocarpus ledifolius	curl-leaf mountain mahogany					•	
Chrysolepis sempervirens	chinquapin			•			
Cornus sericea	redosier dogwood		•				
Ericameria nauseosa	rubber rabbitbrush					•	•
Eriogonum nudum	naked buckwheat					•	•
Eriogonum umbellatum	sulphur-flower buckwheat			•		•	•
Holodiscus discolor	oceanspray creambush		•				
Juniperus occidentalis	western Sierra or Sierra juniper					•	
Lonicera involucrata[3]	twinberry		•		•		
Mahonia aquifolium	Oregon grape				•		•
Penstemon deustus	hot-rock penstemon			•		•	
Penstemon newberryi	mountain pride		•	•		•	
Pinus contorta var. murrayana[5]	Sierra lodgepole pine		•				•
Pinus flexilis[6]	limber pine					•	
Pinus jeffreyi	Jeffrey pine			•		•	•
Pinus monticola	western white pine			•			

TABLE 3:TRPA SITE TYPE RECOMMENDED SPECIES LIST							
Scientific Name [1, 2]	**Common Name**	**Wetland**	**SEZ/Riparian-Wet Meadow**	**Upland—Generic**	**Upland—Full Shade**	**Upland—Full Sun/ Dry Site**	**Upland—High Disturbance**
Pinus ponderosa	Ponderosa pine			•		•	•
Populus balsamifera ssp. trichocarpa	black cottonwood		•				
Populus tremuloides	quaking aspen		•				•
Prunus virginiana	western chokecherry		•	•			
Purshia tridentata	antelope bitterbrush			•		•	
Quercus vacciniifolia	huckleberry oak			•	•		
Rhus trilobata	skunkbush			•			
Ribes aureum	golden currant		•	•			
Ribes cereum	wax currant			•		•	
Ribes montigenum	gooseberry currant			•			
Ribes nevadense	Sierra currant		•				
Ribes roezlii	Sierra gooseberry			•			
Rosa woodsii	Woods' rose		•	•			•
Rubus parviflorus	thimbleberry		•	•			•
Salix exigua	narrow leaved willow	•	•				
Salix geyeriana	Geyer's willow		•				
Salix lemmonii	Lemmon's willow		•				
Salix lucida ssp. lasiandra	Pacific willow	•	•				
Salix scouleriana	Scouler's willow		•				
Sambucus nigra ssp. cerulea	blue Elderberry		•				
Sambucus racemosa	red elderberry		•				
Sorbus scopulina	Greene's mountain ash		•				
Spiraea douglasii	rose spirea		•				
Spiraea splendens[3]	rose meadowsweet		•		•		
Symphoricarpos molllis	creeping snowberry				•		

Notes:
1 – Nomenclature follows U.S. Department of Agriculture's PLANTS Database.
2 – Names of nonnative species are displayed in bold font.
3 – Mesic shaded uplands only
4 – Talus, rocky alpine slopes only
5 – Invasive of wet meadows
6 – Subalpine sites only

H. **Exterior Lighting**: The functional objectives in providing exterior area lighting are to illuminate areas necessary for safe and comfortable use. In certain situations, area lighting can add to the aesthetic appeal of a site by highlighting architectural features of a building or illuminating pathways and landscape plantings. In these instances, only the special features of a building or landscape should be illuminated.

Protection of the night sky will be addressed by the type of permitted lighting. Lighting of the area will be provided for function, safety and security by directing light toward the locations where it is needed. The night sky will be protected from fugitive light with cut-off shields and other devices that direct light onto surfaces, rather than having wide visibility of the lighting source.

1. Standard: Outdoor lights (including winter seasons display) shall not blink, flash, change intensity or give the illusion of movement.
2. Standard: Exterior lighting shall not be attached to trees except for the winter seasonal display.
3. Lighting shall be limited to Incandescent, High Pressure Sodium, Metal Halide, Compact Florescent, or LED type lighting in all applications for exterior use.
4. Standard:Seasonal Lighting may be displayed and shall not be used to create advertising messages or signs.

    a. Temporary and seasonal installation of string lights, rope lights, or other decorative lighting is allowed for seasonal lighting between November 26th and March 1st subject to the following criteria:

    b. Lights shall not be installed for more than 90 days;

    c. Lights shall be LED or low voltage (24 volts or less);

    d. Installation may be subject to building or fire department inspection.

5. Installation of string lights, rope lights, or other decorative lighting for a period longer than 90 days or outside of the November 26th through March 1st season will require approval of a minor review application. Review of the application will include a review of the total amount of exterior lighting on a site, curfew hours for lighting to be turned off, and energy efficiency. Lights shall be LED or low voltage (24 volts or less). A building permit may also be required for some lighting installations and installations may be subject to building and/or fire department inspection.

6. Pedestrian Zone Lighting

    a. Pedestrian areas, including pedestrian plaza spaces, sidewalks and pedestrian only areas will have the opportunity to use light standards, bollards, lighting that spans the space as liner strings and lighting from architectural features (such as soffits).

    b. Light standards may establish the level of light fixture up to 20 feet tall as measured from the finished grade.

    c. The entire lighting assembly (pole and fixture) shall be painted a dark matte color such as brown, black or green,

d. General light level shall not exceed 5.0 foot candles in pedestrian spaces or approved locations unless approved by the planning commission.

e. Lighting shall not be attached to trees except for seasonal winter displays.

7. Street Lighting

a. Street lighting along primary and secondary streets will be designed in conjunction with the vehicular and pedestrian level needs.

b. Light fixtures shall not exceed 20 feet in height except for cobra head fixtures placed at major intersections of state highways which conform to the state standard for height of such poles. The entire lighting assembly (pole and fixture) shall be painted a dark matte color such as brown, black or green. When lighting pedestrian spaces and sidewalks in conjunction with roadway lighting, pedestrian lighting shall be designed to have lower pole heights, rather than use the street light poles to illuminate pedestrian use areas.

c. Safety and security lighting needs are to be focused on the crossing points, street intersections and in areas where pedestrians are exposed to conflicts with traffic.

8. Lighting for Safety and Security

a. Secondary pedestrian areas or landscape zones with minor uses may be illuminated for security and pedestrian safety. These may include illumination level not to exceed 2.5 foot candles and may be a combination of pole lighting, feature lighting, bollards and lighting from architectural structures.

b. Level changes and features like steps are to be illuminated for pedestrian safety. Built in lighting or wall lights are the preferred design choice. Other methods will require approval by the planning commission.

c. Walkways in all zones allow for lighting to ensure safely at night with bollard, feature, or pole standards. Lighting levels for pathways may not

9. Standard: Lighting may be used for outdoor landscaping, parking lots, street lights, walkways, illumination or highlighting architectural or landscape features only, and shall not be designed for, or used as, an advertising display. Illumination utilizing exterior light fixtures is permitted provided the following criteria are met:

a. Lighting shall only be directed downward (not above the horizontal plane) to avoid sky-lighting. Up-lighting for any purpose including the lighting of architectural or landscape architectural is not permitted except with overhead shields to prevent nighttime sky-lighting

b. The light source (bulbs), within a fixture as seen in elevation, shall not be visible, including the cobra head fixture style.

c. No light (freestanding or building mounted) shall spray off site. The use of cutoff shields, or other devices as approved by staff shall be required, including parking garages (Note: parking garages shall not have fluorescent lighting)

d. The maximum height of exterior architectural building lighting and landscape lighting shall be 26 feet and the light source is shielded from view except for areas designated as Tourist Center District (TSC-C).

e. Feature Lighting for Architectural Highlight and Landmarks in the Tourist Center District (TSC-C)

i. Architectural feature lighting and accents may be included as part of a lighting plan to prevent dark, uninviting, and oppressive building surfaces above the first floor. Illumination shall be for selective architectural features that serve to landmark, or otherwise highlight design features. Specifically, lighting of distinguished architectural features such as entries, arcades, chimneys, cornices, balconies, exterior trusses, highly textured material, knee braces, enriched architectural facades or landmark features are permitted subject to the following criteria:.

(1) The lighting is subject to a visual analysis.

(2) Wall lighting of blank wall or repetitive wall facades shall not be permitted.

(3) Light features may be attached to buildings or structures as down lights, soffit lights or wall mounted lights.

(4) All accent lighting shall be directed downward.

(5) Lighting shall be restricted to incandescent type lights.

(6) Roofs, in part or in total, shall not be illuminated. Such prohibition includes such methods as flood lighting, reflective material, or lighting strips, including neon/fluorescent tubing and the like.

ii. Landscape lighting is allowed to highlight elements of the landscape architecture or existing landscape features through the use of down lighting. Down lighting landscape can be done with concealed fixtures or fixtures with lens hoods to screen the light source. Landscape lighting fixtures must be dark colors including brown, gray, black or green.

(1) The lighting is subject to a visual analysis.

(2) The entire freestanding lighting assembly (pole and fixture) shall be painted a dark earth tone color such as black, dark green or dark brown, so as to blend into the forest character of the city.

(3) Lighting levels shall not exceed a maximum of 25 foot-candles, measured within one foot of the base at ground level.

(4) Roofs, in part or in total, shall not be illuminated. Such prohibition includes such methods as flood lighting, reflective material, or lighting strips, including neon/fluorescent tubing, and the like.

(5) The entire freestanding lighting assembly (pole and fixture) shall be painted a dark earth tone color such as black, dark green, or dark brown, so as to blend into the forest character of the city.

(6) Lighting levels shall not exceed a maximum of 25 foot-candles, measured within one foot of the base at ground level.

(7) Lighting levels shall not exceed a maximum of 25 foot-candles, measured within one foot of the base at ground level.

(8) Low pressure sodium lights (monochromatic orange color) are not allowed.

I. **Water Conservation**: Water conservation is accepted as a practical and economical water management technique. Water conservation measures increase water supplies, save energy, and save money. Residential water use includes water used indoors and outdoors. The largest share of that typically is used for landscape irrigation. Bathroom fixtures typically account for the largest share of indoor water use. Water-using fixtures and appliances have in the past been designed with little or no regard for water efficiency. Today's appliances however, are designed with a greater sensitivity toward efficiency.

1. Standard: Water conservation devices shall be installed in new facilities or when replaced in existing facilities.

2. Standard: Irrigation systems shall conform to water conservation standards contained within the landscaping standards (Standard 7) of this manual which is consistent with AB 325 (see also City Resolution No. 1992-97).

J. **Street Right-of-Way Improvements**: The improvement of the public right-of-way is necessary for the safety and convenience of the residents, improving the quality of the community and the lake and unifying the appearance of the community with the establishment of a consistent set of improvement standards.

1. Standard: All new road construction projects or the repair of existing improvements within the publicly owned right-of-way shall comply with the City of South Lake Tahoe Public Improvement Engineering Standards.

2. Standard: Road fixtures, including but not limited to retaining walls, safety barriers, traffic signals and controllers, light standards, and other structures, shall be designed and installed in compliance with the with the City of South Lake Tahoe Public Improvement Engineering Standards.

3. Standard: Color of road fixtures (other than signals, their auxiliary equipment and sign standards). Refer to the City of South Lake Tahoe Public Improvement Engineering Standards for specific details.

4. Standard: Signal poles and their ancillary equipment and sign structures. Refer to the City of South Lake Tahoe Public Improvement Engineering Standards for specific details.

5. Standard: Retaining walls and other erosion control devices. Refer to the City of South Lake Tahoe Public Improvement Engineering Standards and Chapter 36, City Grading Ordinance, for specific details.

6. Standard: Street improvements required. Public and private projects shall be required to construct off-site improvements including curb, gutter, sidewalk and other improvements required by the city engineering division, consistent with the standards contained within the City of South Lake Tahoe Public Improvement Engineering Standards, including street right-of-way improvements and landscaping standards, SLTCC 5-24, or at the discretion of the city engineer provide in-lieu fees when:

a. The project involves new construction on raw land, a vacant lot and/or is a demolition and reconstruction project;

i. The project is processed as a special use permit and is determined by the city engineering division that the off-site improvements are necessary for the orderly development of the area;

ii. A public project, not subject to the special use permit process, is determined by the city engineering department to need off-site improvements for the orderly development of the area. (Ord. 903; Ord. 1002)

K. **Scenic Highway Corridors**: The Lake Tahoe Region offers many outstanding opportunities to view and photograph scenic resources. Many of these opportunities are available while driving around the lake on the main highways (US 50, State Routes 28, 89, 207, 267 and 431, and Pioneer Trail). The highways listed are also travel routes used in TRPA's scenic quality thresholds. Maintaining and in some cases upgrading the scenic quality of the view from the road is the primary goal behind both scenic highway corridors and scenic quality thresholds.

All projects which are within the scenic highway corridors, as defined by the TRPA, of US 50, 89 and Pioneer Trail shall meet design standards listed below. (Note: A scenic corridor is defined as including the street right-of-way and property abutting such right-of-way, a distance of 300 feet.)

1. Standard: All new electrical lines which operate at 32 kilovolts or less, including service connection lines, shall be placed underground. Exceptions to this requirement will be based on the city finding that undergrounding would produce a greater environmental impact than above-ground installation. When new electrical lines are permitted to be installed above ground, the new lines, poles and hardware shall be screened from view of the scenic highway to the maximum extent possible.

2. Standard: All new communication lines including telephone lines, cable television lines, and service connection lines shall be placed under- ground. Exceptions to this requirement will be based on the city finding that undergrounding would produce a greater environmental impact than above-ground installation. When new communication lines are permitted to be installed above ground, the new lines, poles, and hardware shall be screened from view of the scenic highway to the maximum extent possible.

3. Standard: See also standards for street right-of-way improvements.

4. Standard: TRPA Code Section 66.2 development standards for rural transitional corridors shall apply to the applicable sections of Pioneer Trail.

L. **Shorezone**: The shorezone is regulated by the TRPA Code, Chapters 80 through 86, and not reiterated here. As a result, all projects which fall within this area shall be referred to the TRPA for review. The city's review will be limited to providing input into the TRPA process and processing the project through the city permit process.

M. **Signage**

Article I. Purpose and Scope

25-1 Authority.

This chapter is prepared pursuant to the TRPA Code of Ordinance is prepared pursuant to the TRPA Code of Ordinances, Section 38.2.3, which permits local jurisdictions to prepare equal or superior sign standards to the TRPA Sign Ordinance, contained in Chapter 38.

25-2 Purpose.

The purpose of this chapter shall be to coordinate the type, placement and scale of signs within the different land-use categories and to recognize the commercial communication requirements of all sectors of the business community; to improve the visual quality of South Lake Tahoe; encourage the innovative use of design; to promote both renovation and proper maintenance; to allow for special circumstances; and to guarantee equal treatment under the law through accurate record keeping and consistent enforcement. This shall be accomplished by regulation of the display, erection, use, and maintenance of signs. The use of signs is regulated according to category. The placement and scale of signs are regulated primarily by business square footage, number of streets that access the business, vehicle speed limit, designation of the street, height of sign, setback, and angle of the sign to the street.
Scope: This chapter shall not relate to building design. Nor shall the City Ordinance regulate official traffic or government signs (Note: the TRPA, Chapter 38 shall regulate the signs); the copy and message of signs; signs not intended to be viewed from a public right-of-way; interior window displays; scoreboards on athletic fields; flags of any nation or government; gravestones; religious symbols; memorial signs; the residential display of street numbers; or any display or construction not defined herein as a sign.

The primary intent of this Ordinance shall be to regulate signs of a commercial nature intended to be readable from any public street, recreation area, bike trail or from Lake Tahoe.

Article II. Definitions

25-3 Definitions.

1. **"**Abandoned Sign" means a sign, non-conforming or conforming which no longer identifies or advertises a bonafide business, lessor, service, owner, product or activity for a period of six months or longer. For Compliance, see SLTCC 25-19.
2. "Access" means any public vehicle access. Does not include pedestrian or service vehicle access.
3. "Animated Sign" (also see and note difference from changeable sign) means a sign or display manifesting either kinetic or illusionary motion occasioned by natural, manual, mechanical, electrical, or other means. Animated signs include the following types:
    a. Naturally Energized: Signs whose motion is activated by wind or other atmospheric impingement. Wind-driven signs include flags, pennants, streamers, spinners, metallic disks, windsocks other similar devices designed to move in the wind.
    b. Mechanically Energized: Signs manifesting a repetitious pre-programmed physical movement or rotation in either one or a series of planes activated by means of mechanically based drives.

c. Electrically Energized: Illuminated signs whose motion or visual impression of motion is activated primarily by electrical means. Electrically energized animated signs are of two types:

i. Flashing Signs: Illuminated signs exhibiting a pre-programmed repetitious cyclical interruption of illumination from one or more sources in which the duration of the period of illumination (on phase) is either the same as or less than the duration of the period of darkness (off phase), and in which the intensity of illumination varies from zero (off) to 100 percent (on) during the programmed cycle.

ii. Illusionary Movement Signs: Illuminated signs exhibiting the illusion of movement by means of a pre-programmed repetitious sequential switching action in which illuminated elements of the sign are turned on or off to visually simulate the impression of motion characteristic of chasing, running, blinking, oscillating, twinkling, scintillating, or expanding and contracting light patterns.

4. "Appurtenant Sign" means a sign, emblem, or decal informing the public of goods, facilities, or services available on the premises, e.g., a credit card sign or a sign indicating hours of business, membership affiliation, chain service, spa, phones, business association.

5. Area. See "Sign, area of."

6. "Area identification sign" identifies an area of a distinct character composed of more than one ownership, such as a neighborhood, subdivision, shopping or industrial area, or a large parcel(s) of land reserved for visual or usable open space, such as a conservatory area and the like.

7. "Awning" means a shelter projecting from and supported by the exterior wall of a building constructed of canvas, plastic or similar nonrigid materials on a supporting framework. Compare "Marquee."

8. "Awning sign" means a sign painted on, printed on, or attached flat against the surface of an awning.

9. Backlit Awning. See "Electric awning sign."

10. "Balloon"means an inflatable bag filled with air or gas used for advertising or promotional purposes, whether or not it contains letters, words, phrases or logos.

11. "Banner Sign" means a piece of cloth or other flexible material such as plastic/vinyl sheets or canvas, that contains copy.

12. "Base Reference Budget (BRB)"means the amount of sign area, prior to adjustments, available to a business or a multiple business complex (MBC). This amount is calculated from:

a. Gross floor area of buildings; and

b. Number of streets that access the property; and

c. Whether the business is part of a multiple business complex.

13. "Building Sign" means any sign attached to a building and supported by a wall of a building, or the wall of a structure, including a mansard roof. Any permanent window signs shall be considered a building sign. For the purpose of this definition the following signs are considered as a part of the building sign area (see definition for more clarification).

a. Awning signs;

b. Canopy signs;

c. Marquee signs;

d. Landscape wall signs;

e. Mansard roof signs;

f. Permanent window signs.

14. "Business" means a single commercial unit of operation. There may be more than one business within a building (see "Multiple business complex)"; or there may be a single business in one building on one project area.

14.1 "Can sign" means a sign in which the sign copy is placed on a transparent face, which is attached to an enclosed box or can, usually made of metal, that has an internal light source.

15. "Canopy Sign" means a sign affixed or applied to the exterior facing surface or surfaces of a building canopy or freestanding canopy.

16. "Canopy (Building)" means a structure or roof covered with fabric, metal or other material and supported by a building at one or more points or extremities and by columns or posts embedded in the ground at other points or extremities. May be illuminated by means of internal or external sources. (compare "Marquee")

17. "Canopy (Freestanding)" means a structure or roof covered with fabric, metal or other material supported by columns or posts embedded in the ground. May be illuminated by means of internal or external sources.

18. "Changeable Sign"means a sign whose informational content can be changed or altered by manual or electric, electro-mechanical, or electronic means. Changeable signs include the following types:

a. Manually Activated: Signs whose alphabetic, numeric, pictographic, or symbolic informational content can be changed or altered by manual means. (See also seasonal copy change)

b. Electrically Activated: Signs whose alphabetic, numeric, pictographic, or symbolic informational content can be changed or altered on a fixed display surface composed of electrically illuminated or mechanically driven changeable segments. Includes the following two types:

i. Fixed Message Electronic Signs: Signs whose basic informational content has been pre-programmed to include only certain types of information, such as time, temperature, predictable traffic conditions, or other events.

ii. Computer Controlled Variable Message Electronic Signs: Signs whose informational content can be changed or altered by means of computer-driven electronic impulses.

19. City. Unless the context clearly discloses a contrary intent, the word "city" shall mean the city of South Lake Tahoe.

20. "Clearance (of a sign)" means the smallest vertical distance between the grade of the adjacent street, highway, or street curb and the lowest point of any sign, including framework and embellishments, extending over that grade.

21. "Clear Zone" means the area at a street corner or driveway defined as follows:

a. Street corner clear zone is created by extending the front property line and street side property line to a point and measuring from the point along the front property line and street side yard property line to a distance of 15 feet and connecting these two points to create a triangular area.

b. Driveway clear zone is created by measuring, from the point of driveway and property line intersection, along the driveway and property lines to a distance of 15 feet and connecting these two points to create a triangular area.

21.1 "Community Benefit Sign" means a temporary sign displayed by a non-profit organization, to raise funds for a community wide benefit, such as the community blood drive and the like. It does not include advertising for a commercial for profit enterprise, such as a ski sale or private arts and craft show and the like.

22. "Construction sign" means a temporary sign identifying an architect, contractor, subcontractor, material supplier, funding sources and other related information pertinent to the property on which the sign is located.

23. "Copy" means the graphic content of a sign surface in either permanent or removable letter, numeric, symbolic, or alphabetic form. Also see "Mural."

24. "Copy area" means the area shall be calculated by enclosing the perimeter of the copy within a rectilinear geometric figure which encloses the extreme limits of the copy and measuring the area within the perimeter.

25. "Deceptive sign" means any sign which by varying the size of print, by wording, by coloration, or by any other device, give a normal viewer a false or deceptive impression of prices or rates, charges or services, or number of units available.

26. "Directional/Information Sign" means any sign which is used soley for the purpose of traffic or pedestrian information, direction or safety, and placed on the property to which or on which the public is directed and which contains no advertising copy.

27. "Double-faced sign" means a sign with two faces, essentially back-to-back. Each sign face is to be calculated to determine sign area.

28. "Electric awning sign" means an internally illuminated, fixed space-frame structure with translucent, flexible reinforced covering, designed to awning form and with graphics or copy applied to the visible surface of the awning.

29. "Electrical sign" means a sign or sign structure in which electrical wiring, connections, or fixtures are used.

30. Electronic Message Center. See "Changeable signs, electrically activated."

31. "Embellishment" means a portion of a sign structure intended to accent a sign rather than to provide or carry additional message area, e.g., framing, roofing, foundations, landscaping and the like.

32 "Facade" means the entire building elevation including the parapet.

33. "Festoons" means a string of ribbons, tins, or pinwheels.

34. "Flag" means an article of cloth on flexible material displayed to the public.

a. Official Flag. The flag of any nation, state, county, city or other recognized governmental entity, flown in accordance with the state and federal laws governing such displays. A U.S. flag shall be flown in conjunction with any foreign flag.

b. Insignia Flag. A flag bearing the insignia, name, device, rank, logo type, or similar designation of specific activities, political parties, person, agencies, private business, and the like.

35. Flashing Sign. See "Animated sign, electrically energized."

36. "Freestanding Sign" means a sign which is permanently supported in a fixed location on the ground by poles, braces, a foundation, a planter, pedestal,

retaining wall or other structure and not attached to or supported by any building.. Such signs include building wing wall signs(See also “Low Profile Sign)

37. “Frontage, street” means that portion of a project area bounded by public roadway.

38. “Graphic” means the use of letters, symbols, numbers to convey a message.

Note: Adding graphics to a mural creates copy.

39. “Government sign” means any temporary or permanent sign erected and maintained by the city, county, state, or federal government for traffic direction or for designation of or direction to any school, hospital, historical site, or public service property or facility.

40. “Grade” means the surface elevation of the street, or the natural ground elevation beneath the sign.

40.1 “Grand opening temporary activity” means a use which proposes a temporary activity to promote the opening of a new business at that location. For the purpose of the sign ordinance, a use shall have only one “grand opening temporary activity” and it shall occur no later than 30 days after issuance of city business license, change of operation review and/or an occupancy permit for the new business. As a “grand opening temporary activity,” it shall be subject to the same requirements as all temporary activities (SLTCC 32-21.1) including obtaining a planning permit. A “grand opening temporary activity” may have the limited use of balloons as outlined in SLTCC 25.5.1(G).

41. “Gross floor area (GFA)” means the measure of commercial square footage calculated as the floor area within the outer walls of a building or store space, including storage space. This shall not include stairwells and airshafts.

If more than one business is occupying the same floor space, the floor space shall be counted once to determine the gross floor area.

If a business occupies one floor of a two story business, the GFA shall be based on the one floor. Should the business extend to the second floor, its new sign area shall be recalculated including the second floor. Should the business revert back to the first floor, then the GFA reverts back to floor one. Any signage increase resulting from the expansion to the second floor shall now have to be reduced accordingly.

42. “Height (of a Sign)”, means

Freestanding Sign: the vertical distance measured from the highest point of the sign structure, including decorative embellishments, to the curb grade of the adjacent street or the surface grade beneath the sign, whichever is less.

Building Sign: the vertical distance measured form the highest point of the sign or sign structure to the building grade.

42.1. “Icon sign” means three-dimensional representation of an object that does not contain copy. Examples include a child’s building blocks to denote a children’s store or an ice cream cone to denote an ice cream shop. The intent of the icon sign is to provide business identification in a highly concentrated pedestrian environment (Mainstreet district of the South Tahoe redevelopment plan area) in a whimsical and entertaining manner without using copy. For sign area and locational standards, see SLTCC 25-45(C)(2)(a).

43. “Identification sign” means a sign whose copy is limited to the name and address of a multiple family or condominium complex, building, institution, or person or to the activity or occupation being identified.

44. "Individual sign area" is computed from the BRB and is the allowable sign area for a specific individual sign, taking into account the following adjustments:

    a. Specific individual sign setback;

    b. Vehicle speed on the closest street;

    c. Specific individual sign angle using the street frontage as a reference plane; and

    d. Height.

45. "Illegal sign" means a sign which does not meet the requirements of this code, including but not limited to the placement or installation of a sign without first obtaining a city sign permit or installing a sign that is not consistent with the sign permit and which has not received legal nonconforming status.

46. "Illuminated sign" means a sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign. The following are types of illumination:

    a. Diffuse. "Diffused lighting" is where the light source is internal and located behind a translucent sign face; i.e., internally illuminated electric can sign.

    b. Indirect. "Indirect lighting" is where the copy and/or the sign face are illuminated by an external light source. The external light source should be shielded from public view.

    c. Direct. "Direct lighting" is where the sign copy is the light source, e.g., individual light bulbs organized to create the sign copy.

47. "Kiosk" means a pedestrian-oriented freestanding sign within public right-of-way used for display of information. All kiosk locations as well as information content shall be subject to the city use permit process.

48. "Landscape wall sign" means a sign attached to a retaining wall which is integrated into the project area landscape and the single sign face is parallel to the street.

49. "Lot" means a parcel of land legally defined on a subdivision or parcel map recorded with the El Dorado County recorder.

50. "Low profile sign" means a type of freestanding sign mounted directly to the ground with maximum height not to exceed six feet.

51. "Maintenance" means, for the purposes of this chapter, upkeep, or preservation of the condition of a sign in order to keep the existing components safe, neat and orderly in condition and appearance and to prevent corrosion or deterioration caused by weather, age or other conditions. Maintenance includes cleaning, painting, repair or replacement of defective parts of a sign. Maintenance does not include any changes to sign area, the copy, graphic design, or the external dimensions of the sign or structure.

52. "Mansard roof" means normally the roof slope exceeds 45 degrees (12:12). A roof-like facade architecturally comparable to a building wall.

53. "Mansard roof sign" means a sign attached to a mansard roof.

54. "Marquee" means a permanent roof-like structure or canopy of rigid materials supported by and extending from the facade of a building. Compare "Awning" and "Canopy sign."

55. "Memorial signs" means tablets for names of buildings, date of erection, architects, etc. when built into the walls of a building.

56. Monument Sign. See “Low profile sign.”

57. “Motor fuel price sign” means that portion of a freestanding sign which advertises the price of motor vehicle fuel offered for sale.

58. “Motor vehicle signs” means a sign attached, affixed or painted upon the exterior of a motor vehicle.

59. “Multiple business complex” means a building or group of buildings within a single architectural plan and within one project area housing two or more businesses with one or more parcels.

60. “Multiple business complex sign” means a sign whose purpose is to identify the MBC, not individual tenants.

61. “Multiple-faced sign” means a sign containing three or more sign faces, not necessarily in back-to-back configuration. Each sign face shall be calculated to determine sign area.

62. “Mural” means a picture pictograph (especially large) painted or applied directly on a wall, ceiling or roof, contains no copy and is not a visual representation of a business or service so as to be viewed as advertisement for the business or service.

63. “Nameplate” means a nonelectric, on-premises residential identification sign giving only the name and address of an occupant.

64. “Nonconforming sign” means a sign which was erected legally, but which does not comply with subsequently enacted sign restrictions and regulations.

65. “Occupancy” means the portion of a building or premises owned, leased, rented, or otherwise occupied for a given use.

66. “Off-Premise Sign” means a sign erected or maintained on a parcel or project area advertising an establishment, merchandise, service, or entertainment, which is not sold, produced, manufactured, or furnished at the property on which the use or activity advertised by the sign is not located.

67. “On-Premise Sign” means a sign erected or maintained on a parcel or project area on which the use or activity advertised by the sign is located.

68. “Official signs” means traffic, fire and police signs, signals, devices and markings of public agencies and utilities for which illumination and motion is permitted, other safety signs, and legal notices.

69. “Opaque background” means a sign background that doesn’t transmit light. For the purpose of this chapter the amount of light transmitted shall be limited to the range of approved background colors shown in Exhibit 3 (see also SLTCC 25-34).

70. “Owner” means the legal owner of record. This information may be available through a search of the county recorder’s records or as shown on the most recent property tax roll provided by El Dorado County assessor. For the purposes of this chapter, the owner of property on which a sign is located is presumed to be the owner of the sign unless facts to the contrary are officially recorded or otherwise brought to the attention of the city, e.g., a sign leased from a sign company.

71. “Parapet” means the extension of a false front or wall above a roofline.

72. “Parking signs” means signs that state “Private Parking Only – Consent of the Owner Required” and shall be otherwise consistent with the California Vehicle Code Section 22658A.

73. "Parked motor vehicle sign" means a sign attached to, located on, or located within any motor vehicle trailer or other related device, when parked for the primary purpose of displaying signage or to augment existing signage of a business located on the parcel, lot, or project area where the parked motor vehicle is located. A parked motor vehicle sign meets this definition if the copy is easily readable from a vehicle or pedestrian traveling upon a public right-of-way (of a scenic corridor). Examples of such signs are, business delivery vehicle(s), personal vehicles and the like. Excluded from this are vans or trucks which have short term deliveries of merchandise and goods to the retailer or restaurant.

74. "Pedestrian scale" means copy, graphics, proportions and locations that are easy to comprehend and intended to be primarily read by pedestrians.

74.1 "Pedestrian Sign" means a permanent sign in "pedestrian scale" which provides information and directions to pedestrians, such as a "directory/information sign" and kiosk sign."

75. "Pennant" means a piece of cloth, plastic, paper, or other such material varying in size, shape or design to draw attention to the site where located.

76. "Permanently affixed" shall mean painted or permanently attached with glue, adhesive, bolts, nails, approved concrete footings, not intended to be easily removed. Tape shall not be considered as meeting this definition.

77. "Person" means any individual, corporation, association, firm, partnership, or similarly defined interest.

77.1 "Plant List" means the Recommended Native and Adaptive Species List adopted by TRPA.

78. "Point of purchase display" means advertising of a retail item accompanying its display, e.g., an advertisement on a soft drink or water dispenser, tire display, ice machines, etc.

79. "Pole cover" means cover enclosing or decorating poles or other structural supports of a sign.

79.1 "Political Sign" means a sign advertising a candidate for public office, a proposition, or other issue to be voted on by the general public.

22. "Portable Sign" means any sign designed to be moved easily and not permanently affixed to the ground or to a structure or building.

23. "Project area" means one or more parcels or leases that are linked together for a common and definitive purpose, such as parking, or access, or utilities, or are under one umbrella management unit.

24. "Projecting Sign" means a sign, other than a flat building sign, which projects form and is supported by a wall of a building, and is not mounted parallel to the plan of the wall.

83. "Public right-of-way" means that portion of land owned by the public in which the street, sidewalk and utilities are placed. Note: Normally the public right-of-way is wider than the paved street.

84. "Real estate sign, on-premises" means a temporary sign advertising the real estate upon which the sign is located as being for rent, lease, or sale.

85. "Roofline" means the top edge of a roof or building parapet, whichever is higher, excluding any mansards, cupolas, pylons, chimneys, or minor projections.

86. "Roof sign" means any sign erected over or on the roof of a building. No roof sign dormer can extend above the roofline as measured in elevation.

87. “Room rate” means the posting of room rate signs and shall be consistent with this chapter and SLTCC 28A-6.

88. Rotating Sign. See “Animated sign, mechanically energized.”

89. Scenic Corridor. The following roads are considered scenic corridors: Lake Tahoe Boulevard, U.S. 89, U.S. Highway 50 and the Loop Roads.

90. “Sculpture” means to cut, carve, chisel, cast, weld, mold, etc., into statues or figures.

91. “Seasonal Change of Copy” means the changing of the sign face copy, to reflect the different seasons or seasonally uses.

92. “Seasonal graphics and murals” means such graphics and murals that depict seasonal events with no commercial messages. Examples include Christmas, Valentine’s Day, Easter, Mother’s and Father’s Day, Homecoming and the like.

93. Setback: Setback, for all signs shall be measured from the property-line.

94. “Sign” means any character, letter, figure, symbol, design, model or device or combination of these used to attract attention or convey a message and which is visible from a public street, public recreation area, bicycle trail or from Lake Tahoe. The term includes banners, pennants, streamers, moving mechanisms and lights. The term does not include scoreboards or ball field signs where the sign is oriented to the recreation use.

95. “Sign, Area of” means the sum total of display areas of one or more sign faces (also see sign face). If the sign is composed of individual letters or symbols using the wall as the background with no added decoration, the sign area shall be calculated by enclosing the perimeter of each word within a rectilinear geometric figure which encloses the extreme limits of the copy and measuring the area within the perimeter.

96. “Sign dormer” means a structure attached to the roof that provides a vertical mounting surface on a sloping roof. The dormer is usually constructed of the same material as the roof.

97. “Sign face” means the plane of a sign on which the copy is placed. A normal size frame is not considered as a part of the sign face.

98. “Snipe sign” means a temporary sign or poster affixed to a tree, fence, telephone pole, etc.

99. “Subdivision identification sign” means a freestanding or wall sign identifying a recognized subdivision, condominium complex or residential development.

100. “Temporary Sign” means any sign not intended for long term

101. “Under-canopy pedestrian-oriented sign” means a sign suspended beneath and not projecting beyond the face of a canopy, ceiling, roof, or marquee.

102. “Unit of operation” means an individual and separate unit of activity or function within a building, such as a single shop within a business complex or a single business occupying an entire building.

103. “Use” means the purpose for which a building, lot, sign, or structure is intended, designed, occupied, or maintained.

104. “Window” means an opening in a building for letting in light or air or for looking through, and having a pane(s) of glass set in a frame or sash. Note: Placing a false window on a building does not meet the definition of window and window signs. Also see “Parked motor vehicle sign.”

105. "Window Sign" means all signs placed in a window which are intended to be primarily visible from a public right-of-way, includes permanent and temporary signs.

Note: A temporary window sign does not count as building sign area if it is within the 25% window area devoted to window signs.

25-5 Compliance Required: It shall hereafter be unlawful for any person to erect, place, or maintain a sign in the City of South Lake Tahoe except in accordance with the provisions of this chapter.

25-5.1 Signs Prohibited: The following types of signs are prohibited in all districts:

A. Pennants, festoons, search lights;
B. Signs imitating or resembling official traffic or government signs or signals;
C. Snipe signs, when located in the public right-of-way;
D. Off premise parked motor vehicle signs
E. Portable signs not specifically permitted by this Ordinance, i.e., real estate signs
F. Animated signs
G. Balloons; except for a "grand opening temporary activity" as part of a city-approved TRPA permit for a temporary activity/use. The "grand opening temporary activity" use of balloons shall not exceed 72 continuous hours
H. Changeable copy signs; computer controlled variable message electronics sings. Exceptions:
   1. Computer controlled variable message electronic signs that are include in City gateway signage and publicly owned community event signs.
   2. Manually activated, changed seasonal copy changes
I. Insignia flags, unless otherwise allowed by this chapter.
J. Flags in the form of pennants or festoons, and the like, unless approved as part of a Temporary Activity Permit.
K. Sound producing signs
L. Illegal signs
M. Off-premise signs, except for "off premise" temporary real estate residential open house signs (see SLTCC 25-7) and garage sale signs (See SLTCC 25-7) allowed by this chapter.
N. Appurtenant Signs, unless counted as a part of approved signage area and each sign does not exceed 12" x 12'°. Further, no appurtenant sign shall be hung from or otherwise attached to a freestanding sign unless the attachment is included as a part of the sign face copy
O. All signs riot specifically noted
P. The display of sculpture, murals and seasonal graphics, unless approved by the City Planning Division.
Q. Window signs not contained within the 25% allowable window signage area.
R. Freestanding signs in clear zones that have height between 3' and 1-' from grade or with pole/base support larger than 12 inches in diameter
R. Signage for prohibited uses.
S. Signs not in compliance with this Chapter.
T. Hand held signs for commercial use

25-6 Planning Permits Required: Unless otherwise provided by this Ordinance, all signs shall require a Planning Permit and payment of fees as described in Article VII of this chapter.

25-7 Signs and Activities Not Requiring Permits: The following types of signs are exempt from permit requirements but shall be standards of this chapter.

A. Maintenance or cleaning of a sign.

B. Memorial signs, when cut into masonry surfaces or when constructed of bronze or other metals and affixed to a wall, that do not exceed three square feet in area.

C. Temporary government signs indicating danger and/or service and safety information.

D. In residential areas, (1) name plates, (2) names on mailboxes or newspaper tubes, (3) private property parking or warning the public against trespassing or danger from animals, provided they do not exceed two square feet.

E. Signs not readable from a public street, recreation area, bicycle trail, or Lake Tahoe, such as window placards denoting community special events.

F. Directional and information signs on private property which conform to the following: 12" x 18" or smaller, which limit access, provide direction, parking admittance or pertain to security provisions; signs 18" x 18 °' or smaller, defining entrance or exit; and octagonal stop signs, 24'° or smaller. Any sign larger than the limits described shall be counted as either freestanding or building sign as appropriate.

Larger signs may be allowed in those instances where a business is located on a public street which is being repaired or reconstructed that negatively affects the economic viability of a business(s). Size of sign shall be subject to City review on a case by case basis. At a minimum, the sign shall not exceed 6 feet high and be setback a minimum of 5 feet from all property lines and be outside a defined corner clearzone.

G. Highway signs, street signs and other regulatory and directional signs which are located on a public right-of-way shall conform to the applicable sign standards set forth in the Manual on Uniform Traffic Control Devices, 1978, or other standards which may be contained in a memoranda of understanding between the TRPA and a public agency with jurisdiction over the travel way or upon design approval by the TRPA and a public agency with jurisdiction over the travel way.

H. Seasonal graphics and murals. At such time as the Seasonal Graphic or Mural has business related copy, the Seasonal Graphic or Mural is considered to be a business sign and the entire Seasonal Graphic or Mural, including copy, is considered sign area and requires a permit.

I. Off premise temporary real estate residential "Open House" signs provided the following standards are met:

1. The signs shall not exceed 3 square feet. Within the 3 square feet, all copy shall be placed including arrows, logos, name of real estate office, address and the like. The height of sign shall not exceed 3 feet. For the purpose of this provision, the 3 foot high signs may be placed on top of a snow berm.
2. All signs shall not be located within the public right-of way.
4. The signs shall not be allowed within the Tahoe Keys Blvd. median, the 15th street median and parkway, or the Loop Road median and parkway.
5. The maximum number of signs per "Open House" shall be limited to three (3).
6. The "Open House" signs shall be either freestanding, mounted on a stake, or an "A-frame." The location and/or size of such signs shall not create a traffic hazard.
7. The "Open House" signs shall be displayed only during the hours which the house is open for viewing, and the open house signs shall be immediately removed when the open house is closed for the day.

J. On-premise temporary real estate signs provided the following standards are met;

1. Residential

    a. One "For Sale" sign per premise, unless the property for sale has both a front and rear street frontage, in which case, two “for sale” signs are permitted;

    b. On the day of showing, one "Open House" sign per premise;

    c. The standards for all signs shall be:

        i. If freestanding, the sign area shall not exceed 3 square feet. Should the sign be mounted on a stake, the stake shall not exceed 5 feet in height. The sign or its supports shall not encroach into the public right-of-way and shall not create a traffic hazard or encroach into a clear zone area. Said sign may be double faced.

        ii. If a wall sign, the area shall not exceed 3 square feet.

        iii. Shall not be illuminated; and

        iv. Shall not contain more than two sign riders each a maximum side of 6”X18”; and

        v. Shall not contain more than one flier box.

2 .Commercial

    a. One "For Sale" sign per premise, unless the property for sale has both a front and rear street frontage, in which case, two “for sale” signs are permitted;

    b. The standards for all signs shall be:

        ii. If freestanding, the sign area shall not exceed 32 square feet; shall not exceed 6 feet in height. The sign or its supports shall be a minimum of five feet from the property lines and shall not encroach into a clear zone area. Said sign may be double faced;

        iii. If a wall sign, the area shall not exceed 32 square feet;

        iv. Shall conform to the design standards contained in SLTCC 25-38 and 25-39; and

        v. Shall not be illuminated.

K. Motor vehicle signs which conform to the following: non-projecting and permanently affixed to the exterior of the vehicle. Painted and magnetic signs are considered permanently affixed. Taped signs are not.

L. Commercial street address numbers which do not exceed 3 square feet. If greater than 3 square feet, shall require a permit and shall be calculated as a part of the sign area.

M. Open/closed signs which do not exceed 12 square inches and credit identification signs. This applies to all illuminated and non-illuminated signs and credit identification.

N. Window signage that does not exceed 25% of the window area. Each window shall have a maximum of 25 percent of window area for use of all permanent and temporary signs except for seasonal graphic displays. In a single façade which contains a group of windows that is visible from a street, the window signage for that façade may be concentrated in one window of that group. The permissible area shall be based on the total window of that façade’s widow grouping.

O. Banners and sandwich board signs in compliance with the following standards: Displayed only during the following holiday periods: the month of December, New Year’s Eve day and New Year’s Eve, Martin Luther King weekend, President’s Day weekend, Memorial Day weekend, July 4th weekend, Labor Day weekend, Thanksgiving weekend, or during City sanctioned community events;

i. Signs are not within a street right of way, sidewalk, bicycle path, pedestrian walkway, designated parking spaces, ADA accessible zone or path, or clear zone;

ii. Signs do not impede pedestrian or bicycle circulation; and

iii. Signs are professionally designed and manufactured; or

iv. Banner signs that are community benefit signs in areas designated by a community plan.

Q. Garage sale signs displayed Friday, Saturday, Sunday, or Monday of a holiday weekend. Must be outside of street rights of way and must not impeded pedestrian, bicycle, or vehicle traffic.

R. The following temporary signs:

i. Temporary government signs.

ii. Temporary window signs, provided they are within the 25 percent allowable window area for signs.

iii. Temporary on- and off-premises real estate signs.

iv. “Community benefit” temporary activity signs at the Chamber of Commerce area and those “community benefit” temporary activity signs placed off-premises as a part of an approved community plan or area plan.

25-8. Maintenance.

All signs shall be properly maintained. Exposed surfaces shall be clean and painted if paint is required. Defective parts shall be replaced. The [City] TRPA shall have the right to order the repair or removal of any sign which is defective, damaged, or substantially deteriorated as defined in the Uniform Building Code.

25-9. Lighting.

Unless otherwise prohibited by this Ordinance, all signs may be illuminated consistent with this chapter.

25-10. Sign Contractor’s License or Exemption.

No person shall engage in the business of erecting, altering, relocating, constructing or maintaining signs without a valid contractor's license and meeting the provisions for all required state and federal licenses (unless said maintenance does not require a state or federal license) or meets the Uniform Building code "Owner/Builder", Section.

25-11 Insurance.

All persons involved in the business of maintenance, installation, alteration, or relocation of signs shall maintain all required insurance and shall file with the state a satisfactory certificate of insurance to indemnify the TRPA, state, county, or city against any form of liability.

25-12 Signs Permitted in all PAS.

Unless otherwise noted, the following signs requiring Planning Division permits, are permitted in all Plan Areas, and they shall conform with all standards of this chapter:

A. Political signs which conform to the following: for each parcel, one temporary sign per street frontage which is not greater than 12 square feet in area, is not internally illuminated, and is not displayed for more than 30 days in a calendar year, except that for 60 days preceding a general, primary or special election more than one such sign may be placed on each parcel, provided they are removed immediately after the election. (TRPA Section 2.3.4.E).

B. Area identification signs which conform to the following additional standards:
   1. Signs shall not exceed 25 square feet in area;
   2. Signs shall be low profile signs and not exceed five feet in height, with the following exception:

      The height of an area identification sign may exceed five feet, when:

      a. The sign is placed on public property (or property which acts as public property such as property dedicated for public use), outside the public right-of-way;

      b. The sign is placed within an approved community plan;

      c. The sign is placed within a community plan which allows multi-story buildings (above two);

      d. The sign shall be constructed as part of a project subject to city review and approval;

      e. The project shall have all of the following public infrastructure: curb, gutter, sidewalk, street lighting and drainage improvements;

      f. The sign setback shall conform to the freestanding sign setback and height chart shown in SLTCC 25-35(D);

      g. The number and location of signs shall be included in each community plan;

      h. Signs shall be landscaped as required by Article VIII, Sign Design Standards, with the following exceptions:

         The landscaping requirements may be reduced when:

         i. The sign will be constructed as a part of a project where the city has review and approval;

         ii. The sign placement within the project is pedestrian oriented hardscape and therefore not conducive to meet the landscaping standards in Article VIII; and

         iii. The project shall have full public improvements, including any of the following: curb, gutter, sidewalk, street lighting, and drainage improvements.

C. Construction Signs. One construction sign may be erected on site, provided it not exceed 32 square feet, six feet in height, shall be set back a minimum of five feet from all property lines and conform to the design standards contained in SLTCC 25-33 and 25-34. Such signs shall not be erected prior to the issuance of the project building permit and shall be removed within 10 days of completion of construction or building occupancy, whichever occurs first.

D. All public use signs.

E. Directional signs on public property which provide direction to public and semi-public uses, such as recreation uses, churches, hospitals, schools and the like. Said signage shall be no larger than 18 inches by 18 inches. If located on Caltrans right-of-way, a Caltrans encroachment permit is required before issuance of this sign permit. If located on city right-of-way, a city encroachment permit is required before issuance of the sign permit.

25-13 Signs permitted in residential PAS.

For all signs not requiring permits, see SLTCC 25-7.

A. The following signs do not require planning division permits: all signs listed in SLTCC 25-7.

B. The following signs requiring planning division permits are allowed in residential PAS. They shall conform with all standards of this chapter:

1. All signs permitted in all PAS (SLTCC 25-12).

2. Identification sign provided the following standards are met:

a. Sign area shall not exceed 32 square feet; and

b. One sign per street entrance.

3. For permitted nonresidential uses, including places of worship, but excluding home occupations, the following standards shall be required: (a) freestanding sign not to exceed 32 square feet in sign area, and (b) building sign not to exceed 32 square feet in area.

C. Special regulations for residential PAS are as follows: all allowed freestanding signs shall be a low profile sign with a height limit of six feet and be set back a minimum of 15 feet from any public right-of-way.

25-14 Signs Permitted in Commercial/ Tourist Plan Areas.

A. The following signs do not require planning division permits: all signs not requiring permits (SLTCC 25-7).

B. The following signs require issuance of a permit by the planning division and are allowed in the above plan areas, provided they conform to the following standards and all other standards of this chapter:

1. All signs permitted in all PAS (SLTCC 25-12).

2. a. Under-canopy pedestrian-oriented signs shall not be counted as building signs provided they conform to the following:

i. Placed at right angle to pedestrian walk; and

ii. Located at or near the public entrance to the building; and

iii. Not internally illuminated; and

iv. Do not exceed five square feet (each side) and are a minimum of eight feet above grade of the pedestrian walk.

b. Those under-canopy signs which do not conform to subsection (B)(2)(a) of this section shall be considered to be a building sign subject to requirements contained in SLTCC 25-39 through 25-41, and if in the Stateline/Ski Run CP, see SLTCC 25-42 through 25-45.

3. Building and Freestanding Signs. For information on size, location, setback, height, etc., see SLTCC 25-39 through 25-41, and if in the Stateline/Ski Run CP, see SLTCC 25-42 through 25-45.

4. Seasonal change of sign copy is subject to a limit of two changes per year: one summer and one winter.

C. Special regulations for tourist accommodations uses are as follows: the maximum sign area for tourist accommodation use is:

1. For properties with entrance on one street, the maximum sign area shall be 120 square feet. Of that 120 square feet, a maximum of 80 square feet shall be permitted for a freestanding sign.

2. For properties with major entrances on two, three or four street(s) (excluding service drives), the maximum sign area shall be 240 square feet, 360 square feet, and 480 square feet, respectively. Of the maximum allowed per street frontage, a maximum of 80 square feet may be used for any one freestanding sign.

Article V. Construction Specifications

25-15 Construction Specifications.

All signs shall be installed in compliance with the building and electrical codes as required by the city building division.

Article VI. Administration and Enforcement

25-16 Planning Divisions.

Planning division is authorized to process applications for sign permits and enforce and carry out all provisions of this chapter through a memorandum of understanding (MOU) between the TRPA and the city. The division is authorized to promulgate regulations, interpretations and procedures consistent with this function.

[The division is empowered, upon presentation of proper identification, to enter or inspect any building, structure, or premises in the city for the purpose of inspection of a sign. Should potential building and/or electrical code problems occur in this inspection, the division is authorized to request the building division to inspect the sign for possible building and electrical code violations in accordance with applicable provisions of state and federal law.]

25-17 Application for Permits.

Application for a sign permit for the erection, relocation, or change of copy shall be approved by the planning division upon a form provided by the division. Incomplete applications shall result in the immediate return of the application to the applicant without a decision.]

25-18 Permit Fees.

All applications for a sign permit shall be accompanied by the payment of a fee based upon the city council adopted fee schedule. Failure to provide the fee at the time of application submittal shall result in the immediate return of the application to the applicant without a decision.]

25-19 Permit Issuance.

The division staff shall issue a sign permit for the erection, relocation, or change of copy provided it is in receipt of a valid application (including fee) and provided the sign conforms to all applicable laws and regulations of this chapter.]

25-20 Revocation.

The division may revoke a sign permit for any false statement or misrepresentation of fact in the application. Any sign which has been erected, relocated, change of copy or color, based upon a false statement or misrepresentation, shall be considered an illegal sign and subject to the terms and conditions of this chapter.

25-21 Inspection Upon Completion.

Any person erecting, relocating, changing copy or color, for which a sign permit has been issued, shall notify the division when the work has been completed. The division shall inspect the sign for conformance with the permit. This inspection shall not relieve the applicant from obtaining any other inspection from other divisions or agencies.

25-22 Exceptions

A. Exceptions to those design standards contained in Article IX and X of this chapter may be allowed, provided the following findings can be made:

1. The situation exists whereby strict application of the standard is unfair and infeasible to the applicant; and
2. The exception is in harmony with the purpose and intent of this chapter; and
3. The approval of the exception will not have a significant effect upon other property owners or occupants of property in the vicinity; and
4. The exception produces benefits equal to the benefits contained in this chapter.

B. In granting each exception the planning division staff may attach additional conditions necessary to carry out the spirit and purpose of this chapter in the public interest, including, but not limited to:

1. Removal of other nonconforming signs.
2. Copyrighted colors on logos. Those logos which do not conform to the standard with regard to color contrast would be allowed if the logo is placed on a dark background which would not be less than 40 percent of the sign area.
3. Reduction in sign area. This may involve the reduction in sign area for freestanding or building signs. The proposals which reduce the sign area for those signs that are visible from the scenic corridor shall provide more mitigation than those which are not.

C. A scenic analysis shall be required for any exception on a scenic threshold travel unit or recreation area. Those exemptions not on a scenic threshold travel unit or recreational area may require a scenic analysis.

D. Designated locally unique signs pursuant to Section 25-23 may be granted exceptions in order to preserve their locally unique attributes.

25-23 Locally Unique Signs.

i. A business or property owner may apply to have a sign designated as a “locally unique” sign. The application shall be made to the city planning division on a designated form and include a fee set by the planning division fee schedule.

ii. The application will be considered by the city planning commission. Approval will be based on the following criteria:

a. The sign is in good condition and is in compliance with all building and safety code requirements;
b. The sign has historically been well maintained;
c. The sign advertises a business that is currently in operation and/or products or services currently provided by that business;
d. The sign does not degrade the scenic quality of the area;
e. The sign does not impede existing, or planned for, vehicle, transit, bicycle, or pedestrian circulation;
f. The sign demonstrates a creative and unique design or construction technique;
g. The sign is a widely recognizable icon or landmark within the city.

iii. The decision of the planning commission regarding the locally unique sign application shall be final and binding and applicant may not appeal this decision to any other decision making body.

25-24 Partial Compliance to Nonconforming Signs.

Modifications to existing nonconforming signs that bring a sign closer to compliance with this chapter shall be permitted provided:

i. The property owner has not received notification of a violation of this chapter or notification of nonconforming sign compliance requirements;

ii. The sign does not create a safety hazard as determined by the city manager or his/her designee;

iii. The sign is in good aesthetic condition as determined by the city manager or his/her designee; and

iv. The property owner enters into a signed written agreement with the city agreeing that the sign will be brought into full compliance within five years from the date of enactment of this amended ordinance and that failure to do so shall result in enforcement proceedings as set forth in this chapter.

25-25 Violations.

A. Signs Displayed Without a Permit and Modifications to Existing Signs Without a Permit. If any sign is or has been installed or placed on any property prior to the receipt of a required city sign permit, it is in violation of this chapter. Signs in violation of this chapter shall be removed within 10 days of notification of the violation to the property owner. If not removed according to the notice, a monetary penalty shall be required pursuant to the planning division fee schedule. The payment of the penalty shall not relieve any person of any other requirements or penalties within this chapter.

B. Installed Signs Existing Prior to May 1, 1994 (Previously Legal Nonconforming). Signs not brought into compliance within 90 days of city notification to the property owner that the amortization period for legal nonconforming signs has expired (expired May 2009) and legal nonconforming signs shall therefore be brought into compliance with this chapter. Failure to bring signs into compliance according to the notice will result in a monetary penalty pursuant to the planning division fee schedule.

25-26 Appeals.

Decisions of city staff on the approval or denial of a permit or determination of violations of this chapter may be appealed to the planning commission within five days of receipt of notification of the decision. The decision of the planning commission shall be final and binding and the applicant may not appeal this decision to any other decision-making body.

The following additional appeals procedures shall apply only to locally unique signs (SLTCC 25-23): The final decision of the planning commission may be appealed to the city council. Notice of appellant's intent to appeal to the city council shall be served upon the city clerk in writing no later than five days following the planning commission's decision.

Article VI. Conflict, Severability and Effective Date

25-27 Conflict.

If any portion of this chapter is found to be in conflict with any other provision of any zoning, building, fire, safety, or health ordinance of the city code, the provision which establishes the more restrictive standard shall prevail.]

25-28 Severability.

If any section, subsection, sentence, clause, or phrase of this chapter or its application to any person or circumstance is held invalid by the decision of any court of competent jurisdiction, the remainder of this chapter or the application of the provision to other persons or circumstances is in effect and shall remain in full force and effect.

Article VIII. Sign Design Standards

25-29 Applicability.

The following design standards are applicable to all signs erected, relocated, or change of copy within the city, including the community plan areas unless the community plan has a standard specific to the area.

These standards have been developed to improve the scenic quality ranking of the scenic corridor.

25-30 Copy.

A. **Standard.** This chapter shall not regulate the copy message.

Guideline. Copy should be simple to read and limited to six to eight words, and denote the name and type of business or services rendered; using copy to display menus, products and the like adds to the complexity of the copy.

B. **Standard.** In Section 13531 et seq. of the Business and Professions Code, which regulates motor fuel price signs, the following shall be required:

1. The sign shall not advertise more than three major grades of motor vehicle fuel offered for sale (propane is not considered a motor vehicle fuel).
2. The numerals designating the price of motor fuel shall be the minimum size as allowed under Section 13531 et seq. of the Business and Professions Code.

C. **Standard.** Sign area containing copy required by law (such as state required gas prices, security exchange commission (NASAD)) will not be deducted from the maximum allowable sign area, provided the copy does not exceed the minimum size requirements of the law.

D. **Standard.** Any increase in sign area copy beyond what is required by law is allowable provided the additional area is deducted from the appropriate BRB.

E. **Standards** for Tourist Accommodations Only.

1. **Standard.** The display of amenities and affiliations provided shall be limited to the list of city-approved symbols based on The Symbol Sourcebook. Should a symbol not exist then the city shall determine the appropriate symbol and include it in the list of city-approved symbols. The symbols shall be 12 inches by 12 inches and located in the bottom one-third of the sign face. Copy is not permitted in lieu of the symbols. (See Exhibit 1.)

Guideline. The uniform symbols are intended to provide the public a consistent and easily understood set of amenities and affiliation symbols throughout the city and to also reduce the copy on signs.

In the design of the sign face, owners should allow for change of symbols, keeping in mind that the chapter does not allow changeable copy signage. For example, on internally illuminated signs, the symbols could be made of vinyl attached to the face. Should the owner desire to change the symbol, it could be done by simply changing the one vinyl symbol.

2. **Standard.** The vacancy/no vacancy signage shall be limited to a maximum height of letters of six inches.

   Guideline. If exposed fluorescent tubing direct lighting is to be used for vacancy/no vacancy, the color red is suggested, as it is most visible as well as provides the public with a consistent color and symbol.

25-31 Lighting.

A. **Standard.** All illuminated signs shall have either or both indirect or diffused lighting.

   Guideline. Indirect backlighting of individual letters is the encouraged method of sign illumination.

B. **Standard.** Indirect lighting sources shall be shielded to prevent the light source from being visible from a public right-of-way or adjacent property.

   Guideline. Methods that can be used include an enclosure that extends past the light source sufficiently that will channel the light onto the sign face and not spill light to other areas. Landscape materials and mounding may also be used. Approval of the shielding method and its design will be based on how well the standard is met.

C. **Standard.** The intensity of lighting shall not create a visual hazard to the public.

D. **Standard.** All internally illuminated signs shall have a background which transmits a limited amount of light. (For the standard, see SLTCC 25-34, Color.)

25-32 Landscaping.

A. **Standard.** All freestanding signs shall be placed wholly within a landscaped area. The minimum landscape area shall be equal to the city standard setback, and across the property frontage, excluding driveways. Should a sign not be located within the standard property setback, the sign shall be placed in a landscape island. The island shall have a minimum depth from each sign face/edge of 10 feet. (Also see SLTCC 5-24, Landscaping. Planning commission design manual shall apply.)

   Guideline. See the city design manual and SLTCC 5-24.

B. **Standard.** In the event that the landscaping provisions cannot be met as they pertain to freestanding signs, because of the physical limitations of the property, the staff may grant an exception under SLTCC 25-22, Exceptions.

   Multiple partial compliance applications may be approved prior to the required compliance deadline; however, additional new measures towards compliance must be provided for each application.

C. **Standard.** A security deposit for the installation of the required sign landscaping may be allowed by the staff based on the winter ground disturbance prohibition from October 15th through April 30th of each year. Staff may place conditions, as appropriate, to ensure timely compliance.

25-33 Construction.

A. **Standard.** All supporting devices and braces shall be an aesthetic contribution to the sign structure and not a utilitarian appendage to hold up a sign, e.g., angle iron, pipes, guy wires are not allowed.

B. **Standard.** Freestanding signs shall be supported by two or more poles/supports or a monument base.

   Guideline. The use of monument bases in conjunction with low-profile signs is encouraged.

25-34 Color.

A. **Standard.** Internally illuminated signs shall have backgrounds of a dark color, or opaque material which does not transmit light. If opaque, only the individual letters and/or symbols may be illuminated. Under day and night lighting conditions, the copy on internally illuminated signs shall be lighter than the background.

Guideline. Natural wood and high density foam core signs which can be carved and painted consistent with the design standards, including dark backgrounds, are also encouraged.

B. **Standard.** Externally illuminated signs may be any color background and copy except for bright neon colors (fluorescent) and reflective colors, which are prohibited.

Guideline. Bright colors are generally discouraged on signs except when used as accent colors.

C. **Standard.** The color standard shall not apply to nationally registered trademarks if the color is a part of the trademark. If the trademark only pertains to the copy, then the copy shall be placed on a city approved background color. The minimum background shall be 40 percent of the sign area.

Guideline. The use of trademarks on natural backgrounds is encouraged.

25-35 Sign location.

A. **Standard.** The maximum height of a roof sign shall not exceed 15 feet from grade and shall be placed within a sign dormer.

For building signs more than 50 feet from the property line, no sign shall be mounted on the roof of a building or mansard roof, unless the sign is placed on a “sign dormer” which is located within the bottom one-half of the roof, as seen in elevation.

Guideline. “Sign dormers” should be designed as an architectural element and materials should be compatible with the building. Buildings with flat roofs should construct a new roof to accommodate a roof dormer for signage. The minimum roof slope should be 5:12.

Individual letter signs should be used within “sign dormers” as they do not dominate the roof as do “canned” signs.

C. **Standard.** In the design of new buildings and major remodels, all improvements subject to design review shall identify signage locations.

Guideline. Architectural details of a building often suggest locations, size or shape of signs. Signs should complement the building and not be considered after the building is designed.

C. **Standard.** One freestanding sign shall be permitted per the street frontage or project area. Additional freestanding signs are only permitted on parcels or project areas on which there are more than one licensed business. In such circumstances, multiple freestanding signs shall only be permitted if each sign is at least 100 feet apart and each sign complies with all other provisions of this chapter.

1. Distance between freestanding signs shall be a minimum of 100 feet apart.

D. **Standard.** The location (setback) of a freestanding sign is subject to the maximum height allowed per the following setback chart, but in no case shall a sign be closer than five feet, zero inches to a property line.

Guideline. Where possible a low-profile sign is encouraged.

Freestanding Sign Setback	Height
13 or less	10.00
14	10.25
15	10.50
16	10.75
17	11.00
18	11.25
19	11.50
20	11.75
21	12.00

25-36 Multiple Business Complex.

Repealed by Ord. 888.

25-37 Sign height.

A. **Standard.** For freestanding signs, see SLTCC 25-35.

B. **Standard.** For all other signs, including window signs and banners:

1. If a single story building is located within 50 feet of the property line, the maximum sign height shall be 15 feet, measured from grade.

2. If a single story building is greater than 50 feet, the maximum sign height shall be 25 feet.

C. **Standard.** For multi-story buildings, a building sign height over 15 feet is allowed, up to a maximum of 25 feet.

25-38 General Sign Design.

All signs should promote the city value of enhancing the unique beauty of Lake Tahoe by adherence to a high aesthetic quality and professional construction standards.

Article IX. Sign Area Formula City-Wide

25-39 Introduction.

Signage is a very complex problem. A number of factors guide the process of sign regulation. These factors include legal constraints of local, state, and federal laws as well as factors such as topography, traffic speed and local demographic makeup.

Basic to the use of signs is the communicative aspect of signage, which in many cases is the only viable and cost effective means of advertising the presence of a business. It is this aspect that complicates the development of a sign ordinance as it is impossible to predict the communicative needs of all businesses. The rules that are developed may or may not serve the communicative needs of the sign user and the community.

This sign chapter will allow the individual business owners the flexibility to develop a sign package that will meet their own individual communication needs, within a framework that will be sensitive to the local environment.

25-40 Concept.

Each business and multiple business complex (MBC) has a computed sign budget. From this budget, the business owner has the flexibility to apply the budget to freestanding and/or one or more building signs.

A. **Standard.** The area of each sign face shall be calculated to determine sign area. For example, a freestanding sign, at right angles to the road with each sign face being 20 square feet, has a total area of 40 square feet.

25-41 Computing the Sign Area.

The calculation is a two-step process.

A. The first step is to establish the base reference budget (BRB) for the business or MBC.

B. The second step is to calculate the individual sign area for each freestanding and building sign.

These steps are translated into the following formulas:

For Step 1, calculate the BRB for signage identifying a business

$$BRB = C \bullet D(\sqrt[2.5]{A + 80})$$

Where

A = Area of business floor space (feet)

C = 1.1 for businesses not located in a multiple business complex

= 0.9 for businesses in a multiple business complex where signage is (or will be) provided to identify the complex

= 1.0 for businesses in a multiple business complex where signage is not (and will not) be provided to identify the complex

D = With respect to principal customer access

= 1.0 where the business is accessed by one street

= 1.41 where the business is accessed by two streets

= 1.73 where the business is accessed by three streets

= 2.0 where the business is accessed by four streets

For Step 1 calculate the BRB for signage identifying a multiple business complex

$$BRB = D(\sqrt[2.5]{A + 80})$$

Where

A = Area of business floor space for the entire complex (feet)

D = With respect to principal customer access

= 0.50 where the business is accessed by one street

= 0.70 where the business is accessed by two streets

= 0.85 where the business is accessed by three streets

= 1.0 where the business is accessed by four streets

1. **Standard.** The BRB used to calculate the sign area for each individual sign of a business when added together shall not exceed the total BRB for that business.
2. **Standard.** The BRB used to calculate the sign area for each individual sign of a multiple business complex when added together shall not exceed the total BRB for that multiple business complex.
3. **Standard.** Freestanding sign area shall be limited to 50 percent of the base reference budget (BRB).

If the project area qualifies for two freestanding signs, no single freestanding sign shall be permitted more than 35 percent of the BRB.

If the project area qualifies for three freestanding signs no single freestanding sign shall be permitted more than 28 percent of the BRB.

If the project area qualifies for four freestanding signs no single freestanding sign shall be permitted more than 25 percent of the BRB.

For Step 2 calculate the sign area for an individual sign.

$$\text{new sign area} = \frac{(BRB) \bullet V \bullet S}{35} \left(1 + \frac{H}{250}\right)^2$$

Where

S = Vehicle speed limit on the street where the sign is to be viewed from (in miles per hour)

H = Height of the sign (as measure from finish grade to the top of the sign; in feet. Maximum height is 26 feet)

V = Horizontal viewing distance coefficient (as determined by the following chart)

Setback and Angle Table							
Setback Footage		**Angle Values**					
Greater Than	Less Than or Equal	0 to 15	16 to 30	31 to 45	46 to 60	61 to 75	76 to 90
>5 ft.	< = 50 ft.	0.50	0.60	0.70	0.80	0.90	1.00
>50 ft.	< = 100 ft.	0.55	0.65	0.75	0.85	0.95	1.05
>100 ft.	< = 150 ft.	0.60	0.70	0.80	0.90	1.00	1.10
>150 ft.	< = 200 ft.	0.65	0.75	0.85	0.95	1.05	1.15
>200 ft.	< = 250 ft.	0.70	0.80	0.90	1.00	1.10	1.20
>250 ft.	< = 300 ft.	0.75	0.85	0.95	1.05	1.15	1.25
>300 ft.	< = 350 ft.	0.80	0.90	1.00	1.10	1.20	1.30
>350 ft.	< = 400 ft.	0.85	0.95	1.05	1.15	1.25	1.35
>400 ft.	< = 450 ft.	0.90	1.00	1.10	1.20	1.30	1.40
>450 ft.	< = 500 ft.	0.95	1.05	1.15	1.25	1.35	1.45
>500 ft.		1.00	1.10	1.20	1.30	1.40	1.50

These formulas have been incorporated into a computerized spread sheet program. The spread sheet format will permit the applicant the ability to easily adjust and manipulate the various factors to see what is the best signage package for the business or multiple business complex. (Exhibit 4.)

As an alternative to the computer, a manual worksheet has been developed to accomplish the same result. (Exhibit 5.)

C. The following shall not be considered sign area:

1. Pedestrian signs;

2. Temporary signs;
3. Temporary window signs;
4. Sign embellishments; and
5. Appurtenant signs.

Article X. Tourist Core Area Plan Provisions

25-42 Purpose.

The purpose of this section is to augment the city-wide sign ordinance with a set of specific design standards tailored to meet the urban design plan for the Tourist Core Area Plan.

25-43 Scope.

The Tourist Core Area Plan is composed of two parts:

A. The redevelopment plan area; and

B. The area outside the redevelopment plan area. (See Exhibit 2.)

Within the redevelopment plan area all the sections of the city-wide sign ordinance apply, however, Article VIII, Sign Design Standards, has been augmented with additional standards in SLTCC 25-44.

Within the area outside the redevelopment plan area, all the sections of the city-wide sign ordinance apply.

25-44 Redevelopment Sign Design Standards.

The following redevelopment sign design standards shall apply to the redevelopment plan area only. Should a conflict arise between the city-wide standards contained within Article VIII and the following standards, the redevelopment sign design standards shall apply.

A. **Standard.** Redevelopment plan area definitions:

1. Mainstreet District. This district is generally described as being located in the Stateline core area, along both sides of U.S. Highway 50, between Park Avenue/Heavenly Village Way and the California/Nevada state line and between Bellamy Court and Cedar/Friday/Laurel Avenues. (See city staff for precise boundaries.)

This district is oriented around intense pedestrian activity. As a result, the sign standards are reflective of a pedestrian environment: no freestanding signs are allowed; only building, landscape, wall and window signs are allowed.

2. Transitional District. This district is generally described as being located along both sides of U.S. Highway 50, adjacent to the Mainstreet district, between the California Loop Road diversion and Park Avenue/Heavenly Village Way and the North Loop Road and a line westerly of the extension of Cedar Avenue. (See city staff for precise boundaries.)

   This district is characterized as being both pedestrian and automobile oriented. As such, the sign standards are sensitive to both traffic modes, but will only permit those freestanding signs that are low profile signs.

3. Parkway Districts. These districts are generally located:

a. Along both sides of U.S. Highway 50 for the depth of the commercial property, from Herbert Avenue to the California Loop Road diversion;

b. Along Ski Run Boulevard for the depth of the commercial property from U.S. Highway 50 to Paradise Avenue;

c. Within the Lakeside Motel district between Laurel Avenue and Cedar Avenue and Friday Avenue to Stateline Avenue. (See city staff for precise boundaries.)

The Parkway districts are characterized as automobile oriented and permit both freestanding and building signs.

B. **Standard.** All legal nonconforming signs shall be brought into conformance with this chapter when:

1. Refer to Article VI of this chapter for compliance triggers; or

2. A major remodel of a structure occurs, such as adding units or additional square footage is constructed; or

3. Curb, gutter, and sidewalks are constructed adjoining the property.

D. **Standard.** All redevelopment signs shall comply with the following color standards:

1. All copy appearing on a building, freestanding or window sign shall be placed on a dark background to create a contrast. Under day and night lighting conditions, the copy shall be lighter than the background.

2. The copy may be any color except for bright neon colors (fluorescent) and reflective colors, which are prohibited.

Guideline. Bright colors are generally discouraged on signs except when used as accent colors.

3. The color standard shall not apply to nationally registered trademarks if the color is a part of the trademark. If the trademark only pertains to the copy, then the copy shall be placed on a city approved background color. The minimum background shall be 40 percent of the sign area.

Guideline. The use of trademarks on natural backgrounds is encouraged.

25-45 Mainstreet District.

A. **Standard.** Freestanding signs shall not be permitted. (Note: Landscape wall signs, as defined, are not considered to be freestanding signs, but are counted as building signs.)

1. Exception: The Park Avenue/Heavenly Village Way and the Bellamy Court frontages in the Mainstreet district are allowed freestanding signs. The design standards for this exception sign are:

a. Materials: Stone retaining wall matching the architectural stone with metal lettering on a rectangular solid background. Metal letters may be applied directly to the stone wall as an option. No can signs allowed.

b. Letter height: Up to two feet, zero inches.

c. Wall height: Up to four feet, zero inches, unless in a defined clear zone, in which case the sign can be up to three feet, zero inches.

d. Sign area: Maximum of 20 square feet per sign face for a maximum of 40 square feet. The height and width of the solid backdrop on which the letters are attached shall be used to compute the sign area. The stone

wall, on which the solid backdrop is attached, shall not be counted as sign area.

e. Installation method: Concrete footing.

f. Lighting: Up-lighting from nonvisible source on ground or back-lighted individual letters onto solid backdrop.

g. Sign Orientation: Either parallel or up to 90 degrees to the center lne of the street.

h. Number allowed – Major buildings:

i. Mountain Side.

1. Grand Summit Hotel: One on-site freestanding sign on Heavenly Village Way.

2. Timber Lodge: One on-site freestanding sign on Bellamy Court.

ii. Lake Side.

1. None.

i. Purpose: To allow some auto-oriented signage in the non-intensive pedestrian public space, while maintaining a pedestrian scale for the sign.

With the following exception:

Two freestanding area identification signs conforming to the exemption standards contained in SLTCC 25-12(B)(2), may be located as follows:

i. Mountain Side.

1. One on the southeast corner of U.S. Highway 50 and Park Avenue/Heavenly Village Way;

ii. Lake Side.

1. One on the northwest corner of U.S. Highway 50 and Stateline Avenue.

B. **Standard.** Landscape wall signs: The design standards for a landscape wall sign are:

1. Materials: Stone retaining wall matching the architectural stone with metal lettering on a rectangular solid backdrop. Metal letters may be applied directly to the stone wall as an option. No can signs allowed.

2. Letter height: Up to two feet, zero inches.

3. Wall height: The wall on which the sign is placed shall not exceed four feet, zero inches, unless in a defined clear zone, in which case the wall can be up to three feet, zero inches.

Exception: If the wall is a part of a structural element to facilitate the use of the site, i.e., a retaining wall, the wall height shall be as high as deemed appropriate by an engineer to accomplish the wall's purpose. As a part of the sign permit, conditions may be imposed to ensure a pedestrian scale is maintained for the wall, including terracing or other landscape features.

4. Sign area: Maximum of 40 square feet. This is a total maximum square footage for the sum of all landscape wall and building signs on the parcel. The height and width of the solid backdrop on which the letters are attached shall be used to compute the sign area. The stone wall, on which the solid backdrop is attached, shall not be counted as sign area.

5. Installation method: Concrete footing.

6. Lighting: Up-lighting from nonvisible source on ground or back-lighted individual letters onto solid backdrop.
7. Sign orientation: Only parallel to the centerline of the street.
8. Number allowed – Major buildings:
    a. Mountain Side.
        i. One for the Timber Lodge.
        ii. One for the Gondola.
        ii. One for Cecil's Market.
        iv. One for the transit center.
        v. One for the Grand Summit on U.S. Highway 50.
    b. Lake Side.
        i. One for the Convention Center.
        ii. One for Project A.
        iii. One for Project B.
        iv. One for Stardust Timeshare.
9. Purpose: To not have a proliferation of freestanding signs along the highway corridor but rather have those signs which are a part of a landscape feature, such as a retaining wall, be allowed to incorporate signage. If the sign is not a part of a landscape feature, then the sign may be permitted, provided it is integrated into the landscape so as not to be a dominant sign form. Such integration shall include such items as pedestrian amenities such as pedestrian seating, water feature, art, boulders or the use of landscape material to frame and soften the sign from all sides.

C. **Standard.** Building signs: There are two types of building signs: (1) those which provide secondary identification to the major buildings, and (2) those which identify the individual businesses.

The design standards are:

1. Secondary Identification of Major Buildings.
    a. Materials: Signs may be metal or wood. No can signs allowed.
    b. Letter height: Up to one foot, two inches.
    c. Sign height: Up to 15 feet.
    d. Sign area: Maximum of 40 square feet. This is a total maximum square footage for the sum of all landscape wall and secondary identification of major building signs on the parcel.
    e. Installation method: Flush attachment to building wall and avoid contrasting attachment anchors.

        Exception: The parking garage building sign may use a projecting sign in lieu of a sign attached flush to building wall.
    f. Lighting: Down-lighted from nonvisible source on building wall or back-lighted individual letters onto solid backdrop.
    g. Sign orientation: Varies depending on building wall orientation.
    h. Number allowed – Major buildings:
        i. Mountain Side.

1. Four for the Timber Lodge.
2. Two for Cecil's Market.
3. Two for the transit center.
4. None for the Gondola.
5. Two for the Grand Summit Hotel.
6. One for the cinema.
7. One for the parking garage.

ii. Lake Side.

1. Two for Project A (one on U.S. Highway 50 and one on the public space).
2. Two for Project B (one on U.S. Highway 50 and one on the public space).
3. Two for the Stardust Timeshare Hotel.

i. Purpose: To provide pedestrian level identification for major buildings in the project site.

2. Individual Businesses. There are three types of individual business signs: (a) those which provide identification to businesses with an elevation sign to be viewed from the street and sidewalks, (b) those which provide identification to businesses from within the pedestrian space under the canopy of the building arcade, and (c) a three-dimensional icon placed on a column of the building arcade.

a. Elevation Signs.

i. Materials: Signs may be metal or wood with a minimum edge thickness of two inches; no can signs will be permitted.

ii. Letter height: Up to nine inches.

iii. Sign height above ground: Varies depending on the arcade fascia.

iv. Sign area: In place of the formula, the sign area is regulated by the uniform backdrop dimensions of a height of one foot, eight inches and a length of 12 feet, zero inches (20 square feet).

v. Installation method: Signs shall be hung from the soffit board of the arcade. See city planning for criteria.

vi. Lighting: Down-lighted from nonvisible source from arcade wall or back-lighted individual letters. See city planning for criteria.

vii. Sign orientation: Parallel to arcade.

viii. Number allowed: One for each tenant space.

ix. Purpose: To provide business locations with a building sign (elevation) that can be viewed from the street and sidewalk.

b. Under-Canopy Projecting Arcade Sign.

i. Materials: Signs may be metal or wood; no can signs will be permitted.

ii. Letter height: Variable; typical is six inches.

iii. Sign height: Bottom of sign is no lower than eight feet from sidewalk, nor higher than 15 feet.

iv. Sign area: In place of the formula, the sign area is regulated by the uniform backdrop dimensions of a maximum height of two feet, zero inches and a maximum length of three feet, six inches (each side is seven square feet for a total of 14 square feet)..

v. Installation method: Signs shall be attached to and hung at 90 degrees to the wall of the building. The mounting brackets shall be strong enough to prevent sagging over the life of the sign.

vi. Lighting: None. The arcade lighting will illuminate the sign or back-lighted individual letters.

vii. Sign orientation: 90 degrees to the building wall on which it is attached.

ix. Number allowed: One for each tenant space.

x. Purpose: To provide identification to businesses from the pedestrian space under the canopy of the building arcade.

c. Icon Sign

i. Materials: Icon may be metal, plastic or wood.

ii. Letter height: No letters unless they are a significant and integral element of the icon, such as the letters ABC on a child's building block.

iii. Sign height: Bottom of sign is no lower than eight feet from sidewalk, nor higher than 15 feet.

iv. Sign area: In place of the formula, the icon shall wholly fit within an imaginary cube with a maximum height of one and one-half feet, a maximum width of one and one-half feet and a depth of one and one-half feet. For the purpose of computing sign area, only the one dimensional plane shall be used. Therefore, the icon sign area shall be computed in the same manner as an under-canopy projecting sign, i.e., a double-sided sign (each side is two and one-half square feet for a total of five square feet).

v. Installation method: The icon shall be attached to the building arcade support column. The mounting brackets shall be strong enough to prevent sagging over the life of the sign.

vi. Lighting: None.

vii. Sign orientation: 90 degrees to the building arcade support column and oriented to the street or the sidewalk side of the arcade canopy and not oriented to the pedestrians under the arcade canopy.

viii. Number allowed: One for each tenant space.

ix. Purpose: To provide iconic identification to businesses in a whimsical and entertaining manner creating a festive character to the pedestrian streetscape environment.

D. Standard. In addition to the building signs allowed in subsections A, B and C of this section, a computer-controlled variable message electronic sign is allowed in the Mainstreet sign district, subject to the following:

a. Materials: Sign materials are subject to the city-wide design standards in Article VIII.

b. Letter height: Sign letter height is subject to the city-wide design standards in Article VIII.

c. Sign height: Maximum height is 25 feet.

d. Sign area: Sign area is a maximum of 80 square feet. The unused portion of the 80 square feet area shall not be transferred to other building signs allowed in subsections A, B and C of this section. The 80 square feet area may be split into multiple sign faces subject to the public hearing process.

e. Installation method: Flush attachment to building wall and avoid contrasting attachment anchors.

f. Lighting: Sign lighting is subject to the city-wide design standards in Article VIII.

g. Sign orientation: Varies depending on building wall orientation.

h. Number allowed – Major buildings:

i. Mountain Side.

1. None.

ii. Lake Side.

1. One for the Convention Center.

i. Purpose: To provide identification for activities within the Convention Center.

j. Other.

i. The message and sign area illumination must remain constant, except for that period of time when the message is being changed. The rate of copy change shall not exceed four message changes per one-hour period.

ii. A public hearing and notice to surrounding property owners, including environmental documentation, shall be required for all computer-controlled variable message electronic signs. This public hearing is required irrespective of whether the sign needs an exception to any design standards contained in Articles VIII and X (see SLTCC 25-49, Exceptions).

iii. The intent of a computer-controlled variable message electronic sign is to convey a written message. The intent does not include a graphic and/or written message which includes motion, such as a television.

E. Standard. Seasonal graphics are allowed subject to the following:

1. All the public infrastructure has been installed according to a city approved master streetscape plan, including curbs, gutter, sidewalks/bike trails, landscaping and street lights;

2. All the signs are in conformance with the city sign ordinance and the building design and improvements are in conformance with the city design standards;

3. The light standard is designed to accept the seasonal graphic;

4. There is a business association in place;

5. Conform to the following:

a. Materials: Fabric, metal or wood; no can signs will be permitted;

b. Letter height: Not applicable;

c. Sign height: Bottom of graphic is no lower than eight feet from sidewalk, nor higher than 15 feet;

d. Sign area: A maximum length of four feet, zero inches and a maximum width of one foot, six inches;

e. Installation method: Signs shall be attached to the light pole on city building division approved mounting brackets to prevent bending from wind and snow loads over the life of the brackets;

f. Lighting: None. The streetlight will provide illumination;

g. Sign orientation: 90 degrees to the street;

h. Number allowed: Maximum of two per light pole;

i. Purpose: To provide a festive character to the pedestrian streetscape environment;

6. Have city planning approval to ensure compliance with these provisions prior to installation.

25-46 Transition District.

A. **Standard.** The maximum height of freestanding signs shall be limited to low-profile signs (see SLTCC 25-4, Definitions, for low profile).

1. Exception: Multiple business complexes in which the primary tenant is a major grocery store and set back a minimum of 150 feet from the front property line shall be allowed to have freestanding signs with heights consistent with the city sign formula.

B. **Standard.** The maximum area allowed in the Transitional district shall be 80 square feet.

1. Exception: Multiple business complexes in which the primary tenant is a major grocery store and set back a minimum of 150 feet from the front property line shall be allowed to have freestanding signs with sign areas consistent with the city sign formula. The design standards for this exception sign are:

a. Materials: Signs to be constructed of stone, metal and wood; no can signs will be permitted.

b. Letter height: Variable.

c. Sign height: Based on city sign formula.

d. Sign area: Based on city sign formula.

e. Installation method: Concrete footer with steel framing.

f. Lighting: Down-lighting from nonvisible light source on the freestanding sign.

g. Sign orientation: Variable, based on city sign formula.

h. Number allowed: Two; one on U.S. Highway 50 and one on Park Avenue.

i. Purpose: To provide tenant information for the neighborhood retail project.

C. **Standard.** The maximum building sign area shall be 40 square feet.

1. Exception: Multiple business complexes in which the primary tenant is a major grocery store and set back a minimum of 150 feet from the front property line shall be allowed to have building signs with sign areas

consistent with the city sign formula. The design standard for this exception sign is:

a. Materials: Two-inch thick by 18- to 24-inch high, internally illuminated Plexiglas faced individual channel aluminum letters.

b. Letter height: Variable.

   i. Major grocery store: Store name, up to four to eight feet; secondary uses, up to 24 inches.

   ii. Major tenants' names: Up to 30 inches.

   iii. Other tenants' names: Up to 18 inches.

c. Sign Height.

   i. Major grocery store: Store name, up to 25 feet; secondary uses, up to 15 feet.

   ii. Major tenants' names: Up to 15 feet.

   iii. Other tenants' names: Up to 15 feet.

d. Sign area: Based on city sign formula.

e. Installation method: Letters affixed to a six by six painted channel raceway sandwiched between two arcade beams. See concept sketch.

f. Lighting: Internally illuminated channel letters.

g. Sign orientation: Varies depending on arcade orientation.

h. Number Allowed.

   i. Major grocery store: Three.

   ii. Major tenants: One for each tenant space.

   iii. Other tenants: One for each tenant space.

i. Purpose: To provide tenant information for the neighborhood retail project.

25-47 Parkway Districts.

A. **Standard**: The maximum freestanding sign area allowed in the Parkway District shall be 80 square feet. The maximum building sign area shall be 40 square feet.

Exception: The signs for Hotel B of project 3 shall conform to the Mainstreet District signage standards as outlined in SLTCC 25-5

Guideline: The signs on Ski Run Blvd. should be limited to low profile signs to convey a pedestrian scale.

25-48 Sign Area Formula – Redevelopment Plan Area.

A. Mainstreet District. The formulas within Article IX are maintained, however, the standards contained in Article X take precedence over the city-wide ordinance and standards.

B. Transitional District. The formulas within Article IX are maintained, however, the standards contained in Article X take precedence over the city-wide ordinance and standards.

C. Parkway Districts. The formulas within Article IX are maintained, however, the standards contained in Article X take precedence over the city-wide ordinance and standards.

25-49 Exceptions.

A. In addition to those exemptions noted within this chapter, the only other exceptions allowed are those design standards contained in Articles VIII and X of this chapter, provided the following findings can be made:

1. The situation exists whereby strict application of the standard is unfair and infeasible to the applicant; and
2. The exception is in harmony with the purpose and intent of this chapter; and
3. The approval of the exception will not have a significant effect upon other property owners or occupants of property in the vicinity; and
4. The exception produces benefits equal to the benefits contained in this chapter.

B. In granting each exception the planning division staff may attach additional conditions necessary to carry out the spirit and purpose of this chapter in the public interest, including, but not limited to:

1. Removal of other nonconforming signs.
2. Copyrighted colors on logos. Those logos which do not conform to the standard with regard to color contrast would be allowed if the logo is placed on a dark background which would not be less than 40 percent of the sign area.
3. Reduction in sign area. This may involve the reduction in sign area for freestanding or building signs. The proposals which reduce the sign area for those signs that are visible from the scenic corridor shall provide more mitigation than those which are not.

C. A scenic analysis shall be required for any exception on a scenic threshold travel unit or recreation area. Those exemptions not on a scenic threshold travel unit or recreational area may require a scenic analysis. The city and TRPA shall determine the level and type of scenic analysis.

D. A public hearing and notice to surrounding property owners shall be required for a computer-controlled variable message electronic sign exception(s).

H. **Parking, Driveway and Loading Spaces:** See City Code, Chapter 5, Article VIII, Parking, Driveways and Loading Spaces.

Appendix D
CITY OF SOUTH LAKE TAHOE GREEN BUILDING PROGRAM

RESIDENTIAL PROJECTS

Level 1 – "Priority Plan Check"

For residential projects, including new construction, additions and remodels, City staff has drafted a list of "Recommended Green Measures for Residential Projects." These measures are feasible to implement and do not require significant additional investment beyond the mandatory measures of building codes and the CalGreen Code. Additionally, they have a good "bang for the buck" and the City would like to encourage applicants to incorporate them into their residential projects.

Recommended Green Measures for Residential Projects

- Appliances – All kitchen appliances meet Energy Star rating if an Energy Star designation is available for that appliance.
- Reduction in cement uses – Foundation mixes contain at least 20% reduction in cement by replacing cement with products such as flyash, slag, silica fume, or rice hull ash.
- Renewable/Recycled materials – At least 20% of all hard floor covering in the home must be a recycled content material or be of rapidly renewable materials such as bamboo, cork, natural linoleum flooring, engineered wood products, or minimum of 50% recycled content tile.
- Low VOC flooring – At least 80% of the total area of resilient flooring installed must be certified under the Resilient Floor Covering Institute (RCFI) FloorScore program and at least 80% of the total area of carpet meet the CRI Green Label Plus requirements for carpet.
- Radon Resistant construction – Radon resistant construction that meets the criteria of the Basic Techniques for Radon Resistant Construction recommended by the US EPA, is included in the project and the owner has been provided with information on radon risks, the radon resistant construction in the home, and radon testing options.
- Sustainable deck products – All decks surfaces utilize Forest Stewardship Council (FSC) certified wood, salvaged wood, or recycled content plastic or composite decking. Plastic or composite decking materials must be approved by the Office of the State Fire Marshall for use in the Wildland Urban Interface area.
- Low water consumption landscaping – The project does not include lawn area greater than 5% of the lot area and all landscaping is irrigated with a drip irrigation system that includes soil moisture control sensors.
- Kitchen faucet – Maximum flow rate at sink faucets is not greater than 1.5 gallons per minute at 60 psi.

Projects that incorporate these measures will be given priority for plan check, by all City Departments over projects that meet only mandatory requirements. An applicant will be required to submit the checklist along with supporting materials, and a signed testimony that the project complies with the measures with the building permit application. Compliance with the recommended green measures would be verified during the plan check and building inspections. A fine of $500 would be imposed on projects that, at the time of building occupancy, have not incorporated the green measures but received priority plan check. Funds from the fine would be placed in an account that would be used for City sustainability efforts.

Level 2 – "Priority Plan Check, Allocation, and Recognition"

As part of this program, it is important to utilize the nationally recognized green building certification systems so that the City's green building success is recognized beyond the City limits. Builders and building owners may also find this important in their marketing efforts. An article in the January 2010 issue of Find Homebuilding magazine emphasized this point when stating that, "builders are looking to certification programs not only because they want to build better homes but also because they want to differentiate themselves from those who aren't building homes of similar quality." Certification provides proof that the home has been built to a widely recognized standard. The article goes on to state that, "certification becomes a powerful marketing tool for builders as well as homeowners who plan to sell their home one day."

Therefore, the second level of voluntary measures requires third party green building certification. Residential buildings that obtain LEED, Energy Star or GreenPoint Rated certification would be eligible for the following:

- Projects would receive priority plan check, over all other projects, by all City Departments.
- Projects would receive recognition at a televised City Council meeting and on the City Website.

Proof of final certification will be required prior to issuing a certificate of occupancy. If certification is not obtained when occupancy is required, the applicant may post a security equal to $10,000 in order to receive a certificate of occupancy for the building. The security would be held until green building certification is obtained. If certification is not obtained within 1 year of occupancy, the security would be forfeited and deposited into the City fund to be used for City sustainability efforts. If the project is not requesting residential allocation(s) they can still qualify for the other incentives and would need to provide a signed testimony and documentation demonstrating their intent to obtain green building certification with their building permit application and provide final certification prior to occupancy.

COMMERCIAL PROJECTS

There is only one level of incentives provided for Commercial projects, "Priority Plan Check, Allocation, and Recognition."

Buildings that obtain LEED certification or an Energy Star Label would be eligible for the following:

- Projects would receive priority plan check, over all other projects, by all City Departments.
- Residential projects would have eligible for CFA allocation from the City's unallocated CFA Pool.
- Projects would receive recognition at a televised City Council meeting and on the City Website.

When submitting a Design Review application for a new commercial project, applicants can include a request for Commercial Floor Area (CFA) form the City's unallocated CFA pool. Currently, these requests would require consideration by the City Planning Commission and eligible projects are required to meet the following criteria:

1. Be within an adopted Community Plan Area,
2. Meet the criteria for CFA allocation required by the applicable Community Plan,
3. Meet all applicable design standards,
4. Include the construction of improvements that will benefit the public and community which are more extensive than required by the applicable Community Plan or City Code, and
5. Provide an economic benefit to the community with enough significance to merit the allocation of the City's CFA resource.

This policy for allocation of CFA from the unallocated pool was adopted by the City Council on June 7, 2007. In order to provide CFA as an incentive for green building certification, the policy would be amended to include LEED or Energy Star green building certification as one of the criteria. As part of the Design Review application, the applicant would indicate which certification program they will pursue. Prior to issuing a building permit, documentation that demonstrates pursuit of the certification is required (application for Designed to Earn the Energy Star, or LEED Project Registration). Proof of final certification will be required prior to issuing a certificate of occupancy. If certification is not obtained when occupancy is required, the applicant may post a security of $1.50 per square foot of the building (minimum security of $10,000) in order to obtain occupancy of the building. The security would be held until green building certification is obtained. If certification is not obtained within 1 year of occupancy, the security would be forfeited and deposited into a City fund to be used for City sustainability efforts. If the project is not requesting commercial floor area they can still qualify for the other incentives.

GREEN BUILDING CERTIFICATION CRITERIA

Green building certification is required to obtain residential level 2 incentives or commercial incentives. Certification programs that have been found to be nationally recognized and achieve green building goals of the City are the LEED, GreenPoint Rated, and Energy Star programs. For more information on these programs, go to:

LEED: http://www.gbci.org/homepage.aspx
GreenPoint Rated: http://www.builditgreen.org/greenpoint-rated
Energy Star: http://www.energystar.gov/index.cfm

Other green building certification programs are gaining recognition and there will likely be new ones in the future. In order to accommodate this trend, there would be an application process for other green building certification programs to be added to the list of LEED, GreenPoint Rated and Energy Star programs that qualify for the level 2 residential incentives and commercial incentives. The application would be considered by the Planning Commission with a recommendation from the Sustainability Commission.

EDUCATION AND OUTREACH

It is important that knowledge of green building within the community in general be increased. Knowledge of green building and its benefits can reduce utility bills, increase the quality of construction, increase indoor quality, and increase comfort of buildings.

At this time, the following efforts would be feasible for City staff to implement within the next year:

- City publication of Residential and Commercial Green Building Guides – Summer 2010

- Hold a workshop on the CalGreen Code mandatory requirements – Fall 2010
- Prepare a list of green building materials and products for local building and hardware stores and encourage them to carry them in their inventories – Fall 2010
- Establish Green Building Information Center at the Services Center building to provide clearinghouse information on Green Building – Continuous Effort
- South Lake Tahoe Green Building Website with information on green building certification programs and local architects, engineers, contractors, etc. with Green Building credentials or experience – Winter 2010
- Advertising at the Services Center for Green Building education and events put on by other organizations

Stakeholder Workshop
Tourist Core Area Plan: 2023 Updates
Participant Feedback – Wednesday, February 1, 2023

Increasing Housing Opportunities: Density

- General consensus that a minimum density requirement would make sense
- Potential impacts to parking needs are concerning; however, support for development incentives/alternatives and increase in alternative transportation options increases support
- Increase in density also creates an increased opportunity for Vacation Home Rental and potential for those properties to act similar to hotels
- Concerns around affordability of these potential housing units for local residents
- Question regarding how coverage plays a part in constructing increased density; discussion around how area plans provide additional opportunity under TRPA regulation
- Should be an overall increase in vertical parking configurations
- Current disconnect in the park once theory; it isn't used because there isn't sufficient transportation options (e.g., frequent transit)
- Lake Link proving an encouraging model, but not enough. Should be expanded to other parts of the City
- Parking issues will require a cultural shift
- Mammoth trolly as a good example for the City; several fixed route services that cross paths so several points to be picked up nearby with varying times so never a long wait; it is easy, affordable and has an app that gives route updates/times
- Increased density supported with good transportation availability
- TTD funding from the City could be used for more programs similar to Lake Link
- Explore requirements for mixed income projects
- Inclusionary housing
- Public frequently expresses concerns about additional high end and unaffordable housing in this area
- Preserving recreational zones/areas (e.g., Van Sickle Bi-State Park)

Increasing Housing Opportunities: Permissible Uses

- Clarification of "Employee Housing" definition and use
- Special Use Permit for employee housing seems like an undue burden, housing should be allowed
- Ensure preservation of open space/recreation
- Employee housing allowed in recreation seems unusual and needs to be clear who the developer is of the employee housing; employee housing for individuals who work for the open space makes sense but not for another area of town; should be relatively limited ability to develop employee housing in recreation zoned areas

Increasing Housing Opportunities: Boundary Changes

- Current Area Plan boundary is unusual, further boundary changes should be explored to create a more intuitive boundary; especially around Pioneer Trail and leading to Heavenly Ski Resort CA Base Lodge
- Opinion that neighborhood off of Moss Rd. should not be incorporated into the TCAP area

Activating Town Centers: Outdoor Dining

- Expand for more outdoor dining opportunities which can be used year round
- Can have significant impacts to parking and other businesses in certain locations; effective transportation option is key

Activating Town Centers: Permissible Uses

- Eating and drinking should be an allowed use throughout the Area Plan
- Provide flexibility for amusement and recreation uses so not all need Special Use Permits; some of the uses within the definition make sense, others large scale uses may need special attention
- Smaller business types should be “Allowed Use”
- Create improvements to public art standards

Increasing Transportation Opportunities: Infrastructure

- Implement a transit system similar to the design of the Mammoth Lake Trolly, extending to the Y
- Improve bus transit system efficiency similar to the North Shore (TART)
- Improve fixed transit routes to destinations
- Shifting investment to improving transit system
- Proposed a change of transit agency (remove TTD)
- Promote bike/walk access, businesses to maintain snow removal
- Potential for a pay-in system for snow removal to lift burden on property owners
- Improve/encourage/accommodate public transportation to minimize parking issues
- Provide more transportation options/contributions
- Need for reliable bus transit times

Increasing Transportation Opportunities: Parking

- Expanding parking in Ski Run area (Vail/Heavenly Ski Resort)
- Enforcing a time limit for parking (e.g., 2 hour minimum)
- Density increase could have an impact on parking enforcement
- Propose a parking hub or central parking areas, especially for day visitors/single destination
- Improve bus system connections
- Need to accommodate for recreational toys/items and families with gear
- Manage boat trailer parking
- Parking enforcement on Lake Pkwy
- Manage snow storage
- Expand parking garages for Heavenly Village and Ski Run
- Recommend Vail to provide a designated parking garage/hub at Cal Base Lodge
- Address community needs vs. landlord opinion for residential parking
- Provide more parking spaces and zones for electric bikes and scooters

- Parking garage management (e.g., signage showing where spaces are full or open)

1. Density – Supportive
   - Consider higher density or density bonuses.
     i. Higher density for affordable housing only (TRPA 31.4.1.)
   - Support for minimum density standard.
2. Parking
   - Support reduction in parking and evaluate parking maximums.
   - Support for parking in-lieu fees to fund transit. Needed more details (i.e., cost, how is transit funded)
   - A consensus is that increased transportation options are required to reduce the parking demand ratio.
   - Support parking hub concept.
   - Support for unbundling parking costs from the rental cost.
3. Outdoor dining
   - Support outdoor dining but need to determine the impacts (i.e., VMTs, parking)
   - Required standards regarding:
     i. Location: ensure it does not become haphazard or encroach/impact on public/pedestrian paths.
     ii. Design standards: ADA compliance, awning/overhangs, seasonality considerations
   - Suggestion that if City is interested in increasing outdoor dining, the City should provide the CFA from the City Pool.
4. Multi-family
   - Concerned with MFD becoming high-end condos or conversion of existing MFD to condos.
   - What strategies can City deploy to discourage the development of lux condos?
   - Supportive of affordable/moderate condo units
   - Higher density/coverage for MFD outside of town centers (NS)
   - Public comment: higher density only for affordable units (EM)
   - Higher density should be afforded for all MFD within walking distance of transit and transit stops.
5. Coverage
   - Higher coverage for MDF outside area plans
   - Support exempting coverage for EV chargers. Treat similar to pervious paver/pervious deck exemption
6. Bicycle Parking
   - More is needed; revise the standard.
7. Expansion of Area Plan Boundary
   - Support for expanding TVAP boundary, beyond what is currently proposed.
     i. Look at including parcels within X radius of existing/proposed transit.
   - Ask if expanding south of Pioneer along Ski Run (fyi: S.A. #1 along Ski Run allows MFD)
8. Height
   - Supportive of height increases (e.g., TVAP adjacent to the town center)
   - Ask if a height increase is being proposed for TCAP (TRPA is considering allowing more height in TCAP for affordable housing)
9. Transportation & Circulation
   - Heavenly Resort should provide transit (how does City engage Heavenly to provide this service?

- Traffic calming supported along EBR into town.
    i. Understanding of Caltrans jurisdiction but include in policies.
- Need for pedestrian passage across/over EBR.
- Look at ways to connect bike traffic from Eloise to LTB

TOURIST CORE AREA PLAN

2023 AMENDMENTS

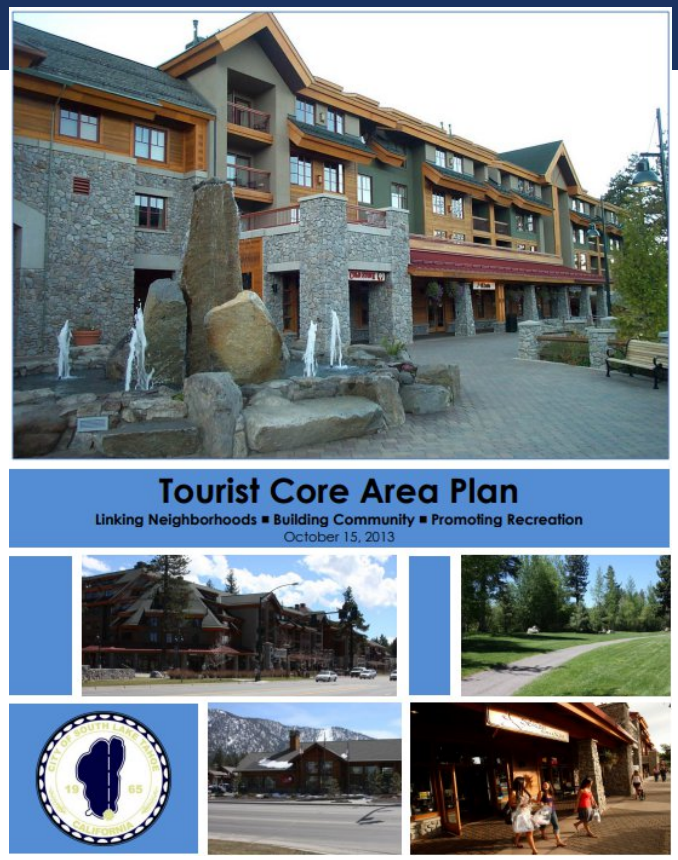
SOUTH LAKE TAHOE CITY COUNCIL

MAY 16, 2023

CITY OF SOUTH LAKE TAHOE

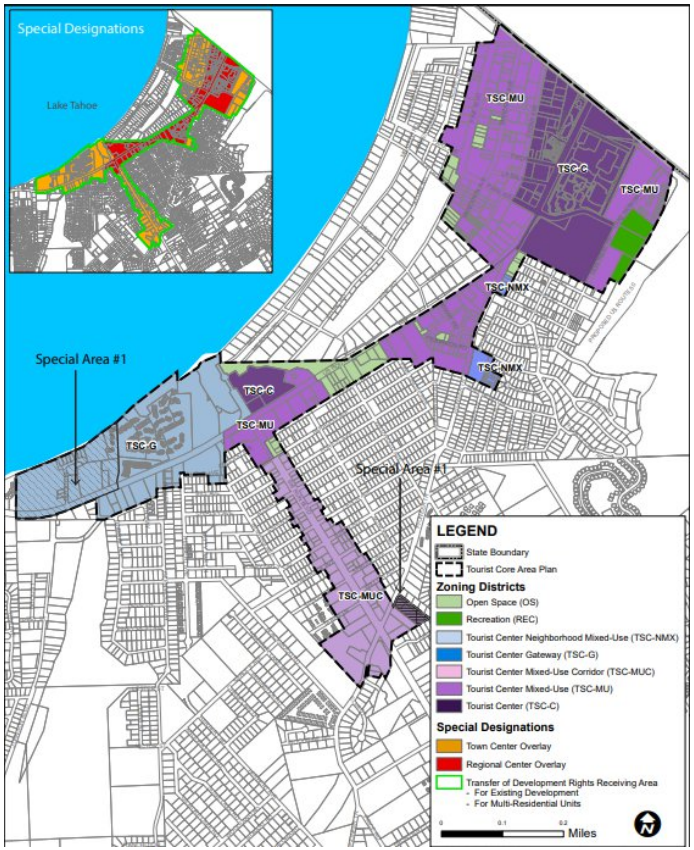
WHAT ARE AREA PLANS

- Comprehensive land use planning documents which provide specific development objectives and standards for a specified area which address:
  - Land Use Regulations
  - Development and Design Standards
  - Environmental Improvements
  - Transportation
  - Recreation
  - Public Services
- Allows for planning with greater flexibility at a community scale
- Provides a framework for an increase in redevelopment and property investment
- Creates a central permitting mechanism with TRPA regulation



TOURIST CORE AREA PLAN

- Adopted in 2013
  - 2020 Boundary Amendment
    - Incorporation of 3594 Pioneer Trail into the TSC-MUC Special Area #1 district (formerly part of the Pioneer/Ski Run Plan Area 092)
  - 2022 Amendment to Permitted Uses by Zoning District
    - Allow industrial services, wholesale distribution, and small-scale manufacturing as special uses in the TSC-G Special Area #1



TOURIST CORE AREA PLAN

"The area is envisioned as a central destination that provides full services for tourists and permanent residents and offers unique experiences related to the many outdoor recreation possibilities that surround the core area. The revitalization of the South Shore will catalyze the transformation from a failing and vestigial gaming economy into a sustainable outdoor tourism recreational destination by incorporating active streetscapes, shopping, entertainment and outdoor dining opportunities. In addition, transit and alternative travel will provide an essential part of the envisioned destination resort experience resulting in significant environmental gain and improved scenic quality."

TOURIST CORE AREA PLAN
IMPLEMENTATION



Private Redevelopments

- Hampton Inn
- Desolation Hotel
- Bijou Market Place

Transportation and Circulation

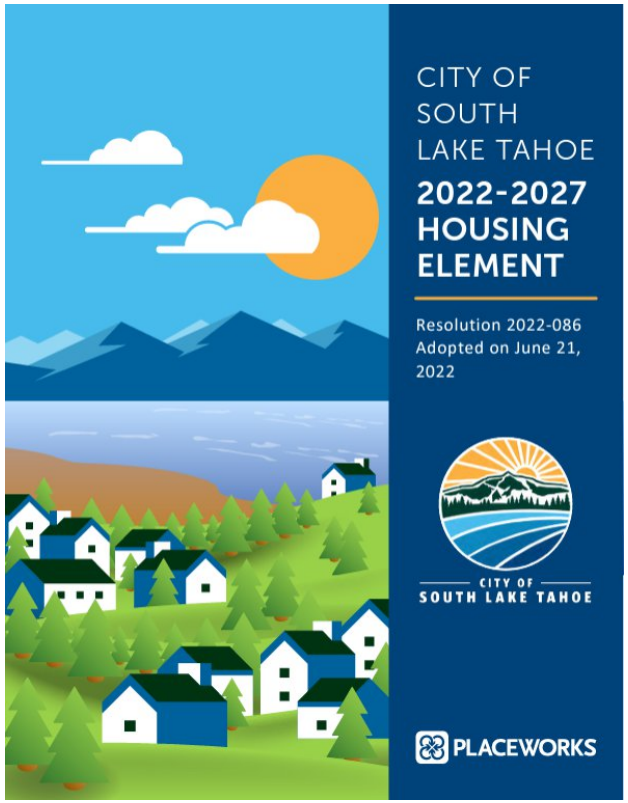
- Greenway
- Linear Park Improvements
- Pioneer Trail Improvements
- Ski Run Improvements
- US 50 Improvements
- Bike Paths, Lanes and Routes Improvements
- Pedestrian Improvements
- Stateline/Park Ave Complete Street Project *(Grant Application Pending)*

SEZ Restoration Programs & Water Quality Improvements

- US50/Wildwood
- Bijou Park Creek SEZ Restoration

AMENDMENT GOALS

- Implement Housing Element policies
- Implement and incentivize transportation and connectivity
- Increase consistency with State laws regarding housing and parking
- Explore ways to activate town centers
- General improvements and code corrections



PROCESS

Stakeholders Workshop
February 1, 2023

Planning Commission Workshop
February 23, 2023

City Council Information Meeting
May 16, 2023

Initial Environmental Review & Draft Amendments
In Progress

City Adoption
Estimated August

TRPA Adoption
Estimated September

Today:



SHARE PREVIOUSLY RECEIVED FEEDBACK



PROVIDE INFORMATION AND CONTEXT ABOUT THE AREA PLAN UPDATE



RECEIVE FEEDBACK ON THE PROPOSED AMENDMENTS

RESIDENTIAL OPPORTUNITIES

- Residential Density
  - Increase maximum to 65 units/acre
  - Set a minimum standard of 8 units/acre
- Accessory Dwelling Units
- Level of review for residential projects
  - Create a uniform review process for market rate and income-restricted residential projects
  - Develop objective design standards to create a greater number opportunities for ministerial review of residential projects






REVITALIZATION AND ECONOMIC DEVELOPMENT





- Adverting for Accessory Uses
  - Subject to the existing maximum sign area/number of allowed signs
- Commercial Design Standards
  - Make existing standards more objective
    - Requiring design elements
    - Building modulation

OUTDOOR DINNING & COMMERCIAL FLOOR AREA

- Activate Streetscapes
- More Opportunities for Outdoor Dining
  - Create consistency between CFA requirements for outdoor seating and outdoor dining
  - Develop standards to allow outdoor dining up to a designated maximum amount of square footage which would not be subject to CFA requirements



TRAFFIC AND CIRCULATION



- Allow and prepare for a transition from vehicle traffic to active and public transportation
- Accommodations for alternative modes of transportation in place of vehicle parking spaces
  - Reduction in parking spaces for right of way improvements beyond the project's street frontage
  - Shared parking or car share program
  - Increased bicycle parking
  - Parking space in-lieu fee. Funds used to develop or operate on-street or off-street parking, alternative transportation or transit and related facilities or programs
  - Parking and transportation management plan

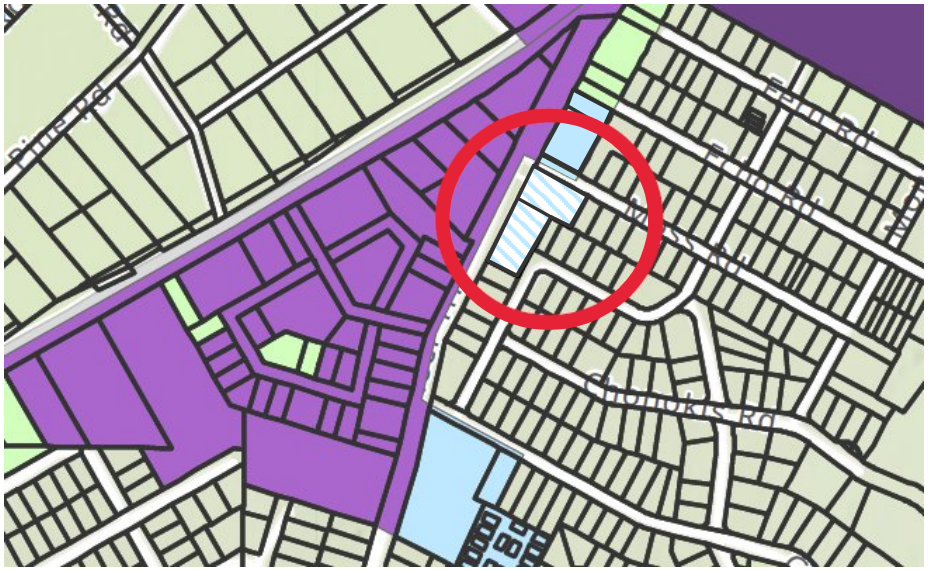
ELECTRIC VEHICLE & SUSTAINABLE INFRASTRUCTURE

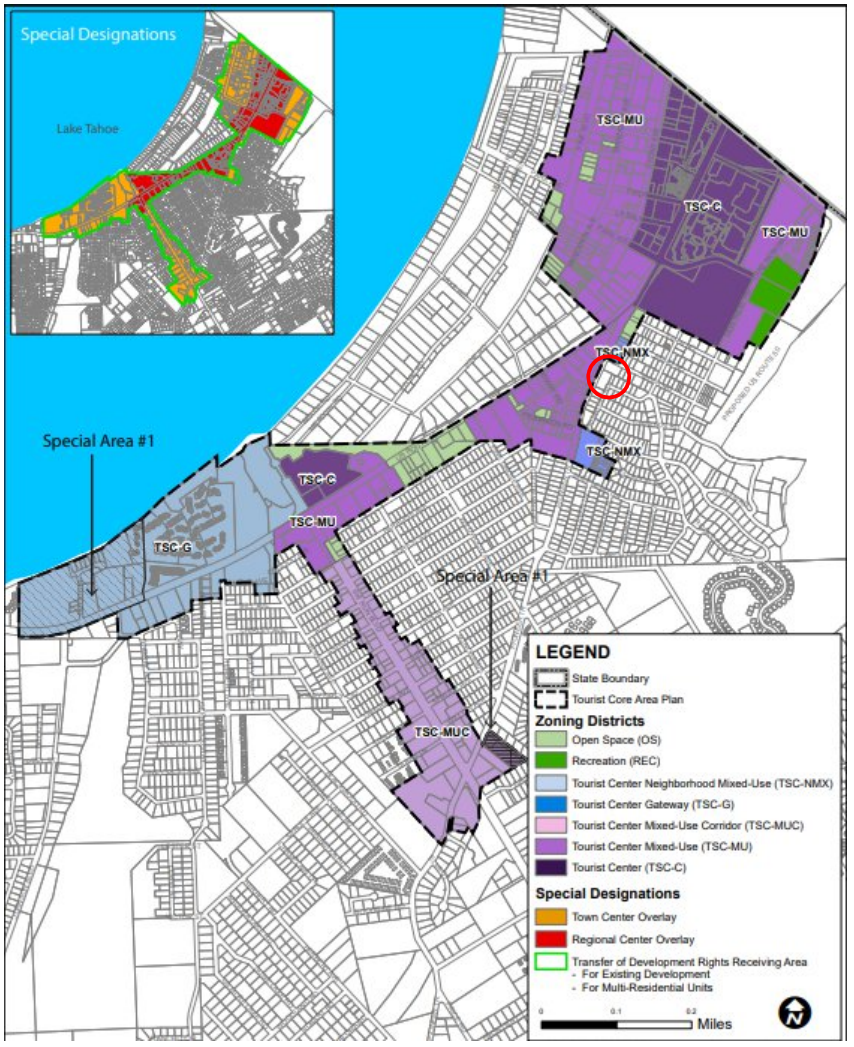
- Encourage improvements to infrastructure that facilitate electric vehicles
- Reduce constraints related to coverage maximums and transfer requirements
  - Exemptions or ministerial mitigation process



AREA PLAN EXPANSIONS
TOURIST CORE

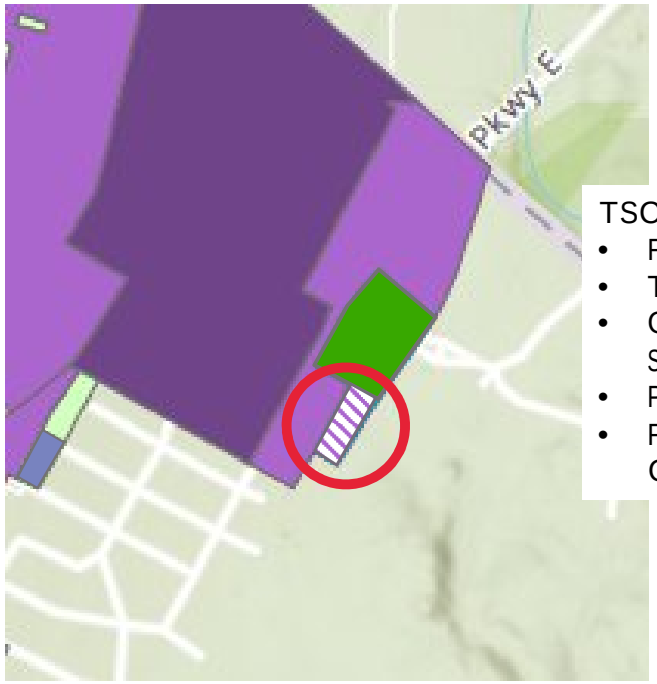
1. Addition to the Tourist Center Neighborhood Mixed-Use (TSC-NMX)





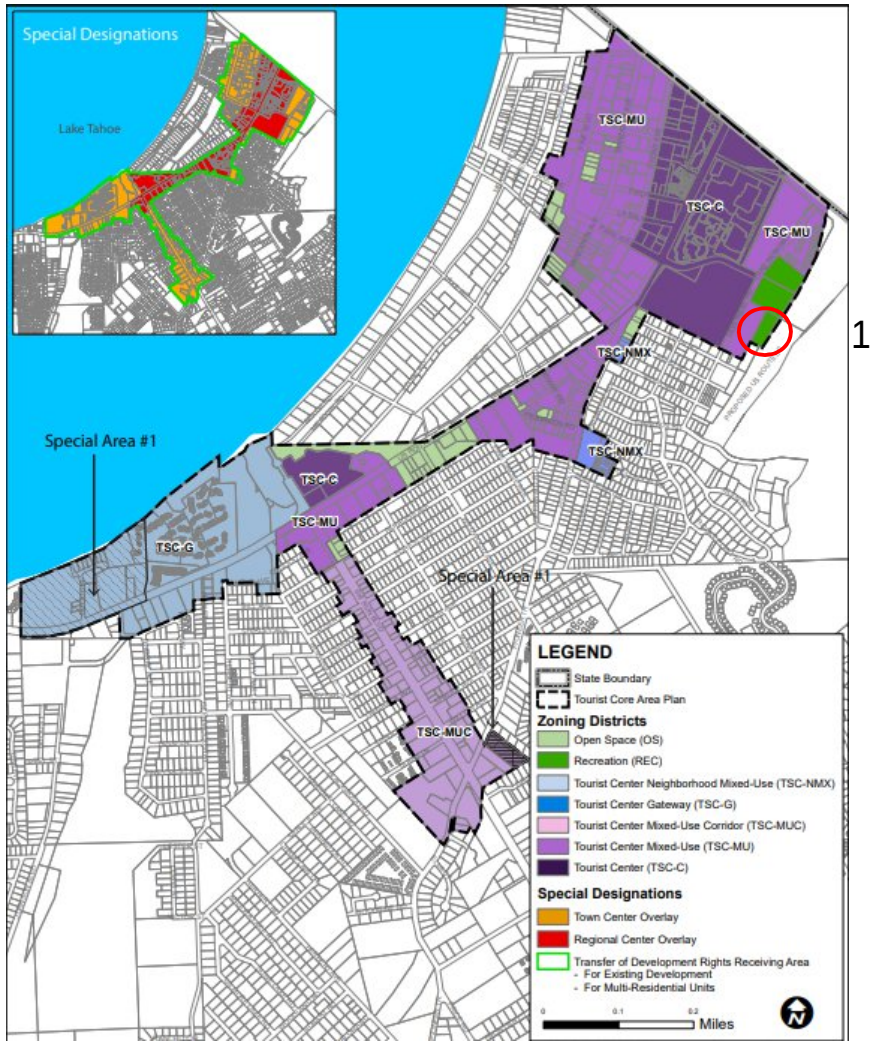
AREA PLAN DISTRICT CHANGES
TOURIST CORE

1. Recreation (REC) to Tourist Center Mixed-Use (TSC-MU)



TSC-MU Zoning would allow:

- Residential Uses
- Tourist Accommodation Uses
- General Retail and Personal Service
- Professional Offices
- Resource Management and Open Space Uses



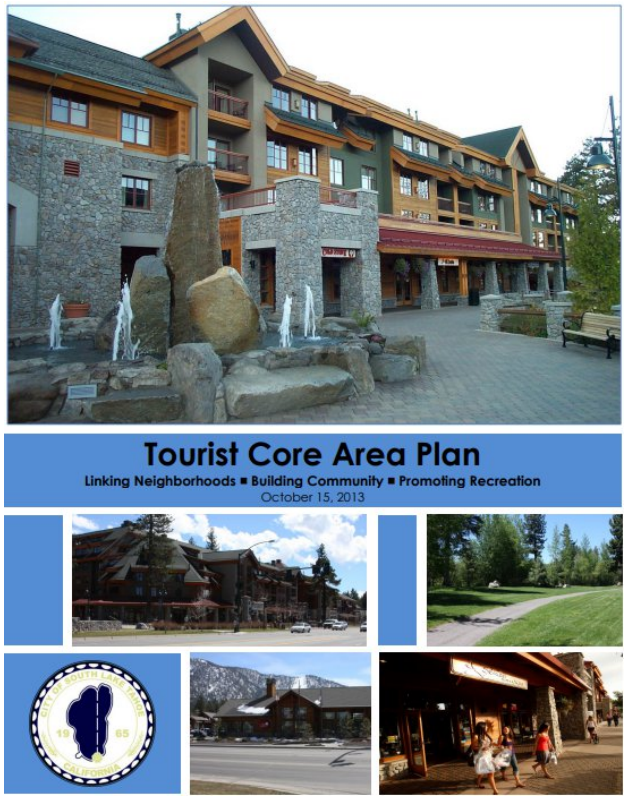
1

PERMISSIBLE USES

- Create consistency between areas that allow *multi-person, employee, and multi-family housing*
- Expand *general retail and personal service* to include:
  - Health and athletic clubs
  - Day spas
  - Funeral parlors
- Consolidate *amusement & recreation* and *assembly & entertainment*
  - Distinguishing between small less impactful uses and larger more impactful uses



QUESTIONS?


Tourist Core Area Plan
Linking Neighborhoods ▪ Building Community ▪ Promoting Recreation
October 15, 2013

CITY OF
SOUTH LAKE TAHOE

2023 Tourist Core Area Plan Amendments

Project Description

The City of South Lake Tahoe intends to amend the Tourist Core Area Plan (TCAP) and submit a formal area plan amendment application to TRPA in the near future. The purpose of the amendements range from general improvements and a need for greater consistency with recently amended TRPA regulations, state regulations, and City goals, to increasing housing opportunities and community equity in appropriate areas. Summarized below are the more significant policy and regulatory amendments that the City intends to pursue.

LAND USE, COMMUNITY DESIGN AND HOUSING

Residential Density

In order to improve the effectiveness of Housing policies and achievement of Housing goals within the adopted TCAP, the City is pursuing increasing allowed density and setting miniminum density standards for multi-family developments in and around town centers as follows:

- A maximum density of 65 units per acre for multi-family residential development, based on the existing density standards in an area plan that permits a mixed-use project of residential and tourist units up to 65 units per acre. TRPA has determined that TAUs have a larger environmental impact with respect to Vehicle Miles Traveled (VMTs) and carrying capacity of the Tahoe Basin. Thus the increase in density for multi-family uses would not have a significant effect on the environment or result in an increase of VMTs over baseline conditions. The current densities allowed for multi-family residential development do not allow for affordable housing projects to be eligible and competitive for grants and financing available through state and federal programs, resulting in development of low density, large market rate units. The City is also proposing to establsih a minimum density of eight units per acre for multi-family projects, consistent with the City's General Plan. Allowing higher densities for multi-family developments and requiring a minimum density, without changing coverage and height limitations is intended to increase opportunities to develop affordable housing and drive private developments to smaller and higher density market rate units. These changes will provide more opportunity for much needed housing in areas close to amenities, allow more concentration of development within Town Centers and increase feasibility of housing, infill and environmental redevelopment projects in these areas.

- To promote affordability by design, the amendments will consider establishing a maximum unit square footage for projects that utilize policy and development incentives established by the City and TRPA.

- Allowing density bonus referenced in TRPA Code of Ordinaces 31.4.1 be applicable to all properties where multi-family residential is an allowed use, including properties within Area Plans.

- Required housing mitigation for any reduction in density from existing conditions.

These changes are directed by Programs 2-8 and 1-4 of the City's General Plan Housing Element and anticipated to be under review by the state Housing and Community Development Department with expected implementation by December 2023.

Mixed-use Development

The City proposes to create incentives that encourage production of housing in areas where residential use is appropriate to the setting and where mixed-use projects could address job and housing needs. The incentives would include alternative parking requirements and streamlined permitting. This also includes increasing height from 56 feet to 65 feet in the TSC-MU district so parcels would be able to accommodate 4 story mixed-use developments while maintaining a pitched roof design.

This change is directed by Program 1-1 of the City's General Plan Housing Element and anticipated to be under review by the state Housing and Community Development Department with expected implementation by December 2023.

Housing Accommodations

Reasonable Accommodations for Persons with Disabilities: To provide individuals, family members, caregivers, and/or anyone acting on behalf of the person with disabilities reasonable accommodation in rules, policies, practices, and procedures that may be necessary to ensure equal access to housing as feasible the city proposes to establish criteria for residential projects that would allow for modification of the TCAP standards. These modifications would address any needs for accommodation by persons with disabilities for additional land coverage for necessary site improvements beyond the additional land coverage allowances for Americans with Disabilities Act (ADA) improvements in Chapter 30 of the TRPA Code of Ordinances.

Employee and Workforce Housing: To comply with the State Employee Housing Act the City will allow employee housing in the same locations as multi-family and multi-person residential projects (see "Permissible Uses" description below) and clarify employee housing does not need to be developed by the specific employer.

Residential Care Facilities: For consistency with California State Law, the City will specify that residential care facilities (group homes) of all sizes are allowed by right in all residential districts (see "Permissible Uses" description below).

These changes are directed by Programs 4-1, 4-2, 2-2 and 1-6 of the City's General Plan Housing Element and anticipated to be under review by the state Housing and Community Development Department with expected implementation by December 2023.

Consistency with California State Law

AB-68: Allows accessory dwelling units as part of multi- and single- family residential properties. Clarify ADUs are subject to the South Lake Tahoe City Code. Define and clarify the difference between an accessory dwelling unit and TRPAs secondary units.

AB-682: Shared housing or co-living projects are eligible for density bonuses when a number of units are low or very low income. Update permitted uses and definitions to include shared housing or co-living and identify where they are allowed and when density bonus can be used.

Permissible Uses

The City will reevaluate Appendix C's Table 1, Permitted Uses By Land Use District, and Table 2, List of Primary Uses and Use Definitions, and consider the following adjustments:

- The City is proposing that where one of the following is curently allowed, all shall be allowed uses: *multiple-family dwelling, multi-person dwelling,* and *employee housing.*

- Define residential care facilities (group homes) and allowed by right in all residential districts.

- Define shared housing or co-living projects in compliance with AB-682 and shall be allowed where the following uses are allowed: *multiple-family dwelling, multi-person dwelling,* and *employee housing*.

- Incooperate empolyee housing into the definitions of mutli-family dwelling and multi-person dwelling.

- Identify where legal nonconforming uses exist and consider if these uses should be allowed.

- Clarify use definitions; for example, indoor sauna, spa, and hottub facilites are currently included in the use description for both *Amusements & Recreation* and *Personal Services*.

- Designate between large and small *Amusement & Recreation* uses. Currently the use category has no distinction for facilites of different sizes or capacities. The City is considering adding clarifying language such as what is included in *Privately owned assembly and entertainment*, which specifies the use is for facilites with a capacity of greater than 300 people.

- Include eating and drinking as an allowed use in TSC-MU rather than a special use.

Traffic and Circulation

Parking: The City will be proposing alternative parking standards in an effort to decrease the need for parking infrastructure and continue to allow more flexible parking standards and shared parking for mixed-use and other housing projects. This will be implemented through one or more of the following:

- Encouraging rental housing developers to unbundle parking and rent parking spaces separately from the units.

- Allowing housing developers to pay an in-lieu fee to support public transportation access to the project site in-lieu of some of the parking requirements.

- Decrease in parking requirements for qualifying projects located within a distance of a transportation hub.

- Creating objective standards for variances to the established parking standards.

These changes are directed by Program 1-3 of the City's General Plan Housing Element and anticipated to be under review by the state Housing and Community Development Department with expected implementation by December 2023.

Complete Streets: Staff will review and update complete street policies and maps to match implementation feasibility including the following:

- Update "Proposed Improvements Section" with short list of projects originally identified that have been completed and a new list of Implementation Projects.
- Update Figures and implementation projects for consistency with the TRPA Active Transportation Plan.
- Establish a policy for complete street connections between TCAP and Lake Tahoe.

Pedestrian and Bicycle Infrastructure: Staff will review and update project requirements for pedestrian and bicycle infrastructure including:

- Update policies and standards to clarify requirements for sidewalk and trail maintenance/snow removal.
- Policy requiring frontage improvements consisting of sidewalk, drainage, and lighting improvements with new construction, additions of floor area, or significant remodels involving site work, unless waived by the Public Works Director.
- Policy requiring off-site sidewalk connections to existing sidewalk. Establish a value of off-site (beyond frontage) improvements and/or contribution to transit that would trigger an allowed automatic reduction in parking requirement. Further reduction in parking requirement would require permanent deed restriction regarding parking management.

REVITALIZATION AND ECONOMIC DEVELOPMENT

Commercial Floor Area and Outdoor Dining

The City would like to reduce barriers associated with establishing outdoor dining in appropriate areas. Although outdoor seating is currently not considered Commercial Floor Area (CFA), outdoor dining is. Outdoor dining and seating provide opportunities to create more active streetscapes but are distinguished from indoor seating by their less intensive use due to seasonal weather in the Tahoe Region. The City is proposing to exempt outdoor dining areas from CFA requirements similar to the current application of the regulation to outdoor seating.

Advertising for Accessory Uses

The City is proposing to amend sign regulations to allow independent signage for accessory uses. No changes to the maximum sign area or number of signs allowed for a property are proposed.

Electric Vehicle Charging Stations & Sustainable Infrastructure

A goal of the City of South Lake Tahoe is to remove barriers to sustainable infrastructure and achieve compliance with AB 1236 which requires ministerial permitting for EV charging stations and limits the ability to deny a permit to specific findings of adverse impact to public health or safety. Coverage has been a limiting factor where developments wish to install electric vehicle charging stations. Exempting EV charging infrastructure from counting towards coverage would allow for increased access to charging stations. Mitigation measures such as retiring coverage elsewhere in the watershed or allowing a percentage over maximum coverage for EV charging stations to be transferred to the site will be explored.

CFA Policy Clarification

Add a CFA policy clarifying that certain areas of recreation based primary commercial uses are exempt from CFA allocation. Examples include:

- The area of play in an indoor tennis court
- The area of water in an indoor swimming pool,
- The area for skating in an indoor roller- or ice-skating rink
- The area dedicated to a climbing wall/climbing wall pit in a climbing gym
- The play area of a miniature golf course

DEVELOPMENT AND DESIGN STANDARDS

Residential Standards and Review

The development and design standards generally do not differentiate between commercial and residential uses. These project types are often substantially different in form and design as they serve different purposes. Staff will be establishing different residential standards throughout the design standards, primarily by referring to the City Code Section 6.85 for Residential Development and Design Standards. These standards were adopted in compliance with California SB 35 and SB 330.

Currently, affordable housing projects require a higher level of decision maker consideration than market rate housing projects (TRPA Code Section 2.2). Proposed amendments would include new criteria for residential project review levels that treat affordable housing equal to market rate housing, exempting residential projects up to three units and residential projects that comply with objective development and design standards from discretionary and public hearing procedures.

Objective Design Standards (Commercial)

The current design standards address site design, building orientation and design, pedestrian access, bicycle parking, landscaping, lighting, signage, parking, driveway and loading spaces. However, project aesthetic and visual quality is provided by the City's Design Guidelines. The Guidelines currently provide a visual tool to guide project applicants on how to meet the required design standards in a manner that meets the desired aesthetic of the community. As part of Area Plan amendments staff will look to incorporate the concepts created in the Design Guidelines into objective standards to ensure that all projects meet the visual quality the City and TRPA is striving for. The objective standards may include, but would not be limited to, restricting the percent of stucco used, requiring minimum number of authorized materials, and requiring architectural features such as overhead canopies or brackets and overhangs. Staff

will also be reviewing and updating established design standards if they do not sufficiently work toward addressing the Area Plan and General Plan goals and policies such as bicycle parking and pedestrian access.

Commercial Roof Pitch Requirements

Currently the Area Plan only allows for a roof slope of 5:12 to 12:12. Staff will be proposing criteria that allows for deviation from this standard when specific standards or findings can be made. Staff will also assess other aspects of height and roof standards to see what allowed flexibility can be added. The goal of this amendment would be to provide additional architectural opportunity for properties where the lots size, location, orientation, or use is restricted by the current standards.

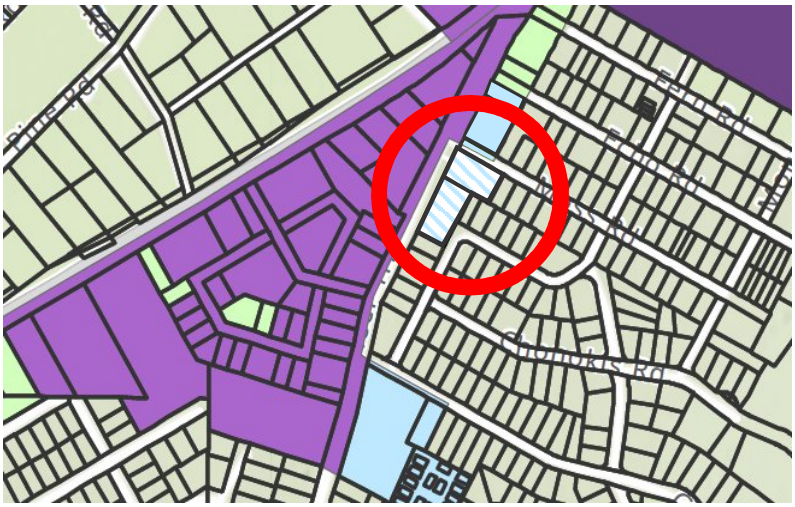
Signage

Currently the Area Plan does not allow for the advertising of accessory uses. Staff is proposing to update the signage criteria to allow for accessory uses to have signage if they are within the allocated Base Reference Budget. The inclusion of accessory use signage will not increase the overall allowable signage in the area but will allow for business to advertise the diverse uses they offer. Additionally, throughout the signage requirements staff will be adding/modifying the text language to provide clarity where needed.

GENERAL IMPROVEMENTS

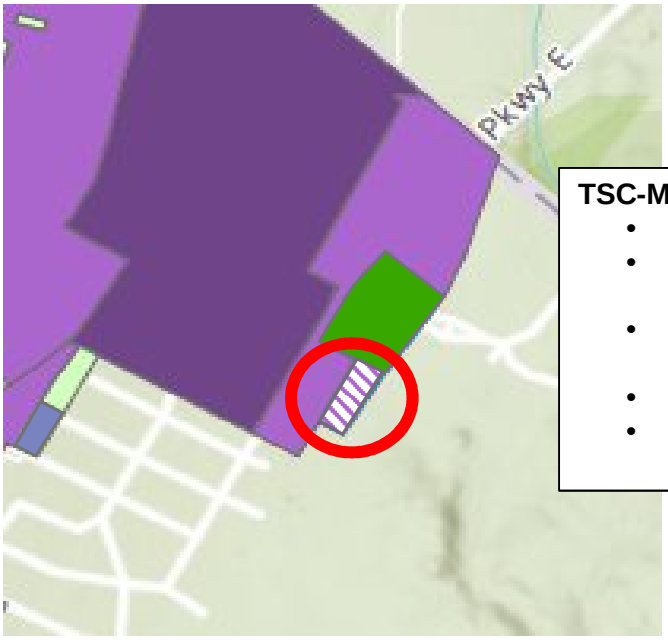
Area Plan Boundary Expansion Opportunities

Area Plans provide a unique opportunity for development. As part of the amendment process staff will be assessing parcels which boarder the area plan to see if underutilize properties may benefit from incorporation into the area plan. Areas currently being assessed for incorporation are two tourist accommodation parcels (APNs: 029-352-010 & 029-371-016) located adjacent to the TCAP. These parcels were identified for potential incorporation into the TSC-NMX district of the area plan as they could benefit from the increased density and coverage allowed in areas plans in order to facilitate additional redevelopment and housing opportunities in the vicinity of the town center.



Zoning Changes

As part of the Area Plan amendment, staff will be processing a zoning amendment application to rezoning the area identified in red below from recreation to tourist center mixed use to accommodate higher density housing opportunities.



TSC-MU Zoning would allow:

- Residential Uses
- Tourist Accommodation Uses
- General Retail and Personal Service
- Professional Offices
- Resource Management and Open Space Uses

Green Incentive Program Updates

The city will be reviewing the green building incentives to ensure the current incentive are still feasible and identifying previous measures which are now required rather than optional based on California Building Code updates and city ordinances. Staff will also look to incorporate new policies and certification programs that have been implemented or seen success since the plans initial adoption.

Code Corrections and Consistency

General improvements that will be made to TCAP include correcting City Code and TRPA Code references and incorporating amendments implemented by TRPA through Ordinance 2021-01.

During the City's public outreach and public review processes additional amendments may be identified for consideration. City staff will work closely with TRPA staff to ensure continuity and open communication throughout the process.

May 15, 2023

City of South Lake Tahoe
City Council Members
Hilary Roverud, Planning Director
1901 Lisa Maloff Way, South Lake Tahoe, CA 96150
Submitted via email

Re: Agenda Item #15: Tourist Core Area Plan: 2023 Amendments, Montreal Parcel Rezoning

Dear City Council Members and Staff,

As a member of the 2012 Regional Plan Update (RPU) Bi-State Working Group, the League to Save Lake Tahoe (League) appreciates the opportunity to continue to work with the Tahoe Regional Planning Agency (TRPA) and the City of South Lake Tahoe (City) to implement the RPU. Effective implementation of Area Plans is critical to this ongoing effort. The League thanks the City for the opportunity to comment on the Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed Tourist Core Area Plan (TCAP) amendments.

The League has commented to both the City and TRPA during the Scoping period and on the CEQA documents for the standalone Montreal amendment. We are strongly opposed to the rezoning of APN: 029-441-024 on Montreal Avenue and request it be removed from the proposed TCAP amendment package.

Overview

The League does not support the proposed rezoning of APN: 029-441-024 from recreation to tourist center mixed use "to accommodate higher density housing opportunities." This rezoning would be inconsistent with City and TRPA plans and intent. The Colony Inn parcel was intended to be permanently retired and the stream environment zone (SEZ) restored. The SEZ restoration attempt failed. Rezoning the last recreation/conservation land in the TCAP area does not align with the goals and policies of the City's General Plan or TRPA's Regional Plan. High density workforce housing is currently allowed on the parcel under the Recreation zone. The owner of the parcel plans to build high-end short term rentals on the site if the rezoning goes through, and has attempted to achieve this rezoning through other efforts that the City did not support.

This seems to be under the guise of creating more housing, but we know that short term rentals are planned for the site. This rezoning was not included in the February 2022 Planning Commission TCAP amendment presentation and materials. This addition to the TCAP amendments appears to be a move by the land owner to go around the Planning Commission and City Council. City planning staff was going to recommend against this zoning change at the September 15, 2022 Planning Commission meeting and the applicant pulled the proposal.
We want the SEZ restored and corner parcel permanently protected.

SEZ Impacts and Site Suitability for Development

On March 18, 2008, the City passed a Resolution to permanently retire the Colony Inn site from future development as a condition of transferring the associated tourist accommodation units (TAUs) out of the City limits: "WHEREAS, the Colony Inn located partially Within an area identified for SEZ restoration, Once the Colony Inn is demolished, existing development will be transferred out of the SEZ and the site will be restored and permanently retired, thereby furthering the goals of the Stateline/Ski Run Community Plan and attainment of TRPA's thresholds." [1]

The City included a Policy in the TCAP that aligns with its Resolution and approval of TAU transfers from the Colony Inn site: "Onsite land coverage reduction will occur primarily through environmental redevelopment by providing development incentives in centers that promote the relocation and transfer of land coverage. The City will endeavor, where feasible, to reduce and avoid creating new coverage in order to benefit the objectives of the TCAP and other areas of South Tahoe."[2] This language was discussed at the November 2013 TRPA Governing Board meeting, including whether or not to specifically include the Colony Inn site as a target restoration site. In the end, though a specific site was not targeted for restoration and the Colony Inn site was intended for restoration and permanent retirement as stipulated above.

The City needs to decide whether this amendment meets the intent of the General Plan and TCAP including the goals and policies contained within it. The City's Attorney will also need to determine whether or not a new Resolution is required to allow this Area Plan amendment.

Between 2009 and 2013 the Colony Inn was demolished and the SEZ should have been restored, but the restoration failed. According to TRPA's 2020 SEZ Baseline Report, the Colony Inn site (Colony Inn Meadows) restoration failed.[3] The SEZ only ranked a "C," indicating an unhealthy SEZ due to a ditch running through the entire project, dewatering the meadow and leading to loss of vegetation vigor. With the proposed amendments, the coverage limit would increase from 30 percent to 70 percent, with coverage transfer on applicable lands with capability 4-7. Additional development around the SEZ where headcuts and ditches are present, significantly and irreversibly impact the SEZ which expressly violates the 2008 City Resolution and the intent of SEZ restoration. Regardless of the success of the SEZ restoration efforts, the site was to be permanently retired, in line with the City's 2008 Resolution and enforced by TRPA's approval of the Boulder Bay Community Enhancement Program Project EIS in 2009.[4]

In September, October, and November of 2013, the TRPA Regional Plan Implementation Committee (RPIC) and Governing Board had lengthy discussions internally and with the City and the public. One of the results of the discussion was the City reinforcing that it "wanted to identify [Colony Inn] as a priority site

[1] March 18, 2008 City of South Lake Tahoe Staff Report and Resolution. http://slt.granicus.com/MetaViewer.php?view_id=4&clip_id=181&meta_id=15886

[2] October 15, 2013 TCAP. Policy NCR-4.1, page 7-3. https://www.cityofslt.us/DocumentCenter/View/3508/Final-Tourist-Core-Area-Plan?bidId=

[3] December 2020 Lake Tahoe Basin SEZ Baseline Condition Assessment. Report: https://gis.trpa.org/TahoeSEZViewer/SEZ%20baseline%20condition%20assessment_v8.pdf; StoryMap: https://www.google.com/url?q=https://storymaps.arcgis.com/stories/815a21db82944f7f95ce94d76c73a19b&sa=D&source=docs&ust=1652741001866899&usg=AOvVaw2791Wlh0aSr9wKajKr5gZW

[4] November 4, 2009 Boulder Bay CEP Project EIS. https://www.trpa.gov/wp-content/uploads/documents/archive/4_01_Land_Use.pdf

for getting the stream environment zone restoration completed."[5] Other outcomes relevant to these proposed amendments are enshrined in the TCAP itself:

- "The Colony Inn which was located in SEZ lands by the intersection of Montreal Road and Heavenly Village Way was demolished and 64,800 square feet of land coverage was removed and banked, and the site stabilized. The existing tourist accommodation units removed from the site are proposed for transfer to the Boulder Bay Project in North Stateline. A condition of the Boulder Bay permit requires that the property be restored to a functioning SEZ prior to the units being transferred." Page 3-4.
- "The Tourist Core Area Plan responds to the needed SEZ improvements: Restore the disturbed SEZ on the Colony Inn parcel located along Montreal Road." Page 7-5.

In July of 2013, the League submitted comments on the TCAP in its early stages of development, including a clarifying question about the Colony Inn site. The November 2013 TRPA Governing Board meeting included responses to comments and #8 directly addresses the Colony Inn site.[6] While the Boulder Bay project has been long-delayed and is currently changing with new ownership of that site, TRPA's transfer rules may still apply and the intent to permanently retire the site is clear.

TRPA Counsel will need to provide an analysis of the SEZ Restoration Credits and requirement to permanently retire and "stabilize" the site based on TRPA Code and TCAP approvals in 2013, and the final intent captured in TCAP.

Recreation/Open Space

In the TCAP, the parcels in question are zoned as recreation. While this questionably aligns with the intent in the General Plan, Recreation districts in the TCAP are "intended to allow a variety of recreation uses such as dispersed recreation and parks. Permissible uses include day use areas and group facilities."[7] The dispersed recreation use most closely aligns with the intent of the Conservation designation in the General Plan. When the TCAP was developed, the Conservation designation arguably should have translated to the Open Space designation which "is intended to preserve land in its present use that would: 1) conserve and enhance natural or scenic resources; 2) protect streams environment zones, sensitive lands, water quality or water supply; 3) promote soil and habitat conservation; 4) enhance recreation opportunities; and/or 5) preserve visual quality along highways, roads, and street corridors or scenic vistas. The land is predominantly open, undeveloped, or in a lightly developed and is suitable for any of the following: natural areas, wildlife and native plant habitat; erosion control facilities, stream environment zones, stream corridors; passive parks; and/or trails for non-motorized activities."[8] This Open Space designation also aligns with TCAP policies NCR-2.3 and R-2.3,[9] which would be very difficult or impossible to implement or achieve if the proposed amendments are approved.

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[5] October 24, 2013 Meeting Minutes from TRPA RPIC meeting. Page 19. https://www.trpa.gov/wp-content/uploads/documents/archive/January-29-2014-Governing-Board-Packet.pdf

[6] November 20, 2013 Response to Comments on the TCAP. Response #8, Page 4. https://www.trpa.gov/wp-content/uploads/documents/archive/6_FINAL_Attachment-E_Responses-to-Comments.pdf

[7] October 15, 2013 TCAP. Page 5-6.

[8] *Ibid.*

[9] TCAP Policy NCR-2.3: Encourage the use and access to designated open space for passive recreation uses when they conform to resource restrictions

TCAP Policy R-2.3: Encourage landscaped, small passive parks in and around the Tourist Core

TRPA's Regional Plan (RPU) was updated in 2012, between the adoption of the City's General Plan and the TCAP. The IS/MND, in section 1.8, selected a few TRPA- specific and -referenced goals and policies that this project *may* support but the ones it may conflict with are not included which does not allow a fair assessment of the pros and cons of the proposed project. These include, but are not limited to ROS-2.9, ROS-2.10, ROS-2.11, Land Use Element Goal 1 Policies 2 and 3, Soils Goal 1 Policy 7, Open Space Goal 1, and Stream Environment Standard SC-2.

To comply with the City's and TRPA's land use designations and goals and policies related to open space and recreation, the "corner parcel" at 3828 Montreal Road (APN 029-441-003) needs to be permanently retired as Recreation or Open Space through a deed restriction on the parcel. This would include the access easement associated with the Colony Inn to the Van Sickle access road.

Summary and Recommendations

The proposed rezoning is not consistent with the land use designations or the majority of the relevant goals and policies in the RPU, TCAP, or General Plan. This proposed rezoning should be removed from the proposed TCAP amendments.

Thank you for the opportunity to provide these comments. Please do not hesitate to contact me with questions.

Sincerely,



Darcie Goodman Collins, PhD
CEO League to Save Lake Tahoe

From:	Nick Speal
To:	PublicComment; Scott Robbins; John Friedrich; Cody Bass; Tamara Wallace; Cristi Creegan
Subject:	Public Comment Agenda Items 14 and 15: Area Plan Amendments
Date:	Monday, May 15, 2023 12:52:33 PM
Attachments:	2022.05.19 LTSLT Comments on TCAP Montreal Amendments IS-MND.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello City Councilmembers,

My name is Nick Speal and I am a member of the Planning Commission, but I am commenting today on behalf of myself alone without representing the commission as a whole.

I am pleased that the City is undertaking these Area Plan updates and very supportive of the initiative as a whole, especially in the following broad ways:

- Taking steps to relieve the regulatory burden to affordable-by-design housing development
- Activating our town centers and encouraging sustainable transportation
- Taking on this project in a simple expedited way with common-sense reform without much bureaucratic expense
- Consolidating discrepancies where we have different regulations for very similar uses.

Perhaps I am just misunderstanding how the process works, but I am disappointed to not see any changes to the proposed Area Plan updates in response to our multi-hour Planning Commission meeting. It makes me question the utility of putting so much effort into the process. Please take a look through the separate PC Meeting Feedback document and direct staff to make the changes that the Planning Commission recommended, or perhaps the subset of them you most agree with.

For clarity, I have included here the highest priority changes that I personally would like to see to these proposals before they move forward to the TRPA.

General Changes to Both Area Plans

Allow Higher Density

I would like to see an increase or an elimination of the maximum density requirements within area plans or at least for certain districts within them. Density is already functionally constrained with maximum coverage rules and maximum height rules, and developers should be free to choose the units per acre within that footprint at their discretion. It's not fair that 5 studio apartments counts as 5 times the density of 1 five-bedroom house, and it's no wonder that our rules incentivize the construction of the latter. Zach Thomas described to the planning commission that 60 units per acre is the minimum density at which affordable housing projects are financially viable, and so I would recommend a higher maximum density limit that allows for more flexibility.

Eliminate Parking Minimums

I support the elimination of minimum parking requirements city-wide, but especially within these Area Plans. This does not mean that zero parking will be built if people want it, but it

just allows people who don't want to use a car to not be forced to pay for it. Rather than requiring an in-lieu fee or extra mitigation measures for developers that choose to not build parking, we should just allow this by-right. Luxury developments will still include parking. But affordable-by-design developments might not, and it is counter-productive for the city to extract fees from them.

The Planning Commission notes on parking do not align with my memory of the meeting. I do not recall support for parking in-lieu fees. I do not recall consensus that increased transportation options are required to reduce the parking demand ratio. I do not recall support for the parking hub concept in our town center. I personally disagree with all three, and that could be coloring my memory.

Don't circumvent Commercial Floor Area and Coverage regulations
I oppose the two proposed incentives to exempt developers from environmental regulations to encourage the kinds of developments that we want to see. Outdoor dining should not be exempt from CFA requirements and EV chargers should not be exempt from coverage limits. If the City wants to incentivize these, it can donate the commodities, but I don't think we should be bypassing these systems intended to protect the environment.

Expand Area Plans to the Full Walkshed
I propose expanding both Area Plans to cover areas within walking distance to bus stops. We shouldn't necessarily expand areas zoned for tourist accommodation and commercial uses but we should increase the density, coverage, and height limits for residential development within a 15 minute walk of the bus stops in these areas, rather than picking and choosing individual parcels.

Protect residential housing uses
I don't have a solution but I'd like to hear a discussion about how to ensure that this new development we are encouraging will be used for full-time housing. I worry that the multi-family developments will be converted into single family condos that can then be used as second homes or vacation rentals, which Measure T allows within these commercial areas.

<u>Tourist Core Area Plan Specifics</u>

Reject the rezoning of the Colony Inn Parcel

> "Staff will be incorporating a previously applied for zoning amendment application to rezone a parcel (APN: 029-441-024) from recreation to tourist center mixed use to accommodate higher density housing opportunities."

NO!! This seems to be under the guise of creating more housing, but we know what is proposed there. See attached letter from the League To Save Lake Tahoe last year. This was not included in the February 2022 Planning Commission TCAP amendment presentation and materials that I can find anywhere. This is a sneaky move by the developer to go around the Planning Commission and City Council. City planning staff was going to recommend against this zoning change at the September 15, 2022 Planning Commission meeting and the applicant pulled the proposal. I would like to see the SEZ restored and the corner parcel permanently protected.

Improve Waterfront Access
There might be an opportunity to improve public access to the waterfront by Beach Retreat as

a part of this amendment, which I would support, but I don't know how it could be done.

Thank you for your consideration,

Nick Speal

City of South Lake Tahoe

Agenda Item Executive Summary

Joe Irvin, City Manager

Meeting Date: June 6, 2023
Agenda Item #: 18

Agenda Item: City of South Lake Tahoe Annexation Fiscal Impact Analysis Results

Executive Summary: In September 2022, consistent with the City Council's adopted 2021-2026 Strategic Plan, staff initiated the study to evaluate whether to pursue annexation of some or all of unincorporated El Dorado County in the Lake Tahoe Basin. The Fiscal Impact Analysis (Attachment 02) looks at five annexation scenarios and compares the projected fiscal impact of each scenario. The City engaged with DTA, a public finance consulting firm, to evaluate the fiscal impact by analyzing property tax and sales tax revenues that potentially could be generated in each scenario and the cost to provide public safety and public works services in each scenario. Based on this analysis, only the Heavenly / California Base Lodge and Cleanup scenarios are fiscally prudent. It should be noted that the sales tax revenue projections are generated based on a model and are conservative assumptions.

The City Council is asked to provide direction regarding which, if any, of the five annexation scenarios to pursue.

Requested Action / Suggested Motions: Pass a Motion providing direction as to which, if any, of the five annexation scenarios to pursue. Options are: (1) Heavenly / California Base Lodge; (2) Cleanup parcels within City limits; (3) Golden Bear / Black Bart / Cold Creek / Montgomery Estates; (4) Meyers; (5) Tahoe Basin.
CEQA Determination: This action is statutorily exempt from review under CEQA Guidelines section 15262 (Feasibility and Planning Studies) because it involves feasibility and planning studies for possible future actions which the City has not approved, adopted, or funded.
Responsible Staff member(s): Joseph D. Irvin, City Manager and Heather L. Stroud, City Attorney

Responsible Staff Member: Joseph Irvin, City Manager (530) 542-6043
Heather Stroud, City Attorney (530) 542-6046

Reviewed and Approved By:
Susan Blankenship, City Clerk
Olga Tikhomirova, Director of Finance

Attachments:

01_-_Staff_Report___Annexation_Scenarios.pdf
02 - Annexation Fiscal Impact Analysis Memo 6-1-23.pdf
03 - LAFCOs, General Plans, and City Annexations Guide.pdf

City of South Lake Tahoe
Report to City Council

Meeting Date: June 6, 2023

Title: City of South Lake Tahoe Annexation Fiscal Impact Analysis Results

Location: Various portions of unincorporated El Dorado County in the Lake Tahoe Basin

Responsible Staff Member: Joseph D. Irvin, City Manager (530) 542-6043
Heather L. Stroud, City Attorney (530) 542-6046

Background: In September of 2022, consistent with the City Council's adopted 2021-2026 Strategic Plan, staff initiated the study to evaluate whether to pursue annexation of some or all of unincorporated El Dorado County in the Lake Tahoe Basin. The Fiscal Impact Analysis Memo (Attachment 02) looks at five annexation scenarios and compares the projected fiscal impact of each scenario. DTA, a public finance consulting firm hired by the City evaluated the fiscal impact by analyzing property tax and sales tax revenues that could be potentially generated in each scenario and the cost to provide public safety and public works services in each scenario. It should be noted that the sales tax revenue projections are generated based on a model and are conservative assumptions.

Issue and Discussion: The annexation scenarios include the analysis of the following scenarios which are further described in (Attachment 2):

- Heavenly Annexation Scenario: Encompasses the California base lodge area of the Heavenly Resorts (the “Heavenly Parcels”);

- Cleanup Annexation Scenario: Includes the Heavenly Annexation Scenario and the additional annexation area generally comprising the Tahoe Valley Campground and Upper Truckee Marsh (the “Cleanup Parcels”);

- Golden Bear, Black Bart, Cold Creek, and Montgomery Estates (“GB-BB-CC-ME”) Annexation Scenario: Encompasses the Cleanup Annexation Scenario and the additional annexation area generally comprising the residential neighborhoods commonly known as Golden Bear, Black Bart, Cold Creek, and Montgomery Estates (the “GB-BB-CC-ME Parcels”);

- Meyers Annexation Scenario: Includes the GB-BB-CC-ME Annexation Scenario and the additional annexation area generally comprising the residential neighborhood commonly known as Meyers (the “Meyers Parcels”); and

- Basin Annexation Scenario: Includes the Meyers Annexation Scenario and the additional annexation area generally comprising the territory commonly referred to as the Tahoe Basin (the “Basin Parcels”).

Revenue Projection Analysis Methodology:
The property tax revenues projected are specifically based on the City's estimated share of the general 1% ad valorem property tax levy. For the purpose of this analysis, it is assumed that the City General Fund will receive 50% of the 1% ad valorem property tax levy allocable to the County General Fund, net of the projected Education Revenue Augmentation Fund ("ERAF") property tax shifts, upon the annexation of each Annexation Scenario to the City. Notably, the 1% ad valorem property tax revenues for each Annexation Scenario are estimated based on the Fiscal Year ("FY") 2021-22 basic 1% [Proposition ("Prop") 13] property tax from Tax Rate Areas ("TRAs") encompassing such Annexation Scenario and the FY 2022-23 taxable valuation of corresponding TRAs, per the County Auditor's Office.

Additionally DTA utilized the Retail Market Power® Retail Stores Opportunity Gap analysis (the "Retail Report"), produced by EA, to identify retail supply characteristics of trade areas representing the Annexation Parcels to conservatively estimate sales tax revenues.

Expenditure Projection Analysis Methodology:
DTA utilized the Per Capita/Multiplier Approach to estimate the costs of providing public safety and public work to each Annexation Scenario, which involves calculating the average costs per Capita/Persons Served utilizing the fiscal year ("FY") 2022-2023 City Budget and applying these cost factors to the estimated numbers of Persons Served within each Annexation Scenario. DTA has determined that utilizing a Persons Served population comprised of all residents and 50% of the employees working at locations within a given service area is common fiscal practice in generally quantifying the impacts of new service area if more specific local data or facilities usage data is not readily available. This ratio assumes that an employee would spend only 8 active hours in the city per day versus a resident who is active for 16 hours a day. This would yield an estimated Persons Served population of 30,171 based on 22,800 City residents and 50% of 14,741 employees working within the city.

The foregoing Persons Served population estimate requires an additional adjustment to account for the fact that the city is already providing road maintenance and snow plowing services to the **Heavenly Parcels** and **Cleanup Parcels** due to the immediate proximity and geography. Furthermore, under current cooperative arrangements between the City Fire Department, County Fire Protection District, and Lake Valley Fire Department, the City Fire Department is the first responder to the Heavenly Parcels and Cleanup Parcels. Hence, DTA revised the estimated Persons Served population from 30,171 to 31,187 to account for 125 residents and 50% of 1,781 employees working within those areas.

Council Direction:
The City Council is asked to provide direction as to next steps to the City Manager regarding annexation scenarios analyzed as part of the annexation study. Based on the Fiscal Impact Analysis provided by DTA, only the Heavenly and Cleanup annexation scenarios are fiscally prudent. Should Council direct the City Manager to proceed with one or more annexation scenarios, the next step would be to prepare a Plan of Service for the proposed annexation area(s). This work was included in DTA's initial proposal so their contract could be amended to include this work. Staff would also begin coordinating with the El Dorado County Local Area Formation Commission (LAFCO), the affected property owner(s), El Dorado County, and any affected special districts on one or more annexation applications (see Attachment (03) for a description of the LAFCO annexation process).

Financial Implications: None associated with this item at this time. It is important to note that the Heavenly Parcels and Cleanup Parcels annexation scenarios based on the revenue and expenditure assumptions will not negatively impact the city's budget should the City decide to move forward with initiating the annexation process to incorporate these areas.

Environmental Considerations: This action is statutorily exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15262 (Feasibility and Planning Studies) because it involves feasibility and planning studies for possible future actions which the City has not approved, adopted, or funded.

Policy Implications: The annexation study is consistent with Priority 5 "High Performing Government and Core Services" of the City's 2023-2028 Strategic Plan to specifically analyze the desirability and feasibility of annexation of certain unincorporated areas of El Dorado County into the City.

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SUMMARY MEMORANDUM

June 1, 2023

To:	Joseph Irvin and Heather Stroud, City of South Lake Tahoe
From:	Kuda Wekwete, Jerry Wen, and Graeme Fraser, DTA
Subject:	Potential Fiscal Impacts to the City of South Lake Tahoe Resulting from the Proposed Land Annexation Scenarios

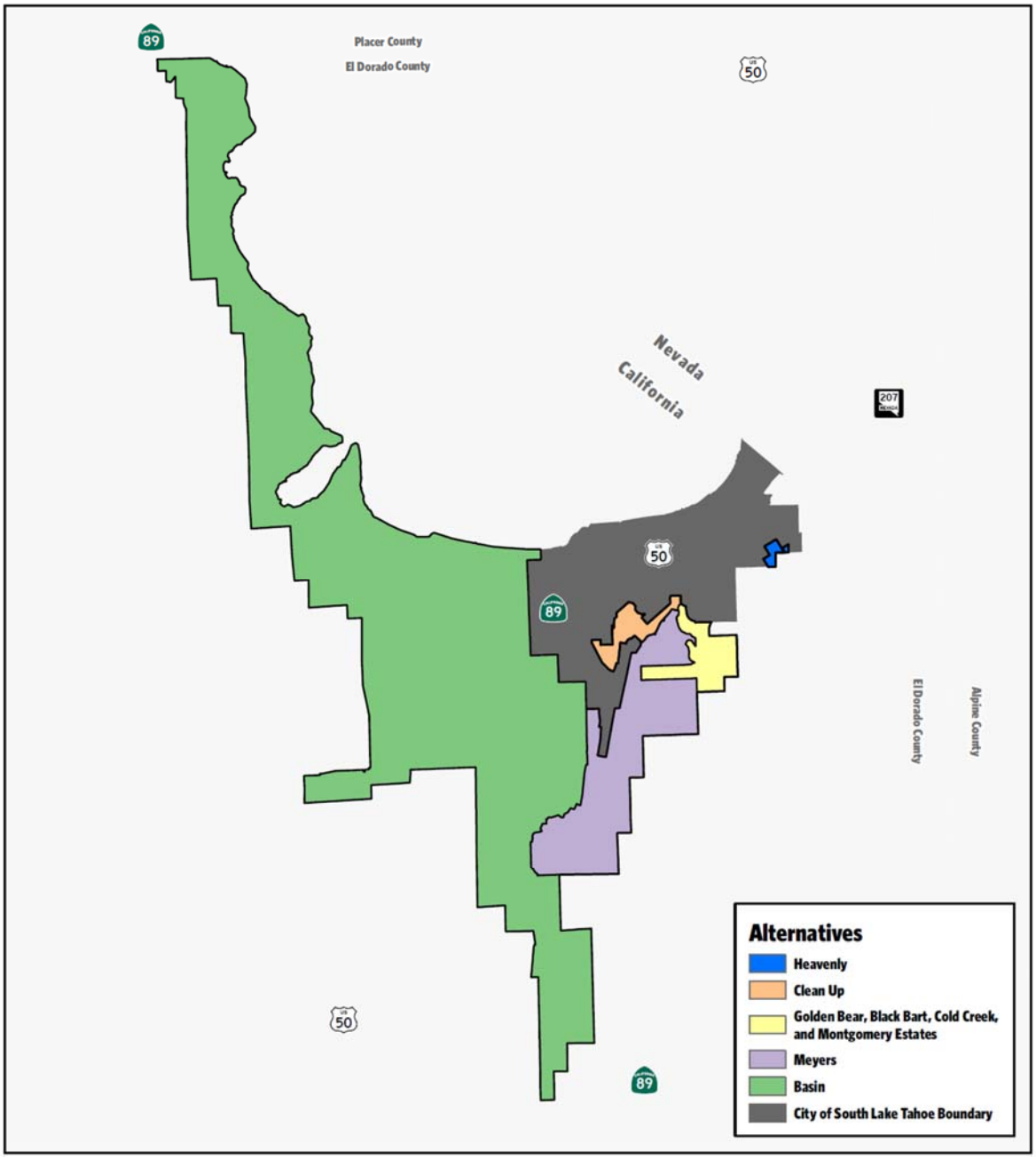
DTA is pleased to present this Executive Summary of a Fiscal Impact Analysis (the "FIA") to assist the City of South Lake Tahoe (the "City") in its evaluation of various Annexation Scenarios (the "Annexation Scenarios") of land within the Unincorporated County of El Dorado (the "County") that are being contemplated by the City. The intent of this memorandum is to compare the projected fiscal impact of each Annexation Scenario to the City by evaluating property tax and sales tax revenues that could be potentially generated by such Annexation Scenario and the costs to provide public safety and public work services therein.

A Description of Annexation Scenarios

The following Annexation Scenarios, comprised of various sets of parcels in the unincorporated County (the "Annexation Parcels") as illustrated in Figure 1, are currently being contemplated by the City:

- Heavenly Annexation Scenario: Encompasses the California base lodge area of the Heavenly Resorts (the "Heavenly Parcels");
- Cleanup Annexation Scenario: Includes the Heavenly Annexation Scenario and the additional annexation area generally comprising the Tahoe Valley Campground and Upper Truckee Marsh (the "Cleanup Parcels");
- Golden Bear, Black Bart, Cold Creek, and Montgomery Estates ("GB-BB-CC-ME") Annexation Scenario: Encompasses the Cleanup Annexation Scenario and the additional annexation area generally comprising the residential neighborhoods commonly known as Golden Bear, Black Bart, Cold Creek, and Montgomery Estates (the "GB-BB-CC-ME Parcels");
- Meyers Annexation Scenario: Includes the GB-BB-CC-ME Annexation Scenario and the additional annexation area generally comprising the residential neighborhood commonly known as Meyers (the "Meyers Parcels"); and
- Basin Annexation Scenario: Includes the Meyers Annexation Scenario and the additional annexation area generally comprising the territory commonly referred to as the Tahoe Basin (the "Basin Parcels").

Figure 1: Map for the Annexation Parcels



Current parcel characteristics and demographic data for the Annexation Parcels are listed in Table 1. Note, the City provides the estimated residential population for each Annexation Parcel. In addition, DTA utilizes the 2023 Employment Profiles by NAICS Codes reports, produced by Environics Analytics ("EA"), to identify the number of employees working within each Annexation Parcel.

Table 1: Parcel Characteristics and Demographic Data for Annexation Parcels

Annexation Parcels	Gross Acres	Number of Parcels	Residential Population	Employees
Heavenly	126.77	3	0	1,771
Cleanup	378.05	87	125	10
GB-BB-CC-ME	638.67	1,768	1,641	151
Meyers	3,083.01	4,445	3,166	337
Basin	19,657.32	8,355	3,856	1,487

B Property Tax Analytic Methodology and Assumptions

Property tax revenues are specifically based on the City's estimated share of the general 1% *ad valorem* property tax levy. **For the purpose of this analysis and at the direction of the City staff, it is assumed that the City General Fund will receive 50% of the 1% *ad valorem* property tax levy allocable to the County General Fund, net of the projected Education Revenue Augmentation Fund ("ERAF") property tax shifts, upon the annexation of each Annexation Scenario to the City.** Notably, the 1% *ad valorem* property tax revenues for each Annexation Scenario are estimated based on the Fiscal Year ("FY") 2021-22 basic 1% [Proposition ("Prop") 13] property tax from Tax Rate Areas ("TRAs") encompassing such Annexation Scenario and the FY 2022-23 taxable valuation of corresponding TRAs, per the County Auditor's Office.

The passage of Prop 1A in California in 2004 enacted a constitutional amendment that introduced a new methodology to calculate Property Taxes in Lieu of Vehicle License Fees ("VLFs"). Per California Revenue and Taxation Code §97.70, the amount of Property Taxes in Lieu of VLFs now grows in proportion to the growth rate of gross assessed valuation in a city or county. Property Taxes in Lieu of VLF revenues are projected to grow with the change in the Citywide gross assessed valuation of taxable property from the prior FY.

Property Taxes in Lieu of VLF revenues constitute an addition to other property tax apportionments and were calculated for the purposes of this analysis at $0.41 per $1,000 increase in assessed valuation on a Citywide basis. Table 2 presents the details regarding the Property Taxes in Lieu of VLF assumptions utilized in the Tax Revenue Analysis.

Table 2: Property Taxes in Lieu of VLF Assumptions

Description	Assumptions
City – Total Assessed Value (FY 2022-23)	$6,116,335,132
City – VLF Property Tax Revenues (FY 2022-23)	$2,515,000
VLF Property Tax In-Lieu per $1,000 Assessed Value	$0.41

C Direct Sales Tax Analytic Methodology and Assumptions

DTA utilizes the Retail Market Power® Retail Stores Opportunity Gap analysis (the "Retail Report"), produced by EA, to identify retail supply characteristics of trade areas representing the Annexation Parcels. As illustrated in Table 3, EA derives the estimated supply of retail goods currently available within such trade area, which serves as the basis for the taxable retail sales receipts for each Annexation Scenario.

Table 3: Projected Taxable Sales Receipts

Annexation Scenario	Projected Taxable Sales Receipts					
	Heavenly Parcels	Cleanup Parcels	GB-BB-CC-ME Parcels	Meyers Parcels	Basin Parcels	Total
Heavenly	$2,995,287	N/A	N/A	N/A	N/A	**$2,995,287**
Cleanup	$2,995,287	$169,328	N/A	N/A	N/A	**$3,164,615**
GB-BB-CC-ME	$2,995,287	$169,328	$0	N/A	N/A	**$3,164,615**
Meyers	$2,995,287	$169,328	$0	$9,019,923	N/A	**$12,184,538**
Basin	$2,995,287	$169,328	$0	$9,019,923	$17,071,429	**$29,255,967**

Notably, there are certain limitations to the Retail Report when a trade area being analyzed is comprised of a small area such as the Heavenly Parcels. Although The California Bar, a limited-service restaurant/bar, a retail shop, and ski rental shop are the only taxable sales generator on the Heavenly Parcels, it is anticipated that the annual sales of such store type would exceed the current estimated taxable sales receipts of $3.2 million. For illustrative and comparative purposes, the average 2022 sales revenue for a Chipotle Mexican Grill restaurant is $2.8 million. Given the higher price points in The California Bar and a substantial number of visitors to the Heavenly Parcels, it is safe to assume that the annual sales revenue of The California Bar alone will be greater than 14% of the revenue of a typical Chipotle Mexican Grill store. Notwithstanding the foregoing, the sales tax projection for the Heavenly Parcels is conservatively based on the taxable sales receipts of $3.2 million.

The City currently receives 2.50% of taxable sales receipts, which include a 1.00% sales tax established by Municipal Code §3.10.050, Measure Q sales tax, a 0.50% voter-approved sales tax, and Measure S sales tax, a 1.00% voter-approved sales tax. **For the purpose of this analysis and at the direction of the City staff, it is assumed that the City will receive 100% of applicable sales taxes upon the annexation of each Annexation Scenario to the City**.

D Public Safety and Public Work Cost Analytic Methodology and Assumptions

DTA utilizes the Per Capita/Multiplier Approach to estimate the costs of providing public safety and public work to each Annexation Scenario, which involves calculating the average costs per Capita/Persons Served utilizing the fiscal year ("FY") 2022-2023 City Budget and applying these cost factors to the estimated numbers of Persons Served within each Annexation Scenario. DTA has determined that utilizing a Persons Served population comprised of all residents and 50% of the employees working at locations within a given service area is common fiscal practice in generally quantifying the impacts of new service area if more specific local data or facilities usage data is not readily available. This ratio assumes that an employee would spend only 8 active hours in the City per day versus a resident who is active for 16 hours a day. This would yield an estimated Persons Served population of 30,171 based on 22,800 City residents[1] and 50% of 14,741 employees working within the City[2].

[1] Source: California Department of Finance, Housing and Population Information, January 1, 2022.
[2] Source: EA, EmploymentProfiles by NAICS Codes 2023 for the City of South Lake Tahoe.

The foregoing Persons Served population estimate requires an additional adjustment to account for the fact that the City is already providing road maintenance and snow plowing services to the Heavenly Parcels and Cleanup Parcels due to the immediate proximity and geography. Furthermore, under current cooperative arrangements between the City Fire Department, County Fire Protection District, and Lake Valley Fire Department, the City Fire Department is the first responder to the Heavenly Parcels and Cleanup Parcels. Hence, DTA revised the estimated Persons Served population from 30,171 to 31,187 to account for 125 residents and 50% of 1,781 employees working within those areas. Table 4 presents calculation of the gross marginal increase in public safety and public work expenditures on a per Person Served basis.

Table 4: General Fund Public Safety and Public Work Expenditures (Multiplier Method)

Service Category	FY 2022-2023 City General Fund Expenditures	Persons Served Population	Gross Marginal Cost Increase per Person Served
Police	$13,223,803	30,171	$438.30
Fire	$9,986,351	31,187	$320.21
Public Work	$4,478,081	31,187	$143.59

Notably, DTA did not include the substantial number of annual City visitors in determining the Persons Served population, even though such methodology would yield more accurate, i.e., lower, cost parameters to account for the service demands generated by the visitors. There are several reasons for this approach. First, as detailed later in Sections E and F, the City is already providing the majority of the public safety and public works services to the Heavenly Parcels and Cleanup Parcels, which are the only areas with a significant number of visitors and would necessitate an incremental increase to the City's current public safety and public works expenditures once the City becomes the official provider of those services after the annexation. Second, since the GB-BB-CC-ME Parcels, Meyers Parcels, and Basin Parcels are comprised primarily of residential neighborhoods and the supporting retail and commercial land uses, DTA conservatively estimated the City's marginal cost to provide the public safety and public works services to those areas as if the City were comprised primarily of residents and employees, with de minimis visitors.

The City's public safety and public work expenditures are not expected to increase on a one-to-one basis with the annexation of each Annexation Scenario. To project these numbers without any adjustment would result in inaccurate conclusions. To accurately reflect the estimated ratio of fixed costs to variable costs, DTA applied a series of discount rates to those expenditures with considerations of circumstances applicable to each Annexation Scenario.

E Proposed Heavenly Annexation Scenario

As illustrated in Figure 2 and presented in Attachment 1, the proposed Heavenly Annexation Scenario is comprised of one TRA and encompasses approximately 126.77 gross acres of land within the unincorporated County, all of which are owned by private entities.

Figure 2: Map for the Heavenly Annexation Scenario



As listed in Table 5, the Heavenly Annexation Scenario is anticipated to generate $144,092 in the estimated tax revenues upon its annexation to the City. A detailed explanation of these calculations is presented in **Attachment 1**.

Table 5: Projected Tax Revenues for the Heavenly Annexation Scenario

Estimated Property Tax Revenues		Total Estimated Sales Tax Revenues	Total Estimated Tax Revenues
1% *Ad Valorem* Property Tax	Property Taxes in Lieu of VLF		
$49,684	$19,526	$74,882	$144,092

As detailed in Section D, the Heavenly Annexation Scenario is anticipated to incur de minimis incremental increase in the City's fire and public work expenditures upon its annexation, as the City is already providing those services to the Heavenly Parcels. The County Sheriff currently handles service calls to the Heavenly Parcels, with the City Police providing supplementary support. Although the City Police Department would become the primary agency for calls to the Heavenly Parcels upon its annexation, the County Sheriff is expected to reciprocate the supplementary support that it currently receives for the Heavenly Parcels. Hence, the City Police is not anticipated to need additional officers or staff to provide service to the Heavenly Parcels. To reflect the minimum expected increase in the ratio of variable costs to fixed costs, DTA applied a 75% discount to the gross City police cost multiplier of $438.30. As illustrated in Table 6, the Heavenly Annexation Scenario

is anticipated to incur $97,083 in the estimated public safety and public work expenditures upon its annexation to the City.

Table 6: Projected Incremental Service Expenditures for the Heavenly Annexation Scenario

Annexation Parcels	Residential Population	Employees	Persons Served Population[1]	Marginal Cost Increase per Person Served				Total Estimated Incremental Service Expenditures
				Police	Fire	Public Work	Total	
Heavenly	0	1,771	886	$109.58	$0.00	$0.00	$109.58	$97,083
Total	**0**	**1,771**	**886**	**N/A**	**N/A**	**N/A**	**N/A**	**$97,083**

Note:

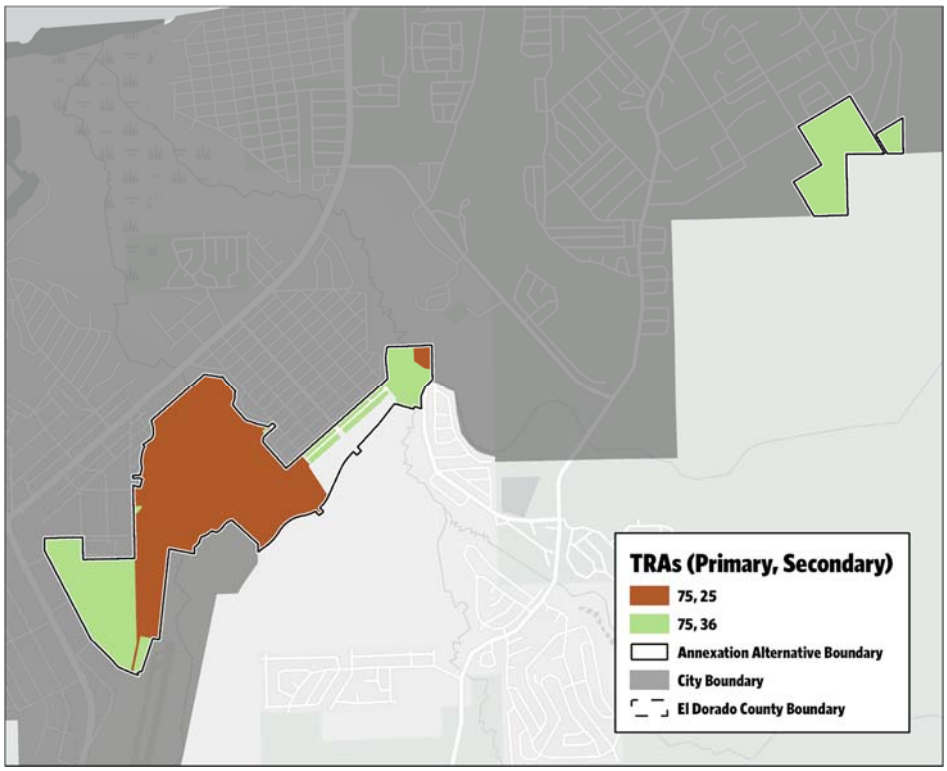
1. Comprises all residents and 50% of the employees.

Based on the estimated tax revenues listed in Table 5 and the estimated public safety and public work expenditures presented in Table 6, the Heavenly Annexation Scenario is projected to generate $47,009 in annual fiscal surplus based on these selected fiscal revenues and expenditures.

F Proposed Cleanup Annexation Scenario

As illustrated in Figure 3 and presented in Attachment 2, the proposed Cleanup Annexation Scenario is comprised of two TRAs and encompasses approximately 504.82 gross acres of land within the unincorporated County, with 214.17 acres of land owned by private entities and 290.65 acres of land owned by public agencies and/or tax-exempt entities.

Figure 3: Map for the Cleanup Annexation Scenario



As listed in Table 7, the Cleanup Annexation Scenario is anticipated to generate $156,786 in the estimated tax revenues upon its annexation to the City. A detailed explanation of these calculations is presented in Attachment 2.

Table 7: Projected Tax Revenues for the Cleanup Annexation Scenario

Estimated Property Tax Revenues		Total Estimated Sales Tax Revenues	Total Estimated Tax Revenues
1% *Ad Valorem* Property Tax	Property Taxes in Lieu of VLF		
$55,800	$21,871	$79,115	$156,786

As detailed in Section D, the Cleanup Annexation Scenario is anticipated to incur de minimis incremental increase in the City's fire and public work expenditures upon its annexation, as the City is already providing those services to the Heavenly Parcels and Cleanup Parcels. Since the Cleanup Parcels are primarily comprised of the Tahoe Valley Campground and Upper Truckee Marsh, the City Police does not expect to receive frequent service calls to those areas. Hence, DTA applied a 50% discount to the gross City police cost multiplier of $438.30. As illustrated in Table 8, the Cleanup Annexation Scenario is anticipated to incur $125,573 in the estimated public safety and public work expenditures upon its annexation to the City.

Table 8: Projected Incremental Service Expenditures for the Cleanup Annexation Scenario

Annexation Parcels	Residential Population	Employees	Persons Served Population[1]	Marginal Cost Increase per Person Served				Total Estimated Incremental Service Expenditures
				Police	Fire	Public Work	Total	
Heavenly	0	1,771	886	$109.58	$0.00	$0.00	$109.58	$97,083
Cleanup	125	10	130	$219.15	$0.00	$0.00	$219.15	$28,490
Total	**125**	**1,781**	**1,016**	**N/A**	**N/A**	**N/A**	**N/A**	**$125,573**

Note:

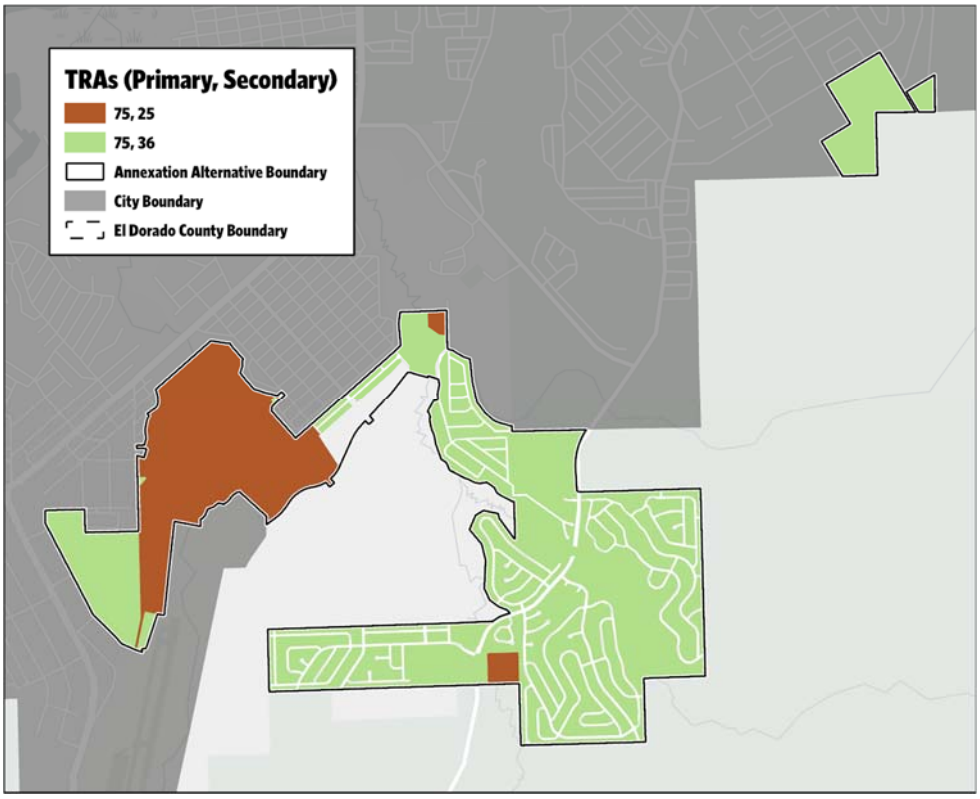
1. Comprises all residents and 50% of the employees.

Based on the estimated tax revenues listed in Table 7 and the estimated public safety and public work expenditures presented in Table 8, the Cleanup Annexation Scenario is projected to generate $31,213 in annual fiscal surplus based on these selected fiscal revenues and expenditures.

G Proposed Golden Bear, Black Bart, Cold Creek, and Montgomery Estates Annexation Scenario

As illustrated in Figure 4 and presented in Attachment 3, the proposed GB-BB-CC-ME Annexation Scenario is comprised of two TRAs and encompasses approximately 1,143.49 gross acres of land within the unincorporated County, with 650.97 acres of land owned by private entities and 492.52 acres of land owned by public agencies and/or tax-exempt entities.

Figure 4: Map for the GB-BB-CC-ME Annexation Scenario



As listed in Table 9, the GB-BB-CC-ME Annexation Scenario is anticipated to generate $1,064,030 in the estimated tax revenues upon its annexation to the City. A detailed explanation of these calculations is presented in Attachment 3.

Table 9: Projected Tax Revenues for the GB-BB-CC-ME Annexation Scenario

Estimated Property Tax Revenues		Total Estimated Sales Tax Revenues	Total Estimated Tax Revenues
1% *Ad Valorem* Property Tax	Property Taxes in Lieu of VLF		
$707,091	$277,824	$79,115	$1,064,030

Given the close proximity of the GB-BB-CC-ME Parcels to the City, it is estimated that the marginal increase in the public safety and public work expenditures to serve those parcels will be approximately 75%. Therefore, a 25% discount is applied to the gross City public safety and public work cost multiplier of $902.10.

As presented in Table 10, the GB-BB-CC-ME Annexation Scenario is anticipated to incur $1,287,252 in the estimated public safety and public work expenditures upon its annexation to the City.

Table 10: Projected Incremental Service Expenditures for the GB-BB-CC-ME Annexation Scenario

Annexation Parcels	Residential Population	Employees	Persons Served Population[1]	Marginal Cost Increase per Person Served				Total Estimated Incremental Service Expenditures
				Police	Fire	Public Work	Total	
Heavenly	0	1,771	886	$109.58	$0.00	$0.00	$109.58	$97,083
Cleanup	125	10	130	$219.15	$0.00	$0.00	$219.15	$28,490
GB-BB-CC-ME	1,641	151	1,717	$328.73	$240.16	$107.69	$676.58	$1,161,679
Total	**1,766**	**1,932**	**2,733**	**N/A**	**N/A**	**N/A**	**N/A**	**$1,287,252**

Note:

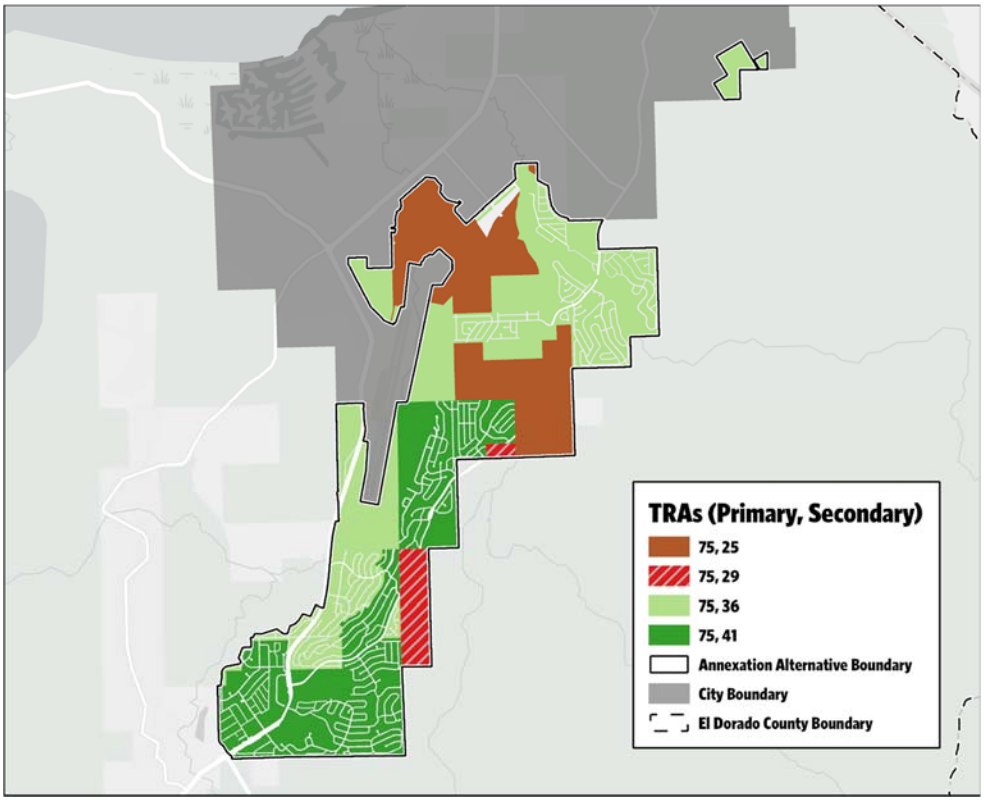
1. Comprises all residents and 50% of the employees.

Based on the estimated tax revenues listed in Table 9 and the estimated public safety and public work expenditures presented in Table 10 the GB-BB-CC-ME Annexation Scenario is projected to incur $223,222 in annual fiscal deficit based on these selected fiscal revenues and expenditures.

H Proposed Meyers Annexation Scenario

As illustrated in Figure 5 and presented in Attachment 4, the proposed Meyers Annexation Scenario is comprised of four TRAs and encompasses approximately 4,226.50 gross acres of land within the unincorporated County, with 1,653.45 acres of land owned by private entities and 2,573.05 acres of land owned by public agencies and/or tax-exempt entities.

Figure 5: Map for the Meyers Annexation Scenario



As listed in Table 11, the Meyers Annexation Scenario is anticipated to generate $2,931,715 in the estimated tax revenues upon its annexation to the City. A detailed explanation of these calculations is presented in Attachment 4.

Table 11: Projected Tax Revenues for the Meyers Annexation Scenario

Estimated Property Tax Revenues		Total Estimated Sales Tax Revenues	Total Estimated Tax Revenues
1% *Ad Valorem* Property Tax	Property Taxes in Lieu of VLF		
$1,886,003	$741,098	$304,613	$2,931,715

Given the distance of the Meyers Parcels from the City limits, DTA conservatively applied no discount to the gross City public safety and public work cost multiplier of $902.10.

As presented in Table 12, the Meyers Annexation Scenario is anticipated to incur $4,295,756 in the estimated public safety expenditures and public work upon its annexation to the City.

Table 12: Projected Incremental Service Expenditures for the Meyers Annexation Scenario

Annexation Parcels	Residential Population	Employees	Persons Served Population[1]	Marginal Cost Increase per Person Served				Total Estimated Incremental Service Expenditures
				Police	Fire	Public Work	Total	
Heavenly	0	1,771	886	$109.58	$0.00	$0.00	$109.58	$97,083
Cleanup	125	10	130	$219.15	$0.00	$0.00	$219.15	$28,490
GB-BB-CC-ME	1,641	151	1,717	$328.73	$240.16	$107.69	$676.58	$1,161,679
Meyers	3,166	337	3,335	$438.30	$320.21	$143.59	$902.10	$3,008,504
Total	**4,932**	**2,269**	**6,068**	**N/A**	**N/A**	**N/A**	**N/A**	**$4,295,756**

Note:

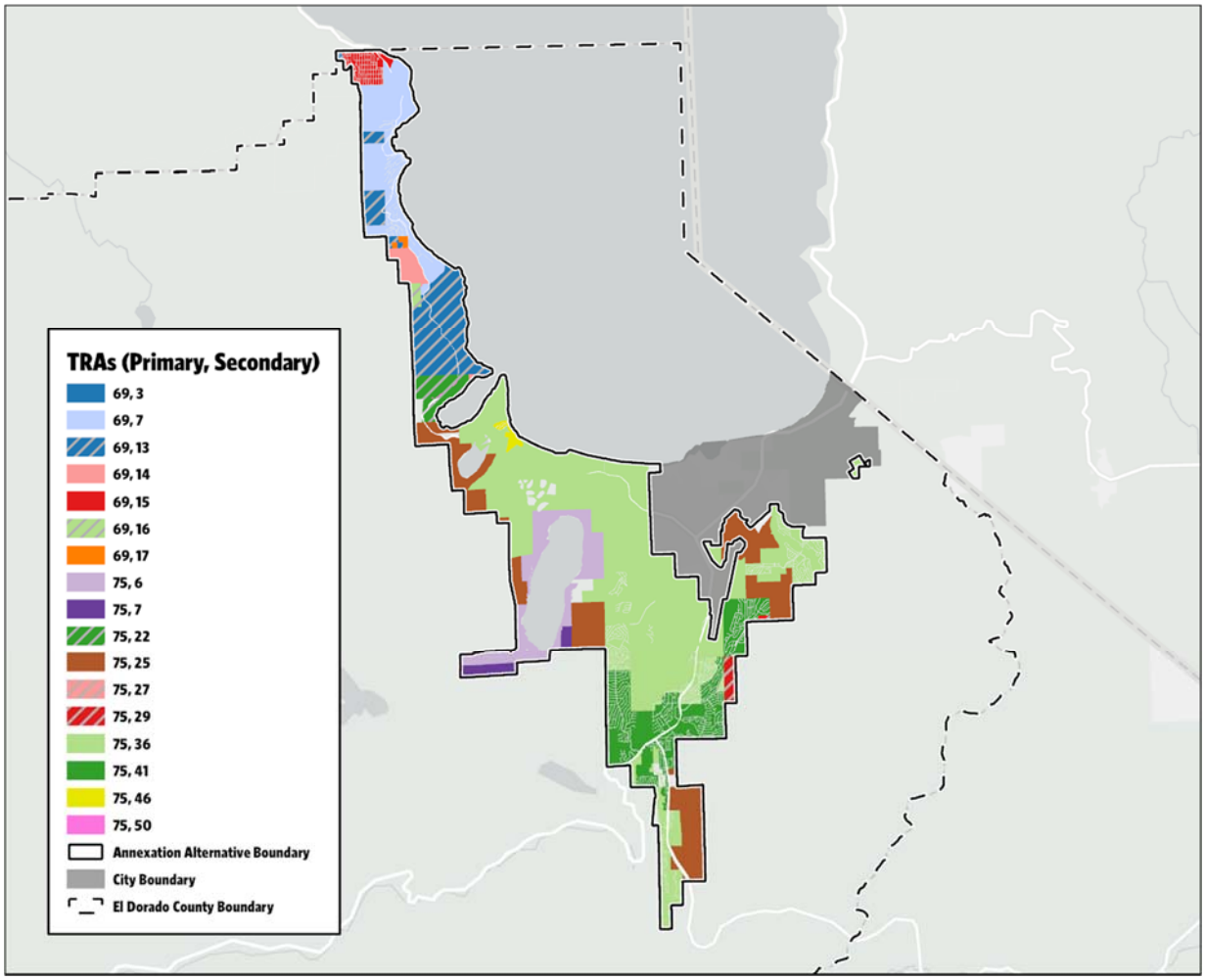
1. Comprises all residents and 50% of the employees.

Based on the estimated tax revenues listed in Table 11 and the estimated public safety and public work expenditures presented in Table 12, the Meyers Annexation Scenario is projected to incur $1,364,041 in annual fiscal deficit based on these selected fiscal revenues and expenditures.

I Proposed Basin Annexation Scenario

As illustrated in Figure 6 and presented in Attachment 5, the proposed Basin Annexation Scenario is comprised of 17 TRAs and encompasses approximately 23,883.82 gross acres of land within the unincorporated County, with 5,099.81 acres of land owned by private entities and 18,784.01 acres of land owned by public agencies and/or tax-exempt entities.

Figure 6: Map for the Basin Annexation Scenario



As listed in Table 13, the Basin Annexation Scenario is anticipated to generate $7,713,368 in the estimated tax revenues upon its annexation to the City. A detailed explanation of these calculations is presented in **Attachment 5**.

Table 13: Projected Tax Revenues for the Basin Annexation Scenario

Estimated Property Tax Revenues		Total Estimated Sales Tax Revenues	Total Estimated Tax Revenues
1% *Ad Valorem* Property Tax	Property Taxes in Lieu of VLF		
$5,120,120	$1,861,848	$731,399	$7,713,368

Given the distance of the Basin Parcels from the City limits, DTA conservatively applied no discount to the gross City public safety and public work cost multiplier of $902.10.

As presented in Table 14, the Basin Annexation Scenario is anticipated to incur $8,445,416 in the estimated public safety and public work expenditures upon its annexation to the City.

Table 14: Projected Incremental Service Expenditures for the Basin Annexation Scenario

Annexation Parcels	Residential Population	Employees	Persons Served Population[1]	Marginal Cost Increase per Person Served				Total Estimated Incremental Service Expenditures
				Police	Fire	Public Work	Total	
Heavenly	0	1,771	886	$109.58	$0.00	$0.00	$109.58	$97,083
Cleanup	125	10	130	$219.15	$0.00	$0.00	$219.15	$28,490
GB-BB-CC-ME	1,641	151	1,717	$328.73	$240.16	$107.69	$676.58	$1,161,679
Meyers	3,166	337	3,335	$438.30	$320.21	$143.59	$902.10	$3,008,504
Basin	3,856	1,487	4,600	$438.30	$320.21	$143.59	$902.10	$4,149,660
Total	**8,788**	**3,756**	**10,668**	**N/A**	**N/A**	**N/A**	**N/A**	**$8,445,416**

Note:

1. Comprises all residents and 50% of the employees.

Based on the estimated tax revenues listed in Table 13 and the estimated public safety and public work expenditures presented in Table 14, the Basin Annexation Scenario is projected to incur $732,048 in annual fiscal deficit based on these selected fiscal revenues and expenditures.

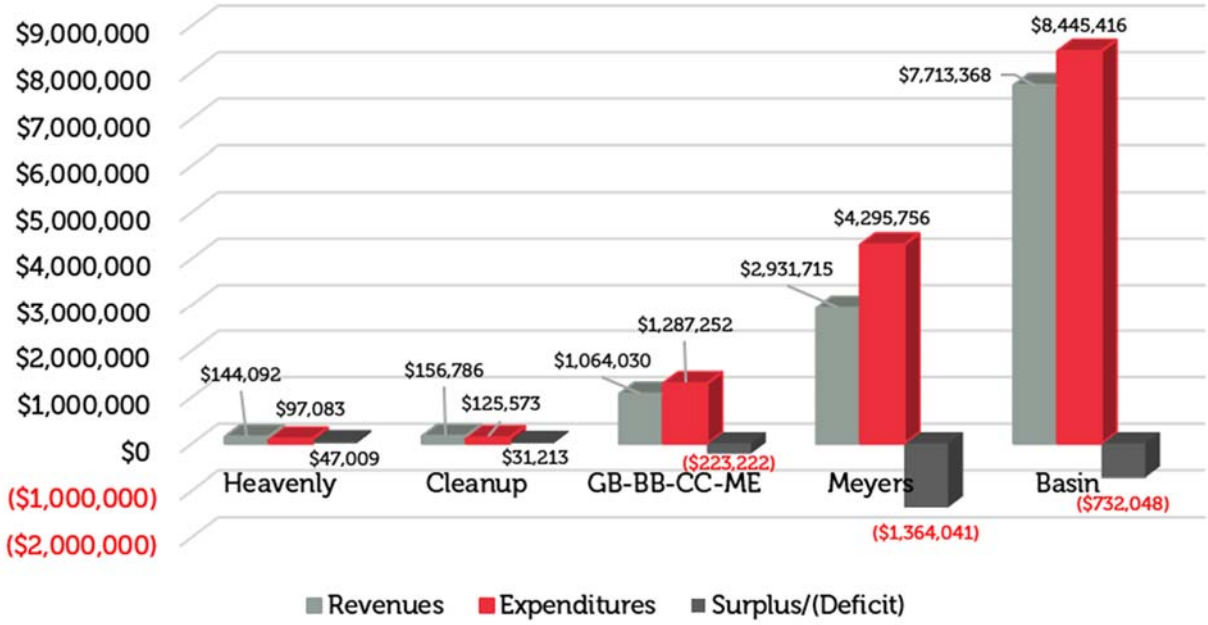
J Fiscal Impact Comparison Summary for Annexation Scenarios

The projected fiscal impact for each Annexation Scenario upon its annexation to the City is summarized in Table 15 and illustrated in Figure 7.

Table 15: Comparison of Projected Annual Fiscal Impact for Annexation Scenarios

Annexation Scenario	Gross Acres	Persons Served Population	Estimated Annual Tax Revenues	Estimated Annual Service Expenditures	Projected Annual Fiscal Surplus/ (Deficit)
Heavenly	126.77	886	$144,092	$97,083	$47,009
Cleanup	504.82	1,016	$156,786	$125,573	$31,213
GB-BB-CC-ME	1,143.49	2,733	$1,064,030	$1,287,252	($223,222)
Meyers	4,226.50	6,068	$2,931,715	$4,295,756	($1,364,041)
Basin	23,883.82	10,668	$7,713,368	$8,445,416	($732,048)

Figure 7: Comparison of Projected Annual Fiscal Impact for Annexation Scenarios



If you have any further questions regarding this Executive Summary, please feel free to contact Kuda Wekwete or Jerry Wen at (800) 969-4DTA.

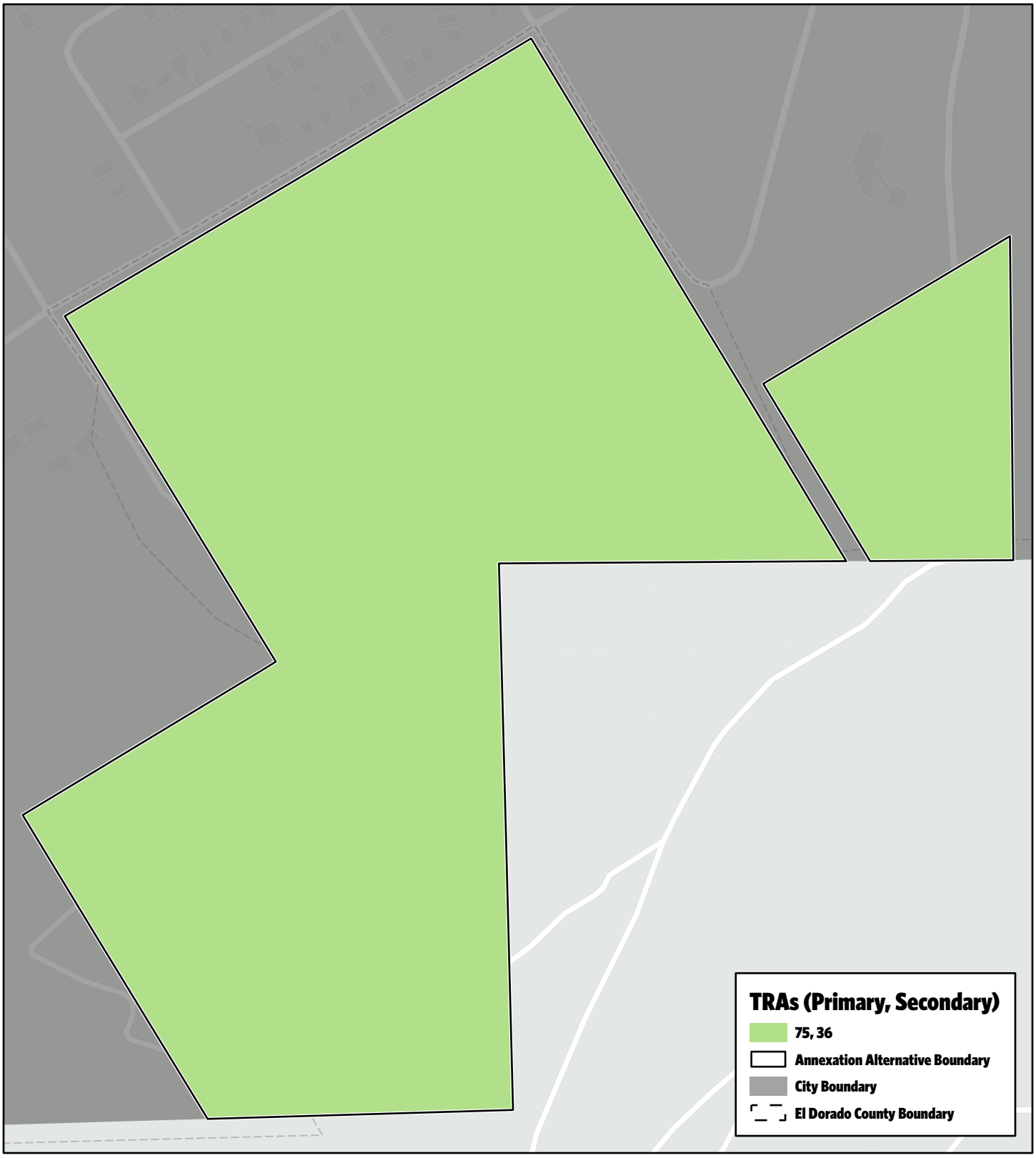
Enclosures:

1. Attachment 1 – Proposed Heavenly Annexation Scenario
2. Attachment 2 – Proposed Cleanup Annexation Scenario
3. Attachment 3 – Proposed Golden Bear, Black Bart, Cold Creek, and Montgomery Estates Annexation Scenario
4. Attachment 4 – Proposed Meyers Annexation Scenario
5. Attachment 5 – Proposed Basin Annexation Scenario

ATTACHMENT 1

City of South Lake Tahoe
Potential Property Tax and Sales Tax Revenues Resulting from the Proposed Land Annexation Scenarios

PROPOSED HEAVENLY ANNEXATION SCENARIO



CITY OF SOUTH LAKE TAHOE

Heavenly Alternative

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Preliminary Annexation Property Tax Revenue Analysis
Heavenly Alternative Annexation Scenario
Estimated Property Tax Revenues

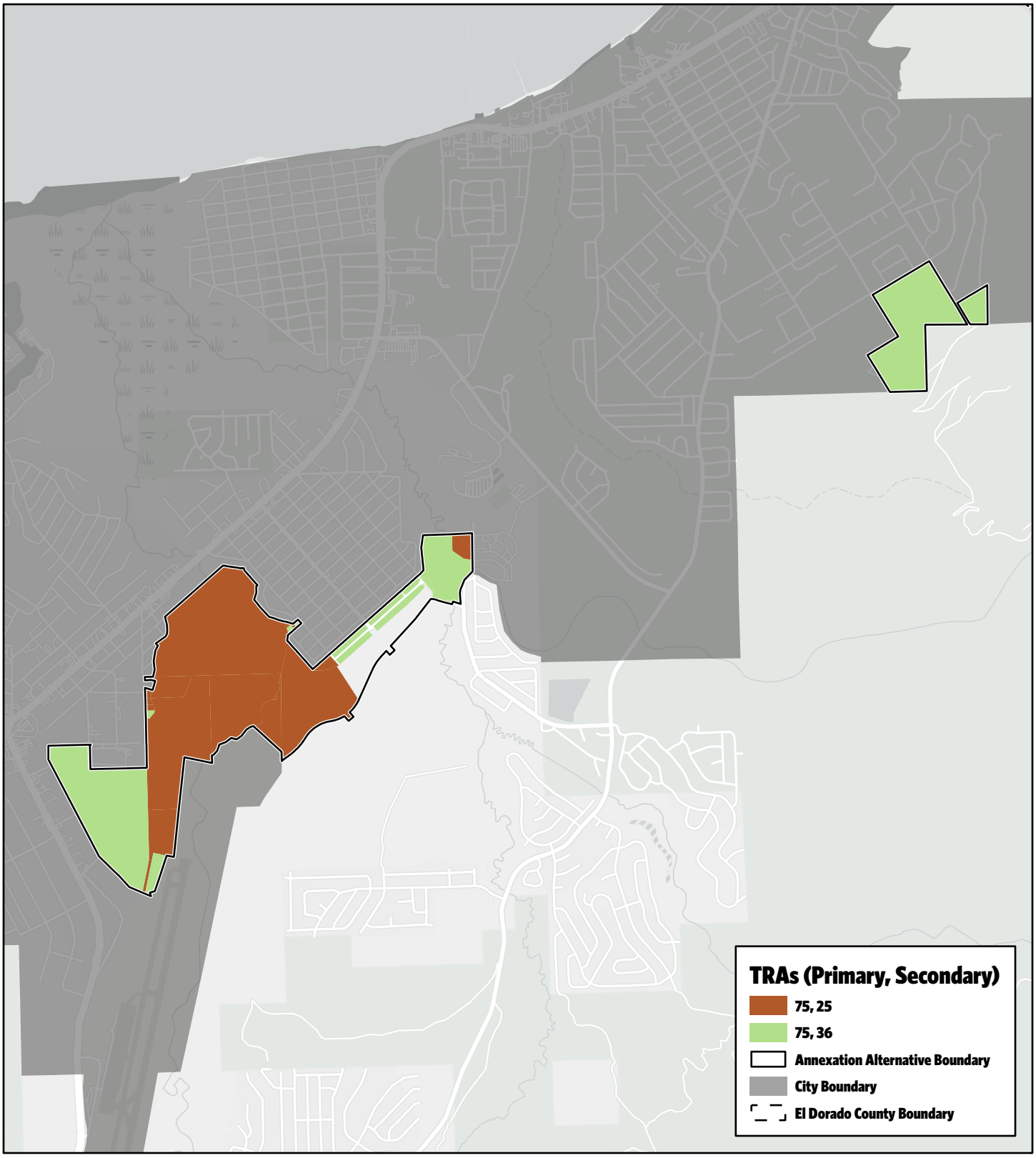
Tax Rate Area	Acres			Parcel Count			Net Taxable Value [2]	FY 2022-23 1% PT Allocation Factors				Property Tax In Lieu of VLF Increase per $1,000 Assessed Value [6]	Estimated Property Tax Revenues		
	Taxable	Tax-Exempt [1]	Total	Taxable	Tax-Exempt [1]	Total		Gross [3]	ERAF Shift [4]	Net County	City [5]		Basic 1% Allocation	In Lieu of VLFs	Total
075-036	126.77	0.00	126.77	3	0	3	$47,485,310	29.44%	28.92%	20.93%	10.46%	$0.41	$49,684	$19,526	$69,210
Total	**126.77**	**0.00**	**126.77**	**3**	**0**	**3**	**$47,485,310**	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**	**$49,684**	**$19,526**	**$69,210**

Notes:
[1] Excludes parcels that do not have TRA information.
[2] Source: El Dorado County Auditor-Controller.
[3] Based on applicable FY 2021-22 basic 1% property tax allocation factors earmarked for the El Dorado County General Fund.
[4] Based on the FY 2021-22 Countywide factor.
[5] Assumes the City would receive 50% of County's current allocation after annexation.
[6] Based on the projected FY 2022-23 Property Tax in lieu of VLF and citywide assessed valuation.

ATTACHMENT 2

City of South Lake Tahoe
Potential Property Tax and Sales Tax Revenues Resulting from the Proposed Land Annexation Scenarios

PROPOSED CLEANUP ANNEXATION SCENARIO



CITY OF SOUTH LAKE TAHOE

Clean Up Alternative

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Preliminary Annexation Property Tax Revenue Analysis
Clean Up Alternative Annexation Scenario
Estimated Property Tax Revenues

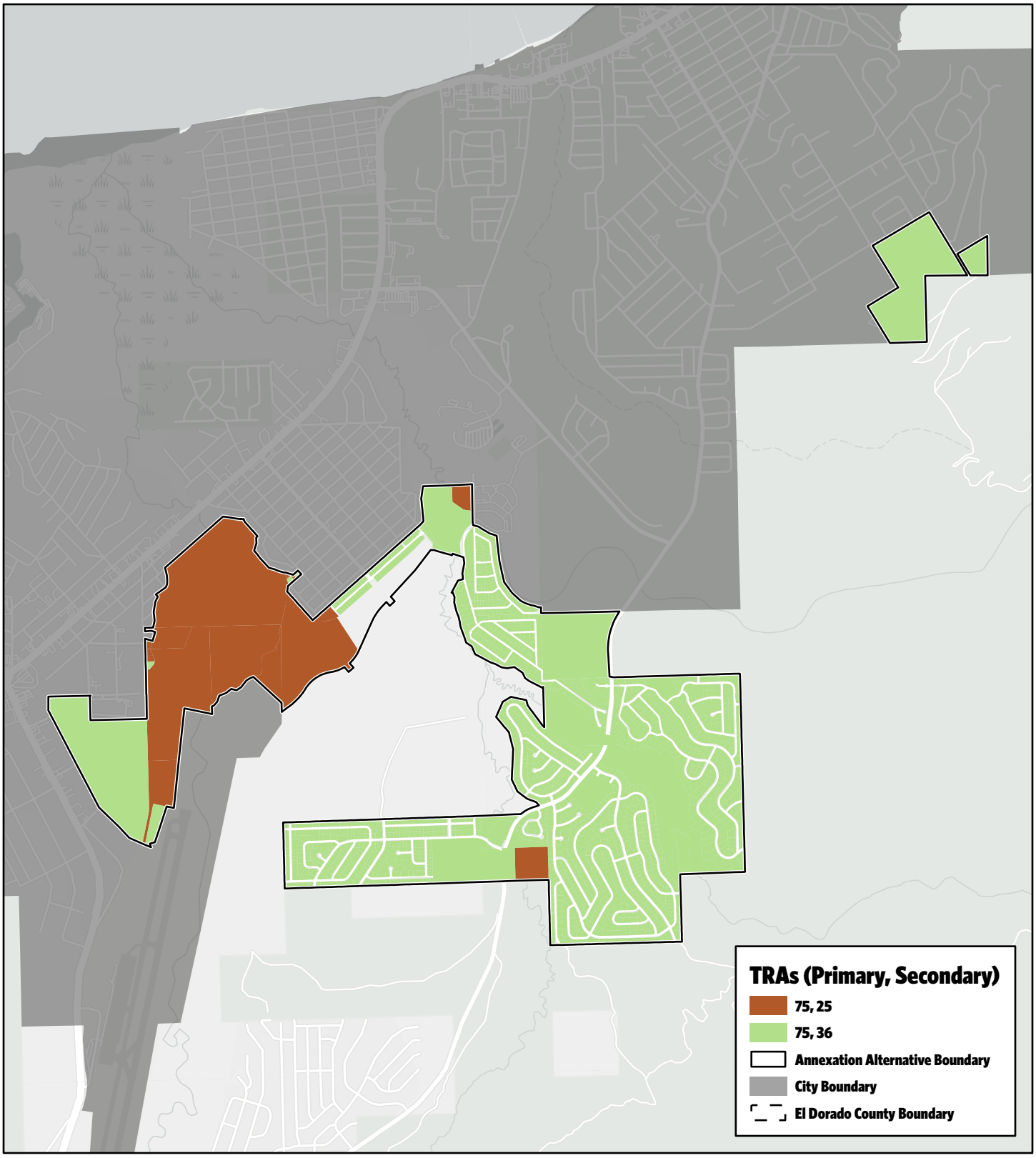
Tax Rate Area	Acres			Parcel Count			Net Taxable Value [2]	FY 2022-23 1% PT Allocation Factors				Property Tax In Lieu of VLF Increase per $1,000 Assessed Value [6]	Estimated Property Tax Revenues		
	Taxable	Tax-Exempt [1]	Total	Taxable	Tax-Exempt [1]	Total		Gross [3]	ERAF Shift [4]	Net County	City [5]		Basic 1% Allocation	In Lieu of VLFs	Total
075-025	8.80	253.46	262.26	9	12	21	$1,086,905	33.23%	28.92%	23.62%	11.81%	$0.41	$1,284	$447	$1,731
075-036	205.37	37.19	242.56	9	60	69	$52,102,859	29.44%	28.92%	20.93%	10.46%	$0.41	$54,516	$21,424	$75,940
Total	**214.17**	**290.65**	**504.82**	**18**	**72**	**90**	**$53,189,764**	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**	**$55,800**	**$21,871**	**$77,671**

Notes:
[1] Excludes parcels that do not have TRA information.
[2] Source: El Dorado County Auditor-Controller.
[3] Based on applicable FY 2021-22 basic 1% property tax allocation factors earmarked for the El Dorado County General Fund.
[4] Based on the FY 2021-22 Countywide factor.
[5] Assumes the City would receive 50% of County's current allocation after annexation.
[6] Based on the projected FY 2022-23 Property Tax in lieu of VLF and citywide assessed valuation.

ATTACHMENT 3

City of South Lake Tahoe
Potential Property Tax and Sales Tax Revenues Resulting from the Proposed Land Annexation Scenarios

PROPOSED GOLDEN BEAR, BLACK BART, COLD CREEK, AND MONTGOMERY ESTATES ANNEXATION SCENARIO



CITY OF SOUTH LAKE TAHOE

Golden Bear, Black Bart, Cold Creek, and Montgomery Estates Alternative

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Preliminary Annexation Property Tax Revenue Analysis
Golden Bear, Black Bart, Cold Creek and Montgomery Estates Alternative Annexation Scenario
Estimated Property Tax Revenues

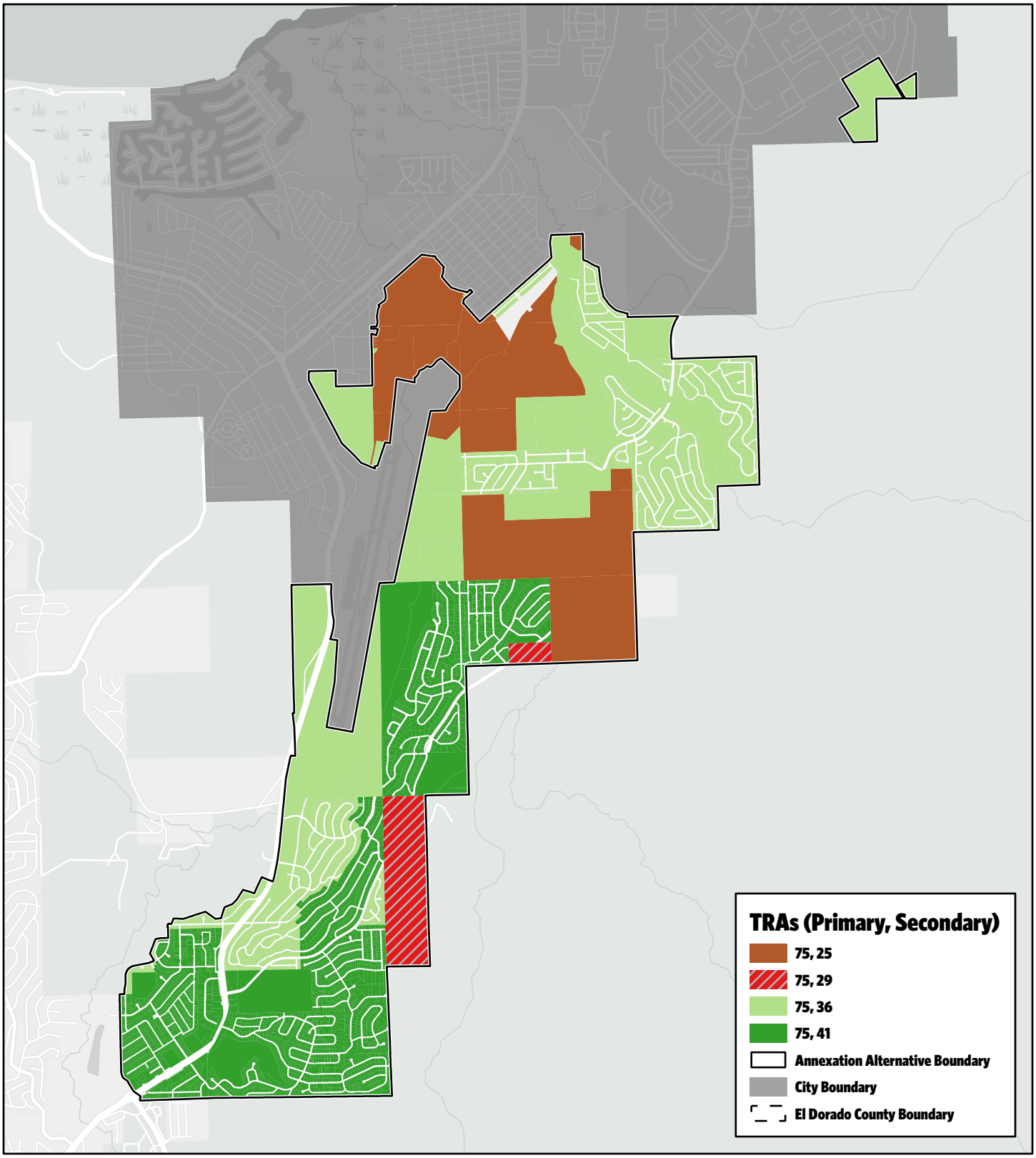
Tax Rate Area	Acres			Parcel Count			Net Taxable Value [2]	FY 2022-23 1% PT Allocation Factors				Property Tax In Lieu of VLF Increase per $1,000 Assessed Value [6]	Estimated Property Tax Revenues		
	Taxable	Tax-Exempt [1]	Total	Taxable	Tax-Exempt [1]	Total		Gross [3]	ERAF Shift [4]	Net County	City [5]		Basic 1% Allocation	In Lieu of VLFs	Total
075-025	8.80	263.55	272.35	9	13	22	$1,086,905	33.23%	28.92%	23.62%	11.81%	$0.41	$1,284	$447	$1,731
075-036	642.17	228.97	871.14	1,452	384	1,836	$674,565,668	29.44%	28.92%	20.93%	10.46%	$0.41	$705,807	$277,377	$983,184
Total	**650.97**	**492.52**	**1,143.49**	**1,461**	**397**	**1,858**	**$675,652,573**	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**	**$707,091**	**$277,824**	**$984,915**

Notes:
[1] Excludes parcels that do not have TRA information.
[2] Source: El Dorado County Auditor-Controller.
[3] Based on applicable FY 2021-22 basic 1% property tax allocation factors earmarked for the El Dorado County General Fund.
[4] Based on the FY 2021-22 Countywide factor.
[5] Assumes the City would receive 50% of County's current allocation after annexation.
[6] Based on the projected FY 2022-23 Property Tax in lieu of VLF and citywide assessed valuation.

ATTACHMENT 4

City of South Lake Tahoe
Potential Property Tax and Sales Tax Revenues Resulting from the Proposed Land Annexation Scenarios

PROPOSED MEYERS ANNEXATION SCENARIO



CITY OF SOUTH LAKE TAHOE

Meyers Alternative

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Preliminary Annexation Property Tax Revenue Analysis
Meyers Alternative Annexation Scenario
Estimated Property Tax Revenues

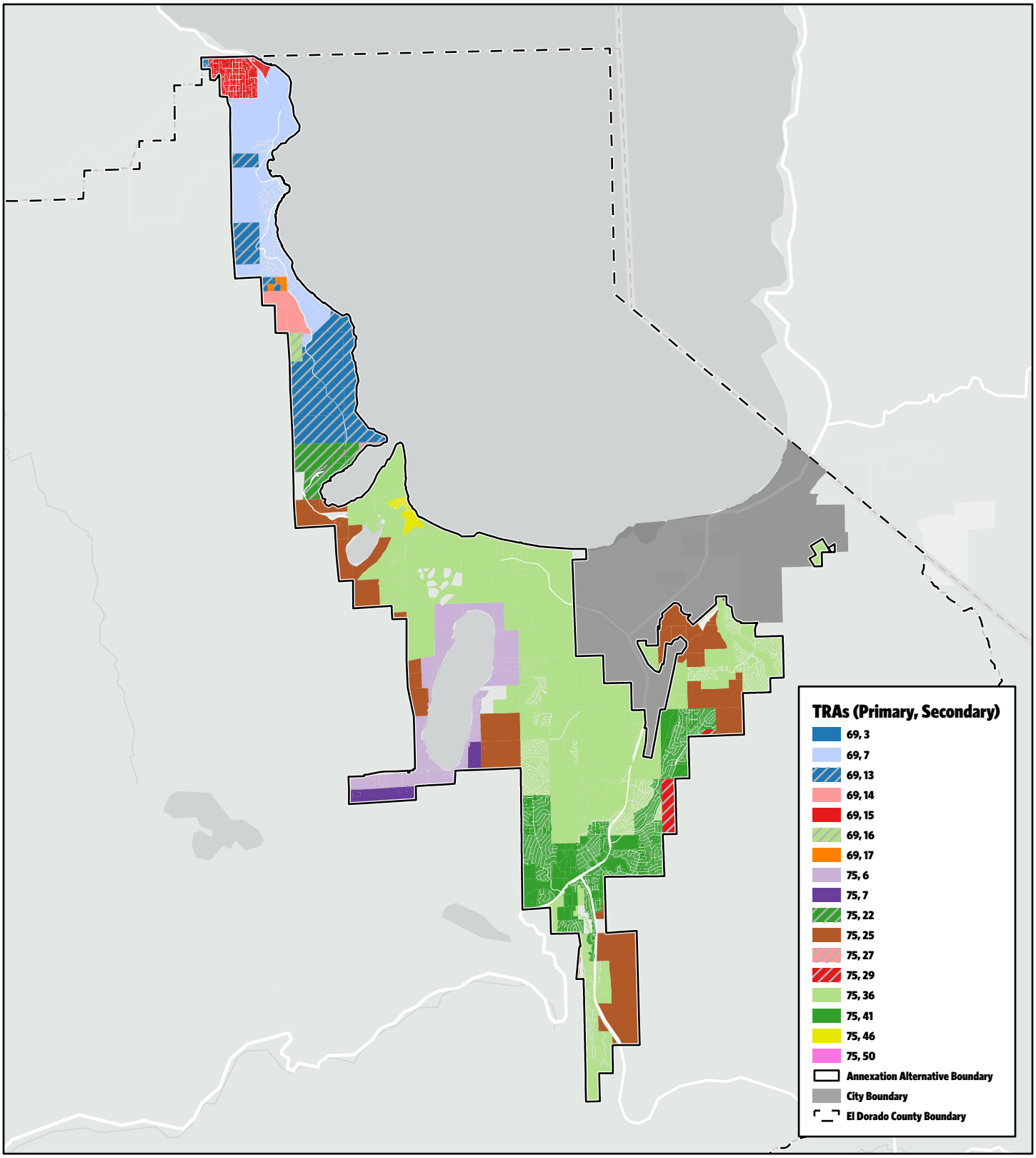
Tax Rate Area	Acres			Parcel Count			Net Taxable Value [2]	FY 2022-23 1% PT Allocation Factors				Property Tax In Lieu of VLF Increase per $1,000 Assessed Value [6]	Estimated Property Tax Revenues		
	Taxable	Tax-Exempt [1]	Total	Taxable	Tax-Exempt [1]	Total		Gross [3]	ERAF Shift [4]	Net County	City [5]		Basic 1% Allocation	In Lieu of VLFs	Total
075-025	8.80	942.17	950.97	9	20	29	$1,086,905	33.23%	28.92%	23.62%	11.81%	$0.41	$1,284	$447	$1,731
075-029	0.00	183.14	183.14	0	2	2	$0	33.23%	28.92%	23.62%	11.81%	$0.41	$0	$0	$0
075-036	904.85	905.48	1,810.33	1,871	747	2,618	$842,182,416	29.44%	28.92%	20.93%	10.46%	$0.41	$881,186	$346,300	$1,227,487
075-041	739.80	542.26	1,282.06	2,671	983	3,654	$959,038,938	29.44%	28.92%	20.93%	10.46%	$0.41	$1,003,533	$394,351	$1,397,884
Total	**1,653.45**	**2,573.05**	**4,226.50**	**4,551**	**1,752**	**6,303**	**$1,802,308,259**	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**	**$1,886,003**	**$741,098**	**$2,627,102**

Notes:
[1] Excludes parcels that do not have TRA information.
[2] Source: El Dorado County Auditor-Controller.
[3] Based on applicable FY 2021-22 basic 1% property tax allocation factors earmarked for the El Dorado County General Fund.
[3] Based on applicable FY 2021-22 basic 1% property tax allocation factors earmarked for the El Dorado County General Fund.
[4] Based on the FY 2021-22 Countywide factor.
[5] Assumes the City would receive 50% of County's current allocation after annexation.
[6] Based on the projected FY 2022-23 Property Tax in lieu of VLF and citywide assessed valuation.

ATTACHMENT 5

City of South Lake Tahoe
Potential Property Tax and Sales Tax Revenues Resulting from the Proposed Land Annexation Scenarios

PROPOSED BASIN ANNEXATION SCENARIO



CITY OF SOUTH LAKE TAHOE

Basin Alternative

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Preliminary Annexation Property Tax Revenue Analysis
Basin Alternative Annexation Scenario
Estimated Property Tax Revenues

Tax Rate Area	Acres			Parcel Count			Net Taxable Value [2]	FY 2022-23 1% PT Allocation Factors				Property Tax In Lieu of VLF Increase per $1,000 Assessed Value [6]	Estimated Property Tax Revenues		
	Taxable	Tax-Exempt [1]	Total	Taxable	Tax-Exempt [1]	Total		Gross [3]	ERAF Shift [4]	Net County	City [5]		Basic 1% Allocation [3]	In Lieu of VLFs [4]	Total
069-003	14.19	0.89	15.08	58	4	62	$26,216,933	29.32%	28.92%	20.84%	10.42%	$0.41	$27,316	$10,780	$38,096
069-007	555.69	1,414.81	1,970.50	763	488	1,251	$841,454,672	37.73%	28.92%	26.82%	13.41%	$0.41	$1,128,325	$346,001	$1,474,326
069-013	0.00	1,953.35	1,953.35	0	19	19	$0	41.05%	28.92%	29.18%	14.59%	$0.41	$0	$0	$0
069-014	272.30	6.94	279.24	7	4	11	$293,955	44.86%	28.92%	31.89%	15.94%	$0.41	$469	$121	$590
069-015	262.15	52.83	314.98	1,321	179	1,500	$505,304,682	35.96%	28.92%	25.56%	12.78%	$0.41	$645,866	$207,778	$853,644
069-016	0.00	80.15	80.15	0	1	1	$0	48.21%	28.92%	34.27%	17.13%	$0.41	$0	$0	$0
069-017	36.32	0.00	36.32	7	0	7	$9,641,028	32.91%	28.92%	23.39%	11.70%	$0.41	$11,277	$3,964	$15,242
075-006	240.73	1,321.12	1,561.85	279	152	431	$147,853,498	32.33%	28.92%	22.98%	11.49%	$0.41	$169,915	$60,796	$230,711
075-007	2.00	266.59	268.59	10	15	25	$274,502	38.58%	28.92%	27.43%	13.71%	$0.41	$376	$113	$489
075-022	0.00	493.12	493.12	0	21	21	$0	42.36%	28.92%	30.11%	15.05%	$0.41	$0	$0	$0
075-025	290.93	2,948.21	3,239.14	32	64	96	$2,903,852	33.23%	28.92%	23.62%	11.81%	$0.41	$3,430	$1,194	$4,624
075-027	0.00	34.53	34.53	0	1	1	$0	35.52%	28.92%	25.25%	12.62%	$0.41	$0	$0	$0
075-029	0.00	183.14	183.14	0	2	2	$0	33.23%	28.92%	23.62%	11.81%	$0.41	$0	$0	$0
075-036	2,143.66	8,739.17	10,882.83	3,293	1,822	5,115	$1,411,636,487	29.44%	28.92%	20.93%	10.46%	$0.41	$1,477,013	$580,456	$2,057,470
075-041	1,152.32	1,282.76	2,435.08	4,213	1,785	5,998	$1,510,493,104	29.44%	28.92%	20.93%	10.46%	$0.41	$1,580,572	$621,106	$2,201,678
075-046	125.88	2.76	128.64	68	6	74	$66,472,390	29.44%	28.92%	20.93%	10.46%	$0.41	$69,556	$27,333	$96,889
075-050	3.64	3.64	7.28	22	22	44	$5,363,003	31.50%	28.92%	22.39%	11.20%	$0.41	$6,005	$2,205	$8,210
Total	**5,099.81**	**18,784.01**	**23,883.82**	**10,073**	**4,585**	**14,658**	**$4,527,908,106**	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**	**$5,120,120**	**$1,861,848**	**$6,981,969**

Notes:
[1] Excludes parcels that do not have TRA information.
[2] Source: El Dorado County Auditor-Controller.
[3] Based on applicable FY 2021-22 basic 1% property tax allocation factors earmarked for the El Dorado County General Fund.
[4] Based on the FY 2021-22 Countywide factor.
[5] Assumes the City would receive 50% of County's current allocation after annexation.
[6] Based on the projected FY 2022-23 Property Tax in lieu of VLF and citywide assessed valuation.

LAFCOs, General Plans, and City Annexations

February 7, 2012

STATE OF CALIFORNIA
Edmund G. Brown, Jr,
Governor

GOVERNOR'S OFFICE
OF PLANNING AND
RESEARCH

1400 Tenth Street
Sacramento, CA 95814

P.O. Box 3044
Sacramento, CA 95812

(916) 322-2318

www.opr.ca.gov

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State of California
Edmund G. Brown, Jr., Governor

Governor's Office of Planning and Research
Ken Alex, Director

Project Manager
Ben Rubin, OPR

Prepared by
Ken Lee, RSG, Inc
Holly Whatley, Colantuono & Levin, PC

Contributors
Chris Calfee, OPR
Debbie Davis, OPR
Cuauhtémoc Gonzalez, OPR
Michael McCormick, OPR

Advisory Committee
William Chiat, Executive Director, CALAFCo
Carole Cooper, Sonoma LAFCo
Steve Lucas, Butte LAFCo
Lou Ann Texeira, Contra Costa LAFCo

This publication was developed through the support of the California Association of Local Agency Formation Commissions (CALAFCO) (http://www.calafco.org)

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Introduction

> *"It is the intent of the Legislature that each commission ... establish written policies and procedures and exercise its powers ... in a manner consistent with those policies and procedures to encourage and provide planned, well-ordered, efficient urban development patterns with appropriate consideration of preserving open-space lands within those patterns...Among the purposes of a commission are discouraging urban sprawl, preserving open-space and prime agricultural lands, efficiently providing government services, and encouraging the orderly formation and development of local agencies based upon local conditions and circumstances" (Gov. Code Section 56300 and 56301).*
> Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, as Amended, Title 5, Division 3, Part 2, California Government Code

In 2000, the Legislature passed AB 2838 (Chapter 761, Statutes of 2000) making the broadest and most significant set of sweeping changes to local government reorganization law since the creation of Local Agency Formation Commissions (LAFCOs). In addition to renaming the act the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("CKH Act"), AB 2838 affirmed and strengthened the role of LAFCO in helping shape the future physical and economic growth and development of the State, including, once again, the role of LAFCO in annexation proceedings.

To provide a primer on LAFCOs from a land use planning perspective, the Governor's Office of Planning and Research (OPR), in cooperation with the California Association of Local Agency Formation Commissions (CALAFCO), has prepared this publication about the city annexation process, the California Environmental Quality Act (CEQA) and local general plans. The CKH Act provides opportunities for dovetailing the requirements of the Planning and Zoning, CEQA and annexation laws which, in turn, can promote efficiency in processing applications. OPR and CALAFCO also recognize that early consultation and collaboration between local agencies and LAFCO on annexations is a best practice that is encouraged in this publication, including coordination on CEQA review, general process and procedures, and fiscal issues.

Although the CKH Act addresses district formation, incorporation, and other types of changes of organization, this publication focuses on city annexations. Consequently, it is geared towards the non-LAFCO planner and city official and is not intended to be an in-depth, technical discussion of the CKH Act. OPR and CALAFCO offer best practice tips, relevant to current and emerging trends and topics in California land use law and the CKH Act. This publication is based upon OPR's and CALAFCO's reading of current State statute, recent case law, and the General Plan Guidelines, as updated by OPR. References are to the California Government Code unless otherwise indicated.

For a review of the CKH Act as it relates to California planning, zoning, and development laws, please refer to Guide to California Planning, 3rd Edition or Longtin's California Land Use, 2nd Edition. These general references address planning, zoning, subdivisions, sign controls, and exactions, as well as LAFCO activities. For more general information about the role, structure, and powers of LAFCOs, refer to *It's Time to Draw the Line: A Citizen's Guide to LAFCOs* (May 2003).

Background: The Role of the LAFCO

The Knox-Nisbet Act, the Municipal Organization Act (MORGA), and the District Reorganization Act – three separate, but interrelated State laws – authorized local boundary changes and municipal reorganization, such as annexations, incorporations, and the creation of special districts. Long-standing difficulties in implementing and reconciling these distinct, and at times incompatible, laws led the Legislature to adopt the Cortese-Knox Local Government Reorganization Act. The Cortese-Knox Act combined these statutes into a single law, which eliminated duplicate and incompatible sections.

In 2000, the Legislature passed AB 2838 (Hertzberg), which was the most significant and comprehensive legislative reform to local government reorganization law since the 1963 statute that originally created LAFCOs in each county. Development of the legislation resulted from the recommendations of the Commission on Local Governance for the 21st Century. For more information on the Commission, please see their 2000 publication, *Growth Within Bounds*.

AB 2838 (Hertzberg, 2000), recognizes and affirms the important role that LAFCOs play in California in serving as an arm of the State, not only in the oversight of local government boundaries, but in evaluating and guiding the efficient, cost-effective, and reliable delivery of municipal services to California's citizenry. AB 2838 expanded the powers and duties of LAFCO, in its decision-making role in government organization changes, and its examination and guidance of municipal service location and extension timing. The CKH Act provides the framework for proposed city and special district annexations, incorporations/formations, consolidations, and other changes of organization. This law establishes a LAFCO in each county, empowering it to review, approve, or deny proposals for boundary changes and incorporations/formations for cities, counties, and special districts.

LAFCOs are composed of elected officials from the county and local cities, and a member of the general public. As of 2011, 29 of the 58 LAFCOs also have special district representation. In addition, some LAFCOs have special membership pursuant to the CKH Act.

The State delegates each LAFCO the power to review and approve with or without amendment, wholly, partially, or conditionally, or disapprove proposed annexations, reorganizations, and incorporations, consistent with written policies, procedures, and guidelines adopted by the commission. In granting these powers, the State has occupied the field of annexation law to the exclusion of local legislation. Therefore, a city or county cannot take actions which hinder or conflict with State annexation procedures. For this reason, a city cannot adopt a local ordinance which would allow city voters to pass sole judgment on proposed annexation proceedings (Ferrini v. City of San Luis Obispo (1983) 150 Cal.App.3d 239 and L.I.F.E. v. City of Lodi (1989) 213 Cal.App.3d 1139). A city also cannot circumvent annexation law or the LAFCO process and cannot provide new or extended services outside its jurisdictional boundaries unless approved by LAFCO under specified circumstances (Section 56133).

Best Practice Tip #1

If you have a controversial or complicated annexation proposal, talk to the LAFCO executive officer about "Terms and Conditions." LAFCO has broad authority to impose Terms and Conditions on annexations that can guide or influence which agency does what, where, when, and how as part of the annexation. Cities and other stakeholders can work with LAFCO to craft Terms and Conditions that address potential barriers to annexations.

Each LAFCO operates independently of the State and of local government agencies. However, LAFCO is expected to act within a set of State-mandated parameters encouraging "planned, well-ordered, efficient urban development patterns," the preservation of open-space lands, and the discouragement of urban sprawl. The Legislature has taken

care to guide the actions of the LAFCOs by providing Statewide policies and priorities (Section 56301), and by establishing criteria for the delineation of spheres of influence (SOIs) (Section 56425).

Local Government Role in Planning and Regulating Land Use

Local governments have the primary responsibility for planning and regulation of land uses. State law requires each city and county to prepare and adopt a "comprehensive, long-term general plan for the physical development" of the community. This general plan must cover all incorporated territory and should go beyond the city limits to include "any land outside its boundaries which ...bears relation to its planning" (Section 65300).

A city's general plan is an important statement of the city's future intent. It allows city officials to indicate to State agencies, local governments, and the public their concerns for the future of surrounding unincorporated lands. Since the general plan is a policy document with a long-term perspective, it may logically include adjacent territory the city ultimately expects to annex or to serve, as well as any area which is of particular interest to the city. The city's SOI (which is established by the LAFCO) describes its probable physical boundaries and service area and can therefore be used as a benchmark for the maximum extent of the city's future service area. The city may choose to plan for land uses beyond its SOI when coordinating plans with those of other jurisdictions (2003 General Plan Guidelines).

Through legislation and case law, the general plan has assumed the status of the "constitution for all future development" (Citizens of Goleta Valley v. Board of Supervisors of the County of Santa Barbara (1990) 52 Cal.3d 553). As a result, most local land use decision-making now requires consistency with the general plan. The same is true of public works projects (Friends of B Street v. City of Hayward (1980) 106 Cal.App.3d 988) and, in several cases, voter zoning initiatives (Lesher Communications, Inc. v. City of Walnut Creek (1990) 52 Cal.3d 531 and Goleta, supra).

Senate Bill 244 (Chapter 514, Statutes 2011, Wolk) amended general plan statutes to include planning for unincorporated disadvantaged communities. Cities, on or before the due date for the next adoption of its housing element, must review and update the land use element of their general plans to include the identification of unincorporated island or fringe communities within the city's SOI, and to analyze for each identified community: (1) "water, wastewater, stormwater drainage, and structural fire protection needs or deficiencies"; and (2) "benefit assessment districts or other financing alternatives that could make the extension of services to identified communities financially feasible" (Section 65302.10). SB 244 is discussed further in the "Disadvantaged Unincorporated Communities" section of this publication.

Annexations

Annexation is the means by which an existing city extends its corporate boundaries. In its most basic form, annexation can be considered a five-part process. The steps are generally outlined below. Please refer to the flowchart on page 23 for a visual outline of the process.

Pre-Application

An application may be filed with the LAFCO by petition of affected landowners or registered voters, or by resolution from the involved city. Prior to filing, the proponent should meet with the LAFCO executive officer to establish the minimum requirements for processing, and then meet with any affected special districts and agencies to agree upon a taxation scheme and needed property tax transfers. Unless determined to be statutorily or categorically exempt from CEQA, LAFCO's action is considered a "project" that is subject to CEQA review, and an initial study will be required. The CKH Act requires prezoning of the site by the affected city. This usually makes the city the "lead agency" for CEQA documents and the LAFCO a "responsible agency." The city should coordinate with the LAFCO early on in the application process to ensure LAFCO's action on the annexation is adequately covered by the CEQA document. In most cases, the city (or the private proponent) will be responsible for preparing the initial study and the environmental document with LAFCO input.

Best Practice Tip #2

Meet with the LAFCO executive officer as early as possible to discuss the annexation proposal, identify potential political, financial, or procedural "red flags," and understand the local LAFCO's application requirements. Section 56652 gives LAFCO broad authority to require data and information as part of the application. While application requirements vary between LAFCOs, typical application requirements include:

- Application form
- Filing and Processing Fees
- CEQA and prezoning documentation
- Map and metes and bounds legal description
- Plan for providing services (required by Section 56653)
- Property tax exchange resolutions
- Associated SOI amendments, if required

Application Filing and Processing

LAFCO has 30 days to review an annexation application and determine that it is complete for processing, or notify the applicant that the application is not complete. If an annexation application also includes the detachment of territory from a city or annexation to a special district, LAFCO must follow special procedures that provide the detaching city or annexing special district the opportunity to request termination of the proceedings by resolution (Sections 56751 and 56857). LAFCO must honor the request. When a local agency initiates annexation by resolution of application, it must submit a plan for providing services. At a minimum, the plan must address the type, level, range, timing, and financing of services to be extended, including requirements for infrastructure or other public facilities. Before the executive officer issues a certificate of filing, the involved city, county, and affected special districts are required to negotiate the allocation of property tax revenues during a 60-day mandatory negotiation period, unless extended to 90 days (Revenue & Taxation Code Section 99 and 71 Ops.Cal.Atty.Gen. 344 (1988)). If an agreement is not reached, Revenue and Taxation Code Section 99(e)(1) outlines an alternative negotiation, mediation, and arbitration process that is required by statute.

The law does not require they reach agreement at the end of this process. Nonetheless, if the city and county cannot reach an agreement on the exchange of property tax, an impasse will stall or could terminate the process (Greenwood Addition Homeowners Association v. City of San Marino (1993) 14 Cal.App.4th 1360). Without an agreement, the executive officer is prohibited from issuing a certificate of filing which is a precondition to LAFCO's consideration of an application for annexation; the application cannot proceed.

Best Practice Tip #3

Annexation attempts can fail if the affected city and county cannot reach agreement on a property tax split. In the early planning stages, the applicant should ascertain if a master property tax exchange agreement exists between the affected city and the county, and if there are concerns about the likelihood of a property tax exchange agreement. Property tax exchange agreements can be structured to address fiscal and related issues.

Once the application has been accepted as complete, the executive officer will issue a certificate of filing and set the proposal for commission consideration within 90 days. During the application process, LAFCO will work with the applicant and affected agencies to analyze the proposed annexation in light of the commission's State mandated evaluation criteria (Section 56668) and responsibilities, and its own locally adopted policies and procedures.

LAFCO Review and Consideration

LAFCO may approve, conditionally approve, or deny the proposed annexation. LAFCO cannot disapprove an annexation if it meets certain requirements (Section 56375(a)(4), including "island annexations" that are 150 acres or fewer in size (Section 56375.3). However, only in the latter case are protests required to be waived, if all criteria are met. The lead agency, whether it is the LAFCO or the involved city, must comply with CEQA requirements prior to the LAFCO's action. Within 30 days of the LAFCO's resolution, any person or affected agency may file a written request with the executive officer for reconsideration of the annexation proposal based on new or different facts that could not have been presented previously (Section 56895).

Best Practice Tip #4

There are examples around the State of annexations that have involved pre-annexation agreements and development agreements by cities, counties, and landowners/developers that align the timing and structure of the annexation process relative to the city and/or county entitlement and development phasing process.

Protest Proceedings

Unless waived pursuant to Section 56375.3 as an island annexation, or in cases where landowners have provided written consent (56663)(a)(c) or have not objected after receiving notice of the commission's intent to waive protest proceedings (56663)(d), LAFCO, acting as the "conducting authority" in accordance with the requirements of the CKH Act, will hold a public protest hearing to determine whether the proposed annexation must be terminated, or approved with or without an election, to determine the proposal's outcome.

For annexations of inhabited territory (containing 12 or more registered voters), LAFCO must: 1) Terminate the proceedings if it receives protests from 50 percent or more of the registered voters within the territory; 2) Order the annexation subject to an election if it receives protests from either at least 25 percent, but less than 50 percent, of the registered voters residing in the affected territory or from at least 25 percent of the number of owners of land who also own at least 25 percent of the assessed value of land within the affected territory; or, 3) Order the annexation without an election if it receives protests from less than 25 percent of the registered voters or less than 25 percent of the number of owners of land owning less than 25 percent of the assessed value of land within the affected territory.

For annexations of uninhabited territory (containing fewer than 12 registered voters), the LAFCO must: 1) Terminate

the proceedings if it receives protests from landowners owning 50 percent or more of the assessed value of the land within the territory; or, 2) Order the change of organization or reorganization if it receives protests from owners of land who own less than 50 percent of the total assessed value of land within the affected territory. If the proposal is terminated, the executive officer will issue a certificate of termination of proceedings and no new annexation may be proposed on the site for at least one year, unless the LAFCO waives the limitation upon finding that the limitation is detrimental to the public interest (Section 57090). When an election is required, registered voters residing within the affected territory are entitled to vote on the issue of annexation (Section 57142).

Final Certification

When the LAFCO executive officer is satisfied that all elements of the CKH Act have been properly addressed, and that all conditions have been met, the executive officer will issue a certificate of completion. The annexation is not complete until it has been certified by the executive officer (Section 57200). The commission may establish an "effective date" for the annexation. Alternatively, the effective date will be the date the certificate of completion is recorded by the County Recorder (Section 57202). Once the annexation is recorded, there is no administrative recourse except by legal challenge.

Consistent Annexations

State law does not mandate that annexations conform to local general plans beyond requiring that "the decision of the [LAFCO] commission with regard to a proposal to annex territory to a city shall be based upon the general plan and prezoning of the city" (56375)(a)(7). However, the commission will also consider "consistency with the city or county general and specific plans" when appropriate (Section 56668(g)). Nonetheless, the statutes contain numerous references that attempt to link local land use and open-space policies, including Williamson Act contracts, to the annexation process (Sections 56300, 56375, 56377, 56425). Accordingly, the commission should attempt to harmonize local planning policies with the intent of the State legislation. Where there is a clear conflict, such as incompatibility between city and county general plans, the State precepts should prevail.

The factors that the LAFCO must consider in reviewing annexation proposals include, but are not limited to, the following (Section 56668):

a) Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.

b) The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.

c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.

Best Practice Tip #5

As of 2008, LAFCOs must consider regional transportation plans and sustainable communities strategies (SB 375, Chapter 728, Statutes of 2008); the timely availability of water supplies; regional housing needs assessment (RHNA) allocations; and the promotion of environmental justice. Check with your LAFCO for local policies and procedures that may exist to address these factors and others listed in Section 56668. It is also good practice to include LAFCO consideration of these factors in the lead agency's CEQA document.

d) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities in Section 56377.

e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.

f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.

g) A regional transportation plan adopted pursuant to Section 65080, and its consistency with city or county general and specific plans.

h) The SOI of any local agency which may be applicable to the proposal being reviewed.

i) The comments of any affected local agency or other public agency.

j) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

k) Timely availability of water supplies adequate for projected needs as specified in Section 65352.5.

l) The extent to which the proposal will affect a city or cities, and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.

m) Any information or comments from the landowner or owners, voters, or residents of the affected territory.

n) Any information relating to existing land use designations.

o) The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.

Island Annexations

Under Government Code Section 56375(a)(4), a LAFCO is required to approve a city's request to annex land adjacent to its borders when the commission finds that any of the following circumstances exist:

a) The land is substantially surrounded by the city or the Pacific Ocean, is substantially developed or developing, is not prime agricultural land, is designated for urban growth in the city's general plan, and is not within the SOI of another city.

b) The land is located within an urban service area designated by the LAFCO, is not prime agricultural land, and is designated for urban growth in the city's general plan.

c) The land meets the criteria for unincorporated islands under Section 56375.3.

Island annexations under Section 56375.3 must be approved by LAFCO, with or without terms and conditions, and protest proceedings must be waived. This special provision was added to the Cortese-Knox Act in 2000 with the passage of AB 1555 (Chapter 921, Statutes of 1999), a bill sponsored by the League of California Cities to streamline

Best Practice Tip #6

Before proceeding with a small island annexation, verify the effective sunset date of Section 56375.3. The current sunset date is January 1, 2014.

Best Practice Tip #7

The Attorney General has opined that, for annexations that include protest procedures, such procedures satisfy the voter approval requirements of Proposition 218 where the annexation is conditioned on a tax, assessment or fee being extended to the affected territory (82 Ops.Cal.Atty.Gen. 180 (1999)). To date, however, there has been no Attorney General Opinion or court decision on whether the voter requirements of Proposition 218 apply to small island annexations under Section 56375.3, for which protest proceedings are expressly waived. Before proceeding with a small island annexation, talk to your local LAFCO executive officer about the application of Proposition 218 to your proposal.

"small island annexations" (islands 150 acres or less) that are in the interest of the public welfare. The bill included a "sunset" date for these special provisions. The sunset date was previously extended by the Legislature. The current sunset date is January 1, 2014.

Best Practice Tip #8

Talk to your local LAFCO executive officer about local policies or procedures the LAFCO may have adopted to address the implementation of legislative changes to the CKH Act, like SB 244 (Wolk, 2011).

Disadvantaged Unincorporated Communities

On October 7, 2011, Governor Edmund G. Brown, Jr. signed SB 244 (Wolk) into law (Chapter 513, Statutes of 2011) making changes to the CKH Act related to "disadvantaged unincorporated communities." The legislative intent of this law is "to encourage investment in these communities and address the complex legal, financial, and political barriers that contribute to regional inequity and infrastructure deficits" within them. A disadvantaged unincorporated community is defined in the CKH Act (Section 56033.5) as "inhabited territory...or as determined by commission policy, that constitutes all or a portion of a disadvantaged community as defined by Section 79505.5 of the Water Code," which states, "a community with an annual median household income that is less than 80 percent of the Statewide annual median household income."

SB 244 made several changes to the CKH Act:

1. It prohibits LAFCO from approving an annexation to a city of any territory greater than 10 acres, or as determined by commission policy, where there exists a disadvantaged unincorporated community that is contiguous to the proposed annexation area unless an application to annex the disadvantaged unincorporated community to the subject city has been filed with the LAFCO. However, an application to annex a contiguous disadvantaged unincorporated community is not required if a prior application for annexation of the same community has been made within the preceding five years or if the commission finds that a majority of residents of the community are opposed to annexation.

2. For an update of a sphere of influence of a city or district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection that occurs after July 1, 2012, LAFCO must consider the present and probable need for public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence. The commission may assess the feasibility of governmental reorganization of agencies to further the goals of orderly development and efficient and affordable service delivery.

3. LAFCO must include, in its statement of written determinations of municipal service reviews considerations relating to disadvantaged unincorporated communities within or contiguous to an agency's sphere of influence.

Spheres of Influence and Municipal Service Reviews

Spheres of Influence

LAFCOs exercise both regulatory and planning functions. While annexations are a regulatory act, LAFCOs' major planning task is the establishment, periodic review, and update of SOIs for the various governmental bodies within their jurisdictions. As described by Section 56076, the SOI is "a plan for the probable physical boundaries and service area of a local government agency as determined by the commission." In establishing, amending, or updating a SOI, a LAFCO must consider and make written determinations with regard to the following factors (Section 56425(e)):

1. The present and planned uses in the area, including agricultural and open-space lands.
2. The present and probable need for public facilities and services in the area.
3. The present capacity of public facilities and the adequacy of public services that the agency provides or is authorized to provide.
4. The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.
5. For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence (SB 244 (Chapter 513, Statutes of 2011)).

The SOI is an important benchmark because it defines the primary area within which urban development is to be encouraged (Section 56425). In a 1977 opinion, the California Attorney General stated that an agency's SOI should "serve like general plans, serve as an essential planning tool to combat urban sprawl and provide well planned efficient urban development patterns, giving appropriate consideration to preserving prime agricultural and other open-space lands" (60 Ops.Cal.Atty.Gen. 118). Like general plans, SOIs may be reviewed and updated from time to time, or upon request by any person or local agency. SOIs may also be reviewed and updated following significant changes in regional or State policy that may affect an existing SOI, such as the adoption of a Sustainable Communities Strategy consistent with Senate Bill 375 (Chapter 728, Statutes of 2008).The CKH Act provides that every five years, LAFCO shall, as necessary, review and update each local agency's SOI under LAFCO jurisdiction.

The California Appellate Court holds that SOIs must be adopted before an annexation to the affected city or district can be considered. (Resource Defense Fund v. LAFCO (1983) 138 Cal.App.3d 987). Depending on local policy, some LAFCOs consider SOI amendments and associated annexations separately. Section 56427 requires LAFCO to send notice of pending annexation hearings to those affected agencies whose SOIs contain territory within the proposal.

LAFCO has sole responsibility for establishing a city's SOI. For cities with territory in more than one county, the LAFCO in the county having the greater portion of the entire assessed value of all taxable property within the

city has exclusive jurisdiction to determine the city's SOI and conduct municipal service reviews (Placer County LAFCO v. Nevada County LAFCO (2006) 135 Cal.App.4th 793). Further, the LAFCO is not required to establish an SOI that is greater than the city's existing boundaries. LAFCO may take joint action to approve an annexation while at the same time amending the city's SOI. (City of Agoura Hills v. LAFCO (1988) 198 Cal.App.3d 480).

LAFCO officials and local decision-makers recognize the logical assumption that the lands lying within the SOI are those that the city may someday propose to annex. If the city finds that annexing an area outside its SOI would be in the public interest, it should first request that its SOI be amended to include that area.

City-County Coordination in Spheres of Influence

Counties possess sole land use jurisdiction over unincorporated territory whether located outside or inside of a city's SOI. When the Legislature passed AB 2838, it recognized that, as the future service provider of unincorporated land in a city's SOI, the city should have an opportunity to address how land in the SOI is planned for and developed in anticipation of future annexation. This has both physical and fiscal ramifications for cities as future service providers. Before a city submits an application to LAFCO to update its SOI, the city and county shall meet in an effort to reach agreement on the SOI boundaries and the development standards and planning and zoning requirements within the SOI (Section 56425(b)).

Best Practice Tip #9

The CKH Act encourages collaboration among LAFCOs, cities, counties, landowners, and other local agencies to balance the timing and location of development within SOIs, including the establishment of SOIs in concert with long-range land use planning and annexations in concert with development entitlements and the extension of services. This is consistent with the legislative intent of the CKH Act to promote orderly development, discourage urban sprawl, preserve open space and prime agricultural lands, provide housing for persons and families of all incomes, and encourage the efficient extension of governmental services.

Under a separate but related provision of the CKH Act, LAFCO has the authority to review and comment on the extension of services into previously unserved, unincorporated territory, whether inside or outside of a city's SOI, including the creation of new service providers to extend "urban type development" into previously unserved, unincorporated territory (Section 56434). This provision of the CKH Act is scheduled to sunset on January 1, 2013.

Municipal Service Reviews

Another major change to LAFCO law from AB 2838 was the requirement for LAFCO to conduct municipal service reviews (MSRs) before or in conjunction with the establishment or update of SOIs (Section 56430). MSRs are conducted by geographic area or countywide and include a comprehensive review of all agencies that provide the services LAFCO identifies. As part of its review, LAFCO can evaluate alternatives for improving efficiency and affordability of infrastructure and service delivery. LAFCO is required to make seven written determinations for MSRs:

Best Practice Tip #10

If your city is preparing or updating a general plan, housing element, utilities master plan, or major facilities expansion that might affect your city's SOI or service delivery operations, consider coordinating early on with the LAFCO executive officer to share data and analysis related to MSRs.

1. Growth and population projections for the affected area.
2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence.
4. Financial ability of agencies to provide services.
5. Status of, and opportunities for, shared facilities.
6. Accountability for community service needs, including governmental structure and operational efficiencies.
7. Any other matter related to effective or efficient service delivery, as required by commission policy.

A major benefit of MSRs to local agencies is the creation and maintenance by LAFCO of countywide data as it relates to the seven MSR determinations. For more information about MSRs, please refer to OPR's 2003 publication, *LAFCO Municipal Service Review Guidelines*.

Prezoning

A city must prezone unincorporated territory that the city expects to annex in the future, or present evidence satisfactory to LAFCO that the existing development entitlements on the territory are vested or are already at build-out and are consistent with the city's general plan. The proposed zoning must be consistent with the city general plan and a public hearing must be held. LAFCO may not, however, dictate the specific zoning to be applied by the city.

There are two advantages to prezoning. First, the city will have zoning in effect immediately upon annexation. Local residents will thereby have prior knowledge of the land use regulations that would affect them should annexation occur. Second, prezoning serves as notice to the LAFCO of the city's intentions regarding its adjacent areas. As such, upon annexation of the territory, the city is restricted for a period of two years after the annexation's effective date from amending the general plan designation and zoning for the territory that is a departure from the prezoning. This restriction may be waived if the city makes a finding at a public hearing that a substantial change has occurred in circumstances that necessitates a departure from the prezoning.

In order to be effective, the prezoning must be consistent with the city general plan. In at least one instance, the Appellate Court upheld a LAFCO's authority to deny an annexation where a city had prezoned a site agricultural, but where the "ultimate intended use" as represented on the general plan was residential and industrial. The conversion to agricultural land had conflicted with adopted LAFCO policy. (City of Santa Clara v. LAFCO (1983) 139 Cal. App.3d 923).

Environmental Review

Both case law and the CEQA Guidelines support the applicability of CEQA to annexations and to related SOI amendments. The environmental document should be prepared early in the process and should address all aspects of the project, not merely the annexation.

In 1975, the California Supreme Court held in a Ventura County case that annexations are to be considered projects under CEQA and are subject to environmental analysis. Where the LAFCO had "proceeded as if CEQA did not exist" its decision was enjoined until an EIR could be prepared. The Supreme Court drew similarities between the purposes of CEQA and the annexation laws then in effect, requiring that the LAFCO harmonize these purposes through the preparation of an EIR (Bozung v. LAFCO (1975) 13 Cal.3d 263).

Best Practice Tip #11

If your project may directly or indirectly trigger the need for future LAFCO approval (e.g., annexations or SOI amendments), coordinate CEQA review early on with the LAFCO executive officer to ensure the CEQA document adequately addresses LAFCO's requirements as a responsible agency. Future LAFCO actions should be clearly identified in the project description and list of approvals required by other agencies.

The CEQA Guidelines define a project as the whole of an action, not the separate governmental actions that may be necessary to complete it. Ideally, a single environmental document will be prepared to address the annexation as well as all related general plan amendments, prezoning, SOI, or other proposals. The CEQA document should include an evaluation of the environmental effects from future development of the affected annexation territory based on what would be allowed under the existing or proposed general plan and zoning provisions. The document should address, among other concerns, the policy issues raised in Sections 56301 and 56375. If the EIR identifies one or more significant environmental impacts and the annexation is approved, the LAFCO and the city will be responsible for making findings pursuant to Sections 15091 and 15093 of the CEQA Guidelines justifying their actions.

The courts have had differing opinions over the application of CEQA to SOI determinations. In City of Livermore v. LAFCO (1986) 183 Cal.App.3d 531, the court held that CEQA was invoked when the Alameda County LAFCO changed the guidelines it used for determining SOIs. However, the court in City of Agoura Hills v. LAFCO (1988) 198 Cal.App.3d 480 concluded that establishing an SOI was not automatically a project under CEQA. According to Agoura Hills v. LAFCO, the Court held that, "the fact that SOIs are recognized as important factors in annexations does not compel the conclusion that they are per se 'projects' subject to CEQA." The Agoura court did not dismiss the possibility that under other circumstances, an SOI determination could be a project.

Environmental documents prepared for annexations should also address all related prezonings or general plan amendments (Bozung v. LAFCO, supra; Pistoresi v. City of Madera (1982) 138 Cal.App.3d 284). Conversely, when prezoning is proposed the environmental document should discuss the effects of annexation. For example, in Rural Landowners Association v. City Council (1983) 143 Cal.App.3d 1013, the court held that an EIR prepared for a prezoning and general plan amendment was insufficient because it failed to consider the issue of the related annexation that was then in progress. Amending the SOI may also be subject to CEQA if significant effects are possible (63 Ops.Cal.Atty.Gen. 758 (1980)). The city proposing an annexation must provide the LAFCO sufficient information to satisfy the environmental analysis requirements (City of Santa Clara v. LAFCO, supra).

When prezoning is proposed as part of an annexation request, the city is deemed the lead agency for CEQA purposes (Section 15051 of the CEQA Guidelines). As lead agency, the city will be responsible for preparing the necessary environmental document.

Local agencies, which can use categorical exemptions under the CEQA Guidelines for annexations, should use them carefully. If the annexation will result in extending utilities beyond the level required to serve existing development, the categorical exemption under CEQA Guidelines Section 15319 cannot be employed (Pistoresi v. City of Madera, supra; City of Santa Clara v. LAFCO, supra). Use of Section 15319 is limited to when: (1) development already exists at the density allowed by the current zoning or prezoning; (2) the utilities which may be required for the ultimate use will not serve more than the development in existence at the time of annexation; and (3) the annexation consists of individual small parcels of the minimum size for those facilities which are included in Section 15303 of the CEQA Guidelines.

Summary

This summarizes the preceding points:

1. General Plan Consistency

Annexations should be part of the community's comprehensive plan for the community's future. Annexation should occur in an orderly and logical manner, consistent with both the city general plan and with State mandates, regarding service delivery and the conservation of agricultural and open-space lands.

If the annexation area has not been included or addressed in the city general plan, then an amendment to the plan should be considered. When evaluating the proposal for consistency with the plan, special consideration should be given to the annexation's impacts on existing and planned public services, agricultural and open-space lands, city housing supplies for all economic levels, and the adopted SOI.

2. Sphere of Influence

If the area proposed for annexation lies outside of the city's SOI, then a request to amend the city's SOI must occur prior to or concurrent with filing the annexation request with the LAFCO. The SOI proposal should be addressed in the environmental document.

3. Environmental Analysis

The environmental document prepared for the annexation should be comprehensive in scope. That is, necessary rezoning and related applications should be evaluated as part of the project even though they may not be under consideration for some time. It should be possible to use a single environmental document to address the whole project, including any SOI amendments and/or annexations involving cities and/or special districts.

4. Prezoning

Prior to annexation, the site should be prezoned to be consistent with the city general plan. Prezoning hearings can alert the city to opposition or to issues of particular concern prior to the filing of an application with the LAFCO. The prezoning, general plan amendment (if necessary), and comprehensive environmental document should be completed before the annexation proposal is submitted to the LAFCO for consideration. When prezoning is involved, the city is the lead agency for purposes of CEQA.

5. LAFCO Application

When the city initiates an annexation, it should provide the LAFCO with as much information about the project as possible. This would include general plan, prezoning, environmental analysis data, and the plan for providing services. If the environmental document prepared for prezoning or general plan amendment proposal is comprehensive, the LAFCO should be able to use it for the annexation, thereby streamlining the process. Annexation proponents should meet with the LAFCO executive officer prior to filing an application, in order to review the LAFCO application requirements.

6. Public Review

The city should encourage public review and comment at every stage of the process. While the CKH Act provides opportunities for review at the LAFCO and city hearing levels, the general plan and prezoning procedures offer additional opportunities for input. Early public response is helpful in assessing public sentiment and identifying areas of concern.

City hearings should be coordinated if feasible. Addressing more than one topic at each hearing may clarify the intent and the ramifications of the overall project. Candidates for combined city hearings are: prezoning and general plan amendment; and prezoning, general plan, and resolution of application initiating proceedings. Ask the involved LAFCO whether it is possible to combine hearings.

At the same time, both city and LAFCO hearings can be educational. They offer an opportunity to explain annexation procedures and the responsibilities of the city and the LAFCO. For example, residents are sometimes confused about the implications of annexations to property taxes, or the ability of a city, under certain circumstances, to annex territory without an election (Section 56375(d)). When appropriate, invite the LAFCO executive officer to city hearings on annexations or related city actions to address frequently asked questions about the process or effects of annexations.

Conclusion

Both the city and the LAFCO have a responsibility to see that the proposed expansion of corporate limits complies with the procedures laid out in the CKH Act, adopted LAFCO policies, and the two State policies iterated at the beginning of this publication. It is important that the city and the LAFCO coordinate the annexation process through cooperation and mutual discussion. When considering the annexation proposal, both the city and the LAFCO should look beyond the immediate and examine the future impacts of the total project on city services, sources of tax revenue, historic growth trends, and neighboring communities and cities. LAFCOs can provide cities with a great deal of information about the annexation process and the enabling legislation.

Table of Cases Cited

Bozung v. LAFCO
(1975) 13 Cal.3d 263

Citizens of Goleta Valley v. Board of Supervisors of the County of Santa Barbara
(1990) 52 Cal.3d 553

City of Agoura Hills v. LAFCO
(1988) 198 Cal.App.3d 480

City of Livermore v. LAFCO
(1986) 183 Cal.App.3d 531

City of Santa Clara v. LAFCO
(1983) 139 Cal.App.3d 923

Ferrini v. City of San Luis Obispo
(1983) 150 Cal.App.3d 239

Friends of B Street v. City of Hayward
(1980) 106 Cal.App.3d 988

Greenwood Addition Homeowners Association v. City of San Marino
(1993) 14 Cal.App.4th 1360

Lesher Communications, Inc. v. City of Walnut Creek
(1990) 52 Cal.3d 531

L.I.F.E. v. Lodi
(1989) 213 Cal.App.3d 1139

Pistoresi v. City of Madera
(1982) 138 Cal.App.3d 284

Resource Defense Fund v. LAFCO
(1983) 138 Cal.App.3d 987

Rural Landowners Association v. City Council
(1983) 143 Cal.App.3d 1013

OPINIONS OF THE ATTORNEY GENERAL

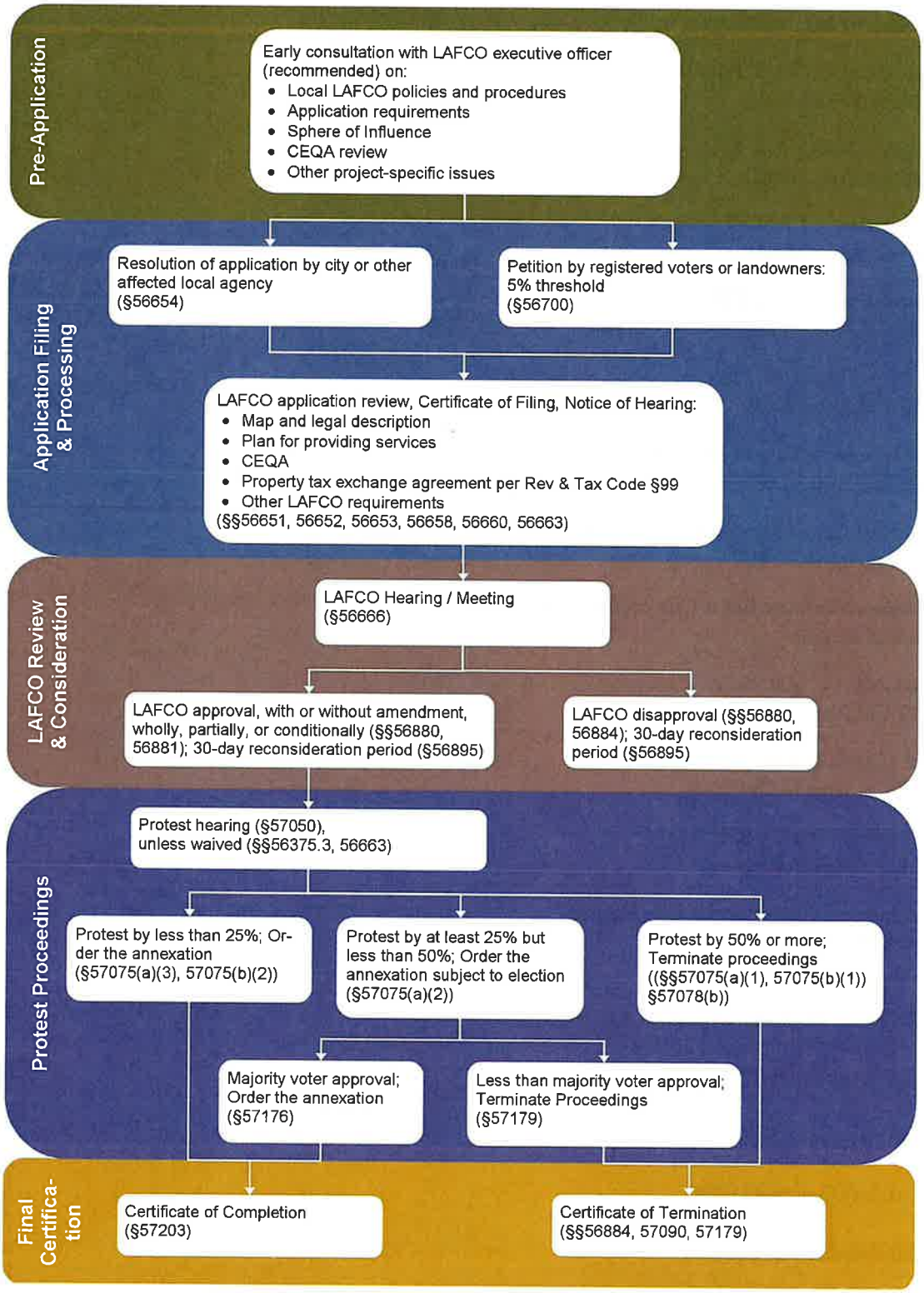
60 Ops.Cal.Atty.Gen 118 (1977)

63 Ops.Cal.Atty.Gen 758 (1980)

71 Ops.Cal.Atty.Gen 344 (1988)

82 Ops.Cal.Atty.Gen. 180 (1999)

Annexation Process Flowchart



City of South Lake Tahoe

Agenda Item Executive Summary

Joe Irvin, City Manager

Meeting Date: June 6, 2023
Agenda Item #: 19

Agenda Item: Heavenly Neighborhood Traffic and Parking Management Plan

Executive Summary: On May 15, 2023, the City organized a community meeting for the residents of Heavenly Neighborhood to receive comments from regarding traffic congestion and parking issues along the residential streets during the winter season. The meeting was held at Heavenly's Cal Base Lodge, and Heavenly/Vail Resort management hosted the meeting and participated in the event. Approximately 50 residents and interested parties attended the meeting. Various issues, including on-street parking, traffic congestion, pedestrian safety, as well as the 2013 parking Agreement between City and Heavenly/Vail Resort were discussed. Staff has compiled residents' comments, as well as other written or emailed correspondence, and will provide a debriefing on the meeting and will present various short- and long-term options to the City Council.

Requested Action / Suggested Motions: Pass a Motion to provide direction to the Director of Public Works on potential short-, mid-, and long-term traffic, parking, and transit options to address congestion and parking issues in the residential neighborhoods near Heavenly.
CEQA Determination: The short-term solutions are exempt from review under the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15301 (Existing Facilities). However, some of the mid- and long-term projects may require environmental impact analysis.
Responsible Staff Members: Anush Nejad, Director of Public Works, Lindsey Baker, Assistant City Manager and David Stevenson, Chief of Police

Responsible Staff Member: Anush Nejad, Director of Public Works (530) 542-6031
Lindsey Baker, Assistant to City Manager (530) 307-1445
David Stevenson, Chief of Police (530) 452-6120

Reviewed and Approved By:
Susan Blankenship, City Clerk
Olga Tikhomirova, Director of Finance
Heather Stroud, City Attorney

Attachments:

01-Staff Report Heavenly Neighborhood Parking-Traffic Management Plan.docx
02 - Existing Heavenly Parking Agreement.pdf
03 - Comments_from_Neighorhood_Meeting.pdf
04-Heavenly_Neighborhood_Parking_and_Traffic_Issues.docx
05-Heavenly_Agreement_Proposed_Agreement_Discussion_Items (002).docx
06 -Proposed_Heavenly_Parking_Plan.pdf
07-Proposed_Heavenly_Snow_Managment_Plan.pdf
08- Heavenly_Village_Parking_Options.docx
09 - Heavenly_Parking_Traffic_Management.pptx

City of South Lake Tahoe
Report to **City Council**

Meeting Date: June 6, 2023

Title: Heavenly Neighborhood Parking and Traffic Management Plan

Location: Heavenly Valley Neighborhood

Responsible Staff Member: Anush Nejad, Director of Public Works - (530) 542-6031

Background: During the winter of 2022-23, City staff received several complaints and concerns from the residents of the Heavenly Valley neighborhood regarding traffic congestion, overflow parking, illegal parking, and general nuisance in the area during winter periods.

Meanwhile, the staff is re-evaluating the Heavenly/Vail Resort agreement approved on September 5, 2013 (See Attachment 02). This agreement stipulates that Heavenly/Vail Resort can use certain roadways as overflow parking (See Attachment 02 – Exhibit A). There are additional requirements for snow plowing, sanding, payment of $20,000 annually for using City streets as overflow parking, and payment for sanding recovery by City forces.

Issue and Discussion: To address the resident's concerns, staff organized a community meeting on May 15, 2023, at 5:30 P.M. to receive input from the residents. The meeting was held at Cal Lodge, and Heavenly/Vail Resort staff were also in attendance and welcomed the community members. City staff also took notes and listened to the comments at the meeting. In addition, the meeting was broadcast live via Facebook.

Approximately 50 residents attended the meeting, which included a general discussion about parking overflow impacts on residential streets, traffic congestion, safety issues, nuisance issues, etc. A summary of the comments is attached as Attachment 03. During the meeting, staff presented a documented summary of complaints and potential countermeasures attached as Attachment 04. Some of these countermeasures ideas have been discussed with Heavenly/Vail Resort for negotiation in revising the current agreement. The discussion items for revision to the existing agreement are listed in Attachment 05. In addition, proposed On-Street Parking areas and Snow/Sanding Operations are included in Attachments 06 and 07.

Based on the comments that staff has received, the following are potential short, mid, and long-term solutions and remedies to reduce parking overflow impacts, reduce traffic congestion, improve safety, and reduce environmental impacts.

Potential Short-Term Solutions – To be completed before November 2023:

- Establishing seasonal No Parking/Towing Zones in all residential streets subject to an overflow impact. The average zone of parking impact is estimated to be about half-mile from the Heavenly Lodge, which the public is willing to walk (See Attachment 08). No Parking will be effective between November 1 to May 1 only.

- Increase the size and height of the No Parking Signs and add a Tow-Away Underplate.
- Increase the No Parking violation fine to $200 from the existing $75.
- Increase the No Parking in front of Fire Hydrant fine to $200 from the existing $105.
- Implement a Chain Control Area at the bottom of Ski Run Blvd
- Improve coordination with Heavenly/Vail Resort during winter weather events.

Potential Mid-Term Solutions – To be completed within one to two years:

- Implement a Residential Parking Permit Program (RPPP) along certain roadways with single-family homes. With the RPPP, homeowners can obtain a permit for guests to park on the street. Others will be cited for violation. However, RPPP requires a citywide ordinance for implementation and will have administrative costs and enforcement resources. The City is evaluating an RPPP for other neighborhoods.
- Encourage Heavenly to implement improved transit service between Heavenly Lodge and parking lots in the City, administered by Heavenly/Vail Resorts. This would require an agreement between Heavenly/Vail Resorts and other entities, such as Lake Tahoe Community College.
- Improve transit service by continuing to work with the SSTMA, TRPA, and, TTD in identifying alternative mobility options and funding sources.
- Installation of Overhead Changeable Message Signs and replacement of existing non-working signs (See Attachment 06).

Potential Long-Term Solutions – To be completed between 2 to 5 years:

Long-term projects are conceptual only and require more detailed evaluation, direction from City Council, and inclusion in City's Captial Improvement Program. Currently, there is no funding for these projects, and cost-sharing with Heavenly and other parties may be required to fund these projects.

- A new Parking Garage with some type of transit connection to Heavenly Lodge
- Construction of Pedestrian/Bike Path on Ski Run/Needle Peak/ Wildwood to separate the vehicle from pedestrians to improve safety.

Financial Implications: The financial impacts of these ideas have not been determined yet. Based on Council direction, a more detailed estimate will be presented for approval at a future Council Meeting. Some of the proposed upgrades/solutions can be jointly funded by the City and Heavenly/Vail Resorts, which can be a part of the revised agreement.

Environmental Considerations: The short-term solutions are exempt from review under the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15301(Existing Facilities). However, some of the mid- and long-term projects may require environmental impact analysis.

Policy Implications: This project advances the City Council Strategic Priorities and Goals related to traffic safety and neighborhood preservation.

CITY OF SOUTH LAKE TAHOE – HEAVENLY PARKING AGREEMENT

This AGREEMENT executed this 1ST day of October, 2013 ("**Effective Date**"), is entered into by Heavenly Valley, Limited Partnership, a Nevada Limited Partnership, d/b/a Heavenly® Mountain Resort ("**Heavenly**") and the City of South Lake Tahoe, California hereinafter ("**City**").

1. Purposes

A. Heavenly desires to utilize portions of existing City streets where adequate area exists for limited on-street parking during peak visitor days in the vicinity of the California Main Lodge.

B. The City desires to lease these areas to Heavenly.

C. Both parties desire to have the area streets plowed and de-icer and abrasive materials applied as quickly as possible during the winter season for the benefit of the travelling public, residents and the local economy.

D. Heavenly can make its snow removal and deicer equipment and properly trained staff available to assist the City with expedited snow removal and deicer application in specific areas and during certain times when City resources are deployed elsewhere.

E. Both parties will derive mutual benefits from these activities.

F. Both parties recognize and affirm that the existing agreement between the parties for the on-street parking should be updated to reflect more current conditions.

G. The parties desire to continue the relationship and arrangement which they have successfully implemented over many years.

The parties agree to the following terms and conditions:

2. Locations of On-Street Parking

Heavenly agrees to pay to the City by January 31 of each year for the current ski season, the sum of $20,000.00 for the exclusive use of the following sites for on-street parking:

A. Angle parking spaces on the east side of Ski Run Boulevard and parallel parking on the west side of Ski Run Blvd between David Lane and Needle Peak Road, see attached Exhibit A.
B. Angle parking spaces on both sides of Ski Run Boulevard between Needle Peak and Regina Road, see attached Exhibit A.
C. Parallel parking spaces on Saddle Road between Wildwood Avenue and Ski Run Boulevard, see attached Exhibit A.

CENTRAL RECORDS
FILE No.: 1047
C-81-13

9/17/13 CC MTG.

D. Parallel parking spaces on the north side of Needle Peak Road between Wildwood Avenue and Keller Road, see attached Exhibit A.

E. Parallel parking spaces on the north side of Regina Road between Wildwood Avenue and Keller Road, see attached Exhibit A.

F. Parallel parking spaces on the east and north sides of Keller Road between Saddle Road and the Saddle Road return loop, see attached Exhibit A.

Exhibit A shows the locations of on-street parking spaces that Heavenly will use and the sequence in which they will generally be used in order from A through F.

3. Snow Removal and Application of Deicer and Abrasives on City Streets

In order to assist the City with timely snow removal and application of deicer and abrasives on the streets that are covered by this agreement, Heavenly may remove snow at its discretion using its own equipment and apply deicer and abrasives using its own equipment as it deems necessary to achieve the stated purposes of this agreement. Heavenly shall use its best efforts to communicate the intent to remove snow and to apply deicer and abrasive a minimum of 12 hours in advance to the City Street Superintendant or their designee, unless it believes that a public safety situation requires immediate action. In those instances, Heavenly will notify the City Street Superintendant or designee within a maximum of 12 hours following such an action.

Exhibit B shows the location of snow removal and deicer/abrasive application and the priority in which snow will be removed (Priorities 1 and 2).

A. Location of applications.

i. Lower Ski Run Boulevard between Needle Peak Road and Pioneer Trail.
ii. Upper Ski Run Boulevard between Needle Peak Road and Saddle Road.
iii. Needle Peak Road between Ski Run Boulevard and Wildwood Avenue.
iv. Wildwood Avenue between Needle Peak Road and Saddle Road.
v. Saddle Road between Ski Run Boulevard and Wildwood Avenue.
vi. Regina Road between Needle Peak Road and Keller Road.
vii. Keller Road above Saddle Road.

B. Heavenly will pay to the City the ½ (one-half) of the actual costs of recovery of abrasives that either Heavenly or the City has put down during the winter season (generally between November 1 and April 15), incurred by the City on the streets identified above based within 30 days from Heavenly's receipt of the undisputed invoice clearly itemizing such costs.

C. By 15th day of each month between November and April, Heavenly will report monthly to the City in a mutually agreeable format, the amount and location of deicer and abrasives that it has put down.

D. Heavenly shall reimburse the City for the cost of any road repair work required as a result of damage caused by Heavenly's negligent use of its snow removal or deicer equipment within 30 days from Heavenly's receipt of the undisputed invoice from City showing repairs performed and monies due.

In the event of dispute over the nature of the charges or the reasonableness of the cost of the repair work invoiced, the dispute shall be submitted to the City Council of South Lake Tahoe for resolution. The decision of the City Council shall be final and binding on all parties.

4. Insurance Requirements

As and for the duration of this agreement, Heavenly shall assume the following duties:

A. Heavenly will carry and maintain, at its sole cost, the following insurance policies with insurance companies reasonably satisfactory to City.

(i) Commercial General Liability insurance in an occurrence form in an amount of no less than $1,000,000 per occurrence covering liability arising out of premises operations, personal and advertising injury, products-completed operations, contractual liability and independent contractors.

(ii) If the Services require the use of an auto, Heavenly must carry Commercial Auto Liability insurance with a limit of insurance no less than $1,000,000 combined single limit each accident for bodily injury and property damage.

(iii) Workers' Compensation insurance as required by applicable law.

B. Heavenly will provide City with (i) a copy of the carrier notice of cancellation within five days after the notice is received; and (ii)

certificates of insurance evidencing the policies listed above prior to any provision of the Services. If any portion of the Services is subcontracted, Heavenly will require the subcontractor to provide the insurance listed above.

5. Hold Harmless

Heavenly hereby agrees to, and shall, hold City, its elective and appointed boards, officers, agents, and employees, harmless from any liability for damage or claims for damages for personal injury, including death, as well as claims for property damage which may result or arise from Heavenly's, its agents, employee, officers, or contractors negligence under this agreement. City does not, and shall not, waive any rights it may have against Heavenly, by reason of the aforesaid hold harmless agreement, because of the acceptance by City of any policy of insurance described above.

6. Duration of Agreement

This agreement shall continue from year to year from the Effective Date, unless terminated as provided herein. This agreement may be terminated at any time upon one party hereto giving the other party hereto one hundred eighty (180) days written notice or upon the mutual agreement of both parties hereto.

7. Notices

Any notices required under the provisions of this agreement to be affected between the parties of this agreement shall be effective within forty-eight (48) hours after deposit, postage prepaid, in the mail of the United States, addressed as follows:

If to Heavenly:
Heavenly Mountain Resort
Post Office Box 2180
Stateline, NV 89449
Attention: Vice President of Planning & Governmental Affairs

If to Vail Resorts Corporate:
Vail Resorts Management Company
390 Interlocken Crescent, Suite 1000
Broomfield, Co 80021
Attention: Legal Department

If to the City of South Lake Tahoe:
the City of South Lake Tahoe
1901 Airport Drive, Suite 300
Attention: City Attorney

In witness whereof, the parties have set their hands the day and year first above written.

Heavenly Valley Limited Partnership
d/b/a Heavenly Mountain Resort
By its General Partner, VR Heavenly I, Inc.

By _____
Pete Sonntag, Vice President and General Manager

The City of South Lake Tahoe

By _____ 9/17/2013
Tom Davis, Mayor

APPROVED AS TO FORM:

By _____
Thomas T. Watson, City Attorney

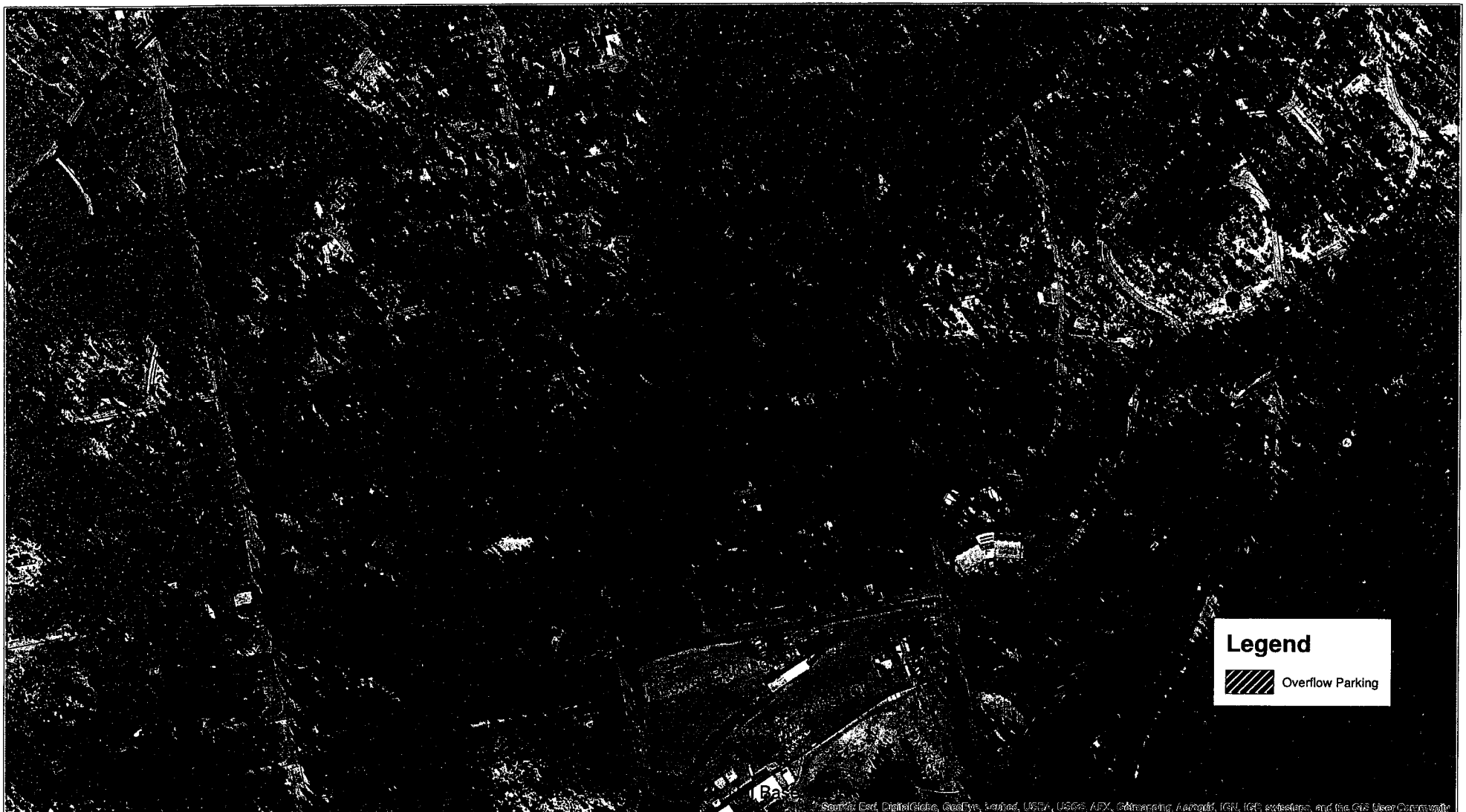
ATTEST:

By _____
Susan Alessi, City Clerk

CITY OF SOUTH LAKE TAHOE 19 65 CALIFORNIA

EXHIBIT A

Map of On Street Parking
(See Attached)



Department of Public Works Engineering

Heavenly Area
Overflow Parking

0 0.045 0.09 0.18
Miles

N

Eric Friedlander
City of SLT
8/2/2013

EXHIBIT B

Snow Removal and Sanding Plan
(See Attached)



00'

- AND SANDING PLAN
JOB No 09169SNOW dwg

726

Attachment 03

Heavenly Neighborhood Community Meeting
May 10, 2023 - 5:30 PM – 7:00 PM
Heavenly Valley Cal Base
Summary of Comments and Suggestions

Verbal Comments[1]:

- Hiring additional CSOs to assist with enforcement.
- Proposing all areas have “No Parking” zones (Nov – May).
- Requesting parking permits in surrounding neighborhoods.
- Concerned about gridlock and safety issues.
    - Emergency vehicles were unable to access homes/roads.
    - Residents are concerned about access to their homes.
- Ski Run Blvd can become dangerous during winter conditions.
    - Cars were sliding.
- Recommend building a parking garage.
- Vehicles parking in private driveways.
    - Difficulty in getting tow trucks to remove cars.
    - The city was unable to assist in some situations, or no enforcement was available.
- A local shuttle service is recommended.
- Traffic overflow off Pioneer.
- Cars were speeding.
- Cars buried in snow during winter.
    - Unsafe for plow drivers.
- More plowing is needed.
    - Wildwood concern.
- Saddle Road pavement is in bad condition.
    - Needs repaving now.
- Tourists park in front of fire hydrants.
- One-way lanes for shuttles.
    - Reversible lanes.
    - Shuttles, Microtransit.
- Parking Zones.
    - Defined and marketed to tourists.
- Traffic analysis is recommended.
- Chain control may cause backup on Ski Run.
- Bring back the Red Line bus shuttle.

[1] Comments summarized for brevity.

- Parking has been a concern for several years.
- Emergency vehicles cannot access roads at times or have difficulties maneuvering.
- Pedestrian safety concerns when cars slide.
- Vehicle overflow in the surrounding neighborhood.
- Paid parking will cause more parking overflow in neighborhoods.
- Trash on Ski Run.
    - Littering all over the road.
    - Need bathrooms in the area.
- Ski Run/Keller is not recommended for parking.
    - What is the number of parking spots for the proposed agreement? (388)
- No parking in neighborhoods.
- More signage is needed when parking is full.
- Regina is not plowed consistently.
- Need more enforcement.
- Ramifications for Vail if contract/plan doesn't work.
- I could not get to Carson City due to gridlock on the roads.

Written Comments from the Meeting[2]:

- If each parking area doesn't open each morning, the wandering begins, circling neighborhoods, etc.
- Vail should provide enough parking for their customers.
- Can we also look at public transit from Placerville/Sacramento running Thursday – Monday AM and PM? (Lots of people would take a bus rather than drive).
- Vail should be responsible for the damage to the roads and the extra cost for the enforcement of parking.
- Regina concerns.
- No Parking on Saddle Road, Woods Ave., and June Way for skiers. Pave Saddle first. Do not tell skiers.
- Some free parking spots in the neighborhood will make people circle, increasing traffic and safety concerns.
- "Steep Grade" sign on Regina @ Keller and @ Wildwood.
- "No Parking" signs on Woods Avenue.
- "No Parking" signs on June Way and Woods Avenue
- Urinating and defecating in yards and in between cars.
- Please put "No Parking Anytime Except by Permits for Residents" signs up Saddle Road and around the entire Loop. Otherwise, skiers will park all over our neighborhood during ski season. No one wants to pay for parking. It's free in front of our house and in our driveway. Skiers already do that, and the city will do nothing to stop it at this time. It will be so much worse when Heavenly puts in paid parking. Please help!

[2] Comments slightly modified for clarity or accuracy.

- We need “No Parking Any Time Except by Permit” around Saddle Loop, Sherman and Keller that is enforced year-round. We are the most impacted by summer and winter traffic and crime.
- Fire trucks need to back into snowbanks to make it up Regina.
- Woods Avenue overflow parking. Parking in front of mailboxes. Not enough room for emergency vehicles.
- [Heavenly has an estimated] $300K from overflow parking [on a] busy day, [with revenue from] pass[es], rentals, food, and lessons.
- Saddle Loop is impacted by Heavenly, Party Rock, the K to K Trail, and Van Sickle Bi-State Park. And now it has become a favorite for snow players. Could we get people to park at Heavenly and walk or ride? Saddle Loop was on many days down to one lane this year, but this is not the rule. On many occasions, skiers parked in our driveway so we couldn’t leave. Cars Park all the way up Keller to and beyond the Sherman intersection so that people in the neighborhood can’t exit. Summer parties kicked out of Heavenly, found their way to our neighborhood water tank, partied on top of it, and shot a hole in it. Heavenly bans snow play. There are signs at their entrance stating so. Unfortunately, they find their way to Saddle Loop and snow play and leave debris in their wake.
- Blocking intersections, fire hydrants, and one hour to drive up or down Ski Run at times.
- Since Heavenly doesn’t pay City taxes, locals should park free.

Heavenly Neighborhood Parking and Traffic Issues

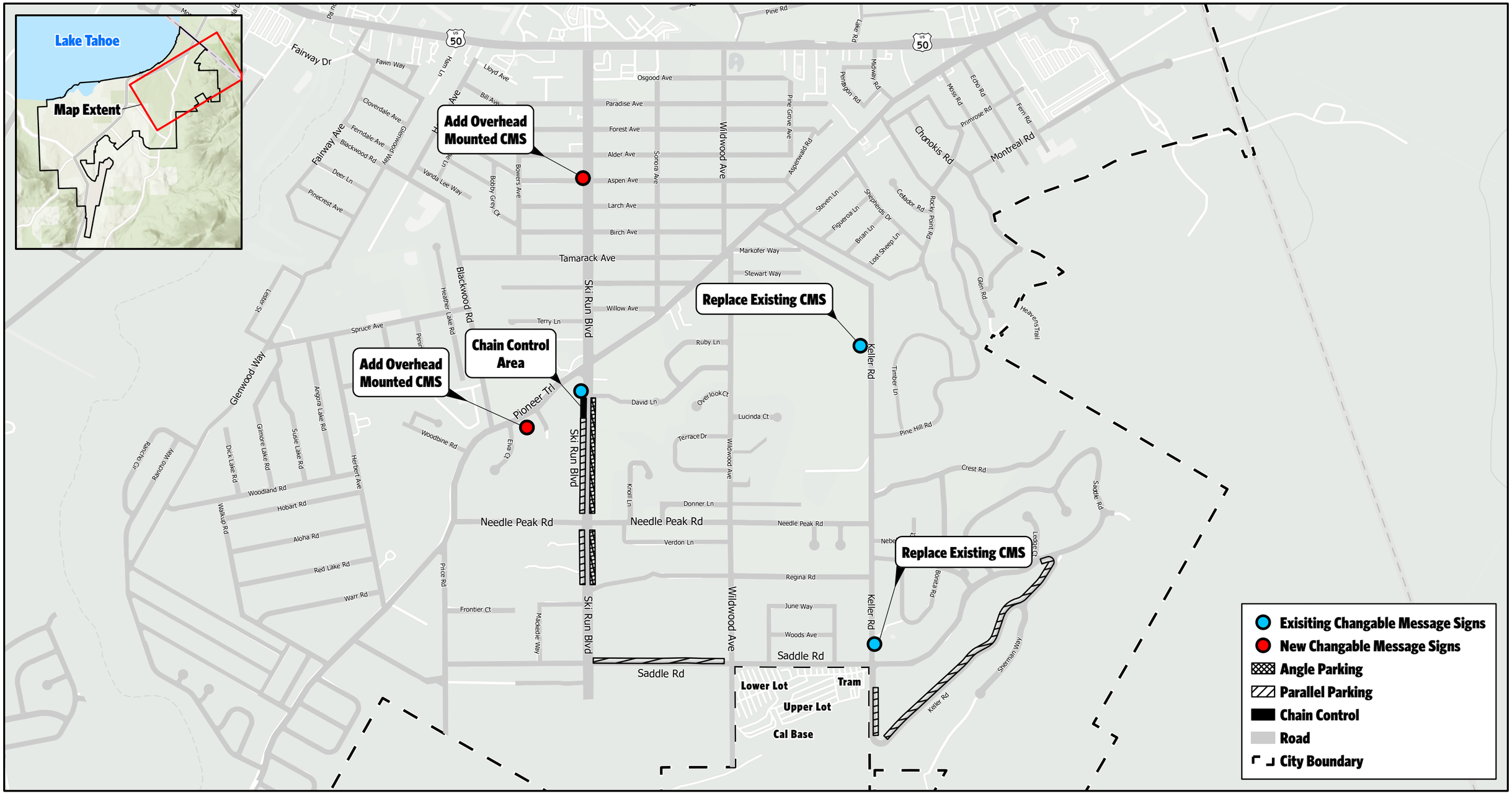
Issues	Poten?al Countermeasures
• Double Parking on Regina. • Parking concerns on Keller. • Parking concerns along Needle Peak. • Parking in No Parking Zones. • Traffic Bypass traffic along Verndon. • Skidding and Traffic Hazards during major snowfall/ice build-up. • Traffic conges?on and parking issues when on-street parking is full. • Pedestrian Safety Issues. • Spillover parking from Heavenly Lodge Parking Area.	• Reduce on-Street Parking in the area. • Prohibit On-Street Parking between November 1 to May 1 in residen?al areas, while allowing some visitors to park for the residents. • More parking enforcement. • Ins?tute chain control measure at the bo?om of the Ski Run (will apply to all vehicles). • Increase the visibility and size of No Parking Signs. Add Tow Signs. • Higher Parking Fines and Towing. • Provide accurate traveler informa?on at decision points to inform visitor when parking lot and on-street parking is full. • Heavenly to explore transit op?ons. • City to explore other means to bring visitors to Heavenly Lodge via new Gondola System

Proposed Term Sheet for Heavenly Agreement

Major Discussion Items

Dra?

1. Eliminate On-Street Parking on Needle Peak Rod between Wildwood Ave and Keller Ave
2. Eliminate On-Street Parking on Regina Road between Wildwood Ave and Keller Avenue
3. Re-evaluate the Parking Fee value to be commensurate with other On-Street Parking costs, such as Bellamy Court
4. Heavenly to be responsible for Snow Opera?ons and Sanding for the areas of parking and Needle Peak Road
5. Add Overhead Changeable Message Signs (CMS) at decision points to inform the public about road and parking condi?ons. E.g., on Ski Run before Pioneer and Pioneer before Ski Run
6. Heavenly to par?cipate with the cost of Ski Run Pavement Rehabilita?on
7. Heavenly to par?cipate with the cost of new CMS and replacement of exis?ng CMS on Keller Road
8. Include a Chain Control area at the bo?om of the Ski Run. Heavenly to assign personnel for administra?on
9. Heavenly to assign personnel for all parking areas during weekends and holidays
10. Heavenly to organize a bi-weekly mee?ngs with City staff (PWD and PD) to review the weather forecast and plan for parking and traffic management

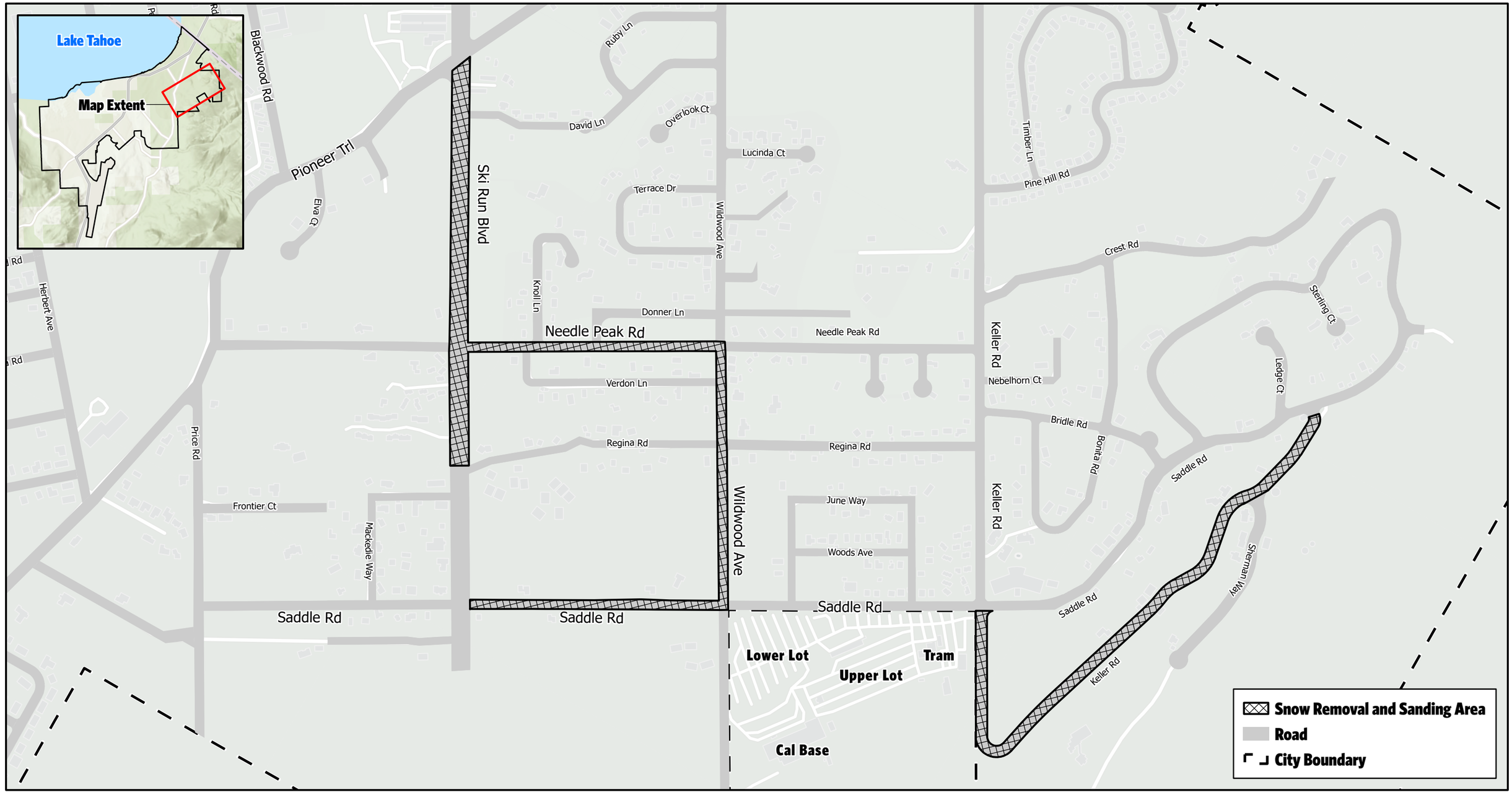


CITY OF SOUTH LAKE TAHOE

Heavenly Cal Base Parking Plan
Exhibit A

0 1 2 4 6 8
Miles

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CITY OF SOUTH LAKE TAHOE

Heavenly Cal Base Snow Removal & Sanding Plan
Exhibit B

0 1 2 4 6 8
Miles

Roadway	Segment	Exis?ng Condi?ons		Proposed Short-Term Modifica?on		Proposed Mid-Term Modifica?on	
		North or West Side	South or East Side	North or West Side	South or East Side	North or West Side	South or East Side
Bridle Road	Keller to End	Parking Allowed	Parking Allowed	No Parking (Residen?al Side)	Parking Allowed (Open Area)	Residen?al Parking Permit on One Side	Parking Allowed (Open Area)
Bonita Road	Bridle to Bridle (loop)	Parking Allowed	Parking Allowed	No Parking (Narrow Street)	No Parking (Narrow Street)	Residen?al Parking Permit on One Side	
Donner Lane	Wildwood to End	Parking Allowed	Parking Allowed	No Parking (Residen?al Side)	Parking Allowed (Open Area)	Residen?al Parking Permit on One Side (Narrow Street)	Parking Allowed (Open Area)
Keller Road	Saddle Rd to Sherman Way	Parking Allowed (In certain loca?ons Parking is prohibited due to safety issues)	No Parking Any?me	No Change		No Change	
	Sherman Way to Saddle Rd	Parking Allowed	Parking Allowed	No Parking Any?me		Residen?al Parking Permit on One Side (Narrow Street)	
	Saddle to Regina	No Parking Any?me, with Parking allowed at Heavenly Valley Townhouses	No Parking Any?me	No Change (Exis?ng allowable Parking is on the flat area and approximately 300 feet).		No Change	

	Regina to Markoffer	Parking Allowed	Parking Allowed	No Parking Any?me (Steep Grades and Safety Issues. Few residen?al homes with driveways on Keller)	No Change
Knoll Lane	Needle Peak to End	Parking Allowed	Parking Allowed	No Parking Any?me	Residen?al Parking Permit on One Side (Narrow Street)
Logroad Pl.	Needle Peak to End	Parking Allowed	Parking Allowed	No Parking Any?me (Narrow Street)	Residen?al Parking Permit on One Side
Lucinda Ct.	Wildwood Ave to End	Parking Allowed	Parking Allowed	No Parking Any?me	Residen?al Parking Permit on One Side (Narrow Street)
June Way	Saddle to Saddle	No Parking Any?me on one side and allowed Parking on the other side		No Parking Any?me on both sides (Narrow Street)	Residen?al Parking Permit on One Side (Narrow Street)
MacKedie Way	Ski Run to Saddle	No Parking Any?me	No Parking Any?me	No Change	No Change
Needle Peak	Keller to Wildwood	Parking Allowed	Parking Allowed	No Parking Any?me	Residen?al Parking Permit on One Side
	Wildwood to Ski Run	No Parking Any?me	No Parking Any?me	No Change (Need more Signs)	No Change
	Ski Run to Road Closure Gate (Road closed between Nov to April)	No Parking Any?me	No Parking Any?me	No Change (Need more Signs)	No Change
Overlook Cir.	Wildwood to End	Parking Allowed	Parking Allowed	No Parking Any?me	Residen?al Parking Permit on One Side
Saddle Road	Saddle Rd to Keller	No Parking Any?me	No Parking Any?me	No Change	No Change

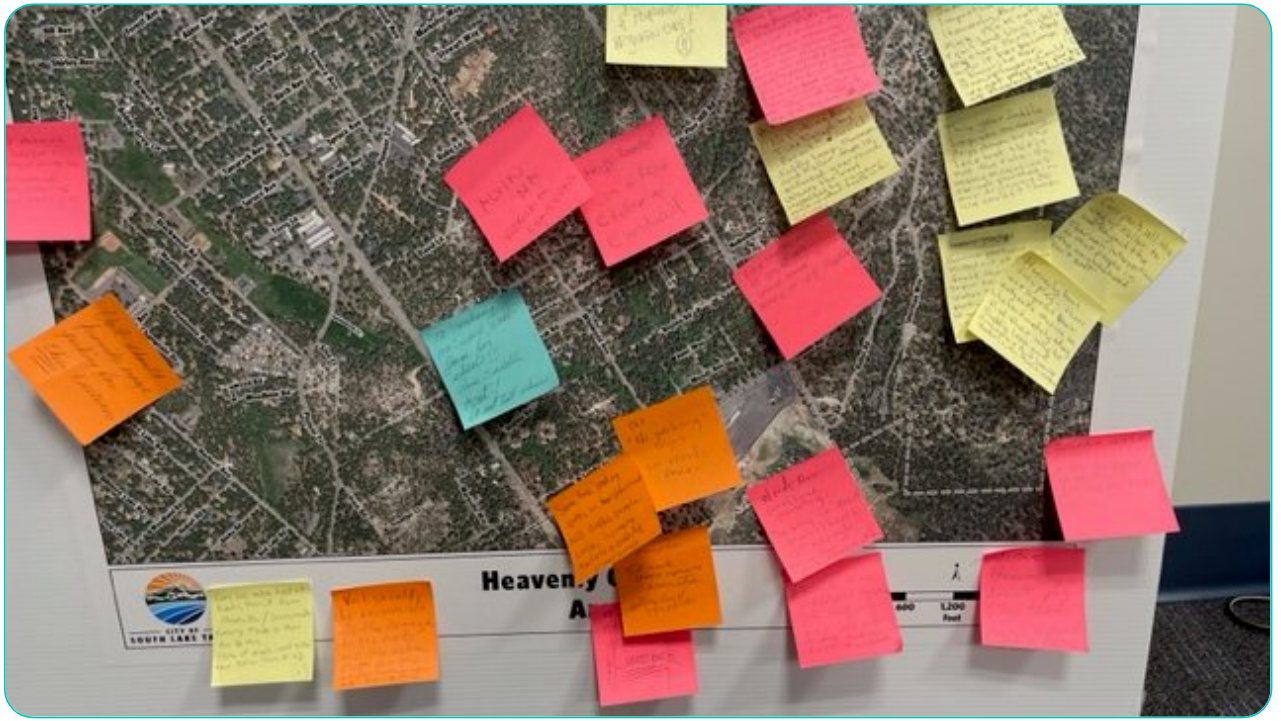
	Keller to Wildwood	No Parking Any?me	No Parking Any?me	No Change	No Change
	Wildwood to Ski Run	Parking Allowed	No Parking Any?me	No Change	No Change
	Ski Run to End	No Parking Any?me	No Parking Any?me	No Change	No Change
Sherman Way	Keller to End	Parking Allowed		No Parking Any?me on both side	No Parking Any?me on both side
Timberlake Pl.	Needle Peak to End	Parking Allowed	Parking Allowed	No Parking Any?me (Narrow Street)	Residen?al Parking Permit on One Side
Overlook Cir.	Wildwood to End	Parking Allowed	Parking Allowed	No Parking Any?me	Residen?al Parking Permit on One Side
Regina Ave	Wildwood to Keller	Parking Allowed	Parking Allowed	No Parking Any?me	Residen?al Parking Permit on One Side (Narrow Street)
Ski Run	Pioneer to Needle Peak	Parking Allowed	Parking Allowed	No Change	No Change
	Needle Peak to Regina	Parking Allowed	Parking Allowed	No Change	No Change
	Regina to Saddle	No Parking Any?me	No Parking Any?me	No Change (Need more Signs)	No Change
Terrace Drive	Wildwood Ave to Wildwood Ave	Parking Allowed	Parking Allowed	No Parking Any?me	Residen?al Parking Permit on One Side (Narrow Street)
Wildwood Ave	Saddle to Needle Peak	No Parking Any?me	No Parking Any?me	No Change	No Change
	Needle Peak to Wildwood Road	No Parking Any?me	No Parking Any?me	No Change (Need more Signs)	No Change
	Wildwood Road to Overlook Ct.	Parking Allowed	Parking Allowed	No Parking Any?me	Residen?al Parking Permit on One Side

Wildwood Rd.	Wildwood Ave to End	Parking Allowed	Parking Allowed	No Parking Any?me	Residen?al Parking Permit on One Side (Narrow Street)
Woods Ave	June to June	Parking Allowed	Parking Allowed	No Parking Any?me	Residen?al Parking Permit on One Side (Narrow Street)
Verdon Lane	Needle Peak to Wildwood	No Parking Any?me	Parking Allowed	No Parking Any?me	Residen?al Parking Permit on One Side

Heavenly Valley Parking and Traffic Management Plan

Council Presentation – July 6, 2023

Community Input

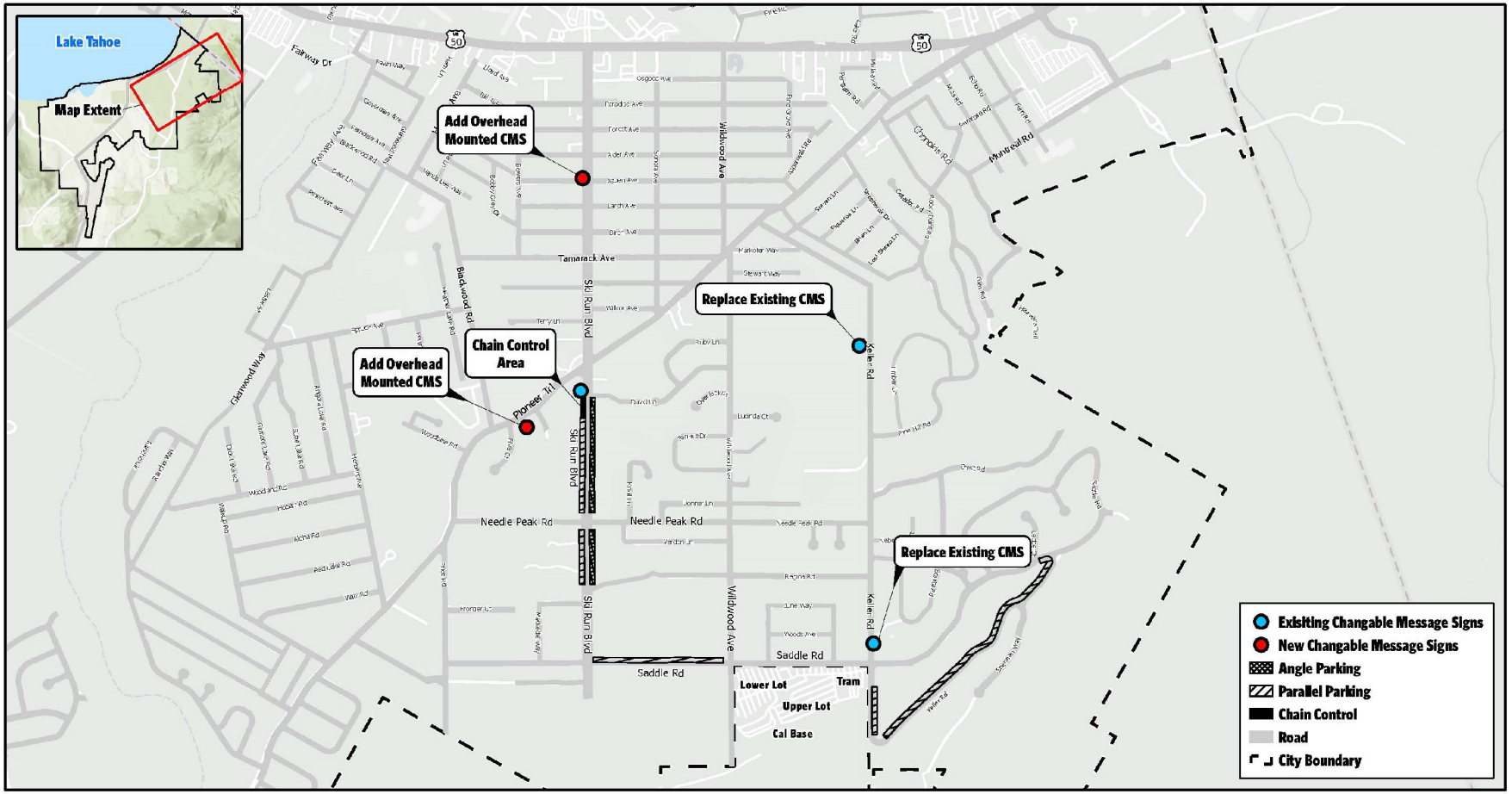


Heavenly Village Parking and Traffic Issue and Potential Solutions

Issues	Potential Countermeasures
▪ Double Parking on Regina. ▪ Parking concerns on Keller. ▪ Parking concerns along Needle Peak. ▪ Parking in No Parking Zones. ▪ Traffic Bypass traffic along Verndon. ▪ Skidding and Traffic Hazards during major snowfall/ice build-up. ▪ Traffic congestion and parking issues when on-street parking is full. ▪ Pedestrian Safety Issues. ▪ Spillover parking from Heavenly Lodge Parking Area.	▪ Reduce on-Street Parking in the area. ▪ Prohibit On-Street Parking between November 1 to May 1 in residential areas, while allowing some visitors to park for the residents. ▪ More parking enforcement. ▪ Institute chain control measure at the bottom of the Ski Run (will apply to all vehicles). ▪ Increase the visibility and size of No Parking Signs. Add Tow Signs. ▪ Higher Parking Fines and Towing. ▪ Provide accurate traveler information at decision points to inform visitor when parking lot and on-street parking is full. ▪ Heavenly to explore transit options. ▪ City to explore other means to bring visitors to Heavenly Lodge via new Gondola System

Heavenly Agreement – Major Discussion Topics

1. Eliminate On-Street Parking on Needle Peak Rod between Wildwood Ave and Keller Ave
2. Eliminate On-Street Parking on Regina Road between Wildwood Ave and Keller Avenue
3. Re-evaluate the Parking Fee value to be commensurate with other On-Street Parking costs, such as Bellamy Court
4. Heavenly to be responsible for Snow Operations and Sanding for the areas of parking and Needle Peak Road
5. Add Overhead Changeable Message Signs (CMS) at decision points to inform the public about road and parking conditions. E.g., on Ski Run before Pioneer and Pioneer before Ski Run
6. Heavenly to participate with the cost of Ski Run Pavement Rehabilitation
7. Heavenly to participate with the cost of new CMS and replacement of existing CMS on Keller Road
8. Include a Chain Control area at the bottom of the Ski Run. Heavenly to assign personnel for administration
9. Heavenly to assign personnel for all parking areas during weekends and holidays
10. Heavenly to organize a bi-weekly meeting with City staff (PWD and PD) to review the weather forecast and plan for parking and traffic management



CITY OF SOUTH LAKE TAHOE

Heavenly Cal Base Parking Plan

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Miles

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Potential Short-Term Solutions – To be completed before November 2023

- Establishing seasonal No Parking/Towing Zones in all residential streets subject to an overflow impact. The average zone of parking impact is estimated to be about half-mile from the Heavenly Lodge, which the public is willing to walk. No Parking will be effective between November 1 to May 1 only.
- Increase the size and height of the No Parking Signs and add a Tow-Away Underplate.
- Increase the No Parking violation fine to $200 from the existing $75.
- Increase the No Parking in front of Fire Hydrant fine to $200 from the existing $105.
- Implement a Chain Control Area at the bottom of the Ski Run
- Improve coordination with Heavenly/Vail Resort during winter weather events.

Potential Mid-Term Solutions – To be completed within one to two years

- Implement a Residential Parking Permit Program (RPPP) along certain roadways with single-family homes. With the RPPP, homeowners can obtain a permit for guests to park on the street. Others will be cited for violation. However, RPPP requires a citywide ordinance for implementation and will have administrative costs and enforcement resources. The City is evaluating an RPPP for other neighborhoods.
- Encourage Heavenly to implement improved transit service between Heavenly Lodge and parking lots in the City, administered by Heavenly/Vail Resorts. This would require an agreement between Heavenly/Vail Resorts and other entities, such as Lake Tahoe Community College.
- Improved transit service through the City/TTD initiative and funding with the current efforts to improve citywide transit service.
- Installation of Overhead Changeable Message Signs and replacement of existing non-working signs.

Potential Long-Term Solutions – To be completed between 2 to 5 years

Long-term projects are conceptual only and require more detailed evaluation, direction from City Council, and inclusion in City's Capital Improvement Program. Currently, there is no funding for these projects, and cost-sharing with Heavenly and other parties may be required to fund these projects.

- A new Parking Garage with some type of transit connection to Heavenly Lodge
- Construction of Pedestrian/Bike Path on Ski Run/Needle Peak/ Wildwood to separate the vehicle from pedestrians to improve safety.

City of South Lake Tahoe

Agenda Item Executive Summary

Joe Irvin, City Manager

Meeting Date: June 6, 2023
Agenda Item #: 20

Agenda Item: Regan Beach Parking and Noise Enforcement

Executive Summary: City staff has received several requests to evaluate traffic issues in the Lakeview Avenue neighborhoods during the last 2-years. On September 6, 2022, staff presented to the Council regarding potential countermeasures to address these concerns. On September 6, 2022, the City Council approved a Resolution to fund the recommended traffic safety upgrades. One of the recommended options included changing the Regan Beach hours of operations, installing roadway spikes at the exit gates to prevent vehicles from entering the parking areas after closing hours, when the entry gate is closed, installing No Parking and Tow-Away signs for after-hours and noise ordinance signs. To implement the No Parking Zone and Noise ordinance, the Council should approve the designation to authorize the Police Department to enforce the proposed regulation.

Requested Action / Suggested Motions: Pass a Resolution establishing a "No Parking Zone" at the Regan Beach Parking Lot between 10:00 PM and 6:00 AM and authorizing the Police Department to enforce the No Parking Zone and City's Noise Ordinance between 10:00 PM and 6:00 AM.
CEQA Determination: This project is exempt from environmental review under CEQA Guidelines section 15301 (Existing Facilities).
Responsible Staff Members: Anush Nejad, Director of Public Works and David Stevenson, Chief of Police

Responsible Staff Member: Anush Nejad, Director of Public Works (530) 542-6031
David Stevenson, Chief of Police (530) 452-6120

Reviewed and Approved By:
Susan Blankenship, City Clerk
Olga Tikhomirova, Director of Finance
Heather Stroud, City Attorney

Attachments:

01-Staff_Report_Regan_Beach_Enforcement.docx
02 - Res 2022-114 _Al Tahoe-Highland_Woods_Traffic_Calming_Project.pdf
03- Regan_Beach_Proposed_Signs.pdf
04-No_Parking_Zone.pdf
05-Regan_Beach_Lot_Views.pdf
06-Resolution_for_Regan_Beach_No_Parking_and_Noise_Enforcement.docx
07 - Regan_Beach_Enforcement.pptx

City of South Lake Tahoe
Report to **City Council**

Meeting Date: June 6, 2023

Title: Parking and Noise Enforcement at Regan Beach

Location: Lakeview Avenue and Highland Woods Neighborhoods

Responsible Staff Member: Anush Nejad, Director of Public Works - (530) 542-6031
David Stevenson, Chief of Police – (530) 542-6120

Background: City staff has received several requests to evaluate traffic issues in the Lakeview Avenue neighborhoods during the last 2-years. On September 6, 2022, staff presented to the Council regarding potential countermeasures to address these concerns. On September 6, 2022, the City Council approved a Resolution to fund the recommended traffic safety upgrades (See Attachment 02). One of the recommended options included changing the Regan Beach Hours of Operations, installing roadway spikes at the exit gates to prevent vehicles from entering the parking areas after closing hours, when the entry gate is closed, installing No Parking and Tow-Away signs for after-hours and noise ordinance signs.

Issue and Discussion: Currently, the Regan Beach Hours of Operation are as follows:

- April: 7:00 AM – 9:00 PM
- May to September: 9:30 AM to 9:30 PM
- October to March: Closed for the Winter

Parks and Recreation or Police Department staff physically close the entrance gate after the closing hour.

Based on discussion with the community, residents, and internal staff, the following are the proposed new hours of operation (See Attachment 03):

- April to September: 7:00 AM to 9:00 PM
- October to March: 7:00 AM to 6:30 PM and are subject to change based on weather conditions.

In addition to modifying the hours of operation for consistency and clarity, the residents requested a means to stop traffic entering the parking area after the closing hours from the exit direction. As a result, the City has purchased and installed a spike assembly and appropriate signs to discourage vehicles from entering the lot after hours.

The residents also requested enforcement of parking and noise regulations during evening hours to reduce nuisance and noise. As a result, staff proposed no after-hours parking in the Regan Beach area between 10:00 PM to 6:00 AM, between Sacramento Avenue and Fresno Avenue on the Beachside (See Attachment 04).

Finally, the residents have requested enforcement of the Noise Ordinance after the beach closure to address loud music and noise close to residential areas after hours (See Attachment 03 for the proposed signs and Attachment 04 for views of the parking lot).

To implement the No Parking Zone and Noise ordinance, the Council must approve this designation to allow the Police Department to enforce the proposed regulation.

Financial Implications: The City Council approved $150,000 to implement proposed measures, including the No Parking and Noise Ordinance signs. Police enforcement is a normal function of the Police Department and will be implemented with the current Community Services Officers personnel.

Environmental Considerations: This project is exempt from environmental review under California Environmental Quality Act (CEQA) Guidelines section 15301 (Existing Facilities).

Policy Implications: This project advances the City Council Strategic Priorities and Goals related to traffic safety and neighborhood preservation.

Resolution 2022-114

Adopted by the City of South Lake Tahoe
City Council

September 6, 2022

Appropriating $150,000 from General Fund Undesignated Excess Reserves and Authorizing the City Manager to execute the necessary purchase orders for implementation of the Traffic Calming Projects in Highland Woods and Lakeview Neighborhoods

BACKGROUND

A. City staff has received several requests to evaluate traffic calming projects in the Highland Woods and Lakeview Avenue neighborhoods during the last 2-years.

B. City staff has met and discussed several Traffic Calming ideas with the neighborhoods to address neighborhood concerns.

C. In cooperation with the residents, staff has developed several solutions, which can address neighborhood concerns and mitigate the speeding and nuisance issues.

D. City staff can implement the proposed solutions, in-house, through procurement of the equipment and materials necessary for the project.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, BE IT RESOLVED, that the City Council of the City of South Lake Tahoe:

1. Authorizes and directs the City Manager to sign the necessary Purchase Orders in accordance with the City's Procurement policy for the equipment and materials necessary for the proposed traffic calming solutions for the Highland Woods and Lakeview Avenue neighborhoods.
2. Appropriates $150,000 from General Fund Undesignated Excess into Misc. Traffic Safety Account 301-50043-36300 for the purchase of equipment and materials for the Project.

Adopted by the City of South Lake Tahoe City Council on September 6, 2022 by the following vote:
Yes: Bass, Creegan, Friedrich, Middlebrook and Wallace

Devin Middlebrook (Sep 7, 2022 16:16 PDT)

Date: Sep 7, 2022

Devin Middlebrook, Mayor

Attest:

Sue Blankenship (Sep 7, 2022 13:31 PDT)

Susan Blankenship, City Clerk

The presence of electronic signature certifies that the foregoing is a true and correct copy as approved by the South Lake Tahoe City Council.

Res 2022-114 Al Tahoe-Highland woods Traffic Calming Project

Final Audit Report 2022-09-07

Created:	2022-09-07
By:	jo Mcdonough (jmcdonough@cityofslt.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAN7l5NV1ZdN5qb8v3cuG0CPonDnMJhMwk

"Res 2022-114 Al Tahoe-Highland woods Traffic Calming Proje ct" History

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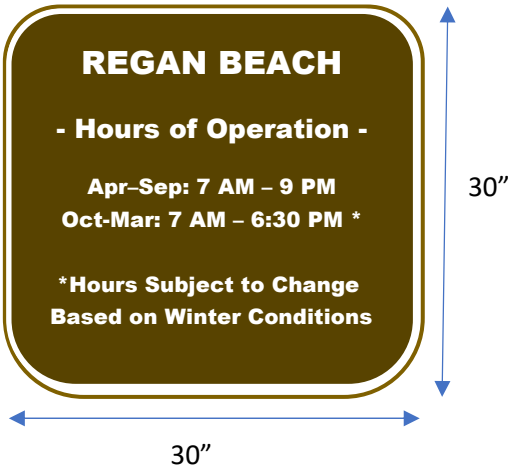
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Signer dmiddlebrook@cityofslt.us entered name at signing as Devin Middlebrook
2022-09-07 - 11:16:39 PM GMT- IP address: 66.189.255.213

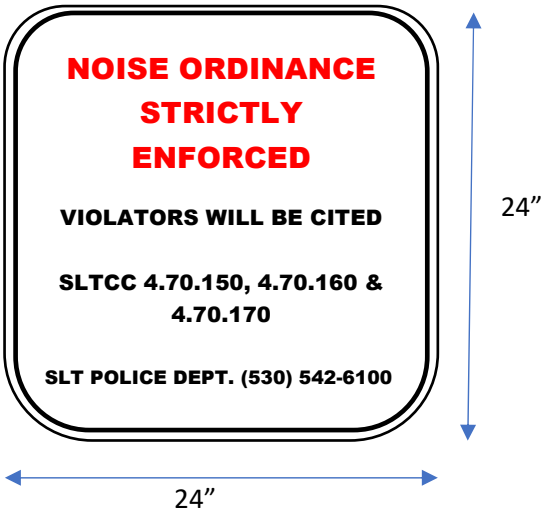
Document e-signed by Devin Middlebrook (dmiddlebrook@cityofslt.us)
Signature Date: 2022-09-07 - 11:16:40 PM GMT - Time Source: server- IP address: 66.189.255.213

Agreement completed.
2022-09-07 - 11:16:40 PM GMT

G (Special)



R (Special)

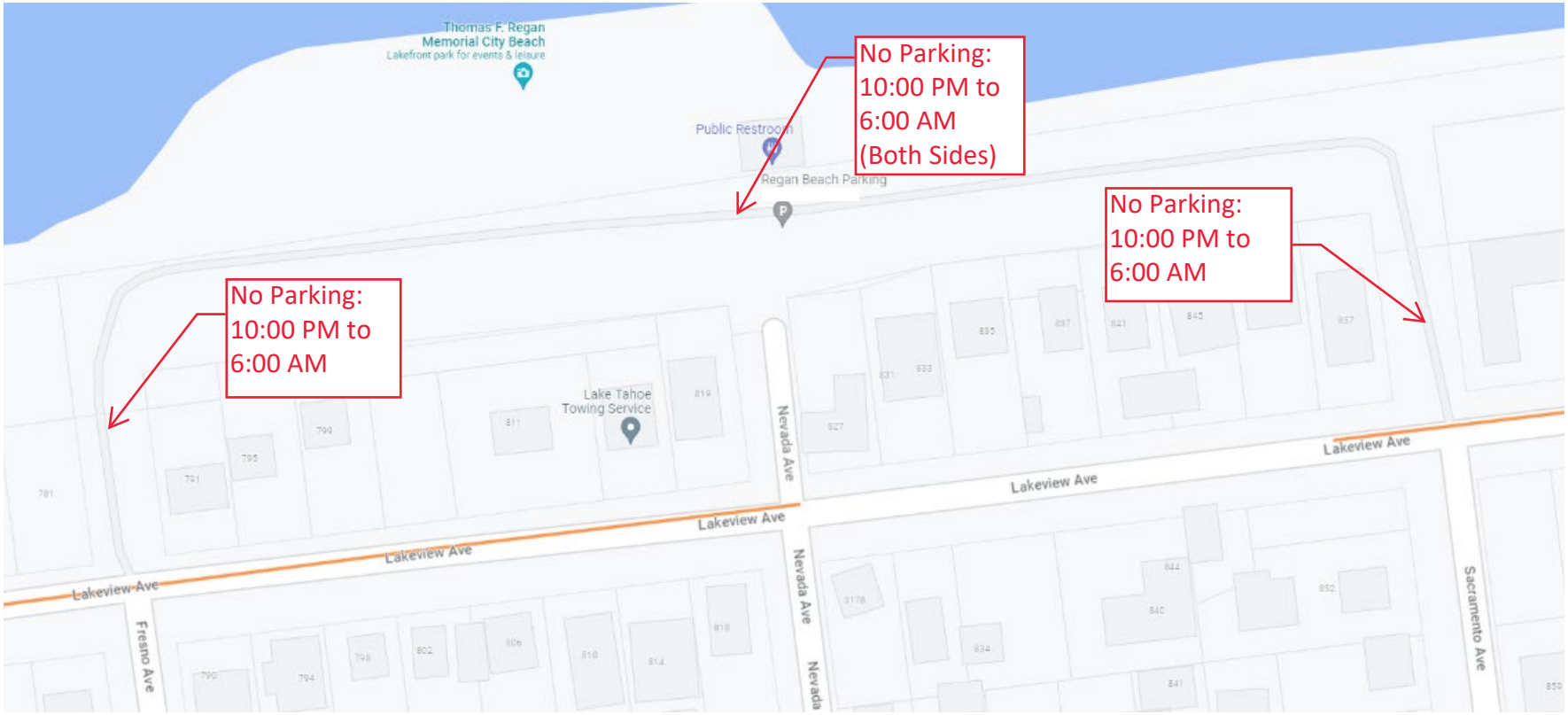


R38 (CA) Modified



Attachment 04

No Parking Zone – 10:00 PM to 6:00



Attachment 05

Regan Beach No Parking Designation from Lakeview at Sacramento Avenue to Fresno Ave

View from Sacramento Avenue



Internal Parking Lot View



Internal Parking Lot View



Exit View at Fresno Avenue



Resolution 2023-XXX

Adopted by the City of South Lake Tahoe
City Council

June 6, 2023

Establishing a "No Parking and Tow Away" Zone between 10:00 PM and 6:00 AM in the Regan Beach Parking Lot between Sacramento Avenue to Fresno Avenue

BACKGROUND

A. City staff has received several requests to evaluate traffic calming projects in the Highland Lakeview Avenue neighborhoods during the last 2-years.

B. City staff has discussed several Traffic Calming ideas with the neighborhoods to address neighborhood concerns.

C. In cooperation with the residents, staff has developed several solutions to address neighborhood concerns and mitigate the speeding and nuisance issues.

D. The residents requested a night-time No Parking Zone in the Regan Beach Parking Area and enforcement of the No Parking and City's Noise Ordinance between 10 PM and 6 AM.

E. Under California Vehicle Code section 22519, a local authority may adopt a resolution to prohibit, restrict, or regulate the parking, stopping, or standing of vehicles on any off-street parking facility which it owns or operates, such as the Regan Beach Parking Lot.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, BE IT RESOLVED, that the City Council of the City of South Lake Tahoe:

1. Establishes a No Parking and Tow Away Zone between 10:00 PM and 6:00 AM at the Regan Beach Parking Lot between Sacramento Avenue to Fresno Avenue.
2. Authorizes the Police Department to enforce the after-hours No Parking and Noise Regulation between 10:00 PM and 6:00 AM at the Regan Beach Parking Lot.

Adopted by the City of South Lake Tahoe City Council on June 6, 2023, by the following vote:
Yes:
No:
Absent:
Abstain:

_____ Date:_____

Cristi Creegan, Mayor

Attest:

_____

Susan Blankenship, City Clerk

The presence of electronic signature certifies that the foregoing is a true and correct copy as approved by the South Lake Tahoe City Council.

Regan Beach Enforcement

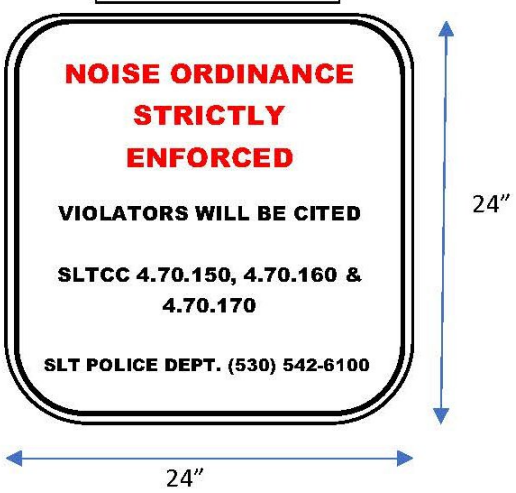
Council Presentation – July 6, 2023



Regan Beach – Proposed Hours of Operations

Proposed No Parking and Noise Ordinance Signs

R (Special)



R38 (CA) Modified



Internal View of Parking Lot 1

View from Sacramento Avenue



Internal Parking Lot View



Internal View of Parking Lot 2

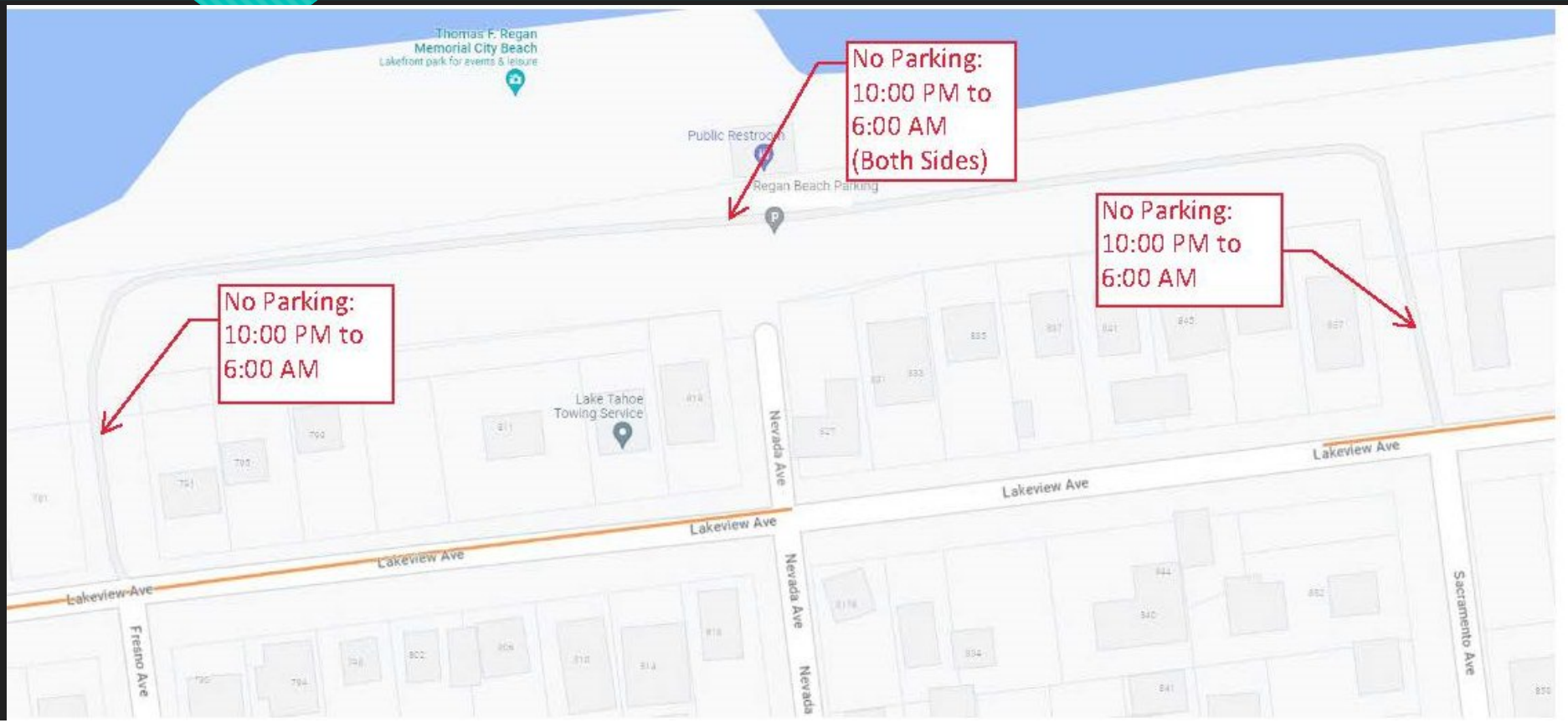
Internal Parking Lot View



Exit View at Fresno Avenue



Proposed No Parking Zone



City of South Lake Tahoe

Agenda Item Executive Summary

Joe Irvin, City Manager

Meeting Date: June 6, 2023
Agenda Item #: 21

Agenda Item: Policy Regarding Disposition of Tahoe Regional Planning Agency (TRPA) Development Commodities Owned by the City of South Lake Tahoe

Executive Summary: On September 3, 2019, the City Council adopted Resolution 2019-067, to establish a clear policy for the disposition of City-Owned commodities, and provide for a consistent and equitable disposition process, promote the achievement of the City's affordable housing and community development goals, and provided certainty for the development community. On May 3, 2022, the City Council revised the policy to restrict the use of these commodities for short-term rental products and created an incentive to provide free residential units of use for the construction of accessory dwelling units and multi-family housing.

At a March 28, 2023, City Council meeting, the Council directed staff to revise the disposition policy to align with the City's housing priorities and bring the revised policy back to the City Council for discussion and consideration.

Requested Action / Suggested Motions: Pass a Resolution adopting Policy Regarding Disposition of Tahoe Regional Planning Agency (TRPA) Development Commodities Owned by the City of South Lake Tahoe (Replaces Resolution 2022-051)
Responsible Staff Member: John Hitchcock, Planning Manager

Responsible Staff Member: John Hitchcock, Planning Manager

Reviewed and Approved By:
Hilary Roverud, Director of Development Services
Susan Blankenship, City Clerk
Olga Tikhomirova, Director of Finance
Heather Stroud, City Attorney

Attachments:

01-Staff_Report
02-Development Rights Tracking.docx
03-Res 2019-067 Adopt Policy Regarding TRPA Commodities.pdf
04-Res 2022-051 Policy Regarding TRPA Commodities Revision.pdf
05-Resolution-Policy Regarding Development Rights Disposition.docx

City of South Lake Tahoe
Report to City Council

Meeting Date: June 6, 2023

Title: Policies Regarding Disposition of Tahoe Regional Planning Agency (TRPA) Development Commodities Owned by the City of South Lake Tahoe

Location: Citywide

Responsible Staff Member: John Hitchcock, Planning Manager

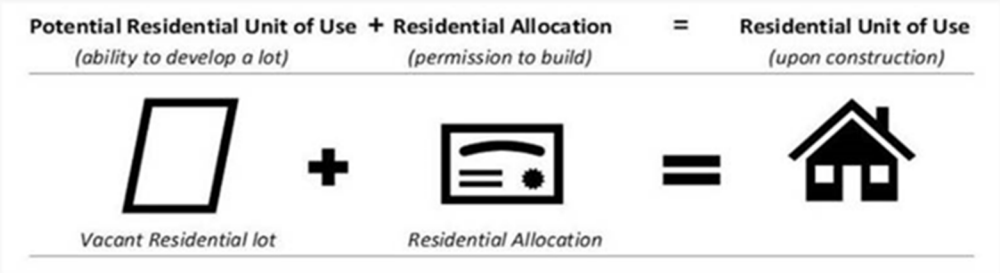
Background: The City maintains an inventory of potential residential units of use, single and multi-family residential units of use, tourist accommodation units, commercial floor area, and land coverage, which have been accumulated from various sources (e.g., Environmental Improvement Projects, implementing of Community Plans and Area Plans, City purchase of land with attached development right). See Attachment 02 for an inventory of development rights owned by the City.

These development rights are an integral component the Tahoe Regional Planning Agency (TRPA) growth management system to manage future development in the Tahoe Basin. TRPA growth management regulations established various development rights, which are land use units that are required before development occurs. The following development rights are defined in the TRPA Code:

Commercial Floor Area (CFA): *The gross square footage of floor area within the outer wall of a commercial building, not including stairwells and airshafts. It may also include the square footage of other facilities relating to such building, including but not limited to decks that are designated for commercial use under a permit.*

Tourist Accommodation Unit (TAU): *A unit, with one or more bedrooms and with or without cooking facilities, primarily designed to be rented by the day or week and occupied on a temporary basis.*

Residential Unit of Use (RUU): *Existing residential unit constructed prior to TRPA or thereafter with a TRPA permit. Must contain cooking facilities, bathing and toilet facilities, and living and sleeping areas. May be associated with a single-family house containing one residential unit or a multi-residential development containing more than one unit per parcel. RUUs are formed by combining a potential residential unit of use (PRU) and a residential allocation.*



Potential Residential Units of Use (PRU): *Attached to certain parcels in the basin, it's the ability to develop a vacant lot for a new residential dwelling. A potential residential unit of use together with a residential allocation becomes an existing residential unit of use upon construction. (Previously known as Residential Development Rights)*

Issue and Discussion: Prior to the adoption of a disposition policy, the sale of development rights was considered on a case-by-case basis by the City Council. In some instances, the development rights were awarded for free; in other cases, a fee was charged.

In order to establish a clear City policy for the disposition of these assets, the City Council on September 3, 2019, adopted Resolution 2019-067 (See Attachment 03), which provided for a consistent and equitable disposition process, promoted the achievement of the City's affordable housing and community development goals, and provided certainty for the development community. The adopted resolutions 1) established an annual determination for the fair market value of the development rights and specified that the City Council would establish a price point for each category by applying a factor of one-third to be the recommended rate, 2) provides for the earmarking of sales revenue in the City's new Workforce Housing Fund (to be used for targeted affordable housing initiatives), 3) provides for the sale of development rights for deed-restricted housing projects at no cost, 4) provides for the sale of development rights for multi-family residential projects and mixed-use projects within an established Town Center at no cost, 5) provides for the sale of development rights for commercial or industrial projects that redevelop distressed properties at no cost, and 6) delegates authority to complete transactions to the City Manager.

On May 3, 2022, the City Council adopted Resolution 2022-051 (see Attachment 04) amending the previous resolution to set aside 20 City banked tourist accommodation units to be converted to residential units of use and provided at no cost to construct new accessory dwelling units. The resolution also set aside 20 tourist accommodation units to be converted and used to build new multi-family projects. The resolution requires deed restrictions be placed on the properties prohibiting their use as a vacation home rental. For multi-family projects, deed-restricting the occupancy of units to tenants employed at least 30 hours per week at a place of business in the Tahoe Basin. Language was also adopted, restricting the conversion of commercial floor area to other development rights.

As of the writing of this staff report, the City has received $394,989.95 in revenue from the sale of commodities that is set aside for the Housing program. The table below lists all transactions completed to date.

CITY-OWNED DEVELOPMETN RIGHTS TRANSACTIONS				
Location	Project Type	Development Right	Cost	Comments
1195 Ski Run Blvd	Recreation - Ski Run Park	Coverage	$0.00	City Council granted at no cost
2877 Lake Tahoe Blvd	Commercial Remodel	Coverage	$23,349.00	Coverage for LTSLT Office Remodel

1772 D Street	Commercial	Coverage	$316,540.00	Coverage for New Commercial/Industrial Buildings
1772 D Street	Commercial	CFA	$9,384.69	CFA for New Commercial/Industrial Building
980 Link Rd	Commercial	CFA	$8,096.76	CFA for New Commercial Building
Tahoe Valley MFD Project	Multi-Family Residential	CFA	$14,000.00	CFA Converted for 14 Unit market Rate Multi-Family Project
1181 Emerald Bay Rd	Commercial Addition	CFA	$5,705.00	CFA for Outdoor Dining at the Lake House Restaurant
933 Poplar	Tourist Accommodation	CFA	$5,414.50	CFA for Maggi's Restaurant (Desolation Hotel)
1056 Ski Run Blvd	Single Family Residential	1 ERUU	$7,500.00	ERUU to Convert Commercial Building to a Residential Unit
2494 Conestoga	Multi-Family Residential	1 ERUU	$5,000.00	ERUU for a New Duplex
3067 Bellevue Ave	ADU	1 ERUU	$0.00	TAU to ERUU Conversion
1061 William Ave	ADU	1 ERUU	$0.00	TAU to ERUU Conversion
1051 William Ave	ADU	1 ERUU	$0.00	TAU to ERUU Conversion
1320 Bonanza Ave	ADU	1 ERUU	$0.00	TAU to ERUU Conversion
1109 Tata Ave	ADU	1 ERUU	$0.00	TAU to ERUU Conversion
2 College Drive	Multi-Family Residential (Student Housing)	14 ERUU	$0.00	TAU to ERUU Conversion
1029 Tata Ln	Multi-Family Residential (SPV)	1 ERUU	$0.00	ERUU for Manager's Unit

On March 28, 2023, during a presentation of the Development Rights Annual Report, the City Council had a discussion on the existing disposition policy (Resolution 2022-051) regarding how the discounted rate was established, the potential use of TAUs for new tourist accommodation

projects, and directed staff to bring back the resolution to City Council for discussion and consideration with changes to the TAU policy to reflect the City's Housing priority.

The disposition policies have been revised as follows:

1. The limitation on the number of TAUs to be converted is deleted.
2. A provision limiting the conversion of TAUs only to Residential Units of Use
3. Allowing converted TAUs to be used for deed-restricted units only if TRPA Bonus Units are unavailable.
4. Removes the requirement that multi-family projects constructed with converted TAUs are limited to tenants employed at least 30 hours per week at a place of business in the Tahoe Basin.

City staff recommends lifting the tenancy restriction to remove this barrier to the development of multi-family rental housing. Note that the policy already includes a requirement that, where the City has provided commodities, a deed restriction be placed on the property prohibiting use as a Vacation Home Rental.

Financial Implications: Revenue generated from the sale of development rights and/or land coverage is used to support City Council Housing priorities. The revenue generated from direct sales of the development rights/land coverage is earmarked to support the City's Workforce Housing Fund (to be used for targeted housing initiatives). Satisfaction with all conditions of an approved sale, including project completion, is required before the funds are available for use.

The Development Services Department has resources to implement the program, including coordinating the sale of development rights with the City Manager's office and the Finance Department, preparing TRPA transfer applications, and tracking the sale and transfer of development rights and land coverage.

Environmental Considerations: Implementing a policy for the sale of development rights and land coverage is not approval of a project under the California Environmental Quality Act (CEQA) Guidelines Sections 15352 and 15378. Any proposed project that uses development rights or land coverage purchased from the City would be required to go through a project-level environmental analysis pursuant to the CEQA Guidelines.

Policy Implication: The City Council policies for the distribution of development commodities is consistent with the following General Plan Land Use Element policy. Note that the target number of residential units has been updated in the recently adopted Housing Element.

Policy LU□1.10: Future Residential Development Rights (RDR) Commodities. The City shall pursue the maximum amount of available residential unit allocations from the Tahoe Regional Planning Agency in order to use them as an incentive for revitalization, including workforce housing, up to an additional 940 market rate units and 222 affordable units. (Note: please see the Housing Element for additional policies related to market rate and affordable housing, incentives, and locations).

ATTACHMENT 02

CITY VERIFIED & BANKED DEVELOPMENT RIGHTS	
STATELINE HYDROLOGIC AREA	
Low Capability Hard Coverage	68,143 SF
Low Capability Hard Coverage (ROW)	4,170 SF
High Capability Hard Coverage	69,024 SF
High Capability Hard Coverage (ROW)	40,220 SF
Soft Coverage	7,706 SF
Soft Coverage (ROW)	4,134 SF
SOUTH UPPER TRUCKEE HYRDROLOGIC AREA	
Low Capability Hard Coverage	92,956 SF
Low Capability Hard Coverage (ROW)	1,927 SF
High Capability Hard Coverage	24,849 SF
High Capability Hard Coverage (ROW)	37,367 SF
High Capability Potential Coverage[1]	150,000 SF
Soft Coverage	0 SF
Soft Coverage (ROW)	2,625 SF
OTHER DEVELOPMENT RIGHTS	
Airport 1b Hard Coverage	63,472 SF
SEZ Restoration Credit[2]	42,260 SF
Potential Residential Unit of Use (PRUU)[3]	65
Existing Residential Unit of Use (ERUU)	8.5
Tourist Accommodation Unit (TAU) City	140
Tourist Accommodation Unit (TAU) Successor Agency	18
CFA Banked	20,390 SF
Sewer Units	67
COMMERCIAL FLOOR AREA POOLS	
South Y Industrial Community Plan	0 SF
Bijou/Al Tahoe Community Plan	6,150 SF
Tahoe Valley Area Plan	944 SF
Tourist Core Area Plan	0 SF
EIP 1 Pool	2,664 SF
EIP 2 Pool	8,000 SF
Community Plan Recharge	5,106 SF

1. Transfer of 150,000 SF of Class 5 potential coverage to the City currently pending TRPA approval
2. 25,000 SF of SEZ restoration credit reserved for the California Tahoe Conservancy. Transfer to CTC Pending TRPA approval.
3. 65 Potential Residential Units of Use transfer from CTC to City pending TRPA approval.

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Resolution 2019-067

Adopted by the City of South Lake Tahoe City Council

September 17, 2019

Policy Regarding Disposition of Tahoe Regional Planning Agency (TRPA) Development Commodities Owned by City of South Lake Tahoe

BACKGROUND

A. The Tahoe Regional Planning Authority (TRPA) is the land use authority and has established a development rights system to manage future development and a system to regulate the amount of land coverage in the Tahoe basin.

B. The TRPA development rights are land use units that must be acquired before a property can be developed. Development rights include potential residential units of use (PRUs), single and multi-family residential units of use (RUUs), tourist accommodation units (TAUs), and commercial floor area (CFA).

C. Permanent land coverage is also regulated by the TRPA to protect the Lake Tahoe watershed. Parcels are limited to a specified amount of land coverage and, in some cases, may be transferred to maximize the allowable amount on a given parcel.

D. The City of South Lake Tahoe is subject to applying the development rights and land coverage systems to our review and approval of land use entitlement applications that are subject to the TRPA/City Memorandum of Understanding.

E. The City has TRPA development rights and land coverage which have accumulated from various sources (e.g., Environmental Improvement Projects, implementation of Community Plans and Area Plans, City purchase of land with attached development rights, the retirement of rights, and TRPA allocation of development).

F. The City has been approached by project developers/applicants interested in securing development rights and land coverage from the City.

G. The City has independently sold or provided various TRPA development rights and land coverage to project developers/applicants based on the merits of the individual project.

H. Through the sale of TRPA development rights and land coverage the City has also provided an environmental and economic incentive to projects which otherwise would not have been economically feasible.

I. The City believes it is appropriate, and transparent, to establish a policy that addresses the future distribution and sale of development rights and land coverage maintained by the City.

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BASED ON THE FACTS SET FORTH IN THE BACKGROUND, BE IT RESOLVED, that the City Council of the City of South Lake Tahoe:

1. Acknowledges and reserves the right to retain all necessary TRPA development rights and land coverage to support City-sponsored municipal projects; and

2. Hereby authorizes the distribution and sale of City maintained TRPA development rights and land coverage subject to the provisions of this policy; and

3. The City Council adopts the following policy for the distribution and sale of TRPA development rights and land coverage:

    A. Distribution and sale of TRPA development rights and land coverage shall be directed toward the development of residential, commercial, mixed-use, and industrial properties in the City of South Lake Tahoe.

    B. Distribution and sale of City-owned TRPA development rights and land coverage shall be consistent with the TRPA Regional Plan, TRPA Code of Ordinances, City of South Lake Tahoe General Plan and Municipal Code, and all other applicable community or area plan policies.

        i. When a developer/applicant requests City maintained TRPA development rights and/or land coverage for a project to be located within the City, the proposed project shall be evaluated to ensure the project is consistent with the following criteria;

            a. The subject property must be in the City of South Lake Tahoe; and

            b. The developer/applicant must have a planning application on file with the Development Services Department, prior to a project developer/applicant requesting development rights and/or land coverage; and

            c. The proposed project provides an environmental and/or economic benefit for the community.

    C. The distribution and sale of development rights and land coverage shall be to the affected parcel(s), not the developer/applicant; and

        i. Any change to an approved project (e.g., elevations, building siting, interior configuration) may result in the revocation of prior reservation and/or allocated development rights and/or land coverage. The developer/applicant will return to the City the allocated development rights and/or land coverage. The City shall reimburse the developer/applicant the price of sale, less the City's administrative processing fee.

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D. The distribution and sale of TRPA development rights and land coverage shall be at no cost for the following projects:

i. The sale of city-owned development rights and land coverage shall be at no cost to single or multi-family residential projects, which are deed restricted to accommodate low, very-low, and moderate-income families, as defined by the Department of Housing and Community Development (HCD) annual State Income Limits, pursuant to Health & Safety Code Section 50093.

ii. The sale of city-owned development rights and land coverage shall be at no cost to a developer/applicant of a multi-family residential project or a mixed-use project, if the project is located with the boundaries of an identified Town Center.

a. In order to qualify for city-owned development rights and land coverage at no cost under this provision, the developer/applicant shall provide evidence that all residential units in said project are deed-restricted for occupancy by a tenant employed at least 30 hours per week at a place of business located in the Tahoe Basin.

b. A mixed-use project can be the horizontal or vertical mix of uses (residential, commercial and industrial) within the same building structure.

iii. The sale of city-owned development rights and land coverage shall be at no cost to commercial/industrial projects, when the property is deemed to be distressed and/or blighted, and the value of the proposed improvements and/or new construction are greater than fifty-one percent of the El Dorado County assessed value.

E. Should an approved residential, commercial, mixed-use, or industrial project later choose to subdivide the land (pursuant to the Subdivision Map Act), all previously required deed restrictions will remain in force or the developer shall reimburse the City the full market rate for said development rights/land coverage at the time of subdivision.

4. The City Council adopts the following implementation strategy for the distribution and sale of development rights and land coverage:

A. The Development Services Department will have an appraisal prepared by a California licenses appraiser, analyzing the sale of each development right (potential residential units of use (PRUs), single and multi-family residential units of use (RUUs), tourist accommodation units (TAUs), commercial floor area (CFA); and land coverage), for the preceding calendar year.

i. The appraiser shall prepare the above-described report for presentation to the City Council on or before February 1 of each calendar year.

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a. The report shall describe the methodology used in determining the value of each development right category, including commercial floor area, and

b. The report shall contain recommendations for each development right category, including land coverage; and

c. The report shall also include a recommended tiers rate structure to address variances based on the scale of the project.

ii. The City Council reserves the right to annually set the price point for each development right type and/or land coverage; and

a. The established cost per category, shall be based upon one-third of the recommended appraisal rate. The City Council may adjust the development rights and land coverage rates based upon the first prepared appraisal, and every four years thereafter.

iii. A developer/applicant shall have one-year from the date of the approved development right/land coverage request to submit and obtain a building permit, issued through the City. If this milestone is unachievable the applicant may apply for an extension or relinquish the City granted development rights and land coverage.

iv. One, one-year extension for the retention of approved development rights/ land coverage may be granted by the City Manager, based on the project continuing to meet the distribution policy and proceeding in a diligent manner, or relinquish the City granted development rights and land coverage.

v. The sale and transfer of development rights/land coverage shall be completed prior to the issuance of a Certificate of Occupancy.

vi. If any of the associated City Planning, Building and/or TRPA permits expire, the allocated development rights/land coverage shall be returned to the City. The City shall also reimburse the developer/applicant for the cost of those development rights/land coverage, less the City's administrative processing fee.

vii. Should the project parcel(s) change ownership the development rights may be transferred to a new owner so long as the project is constructed as approved. Any change to an approved project (e.g., elevations, building siting, interior configuration) may result in the revocation of prior reservation and/or allocated development rights and/or land coverage.

viii. When approved development rights/land coverage is banked on a sending parcel, the developer/applicant shall obtain TRPA Transfer of

Development Rights approval prior to the issuance of a certificate of occupancy.

ix. The proceeds from the sale of city-owned development rights/land coverage shall be dedicated to the City's Workforce Housing Fund to support the City's affordable housing initiatives.

B. The City Council hereby delegates to the City Manager the authority to approve or deny, and to complete the distribution and sale of the development rights/land coverage inside the City of South Lake Tahoe consistent with the criteria outlined in this policy.

C. The City Council reserves the sole right to distribute and sell development rights/land coverage to private developers and other public agencies outside the City of South Lake Tahoe, and all such distribution and sales shall be at the full market rate at that time.

D. The City Council hereby directs the implementation of an annual review process of this policy to be completed prior to February 1, of each calendar year.

E. These policies supersede all other distribution and sale of development rights and land coverage policies adopted by the City Council through Resolution No. 2017-73; and

Adopted by the City of South Lake Tahoe City Council on September 17, 2019 by the following vote:

Yes: Collin, Laine, Middlebrook and Wallace
Absent: Bass

DocuSigned by:
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Brooke Laine, Mayor

9/27/2019
Date

Attest:

DocuSigned by:
...

Sue Blankenship, City Clerk

The presence of electronic signature certifies that the foregoing is a true and correct copy as approved by the South Lake Tahoe City Council.

Resolution 2022-051

Adopted by the City of South LakeTahoe City Council

May 3, 2022

Policy Regarding Disposition of Tahoe Regional Planning Agency (TRPA) Development Commodities Owned by City of South Lake Tahoe (Replacing Resolution 2019-067)

BACKGROUND

A. The Tahoe Regional Planning Authority (TRPA) is the land use authority and has established a development rights system to manage future development and a system to regulate the amount of land coverage in the Tahoe basin.

B. The TRPA development rights are land use units that must be acquired before a property can be developed. Development rights include potential residential units of use (PRUs), single and multi-family residential units of use (RUUs), tourist accommodation units (TAUs), and commercial floor area (CFA).

C. Permanent land coverage is also regulated by the TRPA to protect the Lake Tahoe watershed. Parcels are limited to a specified amount of land coverage and, in some cases, may be transferred to maximize the allowable amount on a given parcel.

D. The City of South Lake Tahoe is subject to applying the development rights and land coverage systems to our review and approval of land use entitlement applications that are subject to the TRPA/City Memorandum of Understanding.

E. The City has TRPA development rights and land coverage which have accumulated from various sources (e.g., Environmental Improvement Projects, implementation of Community Plans and Area Plans, City purchase of land with attached development rights, the retirement of rights, and TRPA allocation of development).

F. The City has been approached by project developers/applicants interested in securing development rights and land coverage from the City.

G. The City has independently sold or provided various TRPA development rights and land coverage to project developers/applicants based on the merits of the individual project.

H. Through the sale of TRPA development rights and land coverage the City has also provided an environmental and economic incentive to projects which otherwise would not have been economically feasible.

I. The City believes it is appropriate, and transparent, to establish a policy that addresses the future distribution and sale of development rights and land coverage maintained by the City.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, BE IT RESOLVED, that the City Council of the City of South Lake Tahoe:

1. Acknowledges and reserves the right to retain all necessary TRPA development rights and land coverage to support City-sponsored municipal projects; and

2. Hereby authorizes the distribution and sale of City maintained TRPA development rights and land coverage subject to the provisions of this policy; and

3. The City Council adopts the following policy for the distribution and sale of TRPA development rights and land coverage:

    A. Distribution and sale of TRPA development rights and land coverage shall be directed toward the development of residential, commercial, mixed-use, and industrial properties in the City of South Lake Tahoe.

    B. Distribution and sale of City-owned TRPA development rights and land coverage shall be consistent with the TRPA Regional Plan, TRPA Code of Ordinances, City of South Lake Tahoe General Plan and Municipal Code, and all other applicable community or area plan policies.

        i. When a developer/applicant requests City maintained TRPA development rights and/or land coverage for a project to be located within the City, the proposed project shall be evaluated to ensure the project is consistent with the following criteria;

            a. The subject property must be in the City of South Lake Tahoe; and

            b. The developer/applicant must have a planning application on file with the Development Services Department, prior to a project developer/applicant requesting development rights and/or land coverage; and

            c. The proposed project provides an environmental and/or economic benefit for the community.

    C. The distribution and sale of development rights and land coverage shall be to the affected parcel(s), not the developer/applicant; and

        i. Any change to an approved project (e.g., elevations, building size or siting, land uses, or density) may result in the revocation of prior reservation and/or allocated development rights and/or land coverage. The City Manager has the discretion to require any project change to be reviewed by the City Council to determine whether development rights or land coverage should be revoked. If revoked, the developer/ applicant will return to the City the allocated development rights and/or land coverage. The City shall reimburse the developer/applicant the price of sale, less the City's

administrative processing fee.

D. The distribution and sale of TRPA development rights and land coverage shall be at no cost for the following projects:

i. The sale of city-owned development rights and land coverage shall be at no cost to single or multi-family residential projects, which are deed restricted to accommodate low, very-low, and moderate-income families, as defined by the Department of Housing and Community Development (HCD) annual State Income Limits, pursuant to Health & Safety Code Section 50093.

ii. The sale of city-owned development rights and land coverage shall be at no cost to a developer/applicant of a multi-family residential project or a mixed-use project containing multi-family residential units, if the project is located with the boundaries of an identified Town Center.

a. A mixed-use project can be the horizontal or vertical mix of uses (residential, commercial and industrial).

iii. The sale of city-owned development rights and land coverage shall be at no cost to commercial/industrial projects, when the property is deemed to be distressed and/or blighted, and the value of the proposed improvements and/or new construction are greater than fifty-one percent of the El Dorado County assessed value.

iv. Up to 20 City banked Tourist Accommodation Units may be converted to Residential Units of Use and sold at no cost for the construction of new Accessory Dwelling Units.

v. Up to 20 City banked Tourist Accommodation Units may be converted to Residential Units of Use and sold at no cost for the construction of new multi-family (2 or more units) projects where the developer/applicant provides evidence that all residential units utilizing converted City Tourist Accommodation Units are deed-restricted for occupancy by a tenant employed at least 30 hours per week at a place of business located in the Tahoe Basin.

Should an approved residential, commercial, mixed-use, or industrial project later choose to subdivide the land (pursuant to the Subdivision Map Act), all previously required deed restrictions will remain in force or the developer shall reimburse the City the full market rate for said development rights/land coverage at the time of subdivision.

E. Should the City provide or sell development rights or land coverage for a project containing residential units, a deed restriction shall be placed on the property prohibiting use as a Vacation Home Rental as defined in City Code Section 3.50.370.

F. Commercial Floor Area shall only be provided or sold to a commercial project and shall

not be converted to other development right types.

4. The City Council adopts the following implementation strategy for the distribution and sale of development rights and land coverage:

   A. The Development Services Department will have an appraisal prepared by a California licenses appraiser, analyzing the sale of each development right (potential residential units of use (PRUs), single and multi-family residential units of use (RUUs), tourist accommodation units (TAUs), commercial floor area (CFA); and land coverage), for the preceding calendar year.

      i. The appraiser shall prepare the above-described report for presentation to the City Council on or before February 1 of each calendar year.

         a. The report shall describe the methodology used in determining the value of each development right category, including commercial floor area, and

         b. The report shall contain recommendations for each development right category, including land coverage; and

         c. The report shall also include a recommended tiers rate structure to address variances based on the scale of the project.

      ii. The City Council reserves the right to annually set the price point for each development right type and/or land coverage; and

         a. The established cost per category, shall be based upon one-third of the recommended appraisal rate.

      iii. A developer/applicant shall have one-year from the date of the approved development right/land coverage request to submit and obtain a building permit, issued through the City. If this milestone is unachievable the applicant may apply for an extension or relinquish the City granted development rights and land coverage.

      iv. One, one-year extension for the retention of approved development rights/ land coverage may be granted by the City Manager, based on the project continuing to meet the distribution policy and proceeding in a diligent manner, or relinquish the City granted development rights and land coverage.

      v. The sale and transfer of development rights/land coverage shall be completed prior to the issuance of a Certificate of Occupancy.

      vi. If any of the associated City Planning, Building and/or TRPA permits expire, the allocated development rights/land coverage shall be returned to the City. The City shall also reimburse the developer/applicant for the cost of those development rights/land coverage, less the City's administrative processing fee.

vii. Should the project parcel(s) change ownership the development rights may be transferred to a new owner so long as the project is constructed as approved. Any change to an approved project (e.g., elevations, building siting, interior configuration) may result in the revocation of prior reservation and/or allocated development rights and/or land coverage.

viii. When approved development rights/land coverage is banked on a sending parcel, the developer/applicant shall obtain TRPA Transfer of Development Rights approval prior to the issuance of a certificate of occupancy.

ix. The proceeds from the sale of city-owned development rights/land coverage shall be dedicated to the City's Workforce Housing Fund to support the City's affordable housing initiatives.

B. The City Council hereby delegates to the City Manager the authority to approve or deny, and to complete the distribution and sale of the development rights/land coverage inside the City of South Lake Tahoe consistent with the criteria outlined in this policy.

C. The City Council reserves the sole right to distribute and sell development rights/land coverage to private developers and other public agencies outside the City of South Lake Tahoe, and all such distribution and sales shall be at the full market rate at that time.

D. The City Council hereby directs the implementation of an annual review process of this policy to be completed prior to February 1, of each calendar year.

E. These policies supersede all other distribution and sale of development rights and land coverage policies adopted by the City Council through Resolution No. 2017-73.

Adopted by the City of South Lake Tahoe City Council on May 3, 2022 by the following vote:

Yes: Bass, Creegan, Friedrich, Middlebrook and Wallace

Devin Middlebrook (May 25, 2022 09:25 PDT)

Date: May 25, 2022

Devin Middlebrook, Mayor

Attest:

Sue Blankenship (May 25, 2022 09:04 PDT)

Susan Blankenship, City Clerk

The presence of electronic signature certifies that the foregoing is a true and correct copy as approved by the South Lake Tahoe City Council.

Res 2022-051 Policy Regarding TRPA Commodities Revision

Final Audit Report 2022-05-25

Created:	2022-05-25
By:	jo Mcdonough (jmcdonough@cityofslt.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAtGyrc2ECgvByyBwRi0dvs3q0zrXmOaug

"Res 2022-051 Policy Regarding TRPA Commodities Revision" History

Document created by jo Mcdonough (jmcdonough@cityofslt.us)
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Agreement completed.
2022-05-25 - 4:25:04 PM GMT

Resolution 2023-XXX

Adopted by the City of South Lake Tahoe
City Council

June 6, 2023

Adopting Policy Regarding Disposition of Tahoe Regional Planning Agency Development Commodities Owned by the City of South Lake Tahoe **(Replaces Resolution 2022-051)**

BACKGROUND

A. The Tahoe Regional Planning Authority (TRPA) is the land use authority and has established a development rights system to manage future development and a system to regulate the amount of land coverage in the Tahoe basin.

B. The TRPA development rights are land-use units that must be acquired before a property can be developed. Development rights include potential residential units of use (PRUs), single and multi-family residential units of use (RUUs), tourist accommodation units (TAUs), and commercial floor area (CFA).

C. Permanent land coverage is also regulated by the TRPA to protect the Lake Tahoe watershed. Parcels are limited to a specified amount of land coverage and, in some cases, may be transferred to maximize the allowable amount on a given parcel.

D. The City of South Lake Tahoe is subject to applying the development rights and land coverage systems to our review and approval of land use entitlement applications that are subject to the TRPA/City Memorandum of Understanding.

E. The City has TRPA development rights and land coverage, which have accumulated from various sources (e.g., Environmental Improvement Projects, implementation of Community Plans and Area Plans, City purchase of land with attached development rights, the retirement of rights, and TRPA allocation of development).

F. The City has been approached by project developers/applicants interested in securing development rights and land coverage from the City.

G. The City has independently sold or provided various TRPA development rights and land coverage to project developers/applicants based on the merits of the individual project.

H. Through the sale of TRPA development rights and land coverage, the City has also provided an environmental and economic incentive to projects which otherwise would not have been economically feasible.

I. The City believes it is appropriate and transparent to establish a policy that addresses the future distribution and sale of development rights and land coverage maintained by the City.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, BE IT RESOLVED, that the City Council of the City of South Lake Tahoe:

1. Acknowledges and reserves the right to retain all necessary TRPA development rights and land coverage to support City-sponsored municipal projects; and

2. Hereby authorizes the distribution and sale of City maintained TRPA development rights and land coverage subject to the provisions of this policy; and

3. The City Council adopts the following policy for the distribution and sale of TRPA development rights and land coverage:

    A. Distribution and sale of TRPA development rights and land coverage shall be directed toward the development of residential, commercial, mixed-use, and industrial properties in the City of South Lake Tahoe.

    B. Distribution and sale of City-owned TRPA development rights and land coverage shall be consistent with the TRPA Regional Plan, TRPA Code of Ordinances, City of South Lake Tahoe General Plan and Municipal Code, and all other applicable community or area plan policies.

        i. When a developer/applicant requests City maintained TRPA development rights and/or land coverage for a project to be located within the City, the proposed project shall be evaluated to ensure the project is consistent with the following criteria;

            a. The subject property must be in the City of South Lake Tahoe; and

            b. The developer/applicant must have a planning application on file with the Development Services Department, prior to a project developer/applicant requesting development rights and/or land coverage; and

            c. The proposed project provides an environmental and/or economic benefit for the community.

    C. The distribution and sale of development rights and land coverage shall be to the affected parcel(s), not the developer/applicant; and

        i. Any change to an approved project (e.g., elevations, building size or siting, land uses, or density) may result in the revocation of prior reservation and/or allocated development rights and/or land coverage. The City Manager has the

discretion to require any project change to be reviewed by the City Council to determine whether development rights or land coverage should be revoked. If revoked, the developer/ applicant will return to the City the allocated development rights and/or land coverage. The City shall reimburse the developer/applicant the price of sale, less the City's administrative processing fee.

D. The distribution and sale of TRPA development rights and land coverage shall be at no cost for the following projects:

   i. The sale of city-owned development rights and land coverage shall be at no cost to single or multi-family residential projects, which are deed restricted to accommodate low, very-low, and moderate-income families, as defined by the Department of Housing and Community Development HCD) annual State Income Limits, pursuant to Health & Safety Code Section 50093.

   ii. The sale of city-owned development rights and land coverage shall be at no cost to a developer/applicant of a multi-family residential project or a mixed-use project containing multi-family residential units, if the project is located with the boundaries of an identified Town Center.

      a. A mixed-use project can be the horizontal or vertical mix of uses residential, commercial and industrial).

   iii. The sale of city-owned development rights and land coverage shall be at no cost to commercial/industrial projects, when the property is deemed to be distressed and/or blighted, and the value of the proposed improvements and/or new construction are greater than fifty-one percent of the El Dorado County assessed value.

   iv. City banked Tourist Accommodation Units may only be converted to Residential Units of Use and sold at no cost for the construction of new Accessory Dwelling Units or the construction of new multi-family rental units (2 or more units) projects.

   Should an approved residential, commercial, mixed-use, or industrial project later choose to subdivide the land (pursuant to the Subdivision Map Act), all previously required deed restrictions will remain in force, or the developer shall reimburse the City the full market rate for said development rights/land coverage at the time of subdivision.

E. Should the City provide or sell development rights or land coverage for a project containing residential units, a deed restriction shall be placed on the property prohibiting use as a Vacation Home Rental as defined in City Code Section 3.50.370.

F. Commercial Floor Area shall only be provided or sold to a commercial project and shall not be converted to other development right types.

4. The City Council adopts the following implementation strategy for the distribution and sale of development rights and land coverage:

A. The Development Services Department will have an appraisal prepared by a California licenses appraiser, analyzing the sale of each development right (potential residential units of use (PRUs), single and multi-family residential units of use (RUUs), tourist accommodation units (TAUs), commercial floor area (CFA); and land coverage~~)~~, for the preceding calendar year.

i. The appraiser shall prepare the above-described report for presentation to the City Council on or before February 1 of each calendar year.

a. The report shall describe the methodology used in determining the value of each development right category, including commercial floor area, and

b. The report shall contain recommendations for each development right category, including land coverage; and

c. The report shall also include a recommended tiers rate structure to address variances based on the scale of the project.

ii. The City Council reserves the right to annually set the price point for each development right type and/or land coverage; and

a. The established cost per category, shall be based upon one-third of the recommended appraisal rate.

iii. A developer/applicant shall have one-year from the date of the approved development right/land coverage request to submit and obtain a building permit, issued through the City. If this milestone is unachievable the applicant may apply for an extension or relinquish the City granted development rights and land coverage.

iv. One, one-year extension for the retention of approved development rights/ land coverage may be granted by the City Manager, based on the project continuing to meet the distribution policy and proceeding in a diligent manner, or relinquish the City granted development rights and land coverage.

v. The sale and transfer of development rights/land coverage shall be completed prior to the issuance of a Certificate of Occupancy.

vi. If any of the associated City Planning, Building and/or TRPA permits expire, the allocated development rights/land coverage shall be returned

to the City. The City shall also reimburse the developer/applicant for the cost of those development rights/land coverage, less the City's administrative processing fee.

vii. Should the project parcel(s) change ownership the development rights may be transferred to a new owner so long as the project is constructed as approved. Any change to an approved project (e.g., elevations, building siting, interior configuration) may result in the revocation of prior reservation and/or allocated development rights and/or land coverage.

viii. When approved development rights/land coverage is banked on a sending parcel, the developer/applicant shall obtain TRPA Transfer of Development Rights approval prior to the issuance of a Certificate of Occupancy.

ix. The proceeds from the sale of city-owned development rights/land coverage shall be dedicated to the City's Workforce Housing Fund to support the City's affordable housing initiatives.

B. The City Council hereby delegates to the City Manager the authority to approve or deny, and to complete the distribution and sale of the development rights/land coverage inside the City of South Lake Tahoe consistent with the criteria outlined in this policy.

C. The City Council reserves the sole right to distribute and sell development rights/land coverage to private developers and other public agencies outside the City of South Lake Tahoe, and all such distribution and sales shall be at the full market rate at that time.

D. The City Council hereby directs the implementation of an annual review process of this policy to be completed prior to February 1, of each calendar year.

E. These policies supersede all other distribution and sale of development rights and land coverage policies adopted by the City Council through Resolution 2017-73, Resolution 2019-067, and Resolution 2022-051.

Adopted by the City of South Lake Tahoe City Council on June 6, 2023 by the following vote:

Yes:
No:
Absent:
Abstain:

_____ Date:_____

Cristi Creegan, Mayor

Attest:

_____

Susan Blankenship, City Clerk

The presence of electronic signature certified that the foregoing is a true and correct copy as approved by the South Lake Tahoe City Council.

City of South Lake Tahoe

Agenda Item Executive Summary

Joe Irvin, City Manager

Meeting Date: June 6, 2023
Agenda Item #: 22

Agenda Item: City of South Lake Tahoe Residential Allocation Procedures

Executive Summary: The City Council maintains a policy for the distribution of residential allocations received from the Tahoe Regional Planning Agency. The policy directs residential allocations to be available for single-family, multi-family and Town Center projects. The proposed resolutions would establish an allocation acceptance fee for single-family allocations based on the size of the housing unit constructed.

Requested Action / Suggested Motions: Pass a Resolution approving revised residential allocation procedures and amending the Master fee Schedule.
Responsible Staff Member: Hilary Roverud, Director of Development Services

Responsible Staff Member: Hilary Roverud, Director of Development Services

Reviewed and Approved By:
Susan Blankenship, City Clerk
Olga Tikhomirova, Director of Finance
Heather Stroud, City Attorney

Attachments:

01-Staff Report - Residential Allocation Proceedures.docx
02-RES 2022-050 Residential Allocation Procedures.pdf
03-Res 2023-XXX Residential Allocation Procedures.docx
04-Master Fee Schedule

City of South Lake Tahoe
Report to **City Council**

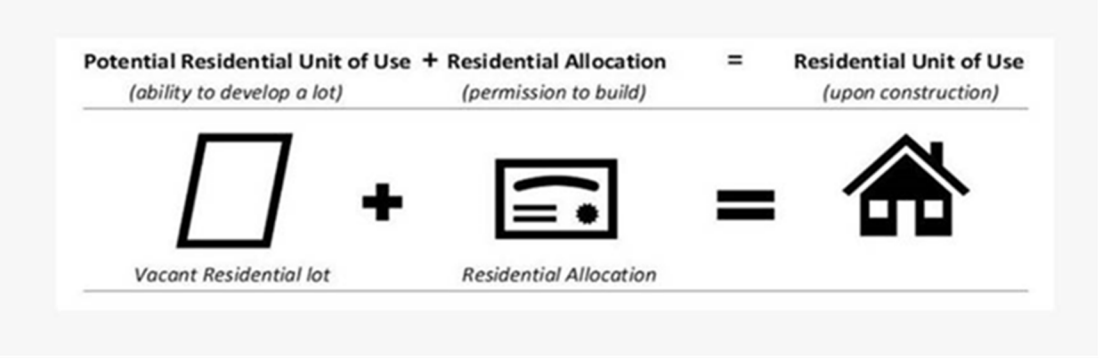
Meeting Date: June 6, 2023

Title: City of South Lake Tahoe Residential Allocation Procedures

Location: Citywide

Responsible Staff Member: Hilary Roverud, Director of Development Services

Background: In accordance with Tahoe Regional Planning Agency (TRPA) Code of Ordinances Chapter 50, residential allocations are required for the development of any new residential dwelling units in the Tahoe Basin. An allocation represents permission to build an additional residential unit but must be paired with a Potential Residential Unit of Use (PRUU) to construct a unit. Typically, buildable parcels have one associated PRUU. In order to build a multi-family project, a property owner must acquire a PRUU and allocation for each unit proposed for construction or obtain Bonus Units from TRPA.



TRPA releases residential allocations to local jurisdictions in two-year increments. Distribution to the local jurisdictions is based on a performance review of residential permitting and code compliance, short-term rental (VHR) neighborhood compatibility compliance and Total Maximum Daily Load (TMDL) implementation.

Local jurisdictions then distribute those allocations to parcels within their respective jurisdiction. TRPA reserves 10% of the allocations assigned to each jurisdiction for distribution to owners of undevelopable parcels below the IPES line. These allocations can then be transferred to developable parcels. Reserved allocations that are not claimed by June 1 of the year awarded are then given to the appropriate jurisdiction for issuance. The City Council has maintained a policy for residential allocation distribution, since 1991, with adopted amendments occurring in 1997, 2001, 2009, 2015, 2018, and 2022.

Prior to 2015 the City Residential Allocation Procedure assigned two thirds (66%) of the allocations to single family applicants and one-third of the allocations (33%) for multi-family or condominium projects. In 2015 the City Council amended its policy to align with the goals of the City General Plan, TRPA Regional Plan, and adopted Area Plans. A central goal of these adopted plans, in particular the Tahoe Valley Area Plan, is the infill development of higher density residential and mixed-use residential land uses within Town Centers. TRPA's Regional Plan Policy LU-3.3 specifically states that development is preferred in and directed toward Town and Regional Centers. The City General Plan includes policies that promote creating higher density walkable mixed-use Town and Regional Centers, (LU-1 .2 and LU-2.10), creating a range of housing options and live/work opportunities (LU-1. 7), and directing allocation of development to Town Centers (LU-2.9). The intent of these policies is to promote infill development and encourage residential uses close to commercial, public, and employment centers to take advantage of existing and planned infrastructure that promotes walking, bicycling, and transit use to encourage mobility without the use of the private automobile. The amended Residential Allocation Procedures dedicated 49% of the City allocations for projects in the Town Centers and maintained a one-third and two-third split of the remaining allocations for single-family and multi-family projects. A map of Town Centers in adopted Area Plans is included as an attachment.

After distribution of allocations in 2015 and 2017 the Residential Allocation Procedure was again analyzed for efficiency in meeting City housing goals and the City Council made the following amendments:

- Cap the number of allocations dedicated to projects in Town Centers at 55 and, if at the cap, distribute all of the allocations 66.6% to single-family and 33.3% to multi-family;
- Distribute allocations reserved by TRPA for low IPES parcels then returned to the City first to single family then multi-family applicants;
- Allow any allocations designated for multi-family to be released to single-family applicants if there is no demand for multi-family allocations (i.e. no waitlist);
- Only allow an applicant on a waitlist to turn down an allocation offer made after the initial distribution and keep their spot on the waitlist once; and
- Allow for more than 8 allocations to be used by a multi-family project in a Town Center.

These amendments allowed for the continued maintenance of an allocation pool to incentivize residential development in Town Centers however, once the cap of 55 is reached, allowed for allocations to be funneled to the single-family waitlist if there isn’t multi-family demand.

In 2021 the policy was again amended to remove the requirement for duplex and triplex projects receiving allocations to submit a Design Review application consistent with the Objective Residential Development and Design Standards adopted in March 2021. The current Resolution 2022-050 approving Residential Allocation Procedures is included as an attachment. In 2022 the policy was amended to require multi-family projects proposing to subdivide into condominiums to obtain single-family allocations.

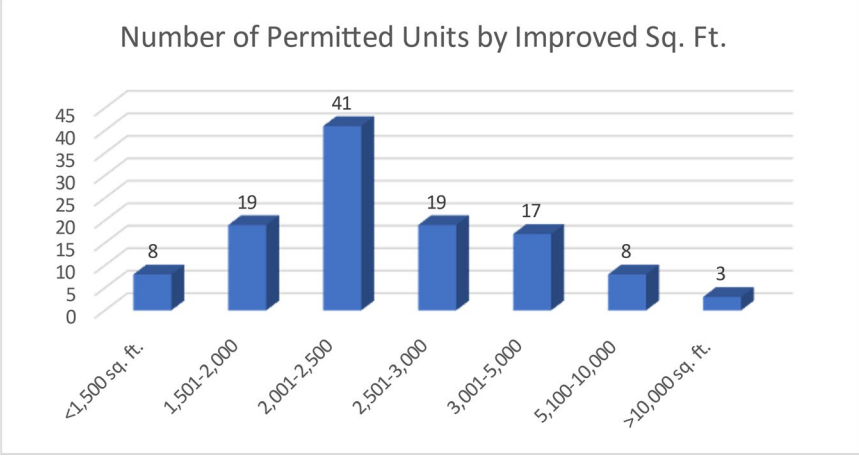
Issue and Discussion: Currently, the City maintains the following allocations, from previous distribution years:

Town Center	55
Multi-Family	7
Single-Family	16

The City historically had a very long waitlist for property owners to receive and allocation. There are currently eleven properties on the single-family waitlist, however all of these properties have previously been offered allocations but chose not to accept them. When a property owner requests an allocation, or to be placed on the waitlist, they are required to pay a fee of $746 and submit a deposit of $1000. If the applicant later accepts and utilizes an allocation the deposit is applied to Building Permit fees.

The 55 allocations set aside for Town Center projects have not been utilized, partially due to the scarcity of PRUUs to pair with the allocations. However, as part of an agreement with the California Tahoe Conservancy in 2022, the City obtained 65 PRUUs and are available for distribution according to the City Council Policy Regarding Disposition of Tahoe Regional Planning agency Development Commodities also being discussed on this same City Council agenda. The availability of these PRUUs as well as the conversion of Tourist Accommodation Units to Residential Units of Use will provide additional incentives for developing multi-family projects.

The following chart represents the size of single-family units built within the City between 2017 and 2021. Some of these homes were constructed without the use of a City allocation, however the data provides a general depiction of the new construction distribution of house size.



On April 26, 2023 the TRPA Governing Board approved the distribution of 66 allocations to the City based on the average performance review score for 2021 and 2022 of 93.77 with no deductions based on the results of the performance review. Based on the current Residential Allocation Procedures, 44 allocations would be made available for single-family projects and 22 for multi-family projects.

Staff is bringing forward a recommended amendment to the Residential Allocation Procedures and City Master Fee Schedule in order to align the policy with City housing goals. The recommended amendment would apply a sliding scale fee for accepting single-family allocations based on the size of the home constructed with that allocation. The home size increments proposed are consistent with those being analyzed for use in a potential Inclusionary Housing Ordinance, as discussed by the City Council on May 2, 2023. At the time of a property owner's acceptance of an allocation they would be required to indicate the size of the home they propose to construct and pay the associated fee if the home is greater than 2,000 sq. ft. The home size would then be verified at the time of the Building Permit application.

The recommended fee structure is as follows:

Under 2,000 sq. ft.	$0
2,001-2,500 sq. ft.	$2,000
2,501-3,000 sq. ft.	$5,000
3,001-5,000 sq. ft.	$10,000
>/=5,001 sq. ft.	$15,000

The maximum fee is based on the market value of purchasing a Residential Unit of use on the private market. These fees would be in addition to the $746 application fee and be subject to CPI increase each year with the Master Fee Schedule adoption. Revenues generated by these fees would be deposited in the City's Workforce Housing account and be used for the implementation of City housing initiatives.

If the City proceeds with the adoption of an Inclusionary Housing Ordinance, this policy will be further evaluated for consistency with the final ordinance and revisions may be recommended at that time.

Financial Implications: If adopted, these amendments would generate a modest amount of funding to support City housing priorities. Residential allocations utilized to construct new housing units in the City also often result in an increase in property value and property taxes received by the City.

Environmental Considerations: Amending the Residential Allocation Procedures is not approval of a project under the California Environmental Quality Act (CEQA) Guidelines Sections 15352 and 15378. Any proposed project that uses development rights or land coverage purchased from the City would be required to go through a project-level environmental analysis pursuant to the CEQA Guidelines.

Policy Implications: The proposed action is consistent with City General Plan Policy LU-1.2

Policy LU-1.2: Smart Growth
The City shall implement Smart Growth principles to create walkable, mixed-use centers, compact and complete neighborhoods, and enhanced gateways and places. Smart Growth principles include:

- Creating a range of housing opportunities and choices;
- Creating walkable neighborhoods;
- Encouraging community and stakeholder collaboration;
- Fostering distinctive, attractive communities with a strong sense of place;
- Making development decisions predictable, fair, and cost-effective;
- Providing a mix of land uses;
- Preserving open space, natural beauty, and critical environmental areas;
- Providing a variety of transportation choices;
- Strengthening and directing development to existing communities; and
- Taking advantage of compact building design.

Resolution 2022-050
Adopted by the City of South Lake Tahoe City Council

May 3, 2022

Approving Revised Residential Allocation Procedures

BACKGROUND

A. The Tahoe Regional Planning Agency provides authority for the distribution of residential allocations to the city pursuant to TRPA Code of Ordinances Section 50.5.2.C.

B. The City Council adopted a Residential Allocation Policy Statement in 1991 which was amended in 1997, 2001, 2009; 2011, 2015, 2018, 2019, and 2021.

C. It is desirable for the City to facilitate the utilization of residential allocations for new residential construction within the City limits.

D. It is desirable for the City Residential Allocation Procedures to be clear and as streamlined as possible.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, BE IT RESOLVED, that the City Council of the City of South Lake Tahoe:

1. Adopts the Revised Residential Allocation Procedures, which are attached hereto as Exhibit A, and directs staff to initiate implementation of these procedures immediately.

Adopted by the City of South Lake Tahoe City Council on May 3, 2022 by the following vote:
Yes: Bass, Creegan, Friedrich, Middlebrook and Wallace

Devin Middlebrook (May 25, 2022 08:50 PDT)

Devin Middlebrook, Mayor

Date: May 25, 2022

Attest:

Sue Blankenship (May 25, 2022 08:34 PDT)

Susan Blankenship, City Clerk

The presence of electronic signature certifies that the foregoing is a true and correct copy as approved by the South Lake Tahoe City Council.

Exhibit A
RESIDENTIAL ALLOCATION PROCEDURES

The City of South Lake Tahoe distributes residential unit allocations to local governments every two years. The City Council has maintained a policy for the distribution of these allocations to properties within the City since 1991 with amendments occurring in 1997, 2001, 2009 2015 and 2018. The purpose of the policy is to provide consistency and fairness in the distribution of allocations to residential properties and property owners wanting to develop housing unitswithin the City.

ALLOCATIONS RECEIVED FROM TRPA

1. Ten percent of the City of South Lake Tahoe allocations are retained by TRPA for the applicants for unbuildable parcels pool.
2. If there are 55 or more allocations currently available in the Town Center pool, the allocations shall be distributed as follows:
    - Sixty-six percent (66.6%) of the residential allocations received from TRPA are assigned to single-family applicants.
    - Thirty-three percent (33.3%) of the residential allocations are assigned to multi-family projects. These allocations can be used for condominium projects.
3. If there are less than 55 allocations currently available in the Town Center pool, the allocations shall be distributed as follows:
    - Forty nine percent (49%) of the residential allocations received from TRPA are assigned to Town Centers in adopted Area Plans. In the event that no applicants on the Town Center waitlist claim an available allocation the Town Center pool may be capped at 55 and additional allocations may be distributed to the multi-family and single-family pools according to the formula described in section 2 above.
    - The remaining residential allocations received from TRPA are assignedto any area of the City as follows:
        - Sixty-six percent (66.6%) of the Citywide residential allocationsreceived from TRPA are assigned to single-family applicants.
        - Thirty-three percent (33.3%) of the Citywide residential allocations are assigned to multi-family projects. These allocations can be used for condominium projects.
4. Any allocations which are reissued to the City by TRPA due to lack of applicants for unbuildable parcels shall be distributed first to single-family applicants with priority to those in the Town Center, then to multi-family applicants with priority to those in the Town Center.
5. If all allocations assigned to single-family applicants have been accepted and utilized and there are allocations assigned to multi-family applicants, which have been offered to all applicants on the waiting list but not accepted, indicating a lack of demand, those allocations may be offered to applicants on the single- family waiting list.

NOTIFICATION LETTER

6. Within 30 days after receiving a Notification Letter from the City of South Lake Tahoe the property owner is required to return the Notification Letter with one of the following options selected;
    - Accept the allocation and comply with all requirements. The Allocation Certificate must be claimed by the owner or an agent (with written authorization from the owner). Signed original documentation must be provided. A copy of the current Grant Deed must be presented. Note: The multi-family notification letter will specify the number of allocations being issued.
    - Reject the allocation and request name to be placed at the end of the waitlist and include the fee established by the current City Council in the City Master Fee Schedule.
    - Reject the allocation and request name to be removed from the waitlist and that the deposit held by the City of South Lake Tahoe be refunded.
7. Only projects offered allocations in the initial distribution are required to be placed at the end of the waitlist or be removed. Allocation offers to projects further down the list, which were not accepted in the initial distribution, may rejectthe offer and remain in place on the waitlist. However, rejecting an allocation and remaining in place on the waitlist may only occur one time per project. Subsequent allocation offer rejections will result in the project being placed at theend of the waitlist.

ALLOCATIONS AWARDED

8. A property owner (or his/her agent) may receive only one single-family allocation per building season unless there are no other applicants on the waiting list.
9. A maximum of eight (8) allocations may be issued to any one multi-family projectper allocation period except for projects located in a Town Center where there is not maximum limit.
10. Repeat names will be moved to the end of the list in the order encountered as it stands at the time of award of these allocations. No additional fee is charged.
11. Multi-family projects that are subdivided into condominiums must obtain single-family allocations.

TRANSFER OF ALLOCATION

12. Property owner/applicant's place on the list is parcel and owner specific. It may not be transferred to any other property or owner. If title to the property changes or the property is sold before an Allocation Certificate is issued the property will be removed from the list and the original applicant may request a return of the refundable portion of the deposit. The new owner shall submit the required documentation, fee and deposit to be placed at the end of the existing list.
13. Once an Allocation Certificate is issued the property can be sold with the allocation. Under no circumstances can that allocation be transferred to any other parcel of land.

PLAN SUBMITTAL AND CRITICAL DATES

14. For projects with more than three units, within three (3) months the property owner shall submit a Design Review application packet and checklists to the City of South Lake Tahoe Planning Division. Within six (6) months of a design review approval, or one (1) year after submittal date for design review, the property owner shall submit a complete multi-family residential application to the City of South Lake Tahoe Building Division. If the Design Review is not approved within one (1) yearafter application submittal date the allocation(s) will go back in the distribution pool. The project may remain on the waiting list for future allocation distributions.
15. For single-family, duplex and triplex projects, within six (6) months the property owner shall submit acomplete residential building permit application to the City of South Lake Tahoe Building Division.
16. Accepting a residential allocation via written notification to the City of South Lake Tahoe and at any time thereafter returning or rescinding the allocation, or failure to comply with any of the critical dates, shall cause a forfeiture of the deposit and the allocation to the City of South Lake Tahoe.
17. Council action is required to extend any deadlines.

Resolution 2023-XXX
Adopted by the City of South Lake Tahoe
City Council

June 6, 2023

Approving Revised Residential Allocation Procedures

BACKGROUND

A. The Tahoe Regional Planning Agency provides authority for the distribution of residential allocations to the city pursuant to TRPA Code of Ordinances Section 50.5.2.C.

B. The City Council adopted a Residential Allocation Policy Statement in 1991 which was amended in 1997, 2001, 2009; 2011, 2015, 2018, 2019, 2021 and 2022.

C. It is desirable for the City to facilitate the utilization of residential allocations for new residential construction within the City limits and to prioritize the use of allocations consistent with City housing goals.

D. It is desirable for the City Residential Allocation Procedures to be clear and as streamlined as possible.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, BE IT RESOLVED, that the City Council of the City of South Lake Tahoe:

1. Adopts the Revised Residential Allocation Procedures, which are attached hereto as Exhibit A, and directs staff to initiate implementation of these procedures immediately.

Adopted by the City of South Lake Tahoe City Council on June 6, 2023 by the following vote:
Yes:

_____ Date:_____
Cristi Creegan, Mayor

Attest:

_____
Susan Blankenship, City Clerk

The presence of electronic signature certifies that the foregoing is a true and correct copy as approved by the South Lake Tahoe City Council.

Exhibit A

RESIDENTIAL ALLOCATION PROCEDURES

The City of South Lake Tahoe distributes residential unit allocations to local governments every two years. The City Council has maintained a policy for the distribution of these allocations to properties within the City since 1991 with amendments occurring in 1997, 2001, 2009, 2015, 2018, 2019, 2021 and 2022. The purpose of the policy is to provide consistency and fairness in the distribution of allocations to residential properties and property owners wanting to develop housing units within the City.

ALLOCATIONS RECEIVED FROM TRPA

1. Ten percent of the City of South Lake Tahoe allocations are retained by TRPA for the applicants for unbuildable parcels pool.
2. If there are 55 or more allocations currently available in the Town Center pool, the allocations shall be distributed as follows:
    - Sixty-six percent (66.6%) of the residential allocations received from TRPA are assigned to single-family applicants.
    - Thirty-three percent (33.3%) of the residential allocations are assigned to multi-family projects. These allocations can be used for condominium projects.
3. If there are less than 55 allocations currently available in the Town Center pool, the allocations shall be distributed as follows:
    - Forty nine percent (49%) of the residential allocations received from TRPA are assigned to Town Centers in adopted Area Plans. In the event that no applicants on the Town Center waitlist claim an available allocation the Town Center pool may be capped at 55 and additional allocations may be distributed to the multi-family and single-family pools according to the formula described in section 2 above.
    - The remaining residential allocations received from TRPA are assigned to any area of the City as follows:
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        - Thirty-three percent (33.3%) of the Citywide residential allocations are assigned to multi-family projects. These allocations can be used for condominium projects.
4. Any allocations which are reissued to the City by TRPA due to lack of applicants for unbuildable parcels shall be distributed first to single-family applicants with priority to those in the Town Center, then to multi-family applicants with priority to those in the Town Center.
5. If all allocations assigned to single-family applicants have been accepted and utilized and there are allocations assigned to multi-family applicants, which have been offered to all applicants on the waiting list but not accepted, indicating a lack of demand, those allocations may be offered to applicants on the single- family waiting list.

NOTIFICATION LETTER

6. Within 30 days after receiving a Notification Letter from the City of South Lake Tahoe the property owner is required to return the Notification Letter with one of the following options selected;
    - Accept the allocation and comply with all requirements. The Allocation Certificate must be claimed by the owner or an agent (with written authorization from the owner). Signed original documentation must be provided. A copy of the current Grant Deed must be presented. The multi-family notification letter will specify the number of allocations being issued. The single-family letter will require the property owner to specify the habitable floor area of the unit that will be developed with the allocation and pay a single-family allocation acceptance fee. The applicable fee is included in the City Master Fee Schedule and floor area will be verified at the time of Building Permit application.
    - Reject the allocation and request name to be placed at the end of the waitlist and include the fee established by the current City Council in the City Master Fee Schedule.
    - Reject the allocation and request name to be removed from the waitlist and that the deposit held by the City of South Lake Tahoe be refunded.
7. Only projects offered allocations in the initial distribution are required to be placed at the end of the waitlist or be removed. Allocation offers to projects further down the list, which were not accepted in the initial distribution, may reject the offer and remain in place on the waitlist. However, rejecting an allocation and remaining in place on the waitlist may only occur one time per project. Subsequent allocation offer rejections will result in the project being placed at the end of the waitlist.

ALLOCATIONS AWARDED

8. A property owner (or his/her agent) may receive only one single-family allocation per building season unless there are no other applicants on the waiting list.
9. A maximum of eight (8) allocations may be issued to any one multi-family project per allocation period except for projects located in a Town Center where there is not maximum limit.
10. Repeat names will be moved to the end of the list in the order encountered as it stands at the time of award of these allocations. No additional fee is charged.
11. Multi-family projects that are subdivided into condominiums must obtain single-family allocations.

TRANSFER OF ALLOCATION

12. Property owner/applicant's place on the list is parcel and owner specific. It may not be transferred to any other property or owner. If title to the property changes or the property is sold before an Allocation Certificate is issued the property will be removed from the list and the original applicant may request a return of the refundable portion of the deposit. The new owner shall submit the required documentation, fee and deposit to be placed at the end of the existing list.
13. Once an Allocation Certificate is issued the property can be sold with the allocation. Under no circumstances can that allocation be transferred to any other parcel of land.

PLAN SUBMITTAL AND CRITICAL DATES

14. For projects with more than three units, within three (3) months the property owner shall submit a Design Review application packet and checklists to the City of South Lake Tahoe Planning Division. Within six (6) months of a design review approval, or one (1) year after submittal date for design review, the property owner shall submit a complete multi-family residential application to the City of South Lake Tahoe Building Division. If the Design Review is not approved within one (1) year after application submittal date the allocation(s) will go back in the distribution pool. The project may remain on the waiting list for future allocation distributions.
15. For single-family, duplex and triplex projects, within six (6) months the property owner shall submit a complete residential building permit application to the City of South Lake Tahoe Building Division.
16. Accepting a residential allocation via written notification to the City of South Lake Tahoe and at any time thereafter returning or rescinding the allocation, or failure to comply with any of the critical dates, shall cause a forfeiture of the deposit and the allocation to the City of South Lake Tahoe.
17. Council action is required to extend any deadlines.

Resolution 2023-XXX

Adopted by the City of South Lake Tahoe
City Council

June 6, 2023

Amending Master Fee Schedule for Single-Family Allocations

BACKGROUND

A. The Tahoe Regional Planning Agency provides authority for the distribution of residential allocations to the city pursuant to TRPA Code of Ordinances Section 50.5.2.C.

B. The City Council adopted a Residential Allocation Policy Statement in 1991 which was amended in 1997, 2001, 2009; 2011, 2015, 2018, 2019, 2021 and 2022.

C. It is desirable for the City to facilitate the utilization of residential allocations for new residential construction within the City limits and to prioritize the use of allocations consistent with City housing goals.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, BE IT RESOLVED, that the City Council of the City of South Lake Tahoe:

Does hereby amend the City of South Lake Tahoe FY 2023/2024 Master Fee Schedule to incorporate fees as follows:

Fee Description	Unit	Adopted Fee
Single-Family Allocation Acceptance	Per allocation	
Under 2,000 sq. ft.		0
2,001-2,500 sq. ft.		$2,000
2,501-3,000 sq. ft.		$5,000
3,001-5,000 sq. ft.		$10,000
>/=5,001 sq. ft.		$15,000

Adopted by the City of South Lake Tahoe City Council on June 6, 2023 by the following vote:
Yes:
No:
Absent:
Abstain:

_____ Date:_____

Cristi Creegan, Mayor

Attest:

_____

Susan Blankenship, City Clerk

The presence of electronic signature certifies that the foregoing is a true and correct copy as approved by the South Lake Tahoe City Council.

City of South Lake Tahoe

Agenda Item Executive Summary

Joe Irvin, City Manager

Meeting Date: June 6, 2023
Agenda Item #: 23

Agenda Item: Status Update on Security for Collection of Tax for Transient Lodging

Executive Summary: in the past three years, South Lake Tahoe has seen an increase in motel/hotel sales and has encountered instances where TOT audits required during the escrow process couldn't be performed because the City was not informed of the property's sale until afterward. Staff developed a mitigation plan to address the potential loss of TOT revenue. As part of this plan, in September 2022, staff presented to City Council an update to several sections of the City Code Title 3 (Finance), with one of them now requiring the security deposit payments to be made in cash or cash equivalent only. Several months after the update, staff mailed out letters to lodging businesses with the deposit requirements calculated based on existing cash deposits on file. Several lodging businesses expressed concerns about the deposit assessment in cash and requested that the City include this matter as an agenda item. On May 2, 2023, the City Council subsequently requested that staff to bring this item for discussion (Councilmember Robbins, seconded by Councilmember Wallace).

Requested Action / Suggested Motions: Pass a Motion to provide direction to staff for future actions regarding security for collection of tax for transient lodging per the City Code Section 3.50.140. Potential alternatives include: (1) elimination of security deposit requirement; (2) reduction in the security deposit maximum amount: (3) no change to the current City Code and processes.
Responsible Staff Member: Olga Tikhomirova, Director of Finance

Responsible Staff Member: Olga Tikhomirova, Director of Finance

Reviewed and Approved By:
Susan Blankenship, City Clerk
Heather Stroud, City Attorney

Attachments:

01-Staff Report - TOT Security Deposit.docx

City of South Lake Tahoe
Report to **City Council**

Meeting Date: June 6, 2023

Title: Security for Collection of Tax for Transient Lodging

Location: Citywide

Responsible Staff Member: Olga Tikhomirova, Director of Finance (530) 542-7431
Ben Hannah, Accountant II (530) 542-6079

Background: The City Code Title 3 Finance includes provisions for the collection of Transient Occupancy Tax (TOT). These provisions, along with internally developed processes and procedures, are designed to ensure compliance with TOT payment requirements and recover unpaid TOT. The City employs several methods to ensure accurate TOT collection. Some of these methods include:

1. ***Liens***. Added in 1987, this ordinance allows the City to record a notice (or place a non-monetary lien) on every transient lodging facility containing more than two units. The current Section 3.50.140, in part, states:

   > *E. Notice shall be recorded with the El Dorado County recorder's office on every transient lodging facility containing more than two units, as defined in SLTCC 3.00.010. The following notice shall appear with regard to such properties:*
   >
   > *Pursuant to this chapter, if any owner or operator liable to the city for any amount of transient occupancy tax or security deposit sells, transfers or assigns the property, the purchasers or successors of such person shall, in escrow, hold sufficient funds to pay such amount in full. The amount shall be determined by audit as described in SLTCC 3.50.140(D).*
   >
   > *If any person fails to pay or withhold the required sum, or allows escrow to close without satisfaction in cash of the amount owed to the city, such person shall be personally liable.*

2. ***Deposits***: Prior to September 2022 City ordinance update, City Code permitted the use of certain security instruments for deposits in various forms and amounts. The section regarding the deposit was originally added in 1971 and was updated in 1994 to allow cash, bond, or other security as deposit instruments, with $10,000 limit. The bond as an allowable security was removed in 2017, and the deposit limit was increased to $20,000. The current Section 3.50.140 regarding security deposits states:

   > *A. To ensure compliance with transient occupant tax payment requirements, the tax collector shall require each person subject to such requirements to deposit with the city a noninterest bearing security in the form of cash or cash equivalent in the amount required by the terms hereof. The required security shall be equal to an amount not greater than twice the person's estimated average liability for the period for which a return must be filed or the sum of $20,000, whichever is less. At any time after the amount of the initial deposit is determined, the amount of the security deposit may be determined on current information and recent reporting and payment history if the secured amount is deemed insufficient by the tax collector.*

3. ***Audit and Escrow Demand***: When notified of a property's sale, City Code Section 3.50.140 (D) requires the City to place an escrow demand with the title company for the amount determined based on the history of the most recent three years of TOT filing. The City is also required to perform an audit. The City Code section states the following:

> *D. If any owner and/or operator of any business or the real property upon which such business is operated sells, transfers, assigns, leases or otherwise quits the business, any person who takes ownership or operation of the business and/or real property upon which such business is operated shall, in escrow, or otherwise, pay such amount in full. The amount to be paid shall be determined by an audit for the last three fiscal years of the property being transferred conducted by the city, less the security deposit, if any, held by the city. No escrow shall be allowed to close concerning any property subject to this chapter unless sufficient funds are retained in escrow to cover any delinquency and paid over to the city from the escrow upon demand; provided, however, that such audit shall, in all cases, be completed within a reasonable period of time after all records necessary to the audit have been provided to the city. All sums deemed due the city at the completion of the audit shall be paid to the city at the completion of the audit by the escrow holder upon written demand of the finance director.*

Issue and Discussion: In the past three years, South Lake Tahoe has seen an increase in motel/hotel sales and has encountered instances where TOT audits required during the escrow process couldn't be performed because the City was not informed of the property's sale until afterward. This has resulted in potential loss of TOT revenue. While most of these properties have a continuing lien, it is non-monetary and is often overlooked by title companies during escrow. Bonds and CDs have also been redeemed in the past without the City's knowledge. Staff raised concerns to the City Manager and developed a mitigation plan to address the potential loss of TOT revenue.

On September 20, 2022, staff presented an update to the City Council regarding the City Code Title 3 Finance, which included two provisions that were outdated or required clarification. The revisions were intended to streamline the collection of the Transient Occupancy Tax (TOT) and included changes to the security deposit instruments and an update to the title of the recordkeeping section to align it with audit procedures.

The updated Section 3.50.140 "Security for the Collection of Tax" now requires security deposit payments for Transient Occupancy Tax to be made in cash or cash equivalent only. Redeeming other security instruments, such as certificates of deposit (CDs), can be challenging as CDs can often be redeemed without the City's authorization. Surety bonds (bonds provision was eliminated in 2017) can be terminated with a simple notice from a hotel operator, requiring additional staff time and effort to recover the deposit. Additionally, record-keeping for non-cash deposits over extended periods has proven to be unsuccessful and prone to errors.

Following these process improvement initiatives, the Finance Department began compiling information on all hotels and motels, calculating the deposit requirements, comparing existing deposits with the requirements, and sending letters to each establishment informing them of the amount due. The letters were sent to hotels on April 6th. Properties were requested to pay the balance due by May 15 or contact the Finance department to set up a payment plan.

The method for calculating the required deposit is in accordance with City Code Section 3.50.140 (A), which states that the "required security shall be equal to an amount not greater than twice the person's estimated average liability for the period for which a return must be filed or the sum of $20,000, whichever is less".

In response to the letters regarding the deposit requirements, the Finance Department received

full payments from 32 hotels and motels and partial payments from 2 others, bringing deposit compliance to 68%. Another 16 properties have made arrangements or payment plans which will bring compliance to 82%.

Several lodging businesses have expressed concerns about the deposit assessment, stating that their companies have consistently and promptly paid their TOT for many years, and they have been in business since the 1980s. Some of these businesses have requested that the City include this matter as an agenda item. On May 2, the City Council directed staff to bring this item for discussion.

Since the day the letters were sent out, staff has been contacted by several business owners requesting further discussion regarding the requirement. On May 23, staff met with two representatives of the lodging association to receive feedback, listen to their concerns with the process and the requirements, and to discuss alternative solutions, some of which are described below.

1. Notification method. It was discussed that a better notification process could have been employed reaching out to the lodging community.

2. A new separate interest-bearing account requirement. This option was proposed if the deposit requirements remain in the City Code. Representatives proposed setting up a new separate interest-bearing account and using interest revenue proceeds for lodging and tourist-related activities and events. Currently, the code provides no information as to where the deposit moneys are held. All interest earned is deposited into the General Fund, and this revenue supplements funding for all City services. Setting up a new bank account is an option; however, the account must be liquid, allowing necessary withdrawals when refunds need to be made. The regular checking account's interest is minimal, and a separate account will require additional staff time for reconciliation and audit reporting. The total amount of deposits, if received from all 112 hotels, is currently calculated at $921,000. It is projected that a large part of the potential interest revenue earned on a new interest-bearing account will be absorbed by bank fees. Additionally, City Code will need to be updated to memorialize this requirement. Staff is not recommending this option.

3. Explore Surety Bonds option in lieu of the deposit requirement. Some bond companies may require collateral based on creditworthiness. The City would have to narrow down acceptable bond companies to maintain records and avoid the pitfall of shell corporations that issue bonds. Due to the complexity of the process involved, requiring all hotels to open a surety bond and subsequent enforcement of the process of paying on the bonds, staff is not recommending this option.

4. Impose fine or penalty in lieu of the deposit requirement. This process would require acknowledgement of personal liability by hotel owners. Staff anticipates it's unlikely the hotel owners would be willing to accept personal liability for the TOT deposit, especially since one of the reasons to employ LLCs or corporations' business types, which all hotels utilize, is to avoid personal liability. Staff is not recommending this option.

All provisions of the TOT collection enforcement in the City Code were created historically due to several motels found liable for significant amounts of unpaid TOT. In the past, the City had an allocated auditor position in the Finance department responsible for routine hotel audits. After a series of layoffs and reorganizations during 2010-2012, the position with this scope of responsibilities was eliminated. The Finance department currently does not have a dedicated hotel

auditor person on staff. All hotel audit-related duties are performed by an accountant who is also responsible for a variety of other regular and critical professional accounting tasks. The hotel audit process currently in place has been optimized to ensure completion and compliance with City ordinances while making sure other accounting responsibilities are performed accurately and on time.

Apart from the deposits that need to be collected, the City Council should be aware of several other related areas.

Staff plans to refile all notices of liens with El Dorado County to ensure that properties that were missed in the past or have notices that expired have them properly recorded and on file.

Additionally, to ensure accurate and prompt receipt of all revenues, based on deeper future research, staff will be conducting further outreach to lodging businesses regarding third-party booking platforms. Lodging businesses and individuals will be encouraged to make changes, if needed, to coordinate the TOT payment reporting process with the booking platforms they utilize in order to ensure that all payments are directed to the City without any revenue loss due to third-party booking fee assessments. Currently, it is estimated that between $200K and $400K annually is uncollected due to this issue.

Suggested Action: The City Council is invited to review the information in this staff report, hear staff's presentation, listen to public comments, review and discuss the current City Code requirements, address public concerns, and provide direction to staff for future actions.

Financial Implications: The updates made in recent years to the Finance City Code section regarding deposits have reduced the time spent on interpreting the code, allowing City staff to oversee the process of deposit requirements more efficiently. Additionally, the audit process was streamlined, reducing staff time for audits during the escrow process. The implementation of the revised code has resulted in increased compliance with deposit requirements. The financial impact of implementing any alternative solutions or changes to the current deposit requirements will depend on the specific approach taken. Staff recommends not implementing the alternative solutions mentioned in this report.

Environmental Considerations: This report is exempt from CEQA under State CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption). Section 15061(b)(3) of the CEQA Guidelines states that an activity is covered by the commonsense exemption that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA review.

Policy Implications: The overall impact of financial policies is to strengthen and preserve the City's financial position and fiscal health as well as maintain the highest level of ethics in the stewardship of public funds.

City of South Lake Tahoe

Agenda Item Executive Summary

Joe Irvin, City Manager

Meeting Date: June 6, 2023
Agenda Item #: 24

Agenda Item: Travel Authorization – League of California Cities Annual Conference, Sacramento

Executive Summary: The League of CA Cities Annual conference will offer educational and innovative leadership sessions across a variety of formats, with a roster of more than 100 speakers. Change is constant in our cities, and these sessions will support city leaders by equipping them with the latest knowledge, resources, and tools to advance their communities and assist officials in their daily roles and operations within their city.

Requested Action / Suggested Motions: Pass a Motion identifying Council Members and authorizing travel and associated expenses to attend the League Annual Conference (September 20-22) and selecting a Voting Delegate
Responsible Staff Member: Susan Blankenship, City Clerk

Responsible Staff Member: Susan Blankenship, City Clerk

Reviewed and Approved By:
Olga Tikhomirova, Director of Finance
Heather Stroud, City Attorney

Attachments:

01-Staff Report - Travel Authorization.docx
02-Register for the 2023 Annual Conference and Expo!.pdf

City of South Lake Tahoe
Report to **City Council**

Meeting Date: June 6, 2023

Title: Travel Authorization – League Annual Conference, Sacramento (September 20-22, 2023)

Location: Sacramento, CA

Responsible Staff Member: Susan Blankenship, City Clerk (530) 542-6005

Background: The City Clerk received an email regarding registration to the League of CA Cities Annual Conference and is bringing it forward to take advantage of early registration discounts. If participation is approved, a voting delegate will need to be selected.

Per City Council Protocols, the City Clerk is seeking authorization for attendance.

City Council Protocols – City Council Travel

b. **General Travel on Behalf of the City:** Councilmembers traveling on behalf of the City expecting reimbursement of expenses must first obtain approval of the travel by the City Council and coordinate their travel through the City Clerk's Office who will generally charge all expenses to the City (rather than reimburse Councilmembers). As noted in the policy any unused reservation will be paid for by the Councilmember. The City Clerk will make reservations based on the City's Travel Policy. Councilmembers who wish to upgrade rooms or flights will be responsible for providing a personal credit card for the additional charges. Personal travel added to business trips will not be reimbursed.

Financial Implications: A total cost per person is $1,652, estimated as follows:

Travel - Hotel (3 nights) $750, additional travel per diems (meals and incidentals) $252 Total Estimate: $1,002 per person (carpooling with City Vehicle anticipated).

Registration - $650 per person.

City Council Budget for Travel has a remaining balance of $1,197.78 (total adopted budget amount $5,000). In order for three people (maximum) to attend, an additional $1,808 can be reallocated from another line item - Tools, Parts and Leases, that has a remaining available balance of $2,940.

City Council Budget for Seminar Registration has a remaining balance of $1,475 (total adopted budget amount $4,000). In order for three people to attend, and additional $475 can be reallocated from the same line item as above.

Environmental Considerations: The proposed action is not a project requiring environmental review under the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15378(b)(5) (organizational or administrative activities that will not result in direct or indirect physical changes in the environment).

Policy Implications: The discussion of Councilmember attendance conforms to City Council

Protocols.

From:	League of California Cities
To:	Sue Blankenship
Subject:	Register for the 2023 Annual Conference and Expo!
Date:	Tuesday, May 30, 2023 3:55:23 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Join us for the 2023 Annual Conference and Expo!

Registration is now open!

The League of California Cities is excited to announce that registration is now open for the **2023 Annual Conference and Expo** in Sacramento at the SAFE Credit Union Convention Center, Sept. 20-22!

This year we will celebrate a milestone anniversary: 125 years of strengthening California cities through advocacy and education. The conference will feature a variety of speakers and timely presentations on key topics for local leaders, plus numerous opportunities for peer-to-peer sharing with other city officials throughout California.

Our popular Expo Hall will be filled with new and familiar faces and brimming with opportunities to engage with companies and organizations that provide services to cities. Keep an eye out in the coming weeks and months ahead as we unveil our 2023 exhibitors.

Importantly, every year at the conference, Cal Cities convenes a member-driven General Assembly and Resolutions process. This is a unique opportunity to engage all members on a range of significant policy issues to protect local control.

In response to member feedback, we have made several updates to improve the member experience and engage members in the process, including a change in the time for the General Assembly. As we lead up to the conference, be on the lookout for more detailed information about the General Assembly, Voting Delegate instructions, and the Resolutions process.

Additional information is available below in the Schedule at a Glance and Organizational Meetings sections.

Looking for more information? Visit the Annual Conference and Expo page of the Cal Cities website.

Register now!

2023 Annual Conference and Expo
SAFE Credit Union Convention Center
1401 K Street

Sacramento, CA 95814

www.calcities.org/ac

Schedule at a Glance

Wednesday, Sept. 20	Registration open/Voting Delegates Booth open
8:00 a.m.-6:00 p.m.	City Clerks Workshop (additional registration required)
8:30 a.m.-1:00 p.m.	AB 1234 Ethics Training
10:00 a.m.-noon	Regional Division Lunches**
11:30 a.m.-1:15 p.m.	First Time Attendee Orientation
12:45-1:15 p.m.	Opening General Session*
1:30-3:30 p.m.	Concurrent Sessions
3:45-5:00 p.m.	Grand Opening Expo Hall and Host City Reception*
5:00-7:00 p.m.	CitiPAC Leadership Reception
7:00-10:00 p.m.	
Thursday, Sept. 21	
8:00 a.m.-4:00 p.m.	Registration open/Voting Delegates Booth open
8:30-9:45 a.m.	Concurrent Sessions
8:30 a.m.	Petition Resolutions Due
9:00 a.m.-3:00 p.m.	Expo Hall Open
10:00-11:30 a.m.	General Session*
11:30 a.m.-1:00 p.m.	Attendee Lunch in Expo Hall
1:00-2:30 p.m.	Resolutions Committee
1:00-5:15 p.m.	Concurrent Sessions
Evening	Regional Division** and Caucus Events
Friday, Sept. 22	
7:30 a.m.-12:30 p.m.	Registration open
7:30-9:00 a.m.	Regional Division Breakfasts**
8:00-10:45 a.m.	Concurrent Sessions
8:30-10:30 a.m.	General Assembly (note new time!)
8:45-10:45 a.m.	AB 1661 Sexual Harassment Prevention Training
11:00 a.m.-12:30 p.m.	Closing General Session*

*No competing events may be scheduled during this time.
**Check with your regional public affairs manager for specific day/time.

Registration Information

Early bird registration deadline
Save $50 on your full conference registration if you register by Wednesday, July 26.

Pre-registration deadline
Online registration ends Tuesday, Sept. 5. After this date, please register onsite if space allows.
Full registration includes . . .

- Admission to general and concurrent sessions and the expo
- Wednesday host city reception, Thursday lunch with exhibitors, and Friday closing lunch
- Admission to CitiPAC and diversity caucus receptions
- Electronic access to all program materials

Registration Process
With an update in technology, registration will now happen directly through your MyCalCities account. Please take a moment to set up your account so you are ready to go! If you have not used your MyCalCities account already, please review details about the portal and contact us for questions.
If you are registering someone other than yourself, first sign in as yourself and then choose the option to register someone else.
Note: Registrations through MyCalCities are available for credit card payments only. If you need to be invoiced and pay with a check, create your account and then reach out to conference registrar, Megan Dunn to request an invoice. Full payment is due at the time of registration.
Conference registration is required to attend all conference activities including department, division, and caucus meetings as well as the General Assembly. Sharing of registration is prohibited.
To request an accommodation or for inquiries about accessibility, please contact conference registrar, Megan Dunn. Every effort will be made to honor requests submitted.
View Cal Cities' event and meeting policies in advance of the conference.

Register now!

Hotel Information

A limited number of hotel rooms are available at reduced rates for registered attendees and exhibitors at the 2023 Annual Conference and Expo. **The deadline to reserve your discounted hotel room is Friday, Aug. 25** or until the hotel block is sold out, whichever is sooner.
STEP ONE: Register for the conference
Registration can be completed through your MyCalCities Portal.
NOTE: Instructions on how to access your portal can be found at this link.
STEP TWO: Book a hotel room
Once you've registered, you will receive a confirmation email with a link to the Hotel Reservations Page. This page is where you will access discounted hotel room rates and manage your reservations, including modifications and cancellations. Hotels are subject to sell out prior to the Aug. 25 deadline — reserve early!
Scam Notice: There are many hotel scammers who may contact you claiming to be the

housing bureau/service for the conference. Cal Cities has contracted with LiveCon as the official housing bureau/service for the 2023 Annual Conference and Expo. Official emails regarding the conference will come from addresses ending in @calcities.org or @live-con.com, or the actual hotel.

Educational Sessions

First-Time Attendees

A special presentation to welcome first-time attendees is scheduled for Wednesday, Sept. 20 at 12:45 p.m. Join us to learn more about Cal Cities and how to get the most out of your conference experience.

Panels, Facilitated Discussions, and Speed Sessions

Educational sessions at the Annual Conference are offered in a variety of formats and include professional development with a focus on leadership skills and workable solutions. Targeting a broad audience, sessions concentrate on innovative, evidence-based, and discussion-provoking trends, tools, and best practices. Connecting professional experiences and collective understanding, these sessions aim to provide attendees the opportunity to gain practical skills and useful resources. Session titles and descriptions will be posted on the Annual Conference webpage as they are confirmed.

Minimum Continuing Legal Education (MCLE) Credits available

With support and leadership from the City Attorneys Department, a limited number of sessions will provide Minimum Continuing Legal Education (MCLE) presentations for California attorneys. Legal updates will be offered in municipal litigation subject areas: General Municipal Law, Torts and Civil Rights, Labor and Employment, and Land Use and CEQA. Additional timely municipal law topics will be covered, including one hour of MCLE specialty credit. Sessions providing MCLE credit will be noted in the conference program. All conference participants are welcome to attend sessions that offer MCLE credit.

State-Mandated Training

Training to meet state requirements on specific ethics laws and principles, as well as workplace harassment, discrimination, and retaliation will be offered during the conference. Understanding Public Service Ethics Laws and Principles (AB 1234 Training) will be available as a pre-conference workshop on Wednesday morning, and Sexual Harassment Prevention Training for City Officials (AB 1661/1825 training) will be available Friday morning during the concurrent sessions.

Cal Cities Partner Sessions

Cal Cities Partners represent many industries and bring a unique perspective to city officials. Sessions planned by our Cal Cities Partners will be scheduled during regular conference times, designated with special signage, and noted in the program book. This is an excellent opportunity for Cal Cities members to get to know our Partners in a new way.

City Clerks Workshop

The annual City Clerks Workshop is scheduled on Wednesday morning from 8:30 a.m.-1:00 p.m. before the conference begins. The workshop begins with a 30-minute department business meeting followed by a four-hour workshop. Certified Municipal Clerk/Master Municipal Clerk advanced education point accreditation will be available. *Additional registration is required to attend the workshop.*

Policy Development Meetings

Resolutions Committee

The Resolutions Committee (RC), which comprises representatives from each division, department, caucus, and policy committee, as well as individuals appointed by the Cal Cities President, will meet on Thursday afternoon to consider resolutions. Resolutions approved by the policy committee and/or RC are next considered by the General Assembly on Friday.

General Assembly

Each member city may designate a city official as the city's Voting Delegate at the General Assembly. If approved by the General Assembly, resolutions become Cal Cities policy.

The deadline to submit a general resolution for consideration is July 22, 2023. For more information on the resolutions process and deadlines, refer to the Policy and Resolutions webpage. Information on how to designate a city's voting delegate will be sent directly to cities in June.

Networking Opportunities

Host City Reception

The City of Sacramento welcomes delegates to the Cal Cities Annual Conference and Expo. Please join us at the opening night host city reception and enjoy a selection of delicious hors d'oeuvres. The reception will take place from 5:00–7:00 p.m. on Wednesday, Sept. 20 in the Expo Hall.

Diversity Caucuses

Cal Cities promotes membership in one of its five diversity caucuses: African American Caucus; Asian Pacific Islander Caucus; Lesbian Gay Bisexual Transgender Queer Caucus (LGBTQ); Latino Caucus; and Women's Caucus. Sign up to join one or more of Cal Cities' caucuses. Caucus networking events at the annual conference are open to all attendees.

Regional Divisions

Regional Divisions function as Cal Cities' grassroots advocacy teams. Divisions are staffed locally by regional public affairs managers to support Cal Cities goals. Contact your regional public affairs manager for more information about division networking events during the conference. *Additional registration may be required for regional division activities.*

Municipal Departments

Functioning as professional societies with educational and networking opportunities, departments play an essential role in forming Cal Cities policy and programs. Learn more about your colleagues' top priorities and the resources Cal Cities provides by attending department business meetings scheduled throughout the conference.

Reception to support CitiPAC

Join your fellow conference attendees and other supporters for an event in support of CitiPAC. ***Rollin' on the River*** will be held from 7:00-10:00 pm. on Wednesday, Sept. 20, and will feature food, beverages, and entertainment.

Expo

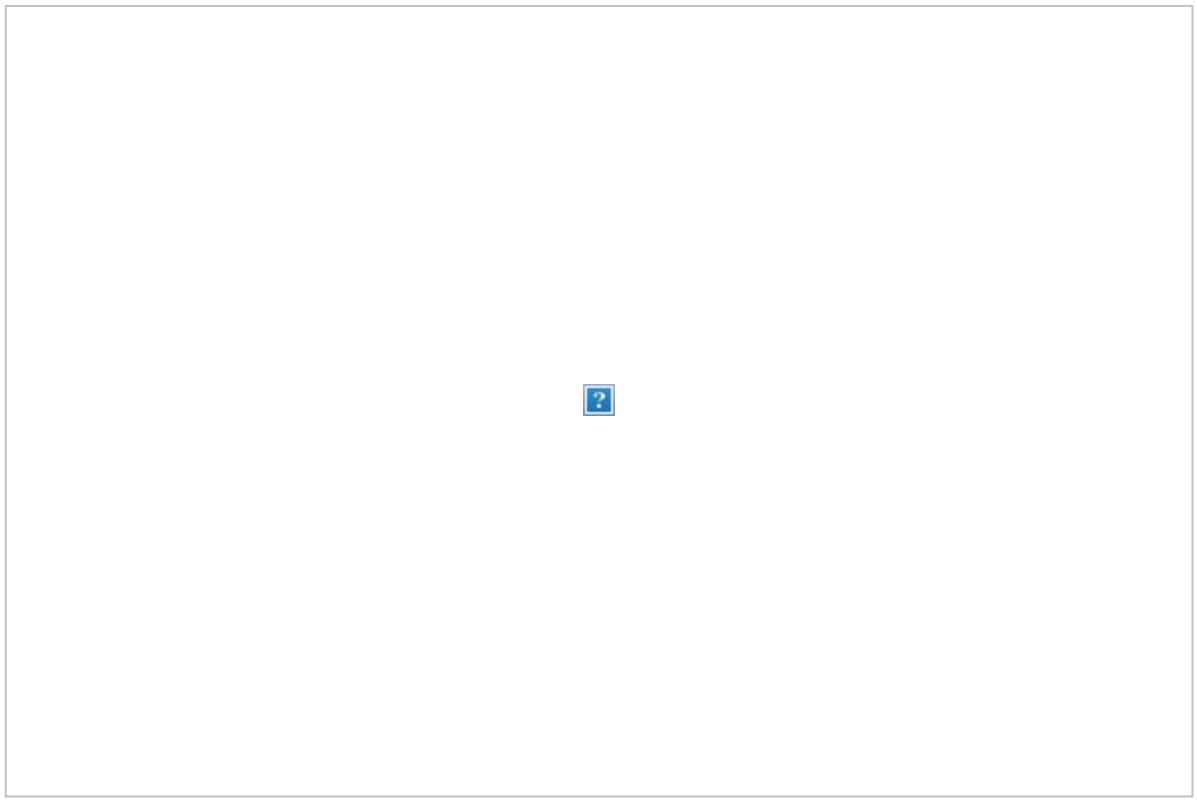
The Expo will be open the evening of Wednesday, Sept. 20 and during the day of Thursday, Sept. 21. Exhibit booth sales are currently open. Do you know someone who might be interested in exhibiting? Have them contact Amy Wade, Associate Manager, Exposition Sales and Event Sponsors.

Contact us for more information or questions

Cal Cities staff are happy to help with any questions you have.

- For program questions, please contact Christina George.
- For registration questions, please contact Megan Dunn.
- For exhibitor questions, please contact Amy Wade.

We look forward to seeing you in Sacramento!



2022-23 Cal Cities Board of Directors

Register now!

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League of California Cities

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City of South Lake Tahoe

Agenda Item Executive Summary

Joe Irvin, City Manager

Meeting Date: June 6, 2023
Agenda Item #: 25

Agenda Item: Red, White and Blue Crosswalk to Celebrate Independence Day

Executive Summary: On May 2, 2022, the City Council directed the Public Works Director to evaluate and propose a location to paint a red white and blue flag-style crosswalk to celebrate the 4th of July (Independence Day). Staff has evaluated various art options as well as locations. To complete this work before the 4th of July, staff recommends a painted crosswalk along the South Tahoe Bikeway Path. In addition, if directed by City Council, staff can submit an Encroachment Permit to Caltrans for a similar style crosswalk along Lakeview Crosswalk at U.S. 50 intersection. This crosswalk will require approval from Caltrans. Once Caltrans grant this approval, staff can paint this crosswalk with the designated art form.

Requested Action / Suggested Motions: Pass a Motion directing the Public Works Director to paint a red white and blue crosswalk for the 4th of July, Independence Day, at Lakeview Commons Area for 2023-24.
CEQA Determination: Painting of a crosswalk area is exempt from review under the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15301 (Existing Facilities) because it is the maintenance or minor alteration of existing public facilities involving negligible or no expansion of existing or former use.
Responsible Staff Member: Anush Nejad, Director of Public Works

Responsible Staff Member: Anush Nejad, Director of Public Work (530) 542-6031

Reviewed and Approved By:
Susan Blankenship, City Clerk
Olga Tikhomirova, Director of Finance
Heather Stroud, City Attorney

Attachments:

01-Staff Report - Red White Blue Crosswalk.docx
02-Lakeview_BIke_Path_Views.pdf
03-Crosswalk_at_Lakeview_and_US_50.pdf
04-Flag_Options.pdf
05 - Presentation_Crosswalk_Options.pptx

City of South Lake Tahoe
Report to **City Council**

Meeting Date: June 6, 2023

Title: Red-White and Blue Crosswalk to Celebrate Independence Day

Location: South Tahoe Bikeway Path at Lakeview Commons

Responsible Staff Member: Anush Nejad, Director of Public Works – (530) 542-6031

Background: During the May 2, 2023, City Council meeting, Councilmember Wallace requested staff to evaluate and present options for a Red-White and Blue painted crosswalk in the City of South Lake Tahoe, seconded by Councilmember Bass. Based on this request, City staff have reviewed legal requirements, potential locations, and types of painted crosswalks to receive direction from the City Council.

Issue and Discussion: A crosswalk is considered a "Traffic Control" device and identifies the location of pedestrian crossings. Crosswalk markings are white or yellow pavement marking lines that identify the crosswalk. Guidance and design of crosswalk markings are defined in the California Manual of Uniform Traffic Control Devices (CA MUTCD – (current edition 2014-Rev 6)). Chapter 3G: Colored Pavements in the CA MUTCD provides guidance on creative crosswalks and recommends: "Crosswalk art is purely aesthetic and is not intended to communicate regulatory, warning or guidance message to road users. Crosswalk art should contrast significantly with the adjoining paved areas. Crosswalk art should not use colors and patterns that degrade the contrast of white crosswalk lines".

Several agencies have installed creative art at crosswalks and intersections. Due to the non-uniform application, the U.S. Department of Transportation, Federal Highway Administration (FHWA) issued an Official Ruling (3(09)-24(I) – Application of Colored Pavement – guidance document. This guidance document states that "*FHWA's position has always been and continues to be that subdued-colored aesthetic treatment between the legally marked transverse crosswalk lines are permissible provided that they are devoid of retroreflective properties and that they do not diminish the effectiveness of the legally required white transverse pavement markings used to establish the crosswalk."*

Therefore, staff opinion is that art within the crosswalk area is permissible if the color treatments are uniform, consistent, repetitive, and expected so as not to be a source of distraction. FHWA discourages elements of aesthetic interior treatment that are random or unsystematic.

Based on these findings, City Staff evaluated several options for location and treatment types. The following are the staff options for Council consideration:

A. Location Options:

1. The U.S. 50 and Lakeview/Champions Plaza: The South Lake Tahoe Bikeway Path at Champion Plaza – Both north and south paved legs, outside of the paving blocks. The path is between 9 to 10 feet wide at this location and can be painted up to 50 feet in length. See Attachment 02.
2. The U.S. 50 crosswalk at Lakeview Avenue: This intersection is within Caltrans jurisdiction, and therefore, an Encroachment Permit and approval from Caltrans are required. See Attachment 03.

Based on field reviews, staff believes this location is suitable for implementing the U.S. Flag style crosswalk art. In addition, this location does not require ADA upgrades or approval from Caltrans and can be painted quickly before the 4th of July. Option 2 is also possible, but applying for a Caltrans permit may take a prolonged time. If approved by Caltrans, the intersection treatment can be implemented at a future date.

B. Art Types Options:

Displaying the U.S. flag is subject to the restrictions in the U.S. Flag Code, 4 U.S.C. section 8, and painting an exact image of the flag on the sidewalk is not permissible. The U.S. flag must never touch the ground or laid-out flat, and must be lit during nighttime, among other requirements. Therefore, staff recommends a red-white-blue pattern to be painted on the South Lake Tahoe Bikeway path. The following two options for the red white and blue flags, as shown in Attachment 04.

C. Duration Options:

The Council may provide direction as to the duration of the implementation. Staff recommends implementation for 2023.

Financial Implications: This action will result in additional costs for painting and maintenance of the recommendation and duration of crosswalk art. However, the cost is minimal and can be absorbed with the operational budget.

Environmental Considerations: Painting of a crosswalk area is not a "project" subject to review under the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15378(b)(2) (continuing administrative or maintenance activities, such as purchases for supplies) if the type of installation complies with the CA-MUTCD guidance.

Policy Implications: This action supports patriotism, vibrancy, safety, sustainability, inclusivity, desirability, and economic strength of the City of South Lake Tahoe.

Attachment A

South Tahoe Bikeway at Champion Plaza (Both Approaches to Lakeview Ave.)





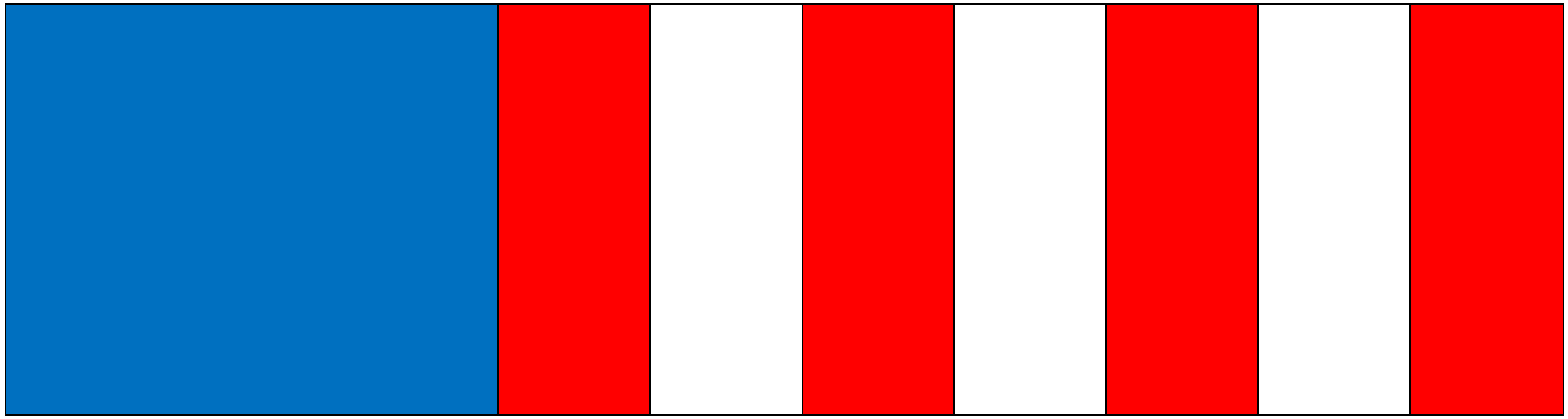
Attachment 03

Crosswalk at U.S. 50 and Lakeview

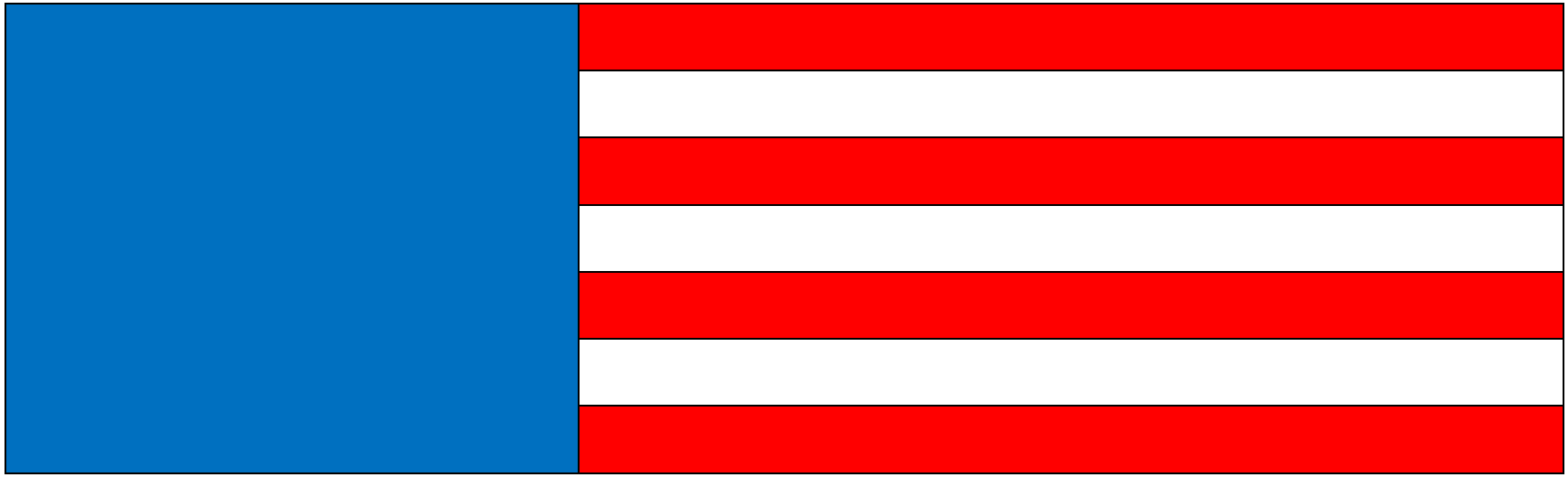


Flag Options

Option 1



Option 2



Red-White-Blue Flag

Council Presentation – July 6, 2023



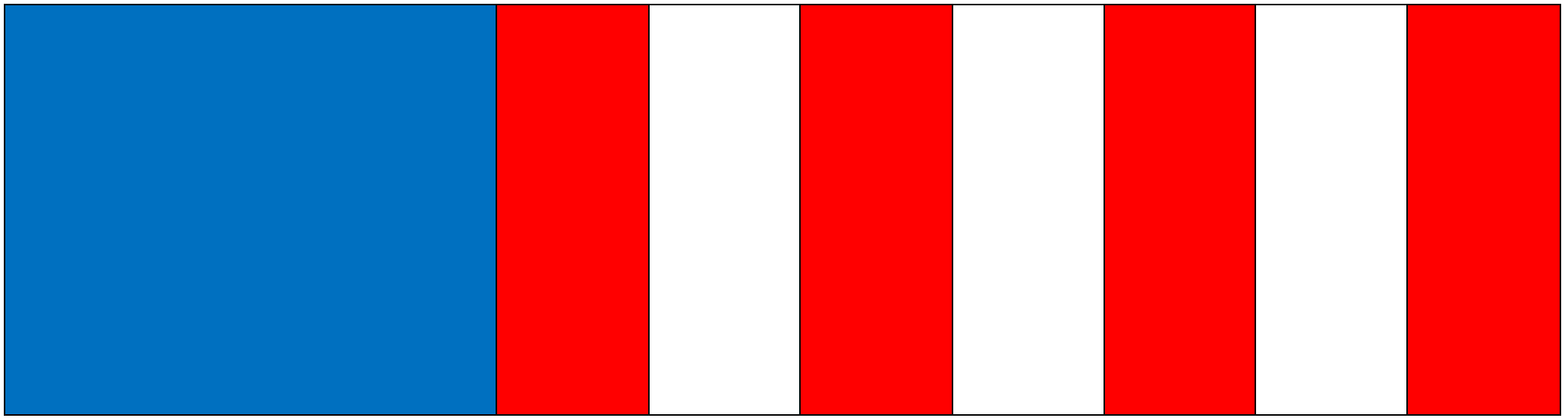


Location Option 1
SLT Bikeway – Champion Plaza

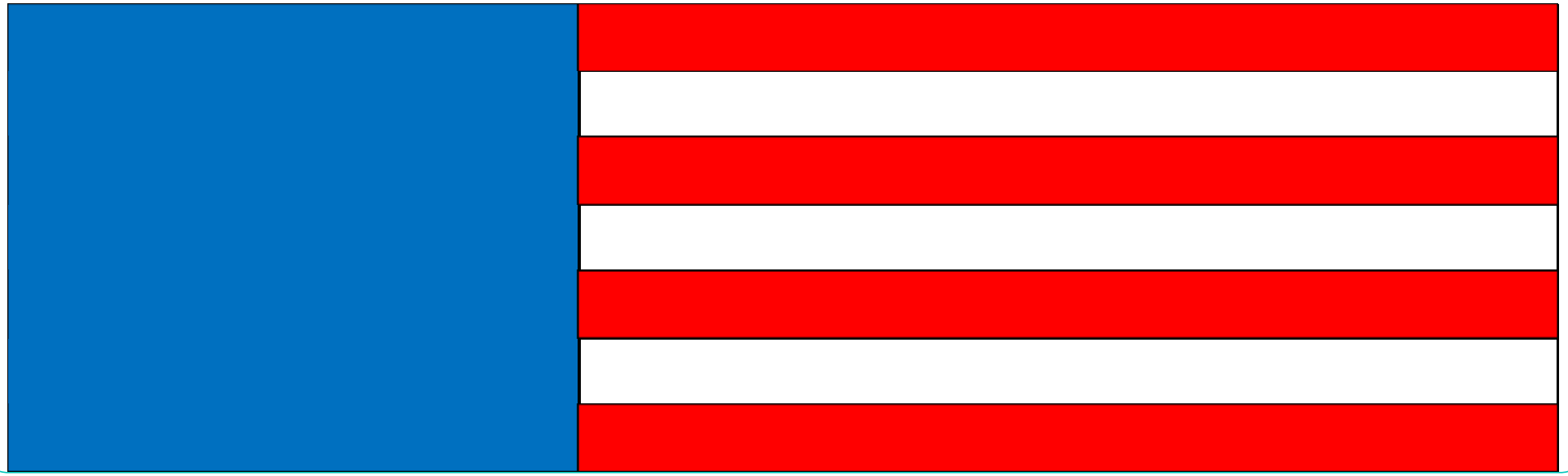
Location Option 2 U.S. 50 at Lakeview



Art Option #1



Art Option #2



City of South Lake Tahoe

Agenda Item Executive Summary

Joe Irvin, City Manager

Meeting Date: June 6, 2023
Agenda Item #: 26

Agenda Item: Agenda Planning Calendar

Executive Summary: The Agenda Planning Calendar is a projection of items coming before City Counci, for consideration.

Requested Action / Suggested Motions: A Councilmember may request that an item be placed on a future agenda. Upon the support of one (1) additional Council Member, direction shall be given to the City Manager to calendar the item for a convenient future agenda, but no sooner than the second meeting after the request was made, and/or modify the Agenda Planning Calendar as desired.
Responsible Staff Member: Joseph Irvin, City Manager

Responsible Staff Member: Joseph Irvin, City Manager (530) 542-6043

Reviewed and Approved By:
Susan Blankenship, City Clerk

Attachments:

APC -06 01 2023.pdf

2023 Agenda Planning Calendar (Updated 06 01 2023)

Department		Agenda Item	Agenda Section
June 20, 5:30 p.m. CC/STRSA	**City Attny**	Local Hire Ordinance (Second Reading)	Consent
		Ordinance Perfect Union Reaffirming Termination of DA (First Reading)	NB
	City Clerk	Assistant City Clerk Budget Appropriation	NB
	City Manager	2023 Cannabis Grant Recommendations	NB
		Presentation on 2022 Cannabis Grant Project Success	Presentation
		Tesla Chargers Contract Amendment 1	Consent
		CalRecycle Used Oil Grant Application	
	Dev Services	Permit Tracking and Public Portal Software PSA Award	
		AHSC Co-Applicant Agreement	Consent
		REACH Code options	UB
		South Tahoe Refuse Report	PH
	Finance	Annual Special Tax for CFD 2001-1 Series 2015 FY 2023-2024	Consent
		Cell Phone Policy	
		Mello-Roos Special Tax for Community Facilities District No. 1995-1	Consent
	Police	Police Vehicle Purchase	

2023 Agenda Planning Calendar (Updated 06 01 2023)

	Public Works	CalTrans US 50 Speed Limit Incease	PH
		2023 Pavement Rehab Award	Consent
		Pot Hole Repair Phase 3 Award	Consent
		Taxi Lane Rehab Award	Consent
Aug 8, 9 a.m.	**City Manager**	TRPA Regional Grant Program (EV Charging/Pioneer Project)	
		Via cost analysis of municipal fixed-route and microtransit service	
	Dev Services	PLHA Formula Grant Amendment	
		CDBG CV-1 Subrecipient Agreement-Boys & Girls Club	
		Inclusionary Housing Ordinance	
		Resiliency Center Grant	
	Finance		
	Fire		
	Police	Police Patrol Vehicle Replacement	
	Public Works	Financing Options for Stormwater Management and Snow Operations	
		Award Contract - Rec Center Project	
		Chain Control Ordinance (First Reading)	

2023 Agenda Planning Calendar (Updated 06 01 2023)

		New Fire Station 3 Feasability Analysis/Interim Fire Station 3 Upgrades	UB
		Bellamy Parking Garage Phase 1 Award	
		Broadband PPP Contract	
		Heavenly/Vail Update Parking Agreement	
Aug 22, 9:00 a.m.	**Budget Workshop**		
	City Attny	Franchise Agreement with South Tahoe Refuse	
	Public Works	Award Police Department Roof Replacement	
Sep 12, 9 a.m.	**Dev Services**	Pro-Housing Designation	
		3900/3908 Lake Tahoe Blvd DDA	
		City/CTC land exchange agreement	
		4139 Lake Tahoe Blvd (Chateau) update	
		Waiting list for Housing Needs	
	Public Works	Hwy 50/89 Concrete/Pavement Option	
		Snow removal from City Sidewalks	
Unscheduled/Pending			
	City Attorney		

2023 Agenda Planning Calendar (Updated 06 01 2023)

City Attny/PW	Amendments to Small Cell Policy
City Clerk	Records Management Policy (Updated)
	Policy - Use of Personal Devices for City Business
City Manager	Comprehensive Energy Services Contract
	Electric Vehicle Charging Contract
	Electric Municipality - Legal Feasability Analysis
	SEED Solar Photovoltaic Project PPA
Dev Services	Plan Area Statement Update for Tourist Accommodation Uses
	Employee Housing Bill of Rights
	Local Housing Fundin Analysis:TOT
	Single Room Occupancy Program Amendments
Finance	Software Purchase
Fire	Weed abatement/nusance Program - Defensable Space Policy
	Type III Fire Engine Purchase
	Public Safety Pier at Ski Run Marina
Parks & Rec	Parks Foundation MOU

2023 Agenda Planning Calendar (Updated 06 01 2023)

	Amendment 1 to Bijou Bike Park Association Maintenance Agreement
	Tahoe Swim Team Use Agreement
	Bijou Golf Course "Rock the Lake" Event and Review
Public Works	Award Contract EV Charging 1700 Shop Street