

## REQUIRED FINDINGS FOR AMENDMENTS TO THE WASHOE COUNTY TAHOE AREA PLAN, INCLINE VILLAGE COMMERCIAL REGULATORY ZONE SPECIAL AREA 1

This document contains required findings per Chapter 3, 4, and 13 of the TRPA Code of Ordinances for amendments to the Washoe County Tahoe Area Plan (TAP):

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

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

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

- TRPA, *Regional Plan Update EIS*, certified by the TRPA Governing Board on December 12, 2012 (RPU EIS)
- Washoe County/TRPA, *Tahoe Area Plan IEC/FONSE*, certified by the TRPA Governing Board on May 26, 2021 (TAP IEC).
- TRPA/Tahoe Metropolitan Planning Organization (TMPO), *2020 Linking Tahoe: Regional Transportation Plan/Sustainable Communities Strategy IS/MND/IEC/FONSE*, certified by the TMPO Board and the TRPA Governing Board on April 2021 (RTP IS/IEC)

These program-level environmental documents include a regional and county-wide cumulative scale analysis and a framework of mitigation measures that provide a foundation for subsequent environmental review at an Area Plan level. Because the amendments with mitigations are consistent with the 2012 Regional Plan Update (RPU), adopted TAP and Regional Transportation Plan (RTP), which have approved program-level environmental documents, the TAP amendments are within the scope of these program-level documents.

The proposed amendments evaluated by the IEC are limited to the amendments of the TAP to add single-family dwellings (SFDs), limited to condominiums, as a permissible use in the TAP's Incline Village Commercial Regulatory Zone (IVCRZ) Special Area 1 (SA1) when part of a mixed-use development or when they are affordable housing units. The purpose of the amendments is to allow for the condominium form of ownership within SA1 when an approved multiple-family dwelling (MFD) project, with a mixed-use component or limited to affordable housing, is

subdivided into airspace condominiums. Under current zoning, units in an MFD development within SA1 may only be rented since subdivision into SFD condominiums is prohibited. The amendment will not have a significant effect on existing environmental conditions as analyzed in the original TAP IEC because it does not change intensity of development with the addition of a definition and minimum standards for mixed-use development.

The amendments described in this packet will become part of the Regional Plan and update the permissible uses within the IVCRZ SA1. The proposed amendments are consistent overall with the TRPA Conceptual Regional Land Use Map adopted as part of the RPU.

The IEC is tiered from the RPU EIS in accordance with Section 6.12 of the TRPA Rules of Procedures. The RPU EIS is a Program EIS that was prepared pursuant to Article VI of TRPA Rules of Procedures (Environmental Impact Statements) and Chapter 3 (Environmental Documentation) of the TRPA Code of Ordinances. The RPU is a comprehensive land use plan that guides physical development within the Lake Tahoe Region through 2035. The RPU EIS analyzes full implementation of uses and physical development proposed under the RPU, and it identifies measures to mitigate the significant adverse program-level and cumulative impacts associated with that growth. The TAP is an element of the growth that was anticipated in the RPU and evaluated in the RPU EIS. By tiering from the RPU EIS, this IEC relies on the RPU EIS for the following:

- a discussion of general background and setting information for environmental topic areas;
- overall growth-related issues;
- issues that were evaluated in sufficient detail in the 2012 RPU EIS for which there is no significant new information or change in circumstances that would require further analysis; and
- assessment of cumulative impacts.

The IEC evaluated the potential environmental impacts of the proposed amendments with respect to the RPU EIS to determine what level of additional environmental review, if any, is appropriate. The IEC assessed potential impacts to the affected physical environment from the proposed amendments. The IEC found that potential land use changes arising from the conversion of commercial or multi-family uses to single-family condominiums could be mitigated with requirements defining and

setting minimum standards for mixed-use development including a deed-restricted component.

Based on the review of the evidence, the analysis and conclusions in the IEC determined that the amendments with mitigation will not have a significant impact on the environment. Therefore, a Finding of No Significant Effect with mitigation will be prepared.

The IEC did not evaluate potential environmental impacts of any specific projects. Project level environmental analysis will be required based on the design of specific projects that may be submitted pursuant to the amendment.

Chapter 4 Findings: The following findings must be made prior to adopting the TAP Amendment:

1. Finding: The proposed Area Plan Amendment is consistent with, and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Community Plan/Plan Area Statements, the TRPA Code of Ordinances, and other TRPA plans and programs.

Rationale: The proposed amendments include adding SFDs, limited to condominiums, to the list of permissible uses for IVCRZ SA1 and adding TAP Land Use Policy (LU) 2-9, currently applicable to the greater IVCRZ, to SA1. LU 2-9 provides, “[s]ingle family dwellings shall only be allowed in IVCRZ when they are part of a mixed-use development or when they are affordable housing units.” The amendments will allow for the condominium form of ownership within SA1 when an approved multiple-family dwelling (MFD) project, with a mixed-use component or limited to affordable housing, is subdivided into airspace condominiums. Mitigations to the proposed amendment define and set minimum standards for mixed-use development to ensure that approved mixed-use projects meet the goals and policies of the Regional Plan. Under current zoning, units in an MFD development within SA1 may only be rented since subdivision into SFD condominiums is prohibited.

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

The amendments and mitigations were prepared in conformance with the substantive and procedural requirements of the Goals and Policies, as implemented through TRPA Code of Ordinances, Chapter 13, *Area Plans*. The TAP is consistent with the Tahoe Regional Plan and TRPA Code of Ordinances, as shown in the Conformance Review Checklist and as demonstrated by the IEC.

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

TRPA relies upon the amendments' accompanying environmental documentation, Staff's professional analysis, and prior plan level documentation, including findings and EISs, to reach the fundamental conclusions regarding the amendments' consistency with the Regional Plan and thresholds. A project that is consistent with all aspects of the Regional Plan and that does not adversely affect any threshold is, by definition, consistent with compliance measures, indicators and targets. In order to increase its analytical transparency, TRPA has prepared worksheets related specifically to the 4.4.2 considerations, which set forth the 222 compliance and supplemental compliance measures, the 178 indicators and additional factors, and interim and final targets. Effects of the proposed TAP amendments on these items, if any, are identified and to the extent possible described.

Based on the IEC, the RPU EIS, the TAP IEC, the RPU and RTP findings made by the TRPA Governing Board, the Section 4.4.2 findings, and using applicable measurement standards consistent with the available information, the amendments with mitigation will not adversely affect applicable compliance and supplemental compliance measures, indicators, additional factors, and attainment of targets by the dates identified in the 2019 Threshold Evaluation. The TAP incorporates and/or implements relevant compliance measures, and with the implementation of the measures with respect to development within the TAP, the effects are not adverse, and with respect to some measures, are positive. The amendments do not change the TAP's design standards or compliance measures. (See the IEC, TAP Amendment Conformity Checklist and Compliance Measures Worksheet)

Washoe County anticipates that implementation of the amendments with mitigation could accelerate threshold gains by encouraging the redevelopment of an aging town center as demonstrated below.

Section 4.4.2.B also requires TRPA to disclose the impact of the proposed amendments on its cumulative accounting of units of use (e.g., residential allocations, commercial floor area). The TAP Amendment does not affect the cumulative accounting of units of use as no additional residential, commercial,

tourist, or recreation allocations are proposed or allocated as part of these amendments.

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

TRPA therefore finds that the amendments with mitigation are consistent with and will not adversely affect implementation of the RPU, including all applicable Goals and Policies, Community Plans, Plan Area Statements, the TRPA Code or Ordinances, and other TRPA plans and programs.

2. Finding: The proposed ordinance and rule amendments will not cause the environmental threshold carrying capacities to be exceeded.

Rationale: As demonstrated in the completed IEC, no significant environmental effects were identified as a result of the proposed amendments with mitigation, and the IEC did not find any thresholds that would be adversely affected or exceeded. Adding SFDs, limited to condominiums in defined mixed-use or affordable housing developments, will have no adverse impact on thresholds compared to the uses currently permissible in SA1. As found above, the Area Plan, as amended with mitigation, is consistent with and will help to implement the Regional Plan.

TRPA reviewed the proposed amendment in conformance with the 222 compliance measures and supplemental compliance measures, the over 178 indicators and additional factors that measure threshold progress and threshold target, and interim attainment dates. The amendments with mitigation will not adversely affect applicable compliance measures, indicators, additional factors and supplemental compliance measures and target dates as identified in the 2019 Threshold Evaluation indicator summaries. TRPA anticipates that implementation of the TAP will accelerate threshold gains as demonstrated below. Because the principal beneficial impacts of implementation of the TAP depend upon the number and size of redevelopment projects, the specific extent and timing or rate of effects of the TAP cannot be determined at this time. However, pursuant to Chapter 13 of the TRPA Code of Ordinances, TRPA will monitor all development projects within the TAP through quarterly and annual reports. These reports will then be used to evaluate the status and trend of the threshold every four years.

The amendments do not affect the cumulative accounting of units of use as no additional residential, commercial, tourist or recreation allocations are proposed or allocated as part of this Regional Plan amendment. Any allocations used as a result of these amendments would be taken from available pools held by Washoe County or purchased or exchanged through the Development Rights Program. Accounting for units of use, resource utilization and threshold attainment will occur as part of the project review and approval process.

The amendments with mitigation do not affect the amount of the remaining capacity available, as the remaining capacity for water supply, sewage collection and treatment, recreation and vehicle miles travelled have been identified and evaluated in the RPU EIS and/or RTP IEC. No changes to the overall capacity are proposed in these amendments. TRPA therefore finds that the amendments will not cause the thresholds to be exceeded.

3. Finding: Wherever federal, state or local air and water quality standards applicable for the Region, the strictest standards shall be attained, maintained, or exceeded pursuant to Article V(d) of the Tahoe Regional Planning Compact.

Rationale: Based on the following: (1) TAP Amendment IEC; (2) RPU EIS; (3) RTP IEC; and (4) 2019 Threshold Evaluation Report, adopted by the Governing Board, no applicable federal, state, or local air and water quality standard will be exceeded by adoption of the amendments. The proposed amendments do not affect or change the federal, state, or local air and water quality standards applicable for the Region. Projects developed under the TAP will meet the strictest applicable air quality standards and implement water quality improvements consistent with TRPA Best Management Practices (BMPs) requirements and the Lake Tahoe Total Maximum Daily Load (TMDL) and County's Pollutant Load Reduction Plan (PLRP). Federal, State, and local air and water quality standards remain applicable for all parcels in the TAP, thus ensuring environmental standards will be achieved or maintained pursuant to the Bi-State Compact.

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

Rationale: **TAP Amendments and Threshold Gain**

The TAP, adopted in 2021, identifies the need to diversify and provide support for varying housing options, specifically in Town Centers. The proposed amendments accomplish this by affording property owners in SA1 the option to include SFDs, as airspace condominiums in mixed-use or affordable residential developments, in future development projects. Mitigations address the impacts of a proliferation of residential development on commercial/residential mix and housing affordability by requiring minimum standards for mixed use development including a deed-restricted component. The amendments will incentivize residential mixed-use redevelopment in the Town Center by increasing opportunities for economically viable projects.

The TAP amendments accelerate threshold gain including water quality restoration, scenic quality improvement, and other ecological benefits, by supporting environmental redevelopment opportunities and Environmental Improvement Program (EIP) investments. These redevelopment incentives are intended to increase the rate of redevelopment and will likewise increase the rate of threshold gain by accelerating the application of controls designed to enhance water quality, air quality, soil conservation, scenic quality and recreational improvements to projects that wouldn't otherwise be redeveloped absent TAP provisions.

The TAP's Development and Design Standards represent a significant step forward in enhancing the aesthetics of the built environment and will result in improvements to the scenic threshold as projects are approved and built. Redevelopment of existing Town Centers is identified in the RPU as a high priority.

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

#### A. Water Quality

The 2019 Threshold Evaluation found that the trend in reduced lake clarity has been slowed. The continued improvement is a strong indication that the actions of partners in the Region are contributing to improved clarity and helping TRPA attain one of its signature goals.

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

#### B. Air Quality

The 2019 Threshold Evaluation found that the majority of air quality standards are in attainment and observed change suggests that conditions are improving or stable. Actions implemented to improve air quality in the Lake Tahoe Region occur at the national, state, and regional scale. The U.S. Environmental Protection Agency and state agencies, such as the California Air Resources Board, have established vehicle tail-pipe emission standards and industrial air pollution standards. These actions have resulted in substantial reductions in the emissions of harmful pollutants at state-wide and national scales and likely have contributed to improvement in air quality at Lake Tahoe. At a regional scale, TRPA has established ordinances and policies to encourage alternative modes of transportation and to reduce vehicle idling by prohibiting the creation of new drive-through window establishments.

Facilitating projects within the approved Area Plans is an integral component in implementing regional air quality strategies and improvements at a community level. (TRPA Goals and Policies: Chapter 2, Land Use). Because the land use and

transportation strategies identified in the TAP lead to implementation of the Regional Plan, they directly contribute to achieving and maintaining the Air Quality threshold.

One of the main objectives of the TAP is to encourage the redevelopment of the existing built environment and to provide access to recreational opportunities from walking and bike paths, as well as provide greater access to transit. Replacing older buildings with newer, more energy efficient buildings that take advantage of the Washoe County's Green Building Program will also help to improve air quality and ensure the attainment of air quality standards.

TRPA's 2020 *Regional Transportation Plan: Linking Tahoe (RTP)* includes an analysis of its conformity with the California State Implementation Plan to ensure that the RTP remains consistent with State and local air quality planning work to achieve and/or maintain the national ambient air quality standards (NAAQS). The proposed amendment does not propose changes to land use assumptions for mixed-use assigned to the amendment area and the TAP would continue to promote higher density residential uses within one-quarter mile of transit, commercial, and public service uses, and therefore would not change the conformity determination by state regulators.

Per Chapter 2 of the TAP, environmental redevelopment offers the best path to sustainable development by directing the remaining development capacity in the Region into areas with existing development and infrastructure, promoting economic activity, replacing sub-standard development with more energy-efficient and environmentally friendly structures, and creating more compact walkable and bikeable Town Centers. Allowing SFDs, limited to airspace condominiums, in SA1, a Town Center, provides additional housing options consistent with many goals and policies identified in the TAP, including the creation of walkable Town Centers and reduced vehicle-miles traveled needed to meet the air quality goals of the Regional Plan. Mitigations defining and setting minimum standards for mixed-use development further promote walkable Town Centers and promote housing options for a range of income levels.

#### C. Soil Conservation

The 2019 Threshold Evaluation found negligible change in the total impervious cover in the Region over the last five years and the majority of soil conservation standards in attainment. While the permitting process of partners has been effective in focusing development on less sensitive lands and encouraging removal of impervious cover from sensitive areas, there is still much work to be done. Plans for large scale SEZ restoration, recent improvements in the Development Rights program, and implementation of the Area Plans will continue to help achieve SEZ restoration goals.

Today, most if not all developed commercial and tourist properties exceed the 50 percent maximum land coverage allowed in the TAP. Several commercial properties within the subject area average 90% coverage. This indicates that future



redevelopment would be required to implement excess land coverage mitigation. Furthermore, redevelopment permitting would require these properties to come into modern site design standards including landscaping, BMPs, setbacks, etc. These standards would likely result in the removal of existing land coverage for properties that are severely overcovered. Any project developed as a result of the amendments would include excess coverage mitigation. Therefore, the amendments will help to accelerate threshold gain through soil conservation.

#### D. Scenic Quality

The 2019 Threshold Evaluation found that scenic gains were achieved in developed areas along roadways and scenic resources along the lake's shoreline, the areas most in need of additional scenic improvement. Overall, 93% of the evaluated scenic resource units met the threshold standard and no decline in scenic quality was documented in any indicator category.

Future redevelopment within the subject area is likely to result in a significant improvement to scenic quality from the roadway and will not be allowed to degrade the shoreline scenic attainment. Redevelopment will be required to comply with the following TAP Goals and Policies:

**Goal LU6:** Strengthen economic activity in Incline Village and Crystal Bay by creating pedestrian-friendly environments in mixed-use and tourist regulatory zones with upgraded aesthetics, architecture, and landscaping. Reduce the visual prominence of parking lots and asphalt.

**Goal C5:** Improve and protect the scenic quality and tranquility of the planning area. Protect and enhance scenic views and vistas from public areas.

#### E. Vegetation

The 2019 Threshold Evaluation found that vegetation in the Region continues to recover from the impacts of legacy land use. The majority of vegetation standards that are currently not in attainment relate to common vegetation in the Region. This finding is consistent with those of past threshold evaluations. As the landscape naturally recovers from the impacts of historic logging, grazing, and ground disturbance activities over the course of this century, many of the standards are expected to be attained.

SA1 is a developed urban area. Of the 42 properties, only nine are vacant and, of those nine, two were previously developed and have an approved development project permit. The undeveloped properties have native vegetation. The proposed amendments would not alter or revise the regulations pertaining to native vegetation protection during construction. Adding SFDs, limited to condominiums, would not increase tree or vegetation removal. SA 1 is not within TRPA's Conservation or Recreation land use classifications.

## F. Recreation

The 2019 Threshold Evaluation found that land acquisition programs and the Lake Tahoe Environmental Improvement Program have contributed to improved access and visitor and resident satisfaction with the quality and spectrum of recreation opportunities. Partner agencies have improved existing recreation facilities and created new ones, including providing additional access to Lake Tahoe, hiking trailheads, and bicycle trails. Today's emerging concerns are transportation access to recreation sites and maintaining quality recreation experiences as demand grows, concerns that may require the Region to revisit policies and goals for the recreation threshold standards.

There are several recreation sites located just east of SA 1 off State Route 28. These include an 18-hole golf course, ball fields and a skate park. The TAP includes goals and policies regarding maintaining, improving and expanding recreation facilities and providing enhanced access through the construction of sidewalks and bike paths and improving public transit. The proposed amendments do not include any changes to recreational land uses or policies, nor does it eliminate a planned recreational use in the TAP.

The approval of any project proposing the creation of additional recreational capacity would be subject to subsequent project-level environmental review and permitting and, if applicable, would be subject to the Persons At One Time (PAOT) system of recreation allocations administered by TRPA as described in Section 50.9 (Regulation of Additional Recreation Facilities) of the TRPA Code of Ordinances. No additional PAOTs are proposed by the amendment.

## G. Fisheries

While the 2019 Threshold Evaluation found standards for fisheries to generally be in attainment, the standards focus on physical habitat requirements that may not reflect the status of native fish populations. Recent population surveys in Lake Tahoe suggest significant declines in native fish species in parts of the nearshore. Declines are likely the result of impacts from the presence of aquatic invasive species in the lake. While efforts to prevent new invasive species from entering the lake have been successful, mitigating the impact of previously introduced existing invasive species remains a high priority challenge. Invasive species control projects are guided by a science-based implementation plan. Ensuring native fish can persist in the Region and the restoration of the historic trophic structure to the lake will likely require partners to explore novel methods to control invasive species and abate the pressure they are placing on native species. Climate change driven shifts in the timing and form of precipitation in the Region pose a longer-term threat to native fish that may need to be monitored.

BMPs required for project development would improve water quality and thus could contribute to improved riparian and lake conditions in receiving water bodies. The proposed amendments will not alter the Resource Management and Protection Regulations, Chapters 60 through 68, of the TRPA Code of Ordinances. Chapter 63:

Fish Resources includes the provisions to ensure the projection of fish habitat and provide for the enhancement of degraded habitat. Development within the TAP could benefit the Fisheries Threshold through Goals and Policies aimed at the restoration of SEZs and implementation of BMPs.

#### H. Wildlife

The 2019 Threshold Evaluation found that twelve of the 16 wildlife standards are in attainment. Over 50 percent of the land area in the Tahoe Region is designated for protection of listed special status species. Populations of special interest species are either stable or increasing.

Future redevelopment projects in SA1 would be subject to project-level environmental review and permitting at which time the proposals would be required to demonstrate compliance with all federal, state, and TRPA regulations pertaining to the protection of animal species. (Section 62.4 of the TRPA Code). At a project level, potential effects to animal species would be evaluated based on applicable species' distribution and known occurrences relative to the project area and the presence of suitable habitat for the species in or near the project area. The analysis included in the IEC concludes the amendments will not change development standards (e.g., habitat protections) that could lead to changes in biological resources.

Implementation of the proposed amendments would not result in the reduction in the number of any unique, rare, or endangered species of animals, including waterfowl.

#### I. Noise

The 2019 Threshold Evaluation found that Ambient noise levels in seven of nine land-use categories are in attainment with standards, but because of the proximity of existing development to roadways just two of seven transportation corridors are in attainment with ambient targets. Due to insufficient data, status determinations were not possible for nearly half of the single event noise standards. Limited noise monitoring resources were prioritized towards collecting more robust information to analyze ambient noise standards, which are more conducive to influential management actions than are single event sources. TRPA continues to update and evaluate its noise monitoring program to ensure standards are protective and realistically achievable.

As discussed in the IEC, the TAP amendments would not alter noise policies and the adopted TRPA CNEL threshold standards, and Regional Plan and General Plan noise policies would continue to be applied.

Noise increases associated with traffic under redevelopment buildout conditions would be similar to existing noise levels as traffic levels are relatively the same between existing and the new allowed use (SFD condominiums).

### III. Conclusion

Based on the foregoing, the completion of the IEC, the previously certified RPU EIS, RTP IEC and the findings made on December 12, 2012 for the RPU, TRPA finds the Regional Plan and all of its elements, as amended by the TAP amendments with mitigation, achieves and maintains the thresholds. As described above in more detail, the amendments with mitigation actively promote threshold achievement and maintenance by, *inter alia*, (1) incentivizing environmentally beneficial redevelopment, and (2) facilitating multi-use development in proximity to alternative modes of transportation in order to reduce vehicle miles traveled (VMT) and create a walkable Town Center. In addition, as found in Chapter 4 Findings 1 through 3 and the Chapter 13 Findings, no element of the amendments with mitigation interfere with the efficacy of any of the other elements of the Regional Plan. Thus, the Regional Plan, as amended by the TAP amendments, will continue to achieve and maintain the thresholds.

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

1. Finding: The proposed Area Plan Amendment is consistent with and furthers the goals and policies of the Regional Plan.

Rationale: Regional Plan Land Use Policy 4.6 encourages the development of area plans that supersede existing plan area statements and community plans or other TRPA regulations in order to be responsive to the unique needs and opportunities of communities. The proposed TAP amendments with mitigation were found to be consistent with the goals and policies of the Regional Plan, as described in the Area Plan Conformance Checklist and as described in Chapter 4, Finding #1, above.

Per Chapter 2 of the Tahoe Area Plan, environmental redevelopment offers the best path to sustainable development by directing the remaining development capacity in the Region into areas with existing development and infrastructure, promoting economic activity, replacing sub-standard development with more energy-efficient and environmentally friendly structures, and creating more compact walkable and bikeable Town Centers. Allowing single family dwellings, limited to air space condominiums in defined mixed-use or affordable developments, in SA1 of the IVCRZ, a Town Center, provides additional housing and development options consistent with many goals and policies identified in the Tahoe Area Plan, including the creation of walkable Town Centers.

The proposed amendments are intended to encourage development/redevelopment in the Town Center by allowing the division of MFDs in mixed-use projects for individual ownership, *i.e.* SFDs, as airspace condominiums, as an additional option for development. Mitigations further define and set minimum standards for mixed-use development aimed at furthering the goals and policies of the Regional Plan.

Policy LU7-1 of the TAP directs the County to identify barriers to redevelopment

within Town Centers and provides that amendments to the TAP with mitigation should be pursued to remove barriers or otherwise facilitate redevelopment in these areas. The amendment will incentivize appropriate mixed-use redevelopment in the Town Center by increasing opportunities for economically viable projects that support walkable Town Centers and housing options for a mix of income levels.