



**Mail**

PO Box 5310  
Stateline, NV 89449-5310

**Location**

128 Market Street  
Stateline, NV 89449

**Contact**

Phone: 775-588-4547  
Fax: 775-588-4527  
www.trpa.gov

---

STAFF REPORT

Date: April 3, 2024

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Amendment to Washoe County’s Tahoe Area Plan to Allow “Schools – Kindergarten through Secondary” as a special use within the Wood Creek Regulatory Zone

---

Summary and Staff Recommendation:

Washoe County will provide an overview of the proposed amendment to the Tahoe Area Plan (TAP) including “Schools – Kindergarten through Secondary” as a special use within the Wood Creek Regulatory Zone in Incline Village. The Washoe County Board of County Commissioners adopted the proposed amendment as a development code amendment on February 20, 2024. The Regional Planning Committee hearing held on March 27, 2024, passed unanimously a motion to recommend approval of the proposed area plan amendment. Staff seeks Advisory Planning Commission (APC) discussion and asks the APC to consider a recommendation of approval to the TRPA Governing Board for adoption of the proposed area plan amendment.

Required Motions:

To recommend adoption of the area plan amendment, APC must make the following motion(s), based on the staff summary:

- 1) A motion to recommend approval of the Required Findings, as described in Attachment D, including a Finding of No Significant Effect, for adoption of the Area Plan amendment as described in the staff summary; and
- 2) A motion to recommend adoption of Ordinance 2024-\_\_\_, amending Ordinance 2021-06, to amend the Washoe County Tahoe Area Plan as shown in Attachment C.

An affirmative vote of a majority of the quorum present is required for a motion to pass.

Project Description/Background:

Since the 2012 Regional Plan Update, TRPA has allowed local jurisdictions to develop Area Plans to replace the former local planning documents: Plan Area Statements and Community Plans. Area Plans become a component of both the Regional Plan and the city or county’s comprehensive plan.

The TRPA Governing Board approved the TAP in January 2021. The plan encompasses the entirety of Washoe County’s jurisdiction in the Tahoe Basin and has been amended once in the two years since its adoption. Washoe County is requesting an amendment to the TAP. The proposed amendment proposes to allow primary and secondary schools as a special use in the Woodcreek regulatory zone pertaining specifically to parcels that are three acres or more in size.

There are twenty-seven (27) individual regulatory zones in the TAP, sixteen (16) of which are Residential Regulatory Zones. The Residential Regulatory Zone's land use category is described as, "Urban areas having the potential to provide housing for residents of the region."

To date, primary and secondary schools are not permitted in the Wood Creek Regulatory Zone under the regulations of the TAP. However, similar uses are allowed with a Special Use Permit, including a broad scope of public service uses (e.g., churches, day care centers, and pre-schools). Within the Wood Creek Regulatory Zone Special Area (SA), additional public services are allowed, including regional public health and safety facilities, cultural facilities, government offices, and local assembly and entertainment. These other uses have similar effects on the community character and similar demand for services and infrastructure as would primary and secondary schools.

The U.S. Census of 2020 and the American Community Survey both show an increase of the total population of Incline Village from 2018 to 2021 with a steady increase of the population of persons 18 years and under. Two church properties within the Wood Creek Regulatory Zone have expressed interest to Washoe County in providing additional religious school services to kindergarten through 8<sup>th</sup> grade age groups. The proposed amendment responds to both the increase of school age children within the community, as well as permitting primary and secondary school uses as a Special Use on parcels in the Wood Creek Regulatory Zone

The Washoe County Board of County Commissioners approved the development code amendment applying this change to the Washoe County Code on February 20, 2024. A copy of the adopted County Ordinance with proposed plan language is included as Attachment A to this packet. TRPA Governing Board approval is required to amend the TAP.

In addition to obtaining the APC's recommendation, staff will bring the RPC's recommendation of approval and amendment package to the Governing Board hearing on April 24, 2024.

#### Environmental Review:

Washoe County submitted an Initial Environmental Checklist (IEC) pursuant to Chapter 3: Environmental Documentation of the TRPA Code of Ordinances and Article VI of the Rules of Procedure (Attachment E). TRPA staff completed a review of the IEC and submitted revisions to Washoe County staff. The IEC finds that the proposed amendments would not result in significant effects on the environment.

#### Regional Plan Compliance:

TRPA staff completed a Regional Plan Conformance Review Checklist (Attachment F) and determined that the proposed amendment is in conformance with the Regional Plan. The proposed amendment will be reviewed by the APC and the RPC. Recommendations of the APC and RPC will then be considered by the Governing Board in determining whether to find the Area Plan amendment in compliance with the Regional Plan.

#### Contact Information:

For questions regarding this agenda item, please contact Michelle Brown, Associate Planner, at (775) 589-5226 or [mbrown@trpa.gov](mailto:mbrown@trpa.gov). To submit a written public comment, email [publiccomment@trpa.gov](mailto:publiccomment@trpa.gov) with the appropriate agenda item in the subject line. Written comments received by 4 p.m. the day before a scheduled public meeting will be distributed and posted to the TRPA website before the

meeting begins. TRPA does not guarantee written comments received after 4 p.m. the day before a meeting will be distributed and posted in time for the meeting

Attachments:

- A. Washoe County Signed Ordinance
- B. Washoe County Staff Memo
- C. TRPA Ordinance 2024-\_\_
- D. Required Findings/Rationale
- E. Initial Environmental Checklist
- F. Conformity Checklist
- G. Compliance Measures

Attachment A

Washoe County Signed Ordinance

Notice: Per NRS 239B.030, this document does not contain personal information as defined in NRS 603A.040

**Summary:** **AMENDS WASHOE COUNTY CODE CHAPTER 110 (DEVELOPMENT CODE), ARTICLE 220 (Tahoe Area), Section 110.220.175 (Wood Creek Regulatory Zone) referring to land use.**

BILL NO. 1901

ORDINANCE NO. 1711

Title:

An ordinance amending Washoe County Code Chapter 110 (Development Code), Article 220 (Tahoe Area), Section 110.220.275 (Wood Creek Regulatory Zone) to add "Schools - Kindergarten through Secondary" use type as a permitted use, subject to a special use permit, on those parcels in size equal to, or greater than, three-acres within the Tahoe - Wood Creek Regulatory Zone; and all matters necessarily connected therewith and pertaining thereto.

WHEREAS:

- A. This Commission desires to amend Washoe County Code Chapter 110 (Development Code), Article 220 (Tahoe Area), Section 110.220.275 (Wood Creek Regulatory Zone) in order to add "Schools - Kindergarten through Secondary" use type as a permitted use, subject to a special use permit, on those parcels in size equal to, or greater than, three-acres within the Tahoe - Wood Creek Regulatory Zone; and
- B. The Washoe County Planning Commission held a duly noticed public hearing on November 7, 2023, at which the Planning Commission initiated and recommended adoption of the proposed amendments to Washoe County Code Chapter 110, by Resolution Number 23-16 (WDCA23-0001); and
- C. The amendments and this ordinance were drafted in concert with the District Attorney, and

- D. Following a first reading and publication as required by NRS 244.100(1), and after a second reading at a duly noticed public hearing, this Commission desires to adopt this Ordinance; and
- E. This Commission has determined that this ordinance is being adopted pursuant to requirements set forth in Chapter 278 of NRS, therefore it is not a "rule" as defined in NRS 237.060 requiring a business impact statement.

THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY DOES HEREBY ORDAIN:

SECTION 1. Washoe County Code Chapter 110 (Development Code), Article 220 (Tahoe Area), Section 110.220.275 (Wood Creek Regulatory Zone) is hereby amended as follows:

**Section 110.220.275 Wood Creek Regulatory Zone.**

<b>WOOD CREEK REGULATORY ZONE</b>		
<b>Allowable Land Uses by Land Use Classification</b>	<b>Land Use Permit</b>	<b>Density</b>
<b>Residential</b>		
Single Family Dwelling	A	1 unit per parcel + 1 accessory dwelling where allowed by Section 110.220.85
<b>Tourist Accommodation</b>		
Bed and Breakfast Facilities	S	5 units per parcel
<b>Public Service</b>		
Schools – Kindergarten through Secondary*	S	
Local Public Health and Safety Facilities	S	
Transit Stations and Terminals	S	
Pipelines and Power Transmission	S	
Transmission and Receiving Facilities	S	
Transportation Routes	S	
Public Utility Centers	S	
Churches	S	
Day Care Centers/Pre-Schools	S	
<b>Recreation</b>		
Participant Sports Facilities	S	
Day Use Areas	A	
Riding and Hiking Trails	A	
<b>Resource Management</b>		
Reforestation	A	
Sanitation Salvage Cut	A	
Special Cut	A	

Thinning	A	
Early Successional Stage Vegetation Management	A	
Structural and Nonstructural Fish/Wildlife Habitat Management	A	
Fire Detection and Suppression	A	
Fuels Treatment/Management	A	
Insect and Disease Suppression	A	
Sensitive and Uncommon Plant Management	A	
Erosion Control	A	
SEZ Restoration	A	
Runoff Control	A	
<b>WOOD CREEK REGULATORY ZONE SPECIAL AREA</b>		
<b>Allowable Land Uses by Land Use Classification</b>	<b>Land Use Permit</b>	<b>Density</b>
<b>Commercial</b>		
Privately Owned Assembly and Entertainment	S	
<b>Public Service</b>		
Same as General List, Plus:		
Regional Public Health and Safety Facilities	S	
Cultural Facilities	S	
Government Offices	S	
Local Assembly and Entertainment	S	
<b>Recreation</b>		
Same as General List, Plus:		
Sport Assembly	S	
Outdoor Recreation Concessions	A	
Rural Sports	S	
Visitor Information Center	S	
<b>Resource Management</b>		
Same as General List		

**\*On those parcels in size equal to, or greater than, three-acres.**

SECTION 2. General Terms.

1. All actions, proceedings, matters, and things heretofore taken, had and done by the County and its officers not inconsistent with the provisions of this Ordinance are ratified and approved.
2. The Chair of the Board and officers of the County are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance. The District Attorney is authorized to make non-substantive edits and corrections to this Ordinance.
3. All ordinances, resolutions, bylaws and orders, or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, resolution, bylaw or order, or part thereof, heretofore repealed.

4. Each term and provision of this Ordinance shall be valid and shall be enforced to the extent permitted by law. If any term or provision of this Ordinance or the application thereof shall be deemed by a court of competent jurisdiction to be in violation of law or public policy, then it shall be deemed modified, ipso facto, to bring it within the limits of validity or enforceability, but if it cannot be so modified, then the offending provision or term shall be excised from this Ordinance. In any event, the remainder of this Ordinance, or the application of such term or provision to circumstances other than those to which it is invalid or unenforceable, shall not be affected.

Passage and Effective Date

Proposed on January (month) 23rd (day), 2024.

Proposed by ~~Commissioner~~ Vice Chair Herman.

Passed on February (month) 20th (day), 2024.

Vote:

Ayes: Alexis Hill, Michael Clark, Manluz Garcia, Clara Andriola

Nays: None

Absent: Jeanne Herman





Alexis Hill, Chair  
Washoe County Commission

ATTEST:



Janis Galassini, County Clerk

This ordinance shall be in force and effect if and when the Tahoe Regional Planning Agency ("TRPA") adopts the specific amendments in this ordinance through its adoption of an amendment to TRPA's Tahoe Area Plan.

Attachment B

Washoe County Staff Memo



# WASHOE COUNTY

Integrity Communication Service

[www.washoecounty.gov](http://www.washoecounty.gov)

## STAFF REPORT

MEETING DATE: March 27, 2024

**DATE:** January 26, 2024

**TO:** Regional Planning Committee

**FROM:** Courtney Weiche, Senior Planner, Planning & Building Division, Community Services Dept., 328-3608, [cweiche@washoecounty.gov](mailto:cweiche@washoecounty.gov)

**THROUGH:** Kelly Mullin, AICP, Division Director, Planning & Building Division, Community Services Department, 328.3619, [kmullin@washoecounty.gov](mailto:kmullin@washoecounty.gov)

**SUBJECT:** Proposed Amendment to the Washoe Tahoe Area Plan to add "Schools - Kindergarten through Secondary" use type as a permitted use, subject to a special use permit, on those parcels in size equal to, or greater than, three-acres within the Tahoe - Wood Creek Regulatory Zone; and all matters necessarily connected therewith and pertaining thereto. (All Commission Districts.)

---

### SUMMARY

To conduct a public hearing and consider recommendation of adoption of an amendment to the Washoe Tahoe Area Plan. The requested code amendments are described in detail beginning on page 2 of this staff report.

Washoe County Strategic Objective supported by this item: Economic Impacts:  
Support a thriving community.

### PREVIOUS ACTION

February 20, 2024. The Washoe County Board of County Commissioners (Board) conducted a second reading for Bill 1901, an Ordinance amending Washoe County Code Chapter 110 (Development Code), Article 220, Tahoe Area to add "Schools- Kindergarten through Secondary" as a permitted use in the Tahoe- Wood Creek Regulatory Zone on those parcels equal to or greater than 3 acres.

January 23, 2024. The Board introduced and conducted a first reading for Bill 1901, an ordinance amending Washoe County Code Chapter 110 (Development Code), Article 220, Tahoe Area to add "Schools- Kindergarten through Secondary" as a permitted use in the Tahoe- Wood Creek Regulatory Zone on those parcels equal to or greater than 3 acres.

November 7, 2023. The Washoe County Planning Commission (PC) reviewed the proposed amendments to Washoe County Code Chapter 110 (Development Code),

Article 220, Tahoe Area, and voted unanimously to recommend approval of Development Code Amendment WDCA23-0001 to the Board.

**BACKGROUND**

January 26, 2021. The Board of County Commissioners (“BCC”) adopted a comprehensive package of amendments that amended the Washoe County Master Plan, Tahoe Area Plan (WMPA19-0007) and Tahoe Area Regulatory Zone Map (WRZA19-0007) and Development Code Amendments (WDCA19-0007) replacing Article 220 Tahoe Area Plan modifiers with two new articles, Article 220 Tahoe Area Plan Modifiers and Article 220.1 Tahoe Area Design Standards.

May 26, 2021. The Tahoe Regional Planning Agency (“TRPA”) Governing Board adopted Washoe County’s Tahoe Area Plan and included Washoe County Development Code Articles 220 and 220.1 as part of this adoption.

June 8, 2023. The applicant submitted a Development Code Amendment application (WDCA23-0001) to add "Schools - Kindergarten through Secondary" use type as a permitted use, subject to a special use permit, on those parcels in size equal to, or greater than, three-acres within the Tahoe - Wood Creek Regulatory Zone.

September 27, 2023. The TRPA Regional Plan Implementation Committee (RPIC), a subcommittee of the TRPA Governing Board, held a duly noticed public meeting on the requested amendment for informational purposes only. The meeting allowed governing board members and the public the opportunity to provide comments and raise concerns before a formal vote is held in the future. TRPA received nearly 100 written public comments, approximately thirty-six (36) were in opposition and fifty-five (55) expressed support for the amendment. *See* Exhibit D - RPIC Staff Report and Public Comment to Attachment D PC Staff Report. No public (verbal) testimony was given in opposition and all RPIC members expressed support for the proposal with no notable concerns raised.

November 7, 2023. The Washoe County Planning Commission (PC) reviewed the proposed amendments to Washoe County Code Chapter 110 (Development Code), Article 220, Tahoe Area, and voted unanimously to recommend approval of Development Code Amendment WDCA23-0001 to the Board.

**Article 220 Amendments**

The following is a summary of the specific section of the Washoe Tahoe Area Plan requested for amendment:

**Section 110.220.275 Wood Creek Regulatory Zone.**

Add "Schools - Kindergarten through Secondary" use type as a permitted use, subject to a special use permit, on those parcels in size equal to, or greater than, three-acres.

The proposed text amendment is shown in Bold **Red**.

**Section 110.220.275 Wood Creek Regulatory Zone.**

<b>WOOD CREEK REGULATORY ZONE</b>		
Allowable Land Uses by Land Use Classification	Land Use Permit	Density
<b>Residential</b>		

Single Family Dwelling	A	1 unit per parcel + 1 accessory dwelling where allowed by Section 110.220.85
<b>Tourist Accommodation</b>		
Bed and Breakfast Facilities	S	5 units per parcel
<b>Public Service</b>		
Schools – Kindergarten through Secondary*	S	
Local Public Health and Safety Facilities	S	
Transit Stations and Terminals	S	
Pipelines and Power Transmission	S	
Transmission and Receiving Facilities	S	
Transportation Routes	S	
Public Utility Centers	S	
Churches	S	
Day Care Centers/Pre-Schools	S	
<b>Recreation</b>		
Participant Sports Facilities	S	
Day Use Areas	A	
Riding and Hiking Trails	A	
<b>Resource Management</b>		
Reforestation	A	
Sanitation Salvage Cut	A	
Special Cut	A	
Thinning	A	
Early Successional Stage Vegetation Management	A	
Structural and Nonstructural Fish/Wildlife Habitat Management	A	
Fire Detection and Suppression	A	
Fuels Treatment/Management	A	
Insect and Disease Suppression	A	
Sensitive and Uncommon Plant Management	A	
Erosion Control	A	
SEZ Restoration	A	
Runoff Control	A	
<b>WOOD CREEK REGULATORY ZONE SPECIAL AREA</b>		
Allowable Land Uses by Land Use Classification	Land Use Permit	Density
<b>Commercial</b>		
Privately Owned Assembly and Entertainment	S	
<b>Public Service</b>		
Same as General List, Plus:		
Regional Public Health and Safety Facilities	S	
Cultural Facilities	S	
Government Offices	S	
Local Assembly and Entertainment	S	
<b>Recreation</b>		
Same as General List, Plus:		
Sport Assembly	S	
Outdoor Recreation Concessions	A	
Rural Sports	S	
Visitor Information Center	S	
<b>Resource Management</b>		

Same as General List		
----------------------	--	--

**\*On those parcels in size equal to, or greater than, three-acres.**

**REQUESTED ACTION**

Washoe County requests that the Regional Planning Committee hold a public hearing and consider a recommendation of approval of the proposed amendments.

**CONTACT**

Courtney Weiche, Senior Planner, Planning & Building Division, Community Services Dept., 328-3608, [cweiche@washoecounty.gov](mailto:cweiche@washoecounty.gov).

Attachment C

TRPA Ordinance 2024-\_\_

TAHOE REGIONAL PLANNING AGENCY  
ORDINANCE 2024-\_\_

AN AMENDMENT TO ORDINANCE NO. 2021-06 TO ADOPT  
TAHOE AREA PLAN AMENDMENTS

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

Section 1.00 Findings

- 1.10 It is desirable to amend TRPA Ordinance 2021-06 by amending the Tahoe Area Plan to further implement the Regional Plan pursuant to Article VI (a) and other applicable provisions of the Tahoe Regional Planning Compact.
- 1.20 The Tahoe Area Plan amendments were the subject of an Initial Environmental Checklist (IEC), which was processed in accordance with Chapter 3: *Environmental Documentation* of the TRPA Code of Ordinances and Article 6 of the Rules of Procedure. The Tahoe Area Plan amendments have been determined not to have a significant effect on the environment and are therefore exempt from the requirement of an Environmental Impact Statement (EIS) pursuant to Article VII of the Compact.
- 1.30 The Advisory Planning Commission (APC) and the Governing Board have each conducted a noticed public hearing on the proposed Tahoe Area Plan amendments. The APC has recommended Governing Board adoption of the necessary findings and adopting ordinance. At these hearings, oral testimony and documentary evidence were received and considered.
- 1.40 The Governing Board finds that the Tahoe Area Plan amendments adopted hereby will continue to implement the Regional Plan, as amended, in a manner that achieves and maintains the adopted environmental threshold carrying capacities as required by Article V(c) of the Compact.
- 1.50 Prior to the adoption of these amendments, the Governing Board made the findings required by TRPA Code of Ordinances Section 4.5, and Article V(g) of the Compact.
- 1.60 Each of the foregoing findings is supported by substantial evidence in the record.

Section 2.00 TRPA Code of Ordinances Amendments

Ordinance 2021-06 is hereby amended by amending the Tahoe Area Plan as set forth in Attachment A.

Section 3.00 Interpretation and Severability

The provisions of this ordinance amending the TRPA Code of Ordinances adopted



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

Section 4.00    Effective Date

The provisions of this ordinance amending the Tahoe Area Plan shall become effective on adoption.

PASSED AND ADOPTED by the Tahoe Regional Planning Agency Governing Board at a regular meeting held on \_\_\_\_\_, 2024, by the following vote:

Ayes:

Nays:

Abstentions:

Absent:

\_\_\_\_\_  
Cindy Gustafson, Chair  
Tahoe Regional Planning Agency,  
Governing Board

Attachment D

Required Findings/Rationale

# TRPA CODE OF ORDINANCE FINDINGS

Saint Clare's and Village Church

JANUARY 2024

**Prepared for:**

Saint Clare's  
PO Box 308  
Tahoe Vista, CA

Village Church  
736 McCourry Blvd.  
Incline Village, NV

Prepared by: AnnMarie Lain



5510 Longley Lane  
Reno, NV 89511

# TABLE OF CONTENTS

- 1.0 INTRODUCTION ..... 3**
  - 1.1 Background..... 3
  - 1.2 Proposed Amendment..... 3
    - 1.2.1 *Tahoe Area Plan*..... 3
    - 1.2.2 *Wood Creek Regulatory Zone*..... 3
    - 1.2.3 *Proposed Amendment Location*..... 4
- 2.0 TRPA CODE OF ORDINANCES FINDINGS ..... 4**
  - 2.1 Chapter 3 Findings ..... 4
    - 2.1.1 *FINDING 1* ..... 4
  - 2.2 Chapter 4 Findings ..... 5
    - 2.2.1 *FINDING 1* ..... 5
    - 2.0.1 *FINDING 2* ..... 6
    - 2.0.2 *FINDING 3* ..... 6
    - 2.0.1 *FINDING 4* ..... 7
  - 2.0 Chapter 13 Findings ..... 7
    - 2.0.2 *FINDING 1* ..... 7

## APPENDICES

- Appendix 1 Proposed Amendment Location
- Appendix 2 Traffic Generation Review
- Appendix 3 Draft Initial Environmental

# 1.0 INTRODUCTION

---

## 1.1 Background

The development code amendment process provides a method of review and analysis of periodic revisions needed to establish and maintain a rational land use pattern. Revisions are an essential tool that allows jurisdictions to stay current with desirable trends in planning and development and to respond to changed conditions. This document contains required findings per Chapters 3, 4, and 13 of the TRPA Code of Ordinances (Code) for an amendment to the Tahoe Area Plan (TAP), allowing K-12 schools as a special use on parcels 3-acres or greater in the Woodcreek Regulatory Zone.

## 1.2 Proposed Amendment

Washoe County Development Code (WCDC) regulates allowable and permitted land uses within the unincorporated areas of Washoe County. The Washoe County Tahoe Area Plan provides the regulatory framework for development in the portion of Washoe County that is within the Tahoe Basin. The Development Code Amendment proposes to add the “Schools – kindergarten through secondary” use type as a permitted use, subject to a special use permit, on those parcels in size equal to, or greater than, three-acres within the Tahoe – Wood Creek Regulatory Zone.

### 1.2.1 Tahoe Area Plan

There are 27 regulatory zones within the Tahoe Area Plan. Individual regulatory zones identify the allowable uses and special development standards applicable to each zone. The Tahoe Regional Planning Agency Code of Ordinances defines the “schools – kindergarten through secondary” use type as “kindergarten, elementary, and secondary schools serving grades up to 12, including denominational and sectarian.” Land use classification systems classify uses based on common function, product, or compatibility characteristics to provide a basis for regulation of uses in accordance with criteria relevant to the public interest. The land use classification system for the Tahoe Area Plan identifies schools as a Public Service use type.

The purpose of the Tahoe Area Plan is to outline the existing pattern of development and provide a guide for growth. The plan guides growth by recognizing critical conservation areas, establishing existing and future land use and transportation patterns, and identifying current and future public service and facility needs.

Although the TRPA code definition of schools includes both secular and denominational schools, the Tahoe Area Plan fails to identify or address faith-based education within the community. Chapter Six: Public Services and Facilities of the Tahoe Area Plan provides the policy context for future public and quasi-public facilities; it provides basic information about existing and planned public facilities such as schools but does not provide an overview or discussion about denominational or other private schools. In addition, school use is permitted in only two of the 27 regulatory zones, in the Incline Village Commercial district permitted outright and with a special use permit in the Incline Village Residential zoning district.

### 1.2.2 Wood Creek Regulatory Zone

The Wood Creek Regulatory zone is generally located west of Mt. Rose Highway, South of College Drive, East of Village Blvd, and North of Tahoe Blvd. The Wood Creek Regulatory Zone is one of 16 residential regulatory zones in the plan area. These regulatory zones focus primarily on single-family dwellings but allow other use types such as multi-family and a broad scope of public service and resource management uses. The primary vision for residential regulatory zones is to maintain safe and functional residentially focused regulatory zones, with development that contributes to the desired community character.

The Wood Creek Regulatory Zone includes a Special Area with two parcels. This area was established to allow public service uses on county-owned property. Additional uses allowed with a special use permit in this area include 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), local assembly and entertainment, and sports assembly (commercial facilities for special events, such as

sports assembly that do not exceed a 5,000 seating capacity, such as stadiums, arenas, and field houses).

### 1.2.3 Proposed Amendment Location

The amendment request proposes an acreage restriction to preserve the existing neighborhood character throughout the internal corridors of Wood Creek. The areas highlighted in yellow in **Appendix 1** show parcels equal to or greater than three acres in size within the Wood Creek regulatory zone. If the Development Code Amendment application is approved by Washoe County and TRPA, any applicant wishing to establish a school use within the amendment location would be required to obtain an approved special use permit. The special use permit process is a site-specific review of a use that requires special appraisal to determine if the uses have the potential to adversely affect other land uses, transportation systems, public facilities, or environmental resources in the vicinity. The special use permit process requires neighborhood notification, a neighborhood meeting, and a public hearing. The code amendment impacts the highlighted parcels owned by the Village Church, Saint Francis, Washoe County, Incline Village Improvement District. These parcels all have frontage along major corridors in the area. While the code amendment provides the acreage restriction to preserve the neighborhood character on the internal corridors of the regulatory zone, it should be noted that there are other uses and factors that can impact the character of a neighborhood, including 16 approved short term rental permits on residential lots in the Wood Creek regulatory zone and an estimated 48% vacancy rate of single-family homes in the area (American Community Survey).

## 2.0 TRPA CODE OF ORDINANCES FINDINGS

---

### 2.1 Chapter 3 Findings

The following finding must be made prior to amending the TAP.

#### 2.1.1 FINDING 1

Finding: The proposed TAP amendment 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.

Response: Based on the completed Initial Environmental Checklist (IEC), no significant environmental impacts have been identified as a result of the proposed amendment. The IEC was prepared to evaluate the potential environmental impacts of the proposed amendment and tiers from or refers to 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)
- TRPA, Tahoe Area Plan Update IEC, certified by the TRPA Governing Board in 2020.

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 amendment is consistent with the Regional Plan, which has approved program-level environmental documents, the proposed TAP amendment is within the scope of these program-level documents.

Nothing in the IEC or proposed TAP alters the obligations of Washoe County or TRPA to implement the mitigation measures adopted as part of the RPU, as documented in the RPU EIS. Consequently, Washoe County would adhere to all applicable adopted mitigation measures required by the Regional Plan as a part of the proposed TAP amendment. Adoption of the proposed amendment would only amend the zoning requirements of the Tahoe Area Plan- Wood Creek regulatory zone concerning school use. Within this area, and

only on parcels three acres in size or more, school use would require a discretionary special use permit approval by Washoe County and TRPA. All aspects of the Tahoe Area Plan and Washoe County Development Code not specifically affected by the proposed amendment would continue to apply throughout the plan area. As such, future projects within the plan area would be required to comply with all applicable provisions of the TRPA code and Washoe County Development Code as well as any project revisions or mitigation measures required as conditions of approval for a special use permit.

## 2.2 Chapter 4 Findings

The following finding must be made prior to amending the TAP.

### 2.2.1 FINDING 1

Finding: The proposed TAP amendment is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable goals and policies, community plans/plan area statements, the TRPA Code, and other TRPA plans and programs.

Response: The Regional Plan describes the needs and goals of the Region and provides statements of policy to guide decision making as it affects the Region's resources. The Regional Land Use Map identifies groupings of generalized land uses and priority redevelopment areas in the region. The TAP amendment area is classified as residential; the amendment supports the purpose of this classification which is to "identify density patterns related to both the physical and manmade characteristics of the land and to allow accessory and non-residential uses that complement the residential neighborhood." The proposed amendment promotes the general welfare of the community, lessens traffic congestion by providing education to establish within the communities they serve, facilitates the adequate provision of schools, and promotes the social advantages gained from an appropriately regulated use of land.

The proposed amendment was prepared in conformance with the substantive and procedural requirements of the Regional Plan goals and policies, as implemented through TRPA Code, Chapter 13, "Area Plans." The TAP is consistent with the Tahoe Regional Plan and TRPA Code, as shown in the Area Plan Finding of Conformity Checklist and as demonstrated in the IEC.

Pursuant to TRPA Code Section 4.4.2, TRPA considers, as background for making the Section 4.4.1.A through C findings, the proposed project's effects on compliance measures (those implementation actions necessary to achieve and maintain thresholds), supplemental compliance measures (actions TRPA could implement if the compliance measures prove inadequate to achieve and maintain thresholds), the threshold indicators (adopted measurable physical 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, Chapter 16, "Regional Plan and Environmental Threshold Review."

Similarly, TRPA Code Section 4.4.2.C requires TRPA to confirm whether the proposed project is within the remaining capacity for development (e.g., water supply, sewage, electrical service) identified in the environmental documentation for the Regional Plan. The amendment does not affect the amount of the remaining capacities available, identified and discussed in the RPU EIS. The TAP amendment does not allocate capacity or authorize any particular development.

The TAP amendment is consistent with and will not adversely affect implementation of the

Regional Plan, including all applicable goals and policies, community plans, plan area statements, the TRPA Code, and other TRPA plans and programs.

## 2.0.1 FINDING 2

Finding: The proposed TAP amendment 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 amendment, and the IEC did not find any thresholds that would be adversely affected or exceeded. As found above, the TAP, as amended, is consistent with the Regional Plan.

Pursuant to Chapter 13 of the TRPA Code, TRPA will monitor all development projects within the TAP through quarterly and annual reports. These reports will be used to evaluate the status and trend of the thresholds every 4 years.

The 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 this TAP amendment. School uses are general public service uses that do not require allocations or otherwise affect the availability of these commodities. The amendment does 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. No changes to the overall capacity are proposed in the proposed amendment.

TRPA has reviewed the proposed amendment against the 222 compliance measures and supplemental compliance measures, the 151 indicators and additional factors that measure threshold progress, and threshold target and interim attainment dates. The proposed amendment will not adversely affect applicable compliance measures, and target dates as identified in the 2015 Threshold Evaluation indicator summaries. Pursuant to Chapter 13, *Area Plans*, of the TRPA Code of Ordinances, TRPA will monitor all development projects within the Tahoe Area Plan through quarterly and annual reports. These reports will then be used to evaluate the status and trend of thresholds every four years.

Accounting for units of use, resource utilization, and threshold attainment will occur as part of the review and approval process for individual projects. The proposed amendment does 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. Therefore, TRPA finds that the proposed amendment will not cause thresholds to be exceeded.

The proposed TAP amendment would not alter policies or requirements that balance short-term and long-term environmental goals. The results of the attached IEC show no changes to environmental effects when compared to the 2020 IEC completed for the Area Plan (Ascent Environmental, Inc. , 2020).

The proposed Area Plan DCA does not include any provisions or changes that would alter the SUP process to evaluate traffic at a project-level to ensure transportation, parking, and traffic generation are consistent with applicable limitations and regulations. Future projects implemented under the proposed Area Plan DCA would provide a traffic and parking plan to ensure all applicable regional and local requirements are met.

## 2.0.2 FINDING 3

Finding: Wherever federal, state, or local air and water quality standards apply 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 IEC and (2) RPU EIS adopted by the Governing Board, no applicable federal, state, or local air and water quality standard will be exceeded by adoption of the amendment. The proposed amendment does not affect or change the federal, state, or local air and water quality standards that apply to 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, the Lake Tahoe Total Maximum Daily Load (TMDL), and the County's Pollutant Load Reduction Plan (PLRP). Federal, state, and local air and water quality standards remain applicable for all parcels in the TAP, thus ensuring environmental standards will be achieved or maintained pursuant to the Bi-State Compact.

## 2.0.1 FINDING 4

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

Response: The Regional Plan authorizes the area plan process for communities and land management agencies in the Tahoe Region to eliminate duplicative and unpredictable land use regulations that deterred improvement projects. Area plans, created pursuant to Chapter 13 of the TRPA Code, also allow TRPA and local, state, federal, and tribal governments to expand the types of projects for which local, state, federal, and tribal governments apply TRPA rules to proposed projects within the Tahoe Region. After approval of an area plan by TRPA, this process allows a single government entity to review, permit, and inspect projects in their jurisdiction. All project approvals delegated to other government entities may be appealed to TRPA for final decision. In addition, the performance of any government receiving delegated authority will be monitored quarterly and audited annually to ensure proper application of TRPA rules and regulations.

Future redevelopment projects in the TAP amendment area 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. Therefore, implementation of the proposed amendment would not result in the reduction of environmental thresholds.

As discussed in the IEC, the TAP amendment would not alter noise policies and the adopted TRPA CNEL threshold standards, and Regional Plan noise policies would continue to be applied. The existing TAP CNEL standards are consistent with the TRPA's threshold standards; and thus, future projects under the amendment would only be approved by TRPA or Washoe County if they can demonstrate compliance with these CNEL standards.

As found in Chapter 4 Findings 1 through 3 and the Chapter 13 Findings, no element of the proposed amendment interferes with the efficacy of any of the other elements of the Regional Plan. Thus, the Regional Plan, as amended by the project, will continue to achieve and maintain the thresholds.

## 2.0 Chapter 13 Findings

The following finding must be made prior to amending the TAP.

### 2.0.2 FINDING 1

Finding: The proposed TAP amendment is consistent with and furthers the goals and policies of the Regional Plan. AGENDA ITEM NO. VI.A.

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 to be responsive to the unique needs and opportunities of communities.

The proposed amendment responds to changed conditions or further studies that have occurred since the TAP was adopted by TRPA, and the requested amendment allows for a more desirable utilization of land within the regulatory zone.


The pandemic generated increased interest in innovation, both as a concept and a strategy to rethink what a school is, what it looks like, and how it operates. More, now than ever, parents are looking for options with school choice. An increase in educational options will help build more resilient communities.

The total population of Incline Village from the 2020 census is 9,462 with 17% of the population made of up persons of under 18 years. The American Community Survey, published by the US Census Bureau, helps community leaders understand the changes taking place in their communities. ACS data shows an average increase of population in Incline Village of 3.56% from 2018 to 2021. It also shows a steady increase of the population of persons 18 years and under. The 2018 ACS survey data estimates a population in Incline Village at 8,534 with 14.3% of persons 18 years and under. It is estimated that from 2018-2023 the number of persons 18 years and under increased in Incline Village by 387 persons. The proposed amendment responds to both the increase of school age children within the community as well as the post-pandemic desire for an increase in educational options.

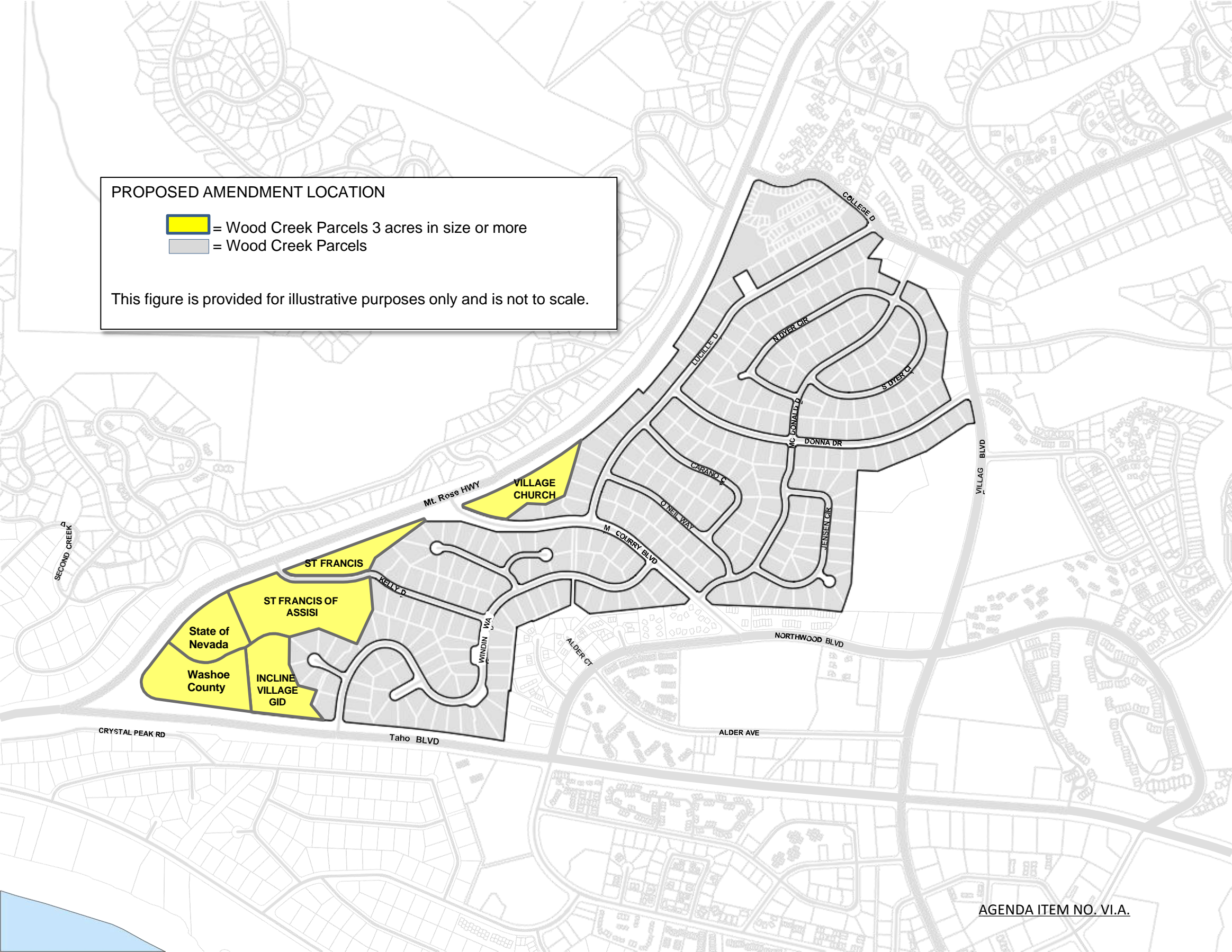
The proposed amendment is intended to facilitate the establishment schools that are not otherwise provided for within the jurisdiction. The proposed amendment promotes the general welfare of the community, lessens traffic congestion by providing education to establish within the communities they serve, facilitates the adequate provision of schools, and promotes the social advantages gained from an appropriately regulated use of land.

The proposed TAP amendment was found to be consistent with the goals and policies of the Regional Plan, as described in the Area Plan Finding of Conformity Checklist (Attachment F to the staff summary), and as described in Chapter 4, Finding #1, above.

**PROPOSED AMENDMENT LOCATION**

-  = Wood Creek Parcels 3 acres in size or more
-  = Wood Creek Parcels

This figure is provided for illustrative purposes only and is not to scale.



Attachment E

Initial Environmental Checklist

# INITIAL ENVIRONMENTAL CHECKLIST

Tahoe Area Plan Development Code Amendment

March 2024

**Prepared for:**

Washoe County, Nevada  
Community Service Department  
1001 East Ninth Street  
Reno, NV 89512

Tahoe Regional Planning  
Agency  
PO Box 5310  
Stateline, NV 89449

**Prepared by:**

DOWL, LLC  
5510 Longley Lane  
Reno, NV 8951



**Draft** Initial Environmental Checklist  
for the  
**Tahoe Area Plan Development Code Amendment**

Prepared for:

Washoe County, Nevada

1001 East Ninth Street, Reno, NV 89512

and

Tahoe Regional Planning Agency

PO Box 5310, Stateline, NV 89449

Prepared By:

DOWL, LLC

5510 Longley Lane, Reno, NV 89511

March 2024

# TABLE OF CONTENTS

<b>1.0</b>	<b>INTRODUCTION.....</b>	<b>1</b>
1.1	Introduction and Regulatory Guidance .....	1
1.2	Purpose of this Document .....	2
<b>2.0</b>	<b>PROJECT DESCRIPTION .....</b>	<b>3</b>
2.1	Background.....	3
2.2	Project Location .....	4
2.3	Objective.....	6
<b>3.0</b>	<b>INITIAL ENVIRONMENTAL CHECKLIST .....</b>	<b>7</b>
3.1	Environmental Effects .....	7
3.2	Land.....	8
	3.2.1 Discussion.....	8
3.3	Air Quality .....	10
	3.3.1 Discussion.....	10
3.4	Water Quality .....	12
	3.4.1 Discussion.....	12
3.5	Vegetation.....	14
	3.5.1 Discussion.....	14
3.6	Wildlife .....	16
	3.6.1 Discussion.....	16
3.7	Noise.....	17
	3.7.1 Discussion.....	17
3.8	Light and Glare .....	19
	3.8.1 Discussion.....	19
3.9	Land Use .....	21
	3.9.1 Discussion.....	21
3.10	Natural Resources .....	22
	3.10.1 Discussion.....	22
3.11	Risk of Upset .....	23
	3.11.1 Discussion.....	23
3.12	Population.....	24
	3.12.1 Discussion.....	24
3.13	Housing.....	25
	3.13.1 Discussion.....	25
3.14	Transportation/Circulation.....	26
	3.14.1 Discussion.....	26
3.15	Public Services .....	31
	3.15.1 Discussion.....	31
3.16	Energy .....	32
	3.16.1 Discussion.....	32
3.17	Utilities .....	33
	3.17.1 Discussion.....	33
3.18	Human Health.....	35
	3.18.1 Discussion.....	35
3.19	Scenic Resources/Community Design .....	36
	3.19.1 Discussion.....	36
3.20	Recreation .....	38
	3.20.1 Discussion.....	38

3.21 Archaeological/Historical ..... 39  
    3.21.1 Discussion..... 39  
3.22 Findings of Significance ..... 41  
    3.22.1 Discussion..... **Error! Bookmark not defined.**  
**4.0 REFERENCES ..... 43**  
**5.0 REPORT PREPARERS..... 44**

## TABLES

Table 1: Project Location Description ..... 4  
Table 2: Parcels in Wood Creek Regulatory Zone Equal to or Greater than 3 acres in  
    Size ..... 6  
Table 3: Future Highway Improvement Projects..... 28  
Table 4: Level of Service Categories ..... 28

DRAFT



# LIST OF ABBREVIATIONS

afy	acre feet per year
APC	Advisory Planning Commission
Area Plan	Washoe County Tahoe Area Plan
CFA	Commercial Flood Area
CNEL	Community Noise Equivalency Level
CWA	Clean Water Act
dbh	diameter at breast height
DCA	Development Code Amendment
IEC	Initial Environmental Checklist
IPES	Individual Parcel Evaluation System
IVGID	Incline Village General Improvement District
LOS	Level of Service
MPH	Miles Per Hour
MVMT	Million Vehicle Miles Traveled
NAAQS	National Ambient Air Quality Standards
NDOT	Nevada Department of Transportation
NEPA	National Environmental Policy Act
PAOT	People At One Time
PL	Public Law
PM	Particulate Matter
Region	Tahoe Region
Regional Plan	Lake Tahoe Regional Plan
RUUs	Residential Units of Use
SA	Special Area
SHPO	State Historic Preservation Officer
SQIP	Scenic Quality Improvement Program
SR 28	Nevada State Route 28
SR 431	Nevada State Route 431
SWPPP	Storm Water Pollution Prevention Plan
TAUs	Tourist Accommodation Units
TRPA	Tahoe Regional Planning Agency
VMT	Vehicle Miles Traveled

## 1.0 INTRODUCTION

---

### 1.1 Introduction and Regulatory Guidance

This Initial Environmental Checklist (IEC) pursuant to the requirements of Article VI of the Tahoe Regional Planning Agency (TRPA) Rules of Procedure (TRPA, 2012a) and Chapter 3 of the TRPA Code of Ordinances (TRPA, 2022) evaluates potential environmental effects resulting from the implementation of a Development Code Amendment (DCA) to the Tahoe Area Plan. TRPA is the lead agency pursuant to the Tahoe Regional Planning Compact (Public Law [PL] 96-551), 1980 revision, TRPA Code, and TRPA Rules of Procedure. Chapter 2.0 presents the project details, which are addressed by the DCA.

TRPA has responsibility for implementation of the Lake Tahoe Regional Plan (Regional Plan), approval of area plans, area plan amendments, and annual/quadrennial reviews of area plans to ensure that development within the geographic boundaries of an area plan meets adopted TRPA standards. Chapter 13 of the TRPA Code allows local governments to adopt a conforming area plan containing policies and development ordinances that are consistent with and that further the goals and policies of the Regional Plan. Chapter 13 also establishes the content for area plans and defines development activities that will not have a substantial effect on the physical environment of the Tahoe Region (Region), and therefore allows TRPA to delegate limited permitting authority to local governments (TRPA, 2022). The Area Plan DCA evaluated herein was prepared by Washoe County pursuant to Chapter 13 of the TRPA Code.

## 1.2 Purpose of this Document

This IEC evaluates the potential environmental effects associated with adoption and implementation of the proposed Washoe County Tahoe Area Plan DCA. The Tahoe Area Plan applies to a large geographical area, which includes the Wood Creek Regulatory Zone where proposed school projects are located that will require this DCA. Because this IEC addresses an Area Plan that is policy oriented, the evaluation is prepared at a programmatic level – that is, a more general evaluation of potential environmental effects addressing the entire Area Plan and not specific projects within it. Future projects that are implemented consistent with the Area Plan DCA will include more detailed information that allows TRPA to use the IEC to review and evaluate project-level potential environmental effects. Chapter 3.0 of this document addresses the IEC evaluation and discussion of potential environmental impacts of the proposed Tahoe Area Plan DCA.

DRAFT

## 2.0 PROJECT DESCRIPTION

---

### 2.1 Background

Washoe County and TRPA adopted the Washoe County Tahoe Area Plan (Area Plan) in 2021, which addresses a planning area encompassing the southwest portion of Washoe County known as Incline Village and Crystal Bay. The planning area size is approximately 31 square miles and is located on the east shore of Lake Tahoe (TRPA, 2021a).

There are twenty-seven (27) individual regulatory zones in the Area Plan, sixteen (16) of which are Residential Regulatory Zones. The Residential Regulatory Zone's land use category is described as, "Urban areas having the potential to provide housing for residents of the region."

To date, primary and secondary schools are not permitted in the Wood Creek Regulatory Zone under the regulations of the Area Plan. However, other similar uses are allowed with a Special Use Permit, including a broad scope of public service uses (e.g., churches, day care centers, and pre-schools). Within the Wood Creek Regulatory Zone Special Area (SA), additional public services are allowed, including regional public health and safety facilities, cultural facilities, government offices, and local assembly and entertainment. These other uses have similar effects on the community character and similar demand for services and infrastructure as would primary and secondary schools.

Washoe County is proposing a DCA to the Area Plan that would amend the plan to allow primary and secondary school uses as a Special Use on parcels in the Wood Creek Regulatory Zone that are larger than 3 acres in size.

## 2.2 Project Location

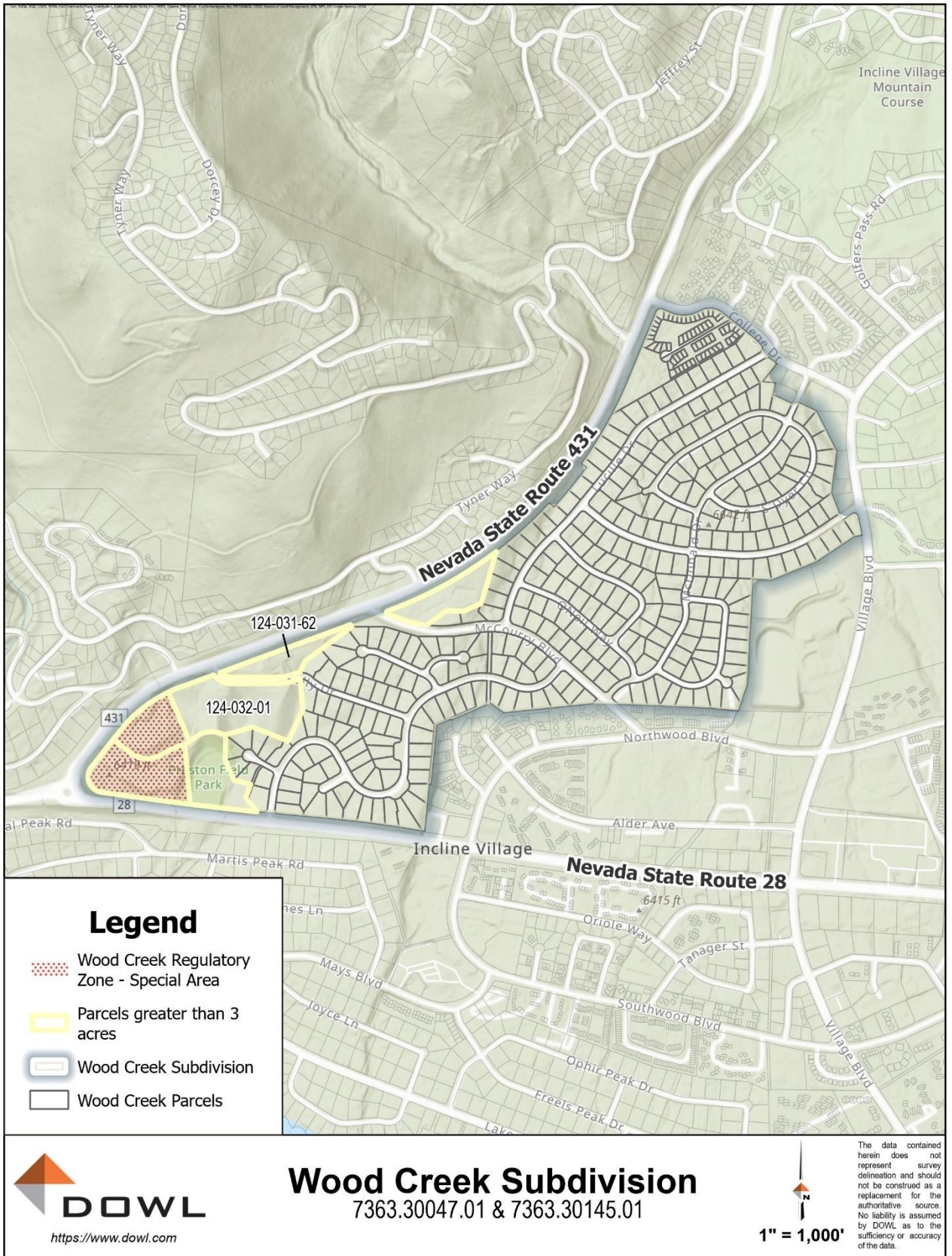
The Wood Creek Regulatory Zone is within Incline Village in Washoe County, Nevada. The Wood Creek Area is within portions of Township 16N, Range 18E. Table 1 shows the description of the location of Wood Creek Regulatory Zone.

*Table 1: Project Location Description*

Description	Section	Township and Range
SE $\frac{1}{4}$ SE $\frac{1}{4}$	9	T. 16N., R.18E.
S $\frac{1}{2}$ SW $\frac{1}{4}$	10	T. 16N., R.18E.
N $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$	15	T. 16N., R.18E.
NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and Lot 1	16	T. 16N., R.18E.

See Figure 1 for a figure identifying the parcels larger than 3 acres within The Wood Creek Regulatory Zone.

Figure 1: Parcels Greater Than 3 acres Within the Wood Creek Regulatory Zone



\\dowl.com\j\Projects\63130047-01\60GIS\Wood Creek Area\Wood Creek Area.aprx, Layout: WoodCreek - Parcels Larger Than 3 AC, Editor: EParis, Printed: 9/11/2023

## 2.3 Objective

Washoe County proposes a DCA to the Tahoe Area Plan to allow primary and secondary schools as a permitted use with a Special Use Permit in the Wood Creek Regulatory Zone on parcels equal to or greater than 3 acres in size.

Six (6) parcels within Wood Creek Regulatory Zone are larger than 3 acres (Table 2). Two (2) of these parcels are within the Wood Creek Regulatory Zone SA. This SA is established to allow public service uses<sup>1</sup> on county-owned property.

*Table 2: Parcels in Wood Creek Regulatory Zone Equal to or Greater than 3 acres in Size*

APN	Acreage	Land Use Code	Owner
124-031-62	3.237	400: General Commercial (retail, mixed, parking, school)	St. Francis of Assisi Real Property LLC
124-132-01	9.219	200: Residential, Single Family	St. Francis of Assisi Real Property LLC
124-032-33	5.09	190: Public Parks, vacant or improved	Incline Village General Improvement District (IVGID)
124-032-36*	6.462	400: General Commercial (retail, mixed, parking, school)	Washoe County
124-032-37*	4.361	400: General Commercial (retail, mixed, parking, school)	Nevada, State of
124-061-19	4.09	400: General Commercial (retail, mixed, parking, school)	Village Church

\*Parcels within the Wood Creek Regulatory Zone SA

<sup>1</sup> Public Services allowed in the Wood Creek SA include Regional Public Health and Safety facilities, Cultural Facilities, Government Offices, and Local Assembly and Entertainment with a Special Use Permit.

## 3.0 INITIAL ENVIRONMENTAL CHECKLIST

---

### 3.1 Environmental Effects

This chapter evaluates the effects of adopting and implementing the proposed Area Plan DCA on each topic identified in the TRPA IEC. The discussion provides a determination as to the significance of the impact for a programmatic review. This IEC uses the following terminology to describe the significance of each environmental impact:

- **Beneficial:** An impact that would result in improved environmental conditions.
- **Less-than-significant:** An impact that would not result in a substantial and adverse change in the physical environment. This impact level does not require mitigation.
- **Significant:** An impact that would result in a substantial adverse change in any of the physical conditions within the Region. Potentially feasible mitigation or alternatives to the component(s) of the DCA resulting in the impact must be considered to substantially reduce significant impacts.
- **Potentially significant:** An impact that would be considered a significant impact as described above if it were to occur, however, the occurrence of the impact cannot be immediately determined or there is some uncertainty about its occurrence.

The following sections address each topic included in the IEC, including a table of environmental issues evaluated for each topic followed by a discussion of potential impacts.



### 3.2 Land

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
I. Land.				
Will the proposal result in:				
a) Compaction or covering of the soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System (IPES)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) A change in the topography or ground surface relief features of site inconsistent with the natural surrounding conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Unstable soil conditions during or after completion of the proposal?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Changes in the undisturbed soil or native geologic substructures or grading more than 5 feet?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) The continuation of or increase in wind or water erosion of soils, either on or off the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Changes in deposition or erosion of beach sand, or changes in siltation, deposition, or erosion, including natural littoral processes, which may modify the channel of a river or stream or the bed of a lake?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Exposure of people or property to geologic hazards such as earthquakes, landslides, backshore erosion, avalanches, mud slides, ground failure, or similar hazards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 3.2.1 Discussion

**No impact.** The Area Plan DCA would not alter or revise existing regulations pertaining to land capability and the Individual Parcel Evaluation System (IPES), grading regulations, or the existing regulations related to modifications of a river, stream, or bed of a lake. Nor would the DCA alter any of the procedural or substantive project planning, design, environmental review, or permitting processes.

Any primary or secondary school use would require a Special Use Permit and would be evaluated at a project-level to ensure land coverage and uses are consistent with applicable limitations and regulations. Future projects implemented under the proposed Area Plan DCA could include grading, excavations, cut and fill, trenching, or excavating to a depth deeper than 5 feet below ground surface, all of which would alter existing topography and ground surface, or cause potential for groundwater interception or interference. All projects would continue to be evaluated on a project-specific basis consistent with TRPA environmental review requirements (TRPA Code Chapter 3) and would be required to adhere to all applicable regional and local requirements and regulations relating to grading, soil stability, and erosion. These include

adherence to Chapter 33 of the TRPA Code, which identifies various standards and regulations related to grading to protect against significant adverse effects from development (TRPA, 2022). Implementation of the proposed Area Plan DCA would not include any provisions or changes that would alter such requirements or regulations for individual future projects.

Any project that would modify the channel of a waterway and/or affect other hydrological process would also be subject to a project-level planning, design, environmental review, and permitting process. This process would include compliance with the resource management and protection provisions of TRPA Code Chapters 60 through 68; environmental review of the project consistent with Chapter 3 of the TRPA Code and the National Environmental Policy Act (NEPA), if applicable; and adherence to permit requirements including TRPA standard permit conditions and requirements of Sections 401 and 404 of the Clean Water Act (CWA) (TRPA, 2022).

Previous analyses identified that development could expose people and property to hazards resulting from seismic activity (landslides, backshore erosion, avalanches, mud slides, ground failure, liquefaction, lateral spreading, or collapse), and non-seismic geologic hazards (lateral spreading, subsidence, or collapse). However, projects under the Regional Plan are subject to site-specific environmental review, and, if appropriate, geotechnical analysis (TRPA Code Section 33.4) (TRPA, 2021b). Through this review, projects may be required to employ design standards that consider seismically active areas and determine the design, grading, and construction practices required to avoid or reduce geologic hazards. Moreover, all projects must comply with current building codes and geotechnical standards for local jurisdictions.

Therefore, impact to soil stability, soil and geologic conditions, or ground surface relief features within the plan area would be the same as previously analyzed, and there would be no impact.

### 3.3 Air Quality

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
II. Air Quality.				
Will the Proposal result in:				
a) Substantial air pollutant emissions?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Deterioration of ambient (existing) air quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) The creation of objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Increased use of diesel fuel?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 3.3.1 Discussion

**No impact.** The proposed Area Plan DCA would not modify laws or regulations pertaining to air quality, air pollution emissions, major sources of odor, GHG emissions, or the potential for development and population growth.

The proposed Area Plan DCA proposes the potential siting of new sensitive receptors (primary and secondary schools), however there are no known substantial sources of objectionable odors in the plan area. The operation of the proposed Area Plan DCA would not create objectionable odors affecting a substantial number of people, nor would the proposed Area Plan DCA result in the siting of sensitive receptors in proximity to an odor source.

The Area Plan is currently consistent with the regional GHG reduction strategies included in the Regional Plan and these elements of the Area Plan would not be affected by the DCA.

As with existing conditions, construction, and operation of future projects under the proposed Area Plan DCA could require the use of diesel fuel associated with construction equipment and ongoing vehicle use. Future projects in the plan area could result in short-term diesel exhaust emissions, including diesel particulate matter (PM), from the use of heavy-duty diesel equipment required for construction activities. However, the proposed Area Plan Amendment does not include changes in land use or design standards that would increase exposure.

Projects that could be implemented under the Area Plan DCA would continue to be subject to subsequent environmental review and permitting and would be required to comply with Chapter 65 of the TRPA Code. Chapter 65 includes provisions that apply to direct sources of air pollution in the Tahoe Region, including certain motor vehicles registered in the region, combustion heaters installed in the region, open burning, stationary sources of air pollution, and idling combustion engines. These provisions require that all publicly funded buildings in the plan area be designed and constructed to an industry recognized standard for sustainability and greenhouse gas reduction (TRPA, 2022).

The Lake Tahoe Air Basin is in attainment for all national ambient air quality standards (NAAQS). Implementation of the Area Plan DCA would involve development of projects that

have the potential to produce air pollutant emissions that could contribute to nonattainment during project construction and operation, as discussed below.

### **Construction Emissions**

Development or redevelopment projects that could occur with implementation of the proposed Area Plan DCA would produce construction related air emissions. Projects implemented under the Area Plan DCA would continue to be subject to all air quality standards in the TRPA Code (TRPA, 2022).

### **Operational Emissions**

The long-term operation of development or redevelopment that could occur with implementation of the proposed Area Plan DCA could produce operational air emissions. Operational emissions could result from mobile, area, and natural gas sources. Mobile-source emissions are associated with motor vehicle use and are affected by the amount of vehicle miles of travel (VMT) within a given area. Area-source emissions would include emissions from consumer products, landscaping and maintenance, wood-burning appliances, and snow removal equipment. Natural gas-related emissions would be associated with space and water heating.

DRAFT

### 3.4 Water Quality

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
III. Water Quality.				
Will the proposal result in:				
a) Changes in currents, or the course or direction of water movements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff so that a 20 yr. 1 hr. storm runoff (approximately 1 inch per hour) cannot be contained on the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Alterations to the course or flow of 100-year flood waters?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Change in the amount of surface water in any water body?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen, or turbidity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Alteration of the direction or rate of flow of groundwater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Substantial reduction in the amount of water otherwise available for public water supplies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Exposure of people or property to water related hazards such as flooding and/or wave action from 100-year storm occurrence or seiches?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) The potential discharge of contaminants to the groundwater or any alteration of groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k) Is the project located with 600 feet of a drinking water source?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 3.4.1 Discussion

**No impact.** The proposed Area Plan DCA would not alter regulations related to hydrology, the alternation of watercourses, stormwater, drainage, floodplains/flooding, discharge into surface waters, surface water quality, groundwater, or discharge of contaminants into groundwater. Nor would the Area Plan DCA alter land use such that permissible uses within the plan area would change the amount of surface water in any body of water or would result in a change in water use from what would be allowed under the existing Area Plan (TRPA, 2021a).

The existing Area Plan implements Regional plan standards (TRPA, 2021a). All new coverage within the plan area is required to implement stormwater BMPs as required by TRPA Code Section 60.4. Individual future projects under the amended Area Plan would continue to undergo project-level environmental review and would continue to be required to demonstrate compliance with BMP provisions, including the construction of BMPs to capture water runoff so that runoff from a 20-year, 1-hour storm can be captured on site, as applicable, and meet all other applicable water quality regulations and standards (TRPA, 2022).

All projects that are subject to floods or could modify the currents, course, or direction of water movements and/or affect other hydrologic processes in waterbodies would be subject to a project-level planning, design, environmental review, and permitting process. This process includes compliance with the resource management and protection provisions of TRPA Code Chapters 60 through 68; environmental review of the project consistent with Chapter 3 and Chapter 33 of the TRPA Code and NEPA, if applicable; and adherence to permit requirements including TRPA standard permit conditions and requirements of Sections 401 and 404 of the CWA. Additionally, TRPA code Section 35.4 prohibits additional development, grading, and filling of lands within the 100-year floodplain, except under specific circumstances. These provisions increase compliance with design and development standards related to flooding (TRPA, 2022). The DCA would not alter existing regulations, land use, or increase the potential for modifications to hydrology.

All development, redevelopment, and infrastructure improvements within the plan area would continue to be required to meet the discharge standards of the NDEP, and where applicable, comply with a Stormwater Discharge Permit. All projects that would create more than one (1) acre of disturbance are required to prepare a storm water pollution prevention plan (SWPPP). In addition, the Area Plan clarifies and makes consistent the process for reviewing proposals that have the potential to be affected by flooding or other natural hazards. These provisions increase compliance with design and development standards related to water hazards including flooding and seiche.

### 3.5 Vegetation

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
IV. Vegetation.				
Will the proposal result in:				
a) Removal of native vegetation more than the area utilized for the actual development permitted by the land capability/IPES system?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Removal of riparian vegetation or other vegetation associated with critical wildlife habitat, either through direct removal or indirect lowering of the groundwater table?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Introduction of new vegetation that will require excessive fertilizer or water, or will provide a barrier to the normal replenishment of existing species?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Change in the diversity or distribution of species, or number of any species of plants (including trees, shrubs, grass, crops, micro flora, and aquatic plants)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Reduction of the numbers of any unique, rare, or endangered species of plants?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Removal of stream bank and/or backshore vegetation, including woody vegetation such as willows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Removal of any native live, dead, or dying trees 30 inches or greater in diameter at breast height (dbh) within TPA's Conservation or Recreation land use classifications?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) A change in the natural functioning of an old growth ecosystem?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 3.5.1 Discussion

**No impact.** Implementation of the proposed Area Plan DCA would not alter regulations pertaining to the preservation of native vegetation, vegetation removal, groundwater management, new vegetation, unique, rare, or endangered species of plants, the removal of stream bank/backshore vegetation, old growth ecosystem management, or the removal of native trees 30 inches or greater diameter at breast height (dbh). Nor would it allow new land uses that are more likely to require fertilizer or water, more likely to affect rare, or endangered species of plants, or be more likely to result in the cutting of trees greater than 30 inches dbh.

The natural resource protection provisions of TRPA Code Chapters 60, 61 and 62 would still apply to all future projects within the plan area. As with existing conditions, construction activities associated with implementation of future projects under the DCA could affect special-

status plant species and the presence of suitable habitat, depending on the type, timing, and specific nature of any proposed actions. However, all projects implemented under the DCA would continue to be subject to project-level environmental review and permitting. During such subsequent reviews, potential effects on plant species would be determined based on the species' distribution and known occurrences relative to the project area, the presence of suitable habitat for the species in or near the project area, and preconstruction surveys. TRPA's existing policies and code provisions address potential impacts to special-status species through site-specific environmental review, require development and implementation of project-specific measures to minimize or avoid impacts through the design process, and require compensatory or other mitigation for any adverse effects on special-status species as a condition of project approval (see TRPA Code Sections 61.3.6, 62.4, and 63.3) (TRPA, 2022). Project-level planning and environmental analysis would identify potentially significant effects, minimize, or avoid those impacts through the design process, and require mitigation for any significant effects as a condition of project approval.

Vegetation surrounding the construction site of any project permitted under the amendment would be required to comply with TRPA Code Section 33.6 and TRPA Standard Conditions of Approval for Grading Projects (TRPA, 2022). Protective requirements include installation of temporary construction fencing, standards for tree removal and tree protection, standards for soil and vegetation protection, and revegetation of disturbed areas. Furthermore, the proposed Area Plan DCA would not change land use classifications or allow new uses that would be more likely to require vegetation removal.



### 3.6 Wildlife

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
V. Wildlife.				
Will the proposal result in:				
a) Change in the diversity or distribution of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects, mammals, amphibians, or microfauna)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Reduction of the number of any unique, rare, or endangered species of animals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Deterioration of existing fish or wildlife habitat quantity or quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 3.6.1 Discussion

**No impact.** The proposed Area Plan DCA would not alter the regulations pertaining to the protection of animal species, special status or listed species of animals, introduction of new species migration or movement of animals, or existing fish or wildlife habitat quantity or quality.

As with existing conditions, permit applications would continue to be required to demonstrate that any proposed project would be consistent with TRPA Code provisions related to resource management, including the provisions of Chapters 62 and 63 that address protection of wildlife and fish resources. Any future projects would continue to be subject to subsequent project-level environmental review and permitting at which time they would be required to demonstrate compliance with all federal, state, and TRPA regulations pertaining to the protection of animal species. The resource management provisions contained in Chapters 60 through 68 of TRPA Code would continue to apply to future projects within the plan area (TRPA, 2022). At a project-level, potential effects on animal species would be determined based on the species' distribution and known occurrences relative to the project area, the presence of suitable habitat for the species in or near the project area, and preconstruction surveys. Project-level planning and environmental analysis would identify potentially significant effects, minimize/avoid those impacts through the design process, and require mitigation for any significant effects as a condition of project approval.

For these reasons, adoption of the proposed Area Plan DCA would not result in a change in the diversity or distribution of species, numbers of any species or animal, reduction in the number of any unique, rare, or endangered species, of animals, or result in a barrier to the movement of animal species.

### 3.7 Noise

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
VI. Noise.				
Will the proposal result in:				
a) Increases in existing Community Noise Equivalency Levels (CNEL) beyond those permitted in the applicable Area Plan, Plan Area Statement, Community Plan or Master Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of people to severe noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Single event noise levels greater than those set forth in the TRPA Noise Environmental Threshold?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) The placement of residential or tourist accommodation uses in areas where the existing CNEL exceeds 60 dBA or is otherwise incompatible?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) The placement of uses that would generate an incompatible noise level near existing residential or tourist accommodation uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Exposure of existing structures to levels of ground vibration that could result in structural damage?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 3.7.1 Discussion

**No impact.** The proposed Area Plan DCA would not alter requirements related to noise levels, single-noise events, or ground vibrations. Nor would it alter the Community Noise Equivalency Level (CNEL) standards set forth in the existing Area Plan, and the plan would continue to apply them (TRPA, 2021a).

The Area Plan DCA could result in the establishment of primary and secondary school uses, however, a Special Use Permit would be required. The Special Use Permit process would establish an additional review process to consider the potential for primary and secondary school uses to create increases in noise. Further, all future projects within the plan area would be evaluated at a project level and Washoe County or TRPA would enforce all noise standards on a project-by-project basis pursuant to the noise limitations in TRPA Code Chapter 68 (TRPA, 2022).

Future construction activities that could occur under the amendment could generate varying degrees of temporary ground vibration, depending on the specific construction equipment used and activities involved. Ground vibration generated by construction equipment spreads through the ground and diminishes in magnitude with increases in distance. Construction-related ground vibration is normally associated with impact equipment such as pile drivers, jackhammers, and the operation of heavy-duty construction equipment, such as dozers and trucks. Blasting activities also generate elevated levels of ground vibration. Ground Vibration generated during

construction of projects could result in damage to nearby buildings and structures and/or result in a negative human response to vibration-sensitive land uses. Additionally, construction activities associated with new development and redevelopment under the amended Area Plan could include activities that involve the use of noise generating equipment such as cranes, excavators, dozers, graders, dump trucks, generators, backhoes, compactors, and loader. Noise levels associated with these types of equipment are typically between 70 and 85 dBA  $L_{max}$  at 50 feet. In unique circumstances, specialized construction equipment (typically between 94 and 101 dBA  $L_{max}$  at 50 feet) may be required (TRPA 2012a: pages 3.6-16 and 3.6-17).

In November 2013, TRPA formalized the best construction policies by including additional noise requirements in the TRPA Standard Conditions of Approval for Grading Projects (TRPA Permit Attachment Q) and Standard Conditions of Approval for Residential Projects (TRPA Permit Attachment R) (TRPA, 2013a) (TRPA, 2013b). These conditions require that projects utilize existing power sources instead of generators where feasible, keep engine doors closed during periods of operation, locate stationary equipment (e.g., generators or pumps) and staging areas as far as feasible from noise-sensitive receptors (e.g., residential areas), install temporary sound barriers around construction areas or stationary noise sources (e.g., pumps or generators) near noise sensitive receptors, use sonic pile driving instead of impact pile driving where feasible, and pre-drill holes to minimize impacts of pile driving.

TRPA or Washoe County would continue to evaluate individual future projects within the plan area at a project level. Through the project-level analysis, TRPA or Washoe County would evaluate project-specific noise impacts and would require compliance with all applicable noise reducing measures identified in the standard condition of approval. TRPA or Washoe County would only approve projects that can demonstrate compliance with TRPA's threshold standards (i.e., CNEL standards). The existing Area Plan CNEL standards are consistent with TRPA's threshold standards; and thus, future projects under the DCA would only be approved by TRPA or Washoe County if they can demonstrate compliance with these CNEL standards (TRPA, 2021a).

For these reasons, adoption of the proposed Area Plan DCA would not result in a change to CNEL, exposure to severe noise levels, single event noise levels, or increased ground vibration.

### 3.8 Light and Glare

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
VII. Light and Glare.				
Will the proposal:				
a) Include new or modified sources of exterior lighting?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create new illumination, which is more substantial than other lighting, if any, within the surrounding area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Cause light from exterior sources to be cast off - site or onto public lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create new sources of glare through the siting of the improvements or using reflective materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 3.8.1 Discussion

**No impact.** The proposed Area Plan DCA would not increase the potential for growth in the plan area beyond that which could occur under the existing Area Plan. As with existing conditions, future projects could result in new sources of light from exterior lighting.

The TRPA design standards for exterior lighting (TRPA Code Chapter 36) are designed to reduce light pollution and reduce the splay of light on adjoining parcels and adjacent residential uses (TRPA, 2022). The proposed Area Plan DCA would abide by the existing Area Plan Design Standards and Guidelines for the plan area which meet the requirements of the TRPA design standards (TRPA, 2021a).

The existing Area Plan design standards and guidelines incorporate protections for natural features with the goal to encourage projects to create a context-sensitive design of the built environment that reflects differences in the character of unique communities consistent with recommendations in the Scenic Quality Improvement Program (SQIP) (TRPA, 2021a). These standards reduce the potential for future projects to result in substantial light or glare, new sources of light or glare that are more substantial than other light or glare in the area, or exterior light that is cast off-site.

All future projects carried out under the amendment would be evaluated on a project-specific basis consistent with TRPA environmental review requirements (TRPA Code Chapter 3). This analysis would consider the project-specific effects on light and glare at the time that project characteristics are known. This analysis would consider the project-specific effects on light and glare at the time that project characteristics are known. This analysis would review the proposed project for consistency with applicable standards to determine if it would result in significant impacts related to light and glare. If necessary, the environmental review would require mitigation measures, such as revised lighting designs, to reduce significant impacts related to light and glare.

Because all existing lighting design standards and guidelines would remain in effect and all future projects would be evaluated considering the project-specific characteristics related to light and glare, the proposed Area Plan DCA would have no impact on light and glare conditions.

DRAFT

### 3.9 Land Use

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
VIII. Land Use.				
Will the proposal:				
a) Include uses which are not listed as permissible uses in the applicable Plan Area Statement, adopted Community Plan, or Master Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Expand or intensify an existing non-conforming use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 3.9.1 Discussion

**Less than significant.** The proposed Area Plan DCA would amend the existing Area Plan such that primary and secondary school uses would be permitted with a Special Use Permit within the Wood Creek Regulatory Zone. All other goals, policies, and standards in the existing Area Plan would be maintained for the plan area (TRPA, 2021a). The proposed Area Plan DCA carries forward all permissible use definitions consistent with TRPA Code Chapter 21 (TRPA, 2022). Additionally, the proposed Area Plan DCA carries forward all existing permissible uses within the current Area Plan, with the only change being primary and secondary school use on parcels greater than 3 acres within the Wood Creek Regulatory zone would be considered a Special Use. This change would not affect non-conforming uses. Impacts would be less than significant.

### 3.10 Natural Resources

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
IX. Natural Resources.				
Will the proposal result in:				
a) A substantial increase in the rate of use of any natural resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantial depletion of any non-renewable natural resource?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 3.10.1 Discussion

**No impact.** The proposed Area Plan DCA would not increase the potential for growth in the plan area beyond that which could occur under the existing Area Plan. Therefore, potential effects on natural resources, including non-renewable natural resources, would have no impact. There is a potential for increase in the use of natural resources resulting from increased development and redevelopment within the Tahoe Region; however, projects implemented under the proposed Area Plan DCA would not result in an increase in the use of natural resources beyond the levels analyzed previously and future projects would be evaluated to ensure there are not substantial project-level increases in the rate of use of natural resources.

As with existing conditions, the use of natural resources, including nonrenewable natural resources, such as construction wood, metals, or gasoline would increase incrementally as future projects are constructed under the DCA. However, the potential for growth in the plan area would be limited through limitation on development rights, such as commercial flood area (CFA), residential units of use (RUUs), and tourist accommodation units (TAUs). The proposed Area Plan DCA does not allot new uses that would require substantial amounts of non-renewable resources, such as heavy industrial or manufacturing uses. Furthermore, the existing Area Plan includes a GHG reduction strategy, which reduces the long-term use of non-renewable resources below the levels anticipated previously (TRPA, 2021a). As described above, future projects would be evaluated at a project-level to ensure they do not result in a substantial depletion of non-renewable resources. For these reasons, the proposed Area Plan DCA would not result in substantial depletion of any renewable or non-renewable natural resources.

### 3.11 Risk of Upset

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
X. Risk of Upset.				
Will the proposal result in:				
a) Involve a risk of an explosion or the release of hazardous substances including, but not limited to, oil, pesticides, chemicals, or radiation in the event of an accident or upset conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Involve possible interference with an emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 3.11.1 Discussion

**No impact.** The proposed Area Plan DCA would not alter requirements related to hazardous substances, make changes to the total number of distributions of residential allocations or other development right, increase the potential for the use or transport of hazardous materials.

Construction activities related to future projects implemented under the amended Area Plan could involve the storage, use, and transport of hazardous materials. However, use of hazardous materials would be of typical projects in the Tahoe Regions and would occur in compliance with all local, state, and federal regulations. Further, the types of uses that would be permissible within the area are not of the nature that would involve storage, use, and transport of large quantities of hazardous substances that would increase the risk of incident. Primary and Secondary School Use is consistent with the types of uses already allowed under existing conditions, such that implementation of the proposed Area Plan DCA would not be expected to create a new risk of accident or upset conditions.

Most new development would be in the form of redevelopment, which would replace existing development with the new special use permitted under the amendment. Because the Area Plan Amendment would not increase development potential, it would not substantially increase congestion such that interference with emergency response or evacuation plans would occur. Because the potential development associated with the proposed Area Plan DCA would be the same as what could occur with existing conditions, potential construction effects on emergency vehicle response time, and evacuation would not change from what could occur under the development potential currently allowed by the existing Area Plan. However, future projects would be reviewed pursuant to TRPA environmental review requirements. This project-level review would evaluate the site-specific characteristics of each proposed project to determine if it would interfere with an emergency evacuation plan, then project-specific mitigation measures, such as a traffic control plan, or changes to project design or construction operations, would be required.

Because future projects would adhere to existing regulations, including various federal, state, and local regulations address the handling, transporting, and disposing of hazardous materials, and because there would be no proposed policies or changes to existing policies that would affects the transport of use of hazardous materials in the region, no impact would occur.



### 3.12 Population

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
XIV. Population				
Will the proposal result in:				
a) Alter the location, distribution, density, or growth rate of the human population planned for the Region?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Include or result in the temporary or permanent displacement of residents?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 3.12.1 Discussion

**No impact.** The proposed Area Plan DCA does not alter the location, distribution, density, growth rate, or result in the temporary/permanent displacement of residents. Growth within the plan area would continue to be limited to that which is allowed by the growth management system set forth in Chapter 50 of the TRPA Code and redirected to more appropriate locations (TRPA, 2022). The proposed amendment does not propose altering the growth management system, and therefore would have no impact on population levels and distribution. All future projects carried out under the amendment would be required to undergo project-level environmental review during which potential impacts on residences or business would be assessed and mitigated to the extent feasible. Future projects would be subject to TRPA requirements for in-kind replacement housing.

### 3.13 Housing

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
XIV. Housing a) Affect existing housing, or create a demand for additional housing?				
To determine if the proposal will affect existing housing or create a demand for additional housing, please answer the following questions:				
a) Will the proposal decrease the amount of housing in the Tahoe Region?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Will the proposal decrease the amount of housing in the Tahoe Region historically or currently being rented at rates affordable by lower and very-low-income households?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 3.13.1 Discussion

**No impact.** The amount of housing in the Tahoe Region is limited by the number of available development rights and residential bonus units available through the TRPA growth management system, which would not be altered by the Area Plan DCA. New primary and secondary schools will provide school locations for students that are already living in the region, or who are anticipated within existing growth limits.

The proposed Area Plan DCA would not prohibit residential uses in any location where they are currently allowed. Future projects carried out under the amendment would be subject to TRPA requirements for in-kind replacement housing.

### 3.14 Transportation/Circulation

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
XIII. Transportation/Circulation.				
Will the proposal result in:				
a) Generation of 650 or more new average Daily VMT?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Changes to existing parking facilities, or demand for new parking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantial impact upon existing transportation systems, including highway, transit, bicycle, or pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Alterations to present patterns of circulation or movement of people and/or goods?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Alterations to waterborne, rail or air traffic?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 3.14.1 Discussion

**No impact.** The proposed Area Plan DCA would not alter any existing requirements related to parking standards. While the addition of a school may increase parking demand, all future projects would be subject to existing parking standards and would be required to provide parking plans to ensure all applicable and local requirements are met before approval. The proposed Area Plan DCA would not have a substantial impact on the existing transportation system including highway, transit, bicycle, or pedestrian facilities. There are no railways or airports located in the plan area. Any future waterborne transit would be subject to a project-level planning, design, and environmental review process. Traffic generation is not expected to increase as compared to current levels under the existing Area Plan. Traffic hazards to motor vehicles, bicyclists, or pedestrians are not expected to increase, nor will the DCA approve project-specific transportation elements that would inherently increase the potential for hazard.

The proposed Area Plan DCA would allow primary and secondary school use under a Special Use Permit on parcels larger than 3 acres in the Wood Creek Regulatory Zone. Requests would be evaluated at a project-level to ensure transportation, parking, and traffic generation are consistent with applicable limitations and regulations. Future projects implemented under the proposed Area Plan DCA would provide a traffic and parking plan to ensure all applicable regional and local requirements are met. Implementation of the proposed Area Plan DCA would not include any provisions or changes that would alter such requirements or regulations for individual future projects. For these reasons, the proposed Area Plan DCA would have no impact to parking, transportation, or traffic generation. All aspects of the Regional Plan, Area Plan, and TRPA Code would continue to apply throughout the plan area.

### 3.14.2 Additional Background Information

#### Existing Highways Within the Plan Area DCA

Two (2) major highways exist within the plan area: Nevada State Route 431 (SR 431) (commonly referred to as Mount Rose Highway), and Nevada State Route 28 (SR 28) (commonly referred to as Tahoe Boulevard). Both highways border at least one of the 6 parcels that could be affected by this DCA (Figure 1).

#### *Nevada State Route 431 (Mount Rose Highway)*

SR431, also known as Mount Rose Highway, is maintained by the Nevada Department of Transportation (NDOT) and serves as a vital link between Incline Village and Reno. Its' historical roots can be traced back to at least 1950 when it was established to provide access to the ski areas of Mount Rose. NDOT officially designated approximately 20 miles of SR431 as the Mount Rose Nevada Scenic Byway on June 27, 1996. Functionally, SR 431 is identified as an "Urban Minor Arterial" by Nevada state standards (Hemlein, 2018).

Notably, the corridor has a low injury crash rate of 0.22 crashes per million vehicle miles traveled (MVMT), as compared to the state average of 1.27 injury crashes per MVMT for the urban minor arterial functional classification (Hemlein, 2018). Within the plan area, the speed limit on SR431 ranges from 45-50 miles per hour (MPH), ensuring safe and efficient traffic flow. Additionally, there is a single escape ramp (Route Master Identification Number 11317), situated approximately 0.22 miles from the junction with SR28 (NDOT, 2023).

#### *Nevada State Route 28 (Tahoe Boulevard)*

SR28, also known as Tahoe Boulevard, is maintained by NDOT, and spans the northeastern shoreline of Lake Tahoe, connecting US Route 50 in Douglas County to California SR 28 at Crystal Bay. This scenic route has been a part of the Nevada Scenic Byway system since June 1994 and the National Scenic Byway system since September 1996. Covering an approximate distance of 16.16 miles, SR28 offers travelers a captivating journey along the tranquil shores of Lake Tahoe (NDOT, 2023).

The established speed limit on SR28 is 35 MPH, for the safety of travelers and the preservation of the natural beauty that surrounds this scenic roadway. Its history dates back to 1932 when it was originally paved, although it previously served a unique purpose within the timber industry as early as 1880. SR28 has retained the same general alignment since 1948 (SHPO, 2010).

As a two-lane corridor, SR28 provides a crucial role in providing access to the Lake Tahoe region, serving as access for over one million recreating visitors and accommodating approximately 2.6 million vehicles each year (Tahoe Transportation District, 2023).

#### SR431 and SR28 Future Improvement Projects

The Tahoe Area Plan (TRPA, 2021a) and Mount Rose Scenic Byway Corridor Management Plan (Washoe County, 2015) identify three (3) future improvement projects to SR431 and SR28. Information for these improvement projects is presented in **Error! Reference source not found.**

Table 3: Future Highway Improvement Projects

Project Number	Project Name	Highway	Project Description
T-5	Off-Highway Parking along Mount Rose Highway	SR431	In compliance with the Mount Rose Scenic Byway Corridor Plan, establish off-highway parking at Incline Meadows and the Incline Flume trailhead.
T-6	Mount Rose Highway Center Turn Lanes	SR431/SR28	In compliance with the Mount Rose Scenic Byway Corridor Plan, create a center turn lane along Mount Rose Highway at Country Club Drive. Investigate the possibility of additional turn lanes between County Club Drive and SR28.
T-24	Mount Rose Highway Multi-Use Path	SR431	East side of SR431 from the Incline Flume Trailhead to the northern planning area boundary.

**Washoe County Level of Service**

Washoe County evaluates the quality of travel on its’ roadways and intersections using Level of Service (LOS) measures. LOS is used to analyze roadways and intersections by categorizing traffic flow and assigning quality levels of traffic based on performance measures like vehicle speed, density, and congestion. LOS uses a hierarchical classification of drivers’ perceptions to measure the quality of service provided by a roadway facility based on factors such as speed, travel time, maneuverability, delay, and safety. Similar to the common report card system, LOS is represented by the letters A through F (Washoe County, 2020). “A” represents the best operating conditions and “F” the worst. **Error! Reference source not found.** describes LOS characteristics.

Table 4: Level of Service Categories

LOS	Description
A	Relative free-flow. No restrictions to vehicle maneuverability or speed. Very slight delay
B	Stable flow. Some slight reduction in maneuverability and speed. Slight delay.
C	Stable flow operation. Higher volumes. More restrictions on maneuverability and speed. Acceptable delay.
D	Approaching unstable flow operation. Lines develop. Little freedom to maneuver. Tolerable delays for short periods.
E	Unstable flow or operation. Low operating speed; momentary stoppages. This condition is common in peak hours. Congestion and lengthy delays.
F	Forced flow or operation. Gridlock occurs.

The LOS standard is based upon a roadway's functional classification posted speed, amount of access, and the number of lanes provided. Intersections are designed to provide a LOS consistent with maintaining the policy LOS of the intersecting corridors.

An environmental analysis completed for the 2017 Regional Transportation Plan and included in the IEC completed in 2021 for the Tahoe Area Plan adoption, evaluated existing traffic volumes and trends including sections of SR431 and SR28. The analysis presented existing LOS, as of 2016, and projected future LOS to 2040 after completed build out of the Tahoe Region (Ascent Environmental, 2012). The SR431 and SR28 segments and corresponding analysis results addressed in the RTP analysis are as follows:

- SR28 from Red Cedar Drive to West Lakeshore Blvd (west of Incline Village) - LOS E in 2016 and 2040
- SR28 from Cal Neva Drive to Stateline Rd. (in the North Stateline Town Center) - LOS E in 2016 and 2040
- SR431 from SR28 to 2nd Creek Drive (west of Incline Village – LOS C or better in 2016 and 2040

The TRPA standards require that peak-period traffic flow not exceed LOS D on urban developed area roads such as SR431 and SR28. These vehicle LOS standards may be exceeded when provisions for multi-modal amenities and/or services (such as transit, bicycling, and walking facilities) are adequate to provide mobility for users at a level that is proportional to the project-generated traffic in relation to overall traffic conditions on affected roadways (Ascent Environmental, Inc., 2020).

The Tahoe East Shore Trail is a Class I Shared Use Path along 3 miles of SR28. Bike Lanes (Class II) are provided along SR28 within Incline Village, and sidewalks are provided in the commercial areas. SR431 is a designated bike route (class III). Public and private transportation services are also available seasonally including the Tahoe Area Regional Transportation (TART), the North Lake Tahoe Express, the East Shore Express (summer months only), skier shuttles (winter months only), and private hiking/biking shuttles. There are currently no adopted requirements or standards regarding the quality of service of other travel modes (i.e., transit, biking, or walking) that could potentially reduce the demand on the roadway system (Ascent Environmental, Inc., 2020). **Trip Generation Review for the Wood Creek Regulatory Zone**

A Trip Generation Review for the Wood Creek Regulatory Zone located in Incline Village, Nevada, completed by DOWL traffic engineers, compares the expected trip generation of a private K-8 school with existing trip generation of the special use permit land use of a Day Care Center/Pre-School in the Wood Creek Regulatory Zone. The result of the review contributes to evaluating whether a Private K-8 school can be added to the special use permit land uses allowed in the Wood Creek Regulatory Zone.

The Wood Creek Regulatory Zone currently allows the development of Day Care Center/Pre-schools within its boundaries after the submission of a special use permit and site-specific traffic study. As found in the trip generation review, Private School (K-8) educational facilities operate very similar to Day Care centers on a daily basis, with minor differences which may lead to increased traffic pressure in the morning and significantly less traffic pressure in the evening.

The trip generation review concluded adding the Private School (K-8) land use to the list of acceptable special use permit land uses would be consistent with Incline Village's desire for low-pressure land uses, which conform to the currently allowed options.

For more information on the trip generation review, see Appendix A, Wood Creek Regulatory Zone Trip Generation Review.

DRAFT

### 3.15 Public Services

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
XIV. Public Services.				
Will the proposal have an unplanned effect upon, or result in a need for new or altered governmental services in any of the following areas:				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Parks or other recreational facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Maintenance of public facilities, including roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other governmental services?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 3.15.1 Discussion

**Beneficial.** Implementation of the proposed Area Plan DCA would not make changes to the total number of residential allocations of other development rights (e.g., CFA, TAUs) that would exceed the potential growth of what was analyzed previously. Allowing primary and secondary school use under a Special Use Permit in the Wood Creek Regulatory zone would provide a beneficial impact in an area that has a demand for schools.

The long-term growth under the proposed Area Plan DCA would be relatively small and would be no different than without the DCA. Any new construction could result in population increases that, depending upon location, could require improved or expanded facilities for fire protection, police protection, schools, recreational facilities, maintenance, or other governmental services. The construction of these governmental services could result in adverse environmental effects; however, individual projects would be required to undergo environmental review to ensure that impacts are identified and mitigated.

The limited potential growth that could occur within the plan area from the proposed Area Plan DCA would not be changed from the potential growth allowed by the existing Area Plan. Therefore, there would be no change in demand for public services.

The addition of private schools may have a minor impact on public school attendance; however, under the United States Constitution, parents have a fundamental right to direct the education of their children. In 1925 the Supreme Court recognized that “liberty”, protected by the Fourteenth Amendment, includes the right to choose a private education (U.S. Department of Education, 2000).



### 3.16 Energy

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
VI. Energy.				
Will the proposal result in:				
a) Use of substantial amounts of fuel or energy?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 3.16.1 Discussion

**No impact.** The proposed Area Plan DCA would not increase the potential for growth in the plan area beyond that which could occur under the existing Area Plan. Therefore, potential effects on the use of energy or fuel would not change and would be the same as those previously analyzed. As with existing conditions, energy and fuel would be consumed during the construction and operation of future projects in the plan area. However, the potential for growth in the plan area would be limited through limitation on development rights, such as CFA, RUUs, and TAUs. The proposed Area Plan DCA does not allow new uses that would require substantial amounts of energy or fuel, such as heavy industrial or manufacturing uses. While any new construction would require electric and natural gas service as part of the basic services (see TRPA Code Chapter 32), the entire area within the plan area is in proximity to existing electric and gas infrastructure (TRPA, 2022). Future projects requiring new or modified connections would be subject to the requirements and fees of the applicable utility providers.

Furthermore, the existing Area Plan includes a GHG reduction strategy (Development Code Section 110.220.415) which is anticipated to reduce the long-term use of energy and fuel (TRPA, 2021a). The proposed Area Plan DCA would not increase VMT. In addition, future projects carried out under the amendment would be evaluated at a project-level to determine if the project would use substantial amounts of fuel or energy, and mitigation measures would be required, if necessary, as a condition of approval. For these reasons, the proposed Area Plan DCA would not result in the substantial use of fuel or energy.

### 3.17 Utilities

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
XVI. Utilities.				
Except for planned improvements, will the proposal result in a need for new systems, or substantial alterations to the following utilities:				
a) Power or natural gas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Communication systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Utilize additional water which amount will exceed the maximum permitted capacity of the service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Utilize additional sewage treatment capacity which amount will exceed the maximum permitted capacity of the sewage treatment provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Storm water drainage?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Solid waste and disposal?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 3.17.1 Discussion

**No impact.** Implementation of the proposed Area Plan DCA would not change the total number of available residential allocations or other development rights (e.g., CFA, TAUs). Thus, growth would be consistent with the level of development previously analyzed. Because the proposed Area Plan DCA would not authorize or result in growth that would exceed that which could occur under existing conditions, there would be no impact to utilities.

##### Communication systems

Multiple telecommunication providers offer services within the plan area. The long-term growth under the proposed Area Plan DCA would be relatively small and would be the same as could occur under existing conditions. Thus, it would be unlikely to exceed the capacity of existing service providers.

##### Water Service

Water Service for the Plan Area is provided by IVGID. The Nevada side of the Tahoe Region has an allocation of 11,000-acre feet per year (afy) from Lake Tahoe and tributary surface waters, of which IVGID is allocated 4,272.83 afy. IVGID exercises approximately 75 percent of its water rights in any given year. As described above, the long-term growth under the proposed Area Plan Amendment would be relatively small and consistent with existing growth potential. Because the IVGID currently has excess water supply capacity and the future growth in the plan area would be limited, the proposed Area Plan DCA would not exceed the maximum permitted capacity of the service provider. Additionally, future projects in the plan area would be required under TRPA Code Section 32.4 to demonstrate sufficient supply, treatment capacity (as applicable), and conveyance capacity for clean water by the water purveyor (TRPA, 2022).

### **Sanitary Sewer Service**

This plan area is serviced by a community sewer system that is owned and operated by IVGID. Water is treated at a primary and secondary treatment plant; from there the treated effluent is transported by pipeline out of the Basin to a 900-acre wetlands enhancement project in the Carson Valley. The community sewer system was designed and built such that it could be expanded and accommodate the communities at full build out. Because the proposed Area Plan DCA would not increase the growth potential within the plan area beyond what could already occur under the Existing Plan, it would not exceed the capacity of the sewage treatment provider (TRPA, 2021a). Additionally, future projects in the plan area would continue to be required under the TRPA Code Section 32.4 to demonstrate sufficient conveyance and treatment capacity for wastewater (TRPA, 2022).

DRAFT

### 3.18 Human Health

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
XVII. Human Health.				
Will the proposal result in:				
a) Creation of any health hazard or potential health hazard (excluding mental health)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of people to potential health hazards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 3.18.1 Discussion

**No impact.** The proposed Area Plan DCA does not propose policies or changes to existing policies that would affect the transport or use of hazardous materials in the region, nor would it create a heightened risk for exposure to potential health hazards.

Effects related to wildfire hazards, flood hazards, and seismic hazards were previously analyzed. The analysis found that because future projects would be required to be consistent with the Regional Plan, requirements for fire safety as well as other applicable federal, state, regional, and local fire safety plans, and because future projects would be required to consider the fire hazards in the region and include measures to ensure that defensible space is maintained and excessive fuel is reduced, the effects of future development would be less than significant (TRPA, 2021b). Sites would be required to undergo site-specific geotechnical analysis and, if applicable, employ design standards that consider seismically active areas and comply with current building codes and local jurisdiction seismic standards.

For these reasons, the proposed Area Plan DCA would not create any health hazards.

### 3.19 Scenic Resources/Community Design

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
XVIII. Scenic Resources/Community Design.				
Will the proposal:				
a) Be visible from any state or federal highway, Pioneer Trail or from Lake Tahoe?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Be visible from any public recreation area or TRPA designated bicycle trail?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Block or modify an existing view of Lake Tahoe or other scenic vista seen from a public road or other public area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be inconsistent with the height and design standards required by the applicable ordinance, Community Plan or Area Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Be inconsistent with the TRPA Scenic Quality Improvement Program (SQIP) or Design Review Guidelines?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 3.19.1 Discussion

**No impact.** The Wood Creek Regulatory Zone includes areas that are visible from TRPA-designated scenic travel unit number 22 (Crystal Bay) and unit number 23(Mt. Rose Highway). The Area Plan DCA would not alter requirements related to scenic resource protection. Construction or substantial exterior modification of structures would still be subject to scenic review standards that are applied on a project-specific basis (TRPA Code Section 66.1). Any subsequent projects carried out under the amended Area Plan would be required to make project-specific findings as well as the Chapter 4 threshold findings and Chapter 37 height findings in the TRPA code (TRPA, 2022).

Consistent with the Regional Plan, the existing Area Plan allows for changes in the built environment through use of remaining allocations, use of newly authorized allocations, and implementation of design standards and guidelines and Code provisions that ultimately affect the form of new development and redevelopment. The existing Area Plan implements, and is consistent with, the provisions of the Regional Plan (such as increased density and height in community centers) intended to incentivize redevelopment, while protecting scenic resources (TRPA, 2021b). The existing Area Plan Design Standards and Guidelines are designed to guide development that would reflect the character of the area, protect viewsheds, and substantially improve the appearance of redevelopment projects (TRPA, 2021a).

Future projects within the plan area could be visible from public recreation facilities or TRPA designated bicycle trails. However, for the same reasons described above, they would not result in significant impacts to scenic resources.

The existing Area Plan implements height and design standards, and goals policies and implementation actions that are consistent with the Regional Plan and SQIP (TRPA, 2021a). The amended Area Plan would continue to implement these same standards.

All projects would continue to comply with TRPA Code provisions and the Area Plan Design Standards and Guidelines, which would result in generally improved scenic conditions in the plan area (TRPA, 2022).

DRAFT

### 3.20 Recreation

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
XIX. Recreation.				
Does the proposal:				
a) Create additional demand for recreation facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create additional recreation capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have the potential to create conflicts between recreation uses, either existing or proposed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in a decrease or loss of public access to any lake, waterway, or public lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 3.20.1 Discussion

The proposed Area Plan DCA would not increase the potential for growth within the plan area beyond that which could already occur with the existing Area Plan. Nor does it authorize or approve any development, redevelopment, or recreation facility projects. The TRPA system of People At One Time (PAOT) will not be changed, and the DCA does not alter regulations related to recreation or approve changes to existing recreation facilities. As such, the demand for recreation facilities would not be affected.

Additionally, the proposed Area Plan DCA would not rezone public lands or change any existing requirements for public access to any lake, waterway, or public lands. Therefore, the proposed Area Plan DCA would not result in a decrease or loss of public access to any lake, waterway, or public land.

As with existing conditions, future projects within the plan area would continue to be reviewed through a project-level environmental review, which would assess whether the project would increase demand for recreation facilities and/or provide additional recreational capacity. If applicable, mitigation measures would be required to address significant project-level effects on recreation demand or capacity. In addition, the existing Area Plan is consistent with applicable plans that guide existing and proposed recreation uses, which would be unchanged (TRPA, 2021a).

For these reasons, the proposed Area Plan DCA would not create substantial conflicts between existing or proposed recreation uses.

### 3.21 Archaeological/Historical

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
XX. Archaeological/Historical.				
Will the proposal result in:				
a) An alteration of or adverse physical or aesthetic effect to a significant archaeological or historical site, structure, object, or building?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Is the proposed project located on a property with any known cultural, historical, and/or archaeological resources, including resources on TRPA or other regulatory official maps or records?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Is the property associated with any historically significant events and/or sites or persons?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Will the proposal restrict historic or pre-historic religious or sacred uses within the potential impact area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 3.21.1 Discussion

**No impact.** The proposed Area Plan DCA would not alter any requirements related to the protection of archaeological or historic sites, structures, objects, or buildings. Nor would it alter existing state and federal protections for historic or cultural resources. Future projects could occur on properties that contain known historical resources, be associated with historically significant events or individuals, or result in adverse physical or aesthetic effects to a significant historical site, structure, object, or building. However, federal and state, regulation, and TRPA Code are in place to address protection of these resources.

The applicable TRPA protections include TRPA Code Section 33.3.7, which requires cessation of grading and consultation with government agencies whenever historical, pre-historical, or paleontological materials appearing to be 50 years or older are discovered during grading activity. TRPA Code Chapter 67 includes standards which require evaluation by a qualified archaeologist of any potential archaeological, cultural, or historical resources discovered during project construction (TRPA, 2022). TRPA also requires that projects in areas with known or newly discovered sites of cultural or historic significance include a site survey (performed by a qualified archaeologist) before TRPA approval. This standard also requires consultation with relevant Native American tribes on all site surveys to determine if tribally significant sites are present. If resources are discovered and deemed significant, then a resource protection plan is required. Such a plan shall be prepared by a qualified professional and may provide for surface or subsurface recovery of data and artifacts and recordation of structural and other data. Additionally, grading, operation of equipment, or other soil disturbance is prohibited in areas where a designated historic resource is present, or could be damaged, except in accordance with TRPA-approved resource protection plan. Finally, upon discovery of a previously unknown



site, object, district, structure, or other resource, potentially meeting criteria designating it as a historic resource TRPA shall consult with the applicable State Historic Preservation Officer (SHPO), and with the relevant Native American tribe if it is a tribal site. In addition, Native American tribes are permanent members of the TRPA Advisory Planning Commission (APC), where tribal representatives can review all projects that come before the APC. These protections would continue to apply with the amended Area Plan.

The Nevada SHPO reviews projects for potential impacts to historic properties. The Nevada SHPO keeps an inventory of the state's cultural resources to assist federal, state, and local agencies in planning projects to avoid impacts to important cultural resources; the agency also acts as a clearinghouse for nominations of sites and features to the NRHP. Additionally, the Nevada SHPO plays an advisory role to TRPA during project review of structures 50 years old or older. At the federal level, Section 106 of the National Historic Preservation Act guides cultural resources investigations by federal agencies and requires considerations of effects on properties that are listed in, or may be eligible for listing in, the NRHP.

All future projects within the plan area would be evaluated through a project-level environmental review, which would evaluate the potential for specific future projects to degrade historic, archeological, or cultural resources. If necessary, the project-level environmental review would identify mitigation measures to avoid or reduce potential conflicts.

For these reasons, the proposed Area Plan DCA would not alter existing cultural resource protection, which are sufficient to protect resources.

### 3.22 Findings of Significance

ENVIRONMENTAL ISSUES	Yes	No, With Mitigation	No	Data Insufficient
XXI. Findings of Significance.				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number, or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California or Nevada history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period, while long-term impacts will endure well into the future.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environmental is significant?)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Does the project have environmental impacts which will cause substantial adverse effects on human being, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 3.22.1 Discussion

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California or Nevada history or prehistory?

**No Impact.** See the discussion in Sections 3.2 through 3.21, above, including the discussions related to vegetation, wildlife, and historic resources in sections 3.5, 3.6, and 3.21, respectively. For the reasons described in those sections, there is no impact.

- b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time, while long-term impacts will endure well into the future.)

**No Impact.** The proposed Area Plan DCA would not alter policies or requirements that balance short-term and long-term environmental goals. This potential effect is the same as those analyzed in the 2012 RPU EIS, and therefore this analysis tiers from and is consistent with the 2012 RPU EIS. The 2012 RPU EIS evaluated the relationship between short-term uses of the environment and the maintenance of long-term productivity on pages 5-3 through 5-5 (TRPA 2012a). This analysis found that the long-term implementation of the Regional Plan would result in future development and population growth that would have associated impacts to biological resources; traffic and circulation; air quality and climate change; noise; water quality; and public services and utilities. However, through redevelopment in urban areas and transfer of coverage and development rights from sensitive lands, the Regional Plan would refine the land use pattern of the Region in a manner intended to sustain natural resources and support social and economic health. Because the proposed Area Plan DCA would implement the Regional Plan and would not increase the potential for future growth beyond the levels anticipated in the Regional Plan, the proposed Area Plan DCA would be consistent with the analysis on pages 5-3 through 5-5 of the 2012 RPU EIS (TRPA 2012a).

- c) Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environmental is significant?)

**No Impact.** This potential effect is the same as those analyzed in the 2012 RPU EIS, and therefore this analysis tiers from and is consistent with the 2012 RPU EIS. The 2012 RPU EIS evaluated the cumulative impacts of long-term implementation of the Regional Plan on pages 4-1 through 4-36 (TRPA 2012a). Because the proposed Area Plan DCA would implement the Regional Plan and would not increase the potential for future growth beyond the levels anticipated in the Regional Plan, the proposed Area Plan DCA would be consistent with the cumulative analysis in the 2012 RPU EIS.

- d) Does the project have environmental impacts which will cause substantial adverse effects on human being, either directly or indirectly?

**No Impact.** See the discussion in Sections 3.2 through 3.21, above, including the discussions related to risk of upset and human health in Sections 3.11 and 3.18, respectively. For the reasons described in those sections, there is no impact.

## 4.0 REFERENCES

---

- Ascent Environmental. (2012). *Regional Plan Update Final Environmental Impact Statement*. Ascent Environmental, Inc. (2020). *Initial Environmental Checklist for the Washoe County Tahoe Area Plan*.
- Hemlein, K. (2018, October 22). *Summary of Road Safety Assessment - State Route 431 Mount Rose Highway*. Retrieved from Washoe Residents for Appropriate Planning: <https://washoerap.com/2018/10/22/summary-of-road-safety-assessment-state-route-431-mount-rose-highway/>
- NDOT. (2023). *State Maintained Highways of Nevada Descriptions and Maps*. Carson City.
- SHPO. (2010). *The Great Incline of the Sierra Nevada*. Retrieved from State Historic Preservation Office: <https://archive.ph/20130731103945/http://nvshpo.org/historical-markers-by-county/178-washoe-countyreno/385-nevada-historical-marker-246.html>
- Tahoe Transportation District. (2023, July 03). *SR28 National Scenic Byway*. Retrieved from Tahoe Transportation District: <https://www.tahoetransportation.org/projects/sr28-national-scenic-byway/>
- TRPA. (2012a). *Rules of Procedure*. Code of Ordinances.
- TRPA. (2012b). *Regional Plan Update*.
- TRPA. (2013a). *Standard Conditions of Approval for Grading Projects*.
- TRPA. (2013b). *Standard Conditions of Approval for Residential Projects*.
- TRPA. (2021a). *Washoe County Tahoe Area Plan*.
- TRPA. (2021b). *Threshold Standards and Regional Plan*.
- TRPA. (2022). *Code of Ordinances*.
- U.S. Department of Education. (2000). *Selected U.S. Supreme Court Rulings Related to Private and Home Schools*. Retrieved from U.S. Department of Education: <https://www2.ed.gov/about/inits/ed/non-public-education/supreme-court-rulings.html#:~:text=Under%20the%20United%20States%20Constitution,to%20choose%20a%20private%20education.>
- Washoe County. (2015). *Mount Rose Scenic Byway Corridor Management Plan*.
- Washoe County. (2020). *Master Plan Land Use and Transportation Element*. Reno: Fifth Printing.

## 5.0 REPORT PREPARERS

---

### DOWL, LLC

Emily Paris.....Environmental Specialist  
Donna Robinson.....Environmental Specialist  
AnnMarie Lain..... Senior Planner

DRAFT

*Appendix A: Wood Creek Regulatory Zone Trip Generation Review*

DRAFT

Attachment F  
Conformity Checklist



# TECHNICAL MEMORANDUM

TO: Michelle Brown, TRPA  
FROM: AnnMarie Lain, DOWL  
DATE: January 24, 2024  
PROJECT: Tahoe Area Plan Amendment

---

## FINDING OF CONFORMITY CHECKLIST

---

### General Information

#### Area Plan Information

Area Plan Name: Tahoe Area Plan  
Lead Agency: Washoe County  
Submitted to TRPA: January 24, 2024  
TRPA File No: N/A

#### Conformity Review

Review Stage: Final Review  
Conformity Review Date: TBD  
TRPA Reviewer: Michelle Brown

#### Hearing Dates

Lead Agency Approval: February 20, 2024  
APC: April 10, 2024  
RPC: March 27, 2024  
Governing Board: April 24, 2024

#### Characteristics

Geographic Area: Wood Creek Regulatory Zone  
Land Use Classifications: Residential  
Amendment Summary: The proposed amendments affect the TAP Appendix A (Development Code Standards), Section 110.220.275 Wood Creek Regulatory Zone Allowable Land Uses and Section 110.220.280 Wood Creek Residential Regulatory Zone Special Policies.



# TECHNICAL MEMORANDUM

Conformity Checklist		TRPA Code Section	Conformity		
			YES	NO	N/A
<b>A. Contents of Area Plans</b>					
1	General	13.5.1	•		
2	Relationship to Other Code Section	13.5.2	•		
<b>B. Development and Community Design Standards</b>					
<i>Building Height</i>					
1	Outside of Centers	13.5.3			•
2	Within Town Centers	13.5.3			•
3	Within the Regional Center	13.5.3			•
4	Within the High-Density Tourist District	13.5.3			•
<i>Density</i>					
5	Single-Family Dwellings	13.5.3			•
6	Multiple-Family Dwellings outside of Centers	13.5.3			•
7	Multiple-Family Dwelling within Centers	13.5.3			•
8	Tourist Accommodations	13.5.3			•
<i>Land Coverage</i>					
9	Land Coverage	13.5.3			•
10	Alternative Comprehensive Coverage Management	13.5.3 B.1			•
<i>Site Design</i>					
11	Site Design Standards	13.5.3			•
<i>Complete Streets</i>					
12	Complete Streets	13.5.3			•
<b>C. Alternative Development Standards and Guidelines Authorized in an Area Plan</b>					
1	Alternative Comprehensive Coverage Management System	13.5.3 B.1			•
2	Alternative Parking Strategies	13.5.3 B.2			•
3	Areawide Water Quality Treatments and Funding Mechanisms	13.5.3 B.3			•
4	Alternative Transfer Ratios for Development Rights	13.5.3 B.4			•
<b>D. Development Standards and Guidelines Encouraged in Area Plans</b>					
1	Urban Bear Strategy	13.5.3.C.1			•
2	Urban Forestry	13.5.3.C.2			•
<b>E. Development on Resort Recreation Parcels</b>					
1	Development on Resort Recreation Parcels	13.5.3.D			•
<b>F. Greenhouse Gas Reduction</b>					
1	Greenhouse Gas Reduction Strategy	13.5.3.E			•
<b>G. Community Design Standards</b>					
1	Development in All Areas	13.5.3 F.1.a			•
2	Development in Regional Center of Town Centers	13.5.3 F.1.b			•
3	Building Heights	13.5.3 F.2			•
4	Building Design	13.5.3 F.3			•
5	Landscaping	13.5.3 F.4			•
6	Lighting	13.5.3 F.5			•
7	Signing – Alternative Standards	13.5.3 F.6			•
8	Signing – General Policies	13.5.3 F.6			•
<b>H. Modification to Town Center Boundaries</b>					

# TECHNICAL MEMORANDUM

1	Modification to Town Center Boundaries	13.5.3 G			•
<b>I. Conformity Review Procedures for Area Plans</b>					
1	Initiation of Area Planning Process by Lead Agency	13.6.1			•
2	Initial Approval of Area Plan by Lead Agency	13.6.2			•
3	Review by Advisory Planning Commission	13.6.3			•
4	Approval of Area Plan by TRPA	13.6.4			•
<b>J. Findings for Conformance with the Regional Plan</b>					
<i>General Review Standards for All Area Plans</i>					
1	Zoning Designations	13.6.5.A.1	•		
2	Regional Plan Policies	13.6.5.A.2	•		
3	Regional Plan Land Use Map	13.6.5.A.3			•
4	Environmental Improvement Projects	13.6.5.A.4			•
5	Redevelopment	13.6.5.A.5			•
6	Established Residential Areas	13.6.5.A.6	•		
7	Stream Environment Zones	13.6.5.A.7			•
8	Alternative Transportation Facilities & Implementation	13.6.5.A.8			•
<i>Load Reduction Plans</i>					
9	Load Reduction Plans	13.6.5.B			•
<i>Additional Review Standards for Town Centers and the Regional Center</i>					
10	Building and Site Design Standards	13.6.5.C.1			•
11	Alternative Transportation	13.6.5.C.2			•
12	Promoting Pedestrian Activity	13.6.5.C.3			•
13	Redevelopment Capacity	13.6.5.C.4			•
14	Coverage Reduction and Stormwater Management	13.6.5.C.5			•
15	Threshold Gain	13.6.5.C.6			•
<i>Additional Review Standards for the High-Density Tourist District</i>					
16	Building and Site Design	13.6.5.D.1			•
17	Alternative Transportation	13.6.5.D.2			•
18	Threshold Gains	13.6.5.D.3			•
<b>K. Area Plan Amendments</b>					
1	Conformity Review for Amendment to an Area Plan	13.6.6	•		
2	Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan – Notice	13.6.7.A			•
3	Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan – Timing	13.6.7.B			•
<b>L. Administration</b>					
1	Effect of Finding of Conformance of Area Plan	13.6.8	•		
2	Procedures for Adoption of Memorandum of Understanding	13.7			•
3	Monitoring, Certification, and Enforcement of an Area Plan	13.8			•
4	Appeal Procedure	13.9			•

Conformity Review Response

**A. Contents of Area Plans**

1. **General**  YES  NO  NA

*Citation* 13.5.1

*Requirement* An Area Plan shall consist of applicable policies, maps, ordinances, and any other related materials identified by the lead agency, sufficient to demonstrate that these measures, together with TRPA ordinances that remain in effect, are consistent with and conform to TRPA's Goals and Policies and all other elements of the Regional Plan. In addition to this Section 13.5, additional specific requirements for the content of Area Plans are in subparagraph 13.6.5.A. The Memorandum of Understanding (MOU) that is associated with an approved Area Plan is a separate, but related, approval and is not part of the Area Plan.

*Response* The TAP consists of goals, policies, actions, projects, maps, ordinances, and related materials that conform to the Regional Plan. The adopted land use and zoning maps are consistent with Regional Plan Map 1, Conceptual Regional Land Use Map. No modifications to boundaries are proposed.

The proposed amendments make changes only to permissible uses of the Wood Creek Regulatory Zone in Appendix A of the TAP.

2. **Relationship to Other Sections of the Code**  YES  NO  NA

*Citation* 13.5.2

*Requirement* This section is intended to authorize development and design standards in Area Plans that are different than otherwise required under this Code. In the event of a conflict between the requirements in this section and requirements in other parts of the Code, the requirements in this section shall apply for the purposes of developing Area Plans. Except as otherwise specified, Code provisions that apply to Plan Area Statements (Chapter 11), Community Plans (Chapter 12), and Specific and Master Plans (Chapter 14) may also be utilized in a Conforming Area Plan. If an Area Plan proposes to modify any provision that previously applied to Plan Area Statements, Community Plans, or Specific and Master Plans, the proposed revision shall be analyzed in accordance with Code Chapters 3 and 4.

*Response* Under the proposed amendment, development and design standards comply with those prescribed in the Code. The only difference is that primary and secondary school use will be permitted with a special use permit, limited to parcels 3 acres in size are more within the Wood Creek Regulatory Zone.

**J. Findings for Conformance with the Regional Plan**

1. Zoning Designations  YES  NO  NA

*Citation* 13.6.5.A.1

*Requirement* Identify all zoning designations, allowed land uses, and development standards throughout the plan area;

*Response* Section 110.220.275 in Appendix A to the TAP is being amended to add primary and secondary schools as a permissible use with a special use permit, limited to parcels 3 acres in size are more within the Wood Creek Regulatory Zone. No changes to existing zoning designation or development standards are proposed.

2. Regional Plan Policies  YES  NO  NA

*Citation* 13.6.5.A.2

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

*Response* The Tahoe Area Plan contains goals and policies that are in alignment with Regional Plan policies. 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 to be responsive to the unique needs and opportunities of communities.

The proposed amendment is intended to facilitate the establishment of primary and secondary schools that are not otherwise provided for within the jurisdiction. The proposed amendment promotes the general welfare of the community, lessens traffic congestion by providing education to establish within the communities they serve, facilitates the adequate provision of schools, and promotes the social advantages gained from an appropriately regulated use of land.

6. Established Residential Areas  YES  NO  NA

*Citation* 13.6.5.A.6

*Requirement* Preserve the character of established residential areas outside of Centers, while seeking opportunities for environmental improvements within residential areas;

*Response* The Wood Creek Regulatory Zone is one of 16 residential regulatory zones in the plan area. These regulatory zones focus primarily on single-family dwellings but allow other use types such as multi-family and a

# TECHNICAL MEMORANDUM

broad scope of public service and resource management uses. The primary vision for residential regulatory zones is to maintain safe and functional residentially focused regulatory zones, with development that contributes to the desired community character.

The amendment request proposes an acreage restriction to preserve the existing neighborhood character throughout the internal corridors of Wood Creek Regulatory Zone. Any applicant wishing to establish a school use within the amendment location would be required to obtain an approved special use permit. The special use permit process is a site-specific review of a use that requires special appraisal to determine if the uses have the potential to adversely affect other land uses, transportation systems, public facilities, or environmental resources in the vicinity. The special use permit process requires neighborhood notification, a neighborhood meeting, and a public hearing.

## K. Area Plan Amendments

1. Conformity Review for Amendment to an Area Plan  YES  NO  NA

*Citation* 13.6.6

*Requirement* Following approval of an Area Plan, any subsequent amendment to a plan or ordinance contained within the approved Area Plan shall be reviewed by the Advisory Planning Commission and Governing Board for conformity with the requirements of the Regional Plan. Public comment before the Governing Board shall be limited to consideration of issues raised before the Advisory Planning Commission and issues raised by the Governing Board. The Governing Board shall make the same findings as required for the conformity finding of the initial Area Plan, as provided in subsection 13.6.5; however, the scope of the APC and Governing Board's review shall be limited to determining the conformity of the specific amendment only. If the Governing Board finds that the amendment to the Area Plan does not conform to the Regional Plan, including after any changes made in response to TRPA comments, the amendment shall not become part of the approved Area Plan

*Response* The proposed amendments to the TAP are narrow in focus and have been reviewed by staff for conformity with the Regional Plan. The APC's and Governing Board's review will be limited to determining the conformity of the specific amendments.

## L. Administration

1. Effect of Finding of Conformance of Area Plan  YES  NO  NA

## TECHNICAL MEMORANDUM

---

*Citation* 13.6.8

*Requirement* By finding that an Area Plan conforms with the Regional Plan pursuant to the requirements of this chapter and upon adoption of an MOU pursuant to Section 13.7, the Area Plan shall serve as the standards and procedures for implementation of the Regional Plan. The standards and procedures within each Area Plan shall be considered and approved individually and shall not set precedent for other Area Plans.

*Response* The Governing Board found the TAP to be in conformance with the Regional Plan on May 26, 2021. The proposed amendment will be reviewed by the Governing Board prior to going into effect.

Attachment G  
Compliance Measures

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
<b>WATER QUALITY/SEZ - IN PLACE</b>				
1	BMP requirements, new development: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	The proposed Amendment makes no changes to the Tahoe Area Plan's (TAP) BMP requirements and implementation programs. Proposed development within the TAP's Wood Creek Regulatory Zone must comply with existing BMP requirements.
2	BMP implementation program -- existing streets and highways: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Trans, Fish	N	
3	BMP implementation program -- existing urban development: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	
4	BMP implementation program -- existing urban drainage systems: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Trans, Fish	N	
5	Capital Improvement Program for Erosion and Runoff Control	WQ, Soils/SEZ, Trans, Fish	N	The proposed amendment makes no changes to the TAP's policies regarding implementation of the CIP.
6	Excess coverage mitigation program: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	The proposed amendment does not change excess coverage mitigation requirements.
7	Effluent limitations: California (SWRCB, Lahontan Board) and Nevada (NDEP): <i>Code of Ordinances</i> Chapter 5	WQ, Soils/SEZ, Fish	N	The effluent limitations in Chapter 5 of the TRPA Code of Ordinances are not being modified.
8	Limitations on new subdivisions: (See the Goals and Policies: Land Use Element)	WQ, Soils/SEZ, Rec, Scenic	N	All new subdivisions will continue to be limited by the provisions in Chapter 39, Subdivision, of the TRPA Code of Ordinances. No changes are proposed. (Lot and block subdivisions will still be prohibited.)
9	Land use planning and controls: See the Goals and Policies: Land Use Element and Code of Ordinances Chapters 11, 12, 13, 14, and 21	WQ, Soils/SEZ, Trans, Scenic	Y	The TAP was developed to meet the requirements of Chapter 13, Area Plans, and to implement the 2012 Regional Plan. This amendment will allow school use with a special use permit in the Wood Creek Regulatory Zone on parcels 3 acres in size or greater. This will likely expand school options to serve the communities they serve and could increase the likelihood of achieving walkable, bikeable communities.



Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
10	Residential development priorities, The Individual Parcel Evaluation System (IPES): Goals and Policies: Implementation Element and Code of Ordinances Chapter 53	WQ, Soils/SEZ	N	The TAP maintains the existing Growth Management regulations, Chapters 50 through 53, of the TRPA Code. No changes are proposed with the amendment.
11	Limits on land coverage for new development: Goals and Policies: Land Use Element and Code of Ordinances Chapter 30	WQ, Soils/SEZ, Scenic	N	The TAP incorporates the existing land coverage provisions in Chapter 30 of the TRPA Code as well as the provisions that allow for high capability lands in Town Centers to be covered up to 70%. It also includes provisions to protect and restore SEZs, maximize opportunities to remove or mitigate excess land coverage, implement EIP projects (including area wide water quality and erosion control projects), and accelerate BMP implementation. No changes are proposed with the amendment.
12	Transfer of development: Goals and Policies: Land Use Element and Implementation Element	WQ, Soils/SEZ	N	The amendment does not change the Goals and Policies from the Land Use Element or Implementation Element of the Regional Plan regarding the transfer of development.
13	Restrictions on SEZ encroachment and vegetation alteration: <i>Code of Ordinances</i> Chapters 30 and 61	WQ, Soils/SEZ, Veg, Wildlife, Fish, Rec, Scenic	N	The TAP Amendment will not alter existing restrictions on SEZ encroachment or vegetation alteration in the TRPA Code of Ordinances, Chapters 30 and 61
14	SEZ restoration program: Environmental Improvement Program.	WQ, Soils/SEZ, Veg, Wildlife, Fish, Scenic	N	The TAP benefits the EIP's SEZ restoration program through policies and provisions for the protection and restoration of SEZs No changes are proposed with the amendment.
15	SEZ setbacks: <i>Code of Ordinances</i> Chapter 53	WQ, Soils/SEZ, Veg, Wildlife, Fish	N	SEZ setback requirements in the TRPA Code of Ordinances, Chapter 53, IPES, Section 53.9, were not altered by the TAP. No changes are proposed.
16	Fertilizer reporting requirements: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish, Rec	N	The TAP maintains the Resource Management and Protection regulations in the TRPA Code, including fertilizer reporting and water quality mitigation requirements. No changes are proposed with the amendment.

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
17	Water quality mitigation: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	The TAP maintains the Resource Management and Protection regulations in the TRPA Code, including fertilizer reporting and water quality mitigation requirements. No changes are proposed with the amendment.
18	Restrictions on rate and/or amount of additional development	WQ, Soils/SEZ, Wildlife, Scenic	N	The TAP incorporates the RPU's restrictions on the rate and amount of additional development. The amendment does not change density standards.
19	Improved BMP implementation/enforcement program	WQ, Soils/SEZ	N	See response to Compliance Measures 1 through 4.
20	Increased funding for EIP projects for erosion and runoff control	WQ, Soils/SEZ	N	The TAP does not increase funding for EIP erosion and runoff control projects but may help to accelerate implementation. No changes are proposed with the amendment.
21	Artificial wetlands/runoff treatment program	WQ, Soils/SEZ	N	The TAP does not alter the artificial wetlands/runoff treatment program. No changes are proposed in the amendment.
22	Transfer of development from SEZs	WQ, Soils/SEZ, Scenic	N	The TAP maintains the RPU's incentives for property owners to hasten the transfer of development rights from sensitive lands, including SEZs, or outlying areas to Town Centers where redevelopment is better suited and will have beneficial or reduced adverse environmental impacts. No changes are proposed with the amendment.
23	Improved mass transportation	WQ, Trans, Noise	N	The TAP facilitates development of an integrated multi-modal transportation system that largely relies on increased transit service serving designated mobility hubs. The amendment makes no changes.

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments	
24	Redevelopment and redirection of land use: Goals and Policies: Land Use Element and Code of Ordinances Chapter 13	WQ, Soils/SEZ, Scenic	Y	The TAP encourages redevelopment within a Town Center and within close proximity to services and transit. The amendment will further this goal by expanding options for schools to service the communities they serve. See response to Compliance Measure 9.	
25	Combustion heater rules, stationary source controls, and related rules: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	No changes are being proposed that would impact these Compliance Measures. The existing TRPA Code of Ordinance provisions will remain in effect.	
26	Elimination of accidental sewage releases: Goals and Policies: Land Use Element	WQ, Soils/SEZ	N		
27	Reduction of sewer line exfiltration: Goals and Policies: Land Use Element	WQ, Soils/SEZ	N		
28	Effluent limitations	WQ, Soils/SEZ	N		
29	Regulation of wastewater disposal at sites not connected to sewers: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N		
30	Prohibition on solid waste disposal: Goals and Policies: Land Use Element	WQ, Soils/SEZ	N		
31	Mandatory garbage pick-up: Goals and Policies: Public Service Element	WQ, Soils/SEZ, Wildlife	N		
32	Hazardous material/wastes programs: Goals and Policies: Land Use Element and Code of Ordinances Chapter 60	WQ, Soils/SEZ	N		
33	BMP implementation program, Snow and ice control practices: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, AQ	N		The TAP did not change BMP requirements. See response to Compliance Measures 1 through 4. No changes are proposed with the amendment.
34	Reporting requirements, highway abrasives and deicers: Goals and Policies:, Land Use Element and Code of Ordinances Chapter 60	WQ, Soils/SEZ, Fish	N		

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
35	BMP implementation program-- roads, trails, skidding, logging practices: <i>Code of Ordinances</i> Chapter 60, Chapter 61	WQ, Soils/SEZ, Fish	N	
36	BMP implementation program-- outdoor recreation: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish, Rec	N	
37	BMP implementation program-- livestock confinement and grazing: <i>Code of Ordinances</i> Chapter 21, Chapter 60, Chapter 64	WQ, Soils/SEZ, Veg, Wildlife, Fish	N	
38	BMP implementation program-- pesticides	WQ, Soils/SEZ	N	
39	Land use planning and controls -- timber harvesting: <i>Code of Ordinances</i> Chapter 21	WQ, Soils/SEZ, AQ, Wildlife, Fish, Scenic	N	The amendment will not alter the effectiveness of compliance measures relating to timber harvesting or outdoor recreation.
40	Land use planning and controls - outdoor recreation: <i>Code of Ordinances</i> Chapter 21	WQ, Soils/SEZ, Wildlife, Noise, Rec, Scenic	N	
41	Land use planning and controls-- ORV use: Goals and Policies: Recreation Element	WQ, Soils/SEZ, AQ, Wildlife, Fish, Noise, Rec, Scenic	N	Regional Plan Policy R-1.5 states that "Off-road vehicle (ORV) use is prohibited in the Lake Tahoe Region except on specified roads, trails, or designated areas where the impacts can be mitigated." The TAP did not expand ORV use, and no changes are proposed.
42	Control of encroachment and coverage in sensitive areas	WQ, Soils/SEZ, Wildlife, Rec, Scenic	N	The existing TRPA Code provisions remain in effect, and no changes are proposed with the amendment.
43	Control on shorezone encroachment and vegetation alteration: <i>Code of Ordinances</i> Chapter 83	WQ, Soils/SEZ, Scenic	N	The existing Code provisions related to the Shorezone remain in effect, and no changes are proposed that would impact Compliance Measures 43 through 50. There is no shorezone within the affected Wood Creek Regulatory Zone
44	BMP implementation program-- shorezone areas: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
45	BMP implementation program--dredging and construction in Lake Tahoe: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
46	Restrictions and conditions on filling and dredging: <i>Code of Ordinances</i> Chapter 84	WQ, Soils/SEZ, Fish	N	
47	Protection of stream deltas	WQ, Soils/SEZ, Wildlife, Fish, Scenic	N	
48	Marina master plans: <i>Code of Ordinances</i> Chapter 14	WQ, AQ/Trans, Fish, Scenic	N	
49	Additional pump-out facilities: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
50	Controls on anti-fouling coatings: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	
51	Modifications to list of exempt activities	WQ, Soils/SEZ	N	The TAP did not alter the list of exempt activities. No changes are proposed.
<b>WATER QUALITY/SEZ - SUPPLEMENTAL</b>				
52	More stringent SEZ encroachment rules	WQ, Soils/SEZ, Wildlife, Fish	N	The proposed amendment does not include any provisions that would impact Compliance Measures 52 through 61.
53	More stringent coverage transfer requirements	WQ, Soils/SEZ	N	
54	Modifications to IPES	WQ, Soils/SEZ	N	
55	Increased idling restrictions	WQ, Soils/SEZ, AQ	N	
56	Control of upwind pollutants	WQ, Soils/SEZ, AQ	N	
57	Additional controls on combustion heaters	WQ, Soils/SEZ, AQ	N	
58	Improved exfiltration control program	WQ, Soils/SEZ	N	
59	Improved infiltration control program	WQ, Soils/SEZ	N	

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
60	Water conservation/flow reduction program	WQ, Soils/SEZ, Fish	N	
61	Additional land use controls	WQ, Soils/SEZ, Wildlife	N	
<b>AIR QUALITY/TRANSPORTATION - IN PLACE</b>				
62	Fixed Route Transit - South Shore: STAGE	Trans, Rec	N	The TAP does not impact any transit services, bikeways, or pedestrian facilities.
64	Demand Responsive Transit	Trans	N	
65	Seasonal Transit Services	Trans, Rec	N	
66	Social Service Transportation	Trans	N	
67	Shuttle programs	Trans, Rec	N	
69	Intercity bus services	Trans	N	
70	Passenger Transit Facilities	Trans	N	
71	Bikeways, Bike Trails	Trans, Noise, Rec, Scenic	N	
72	Pedestrian facilities	Trans, Rec, Scenic	N	
73	Wood heater controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	
74	Gas heater controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	
75	Stationary source controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	
76	U.S. Postal Service Mail Delivery	Trans	N	The TAP amendment will not impact U.S. Postal Service Delivery.
77	Indirect source review/air quality mitigation: <i>Code of Ordinances</i> Chapter 65	WQ, AQ, Trans	N	The TRPA Code provisions related to Compliance Measures 77 through 78 remain in effect, and no changes are proposed with the amendment.
78	Idling Restrictions: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	
79	Vehicle Emission Limitations(State/Federal)	WQ, AQ	N	No changes are proposed to the Code's provisions related to established vehicle emission limitations.

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
80	Open Burning Controls: <i>Code of Ordinances</i> Chapters 61 and Chapter 65	WQ, AQ, Scenic	N	No changes are proposed.
81	BMP and Revegetation Practices	WQ, AQ, Wildlife, Fish	N	See response to Compliance Measures 1 through 4.
82	Employer-based Trip Reduction Programs: <i>Code of Ordinances</i> Chapter 65	Trans	N	No changes are proposed.
83	Vehicle rental programs: <i>Code of Ordinances</i> Chapter 65	Trans	N	
84	Parking Standards	Trans	N	
85	Parking Management Areas	Trans	N	The TAP amendment does not make any changes that would impact parking standards, parking management, parking fees or facilities, traffic management, signal synchronization, aviation, waterborne transit or excursions, air quality monitoring, alternative fueled vehicle fleets or infrastructure improvements, north shore transit, or the Heavenly Ski Resort Gondola. The proposed amendment will not impact trip generation or VMT as the trip rates for school use and day-care/child care uses are the same. Additional development associated with the amendment is within the Regional Plan's growth management system and would not generate additional demand for waterborne transit services
86	Parking Fees	Trans	N	
87	Parking Facilities	Trans	N	
88	Traffic Management Program - Tahoe City	Trans	N	
89	US 50 Traffic Signal Synchronization - South Shore	Trans	N	
90	General Aviation, The Lake Tahoe Airport	Trans, Noise	N	
91	Waterborne excursions	WQ, Trans, Rec	N	
92	Waterborne transit services	WQ, Trans, Scenic	N	
93	Air Quality Studies and Monitoring	WQ, AQ	N	
94	Alternate Fueled Vehicle - Public/Private Fleets and Infrastructure Improvements	Trans	N	
95	Demand Responsive Transit - North Shore	Trans	N	
96	Tahoe Area Regional Transit Maintenance Facility	Trans	N	
97	Heavenly Ski Resort Gondola	Trans	N	

**AIR QUALITY/TRANSPORTATION - SUPPLEMENTAL**

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
98	Demand Responsive Transit - North Shore	Trans	N	No changes to existing air quality or transportation policies, programs or services are proposed or anticipated to occur with the TAP amendment.
99	Coordinated Transit System - South Shore	Trans	N	
100	Transit Passenger Facilities	Trans	N	
101	South Shore Transit Maintenance Facility - South Shore	Trans	N	
102	Transit Service - Fallen Leaf Lake	WQ, Trans	N	
103	Transit Institutional Improvements	Trans	N	
104	Transit Capital and Operations Funding Acquisition	Trans	N	
105	Transit/Fixed Guideway Easements - South Shore	Trans	N	
106	Visitor Capture Program	Trans	N	
107	Pedestrian and Bicycle Facilities-- South Shore	Trans, Rec	N	
108	Pedestrian and Bicycle Facilities-- North Shore	Trans, Rec	N	
109	Parking Inventories and Studies Standards	Trans	N	
110	Parking Management Areas	Trans	N	
111	Parking Fees	Trans	N	
112	Establishment of Parking Task Force	Trans	N	
113	Construct parking facilities	Trans	N	
114	Intersection improvements-- South Shore	Trans, Scenic	N	
115	Intersection improvements-- North Shore	Trans, Scenic	N	
116	Roadway Improvements - South Shore	Trans, Scenic	N	
117	Roadway Improvements - North Shore	Trans, Scenic	N	
118	Loop Road - South Shore	Trans, Scenic	N	
119	Montreal Road Extension	Trans	N	
120	Kingsbury Connector	Trans	N	
121	Commercial Air Service: Part 132 commercial air service	Trans	N	
122	Commercial Air Service: commercial air service that does not require Part 132 certifications	Trans	N	



Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
123	Expansion of waterborne excursion service	WQ, Trans	N	
124	Re-instate the oxygenated fuel program	WQ, AQ	N	
125	Management Programs	Trans	N	
126	Around the Lake Transit	Trans	N	
<b>VEGETATION - IN PLACE</b>				
127	Vegetation Protection During Construction: <i>Code of Ordinances</i> Chapter 33	WQ, AQ, Veg, Scenic	N	The TAP did not alter the provisions of Chapter 33, and no changes are proposed with the amendment.
128	Tree Removal: <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Scenic	N	The TAP did not alter the provisions of Chapter 61, and no changes are proposed with the amendment.
129	Prescribed Burning: <i>Code of Ordinances</i> Chapter 61	WQ, AQ, Veg, Wildlife, Scenic	N	
130	Remedial Vegetation Management: <i>Code of Ordinances</i> Chapter 61	WQ, Veg, Wildlife	N	
131	Sensitive and Uncommon Plant Protection and Fire Hazard Reduction: <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Scenic	N	
132	Revegetation: <i>Code of Ordinances</i> Chapter 61	WQ, Veg, Wildlife, Scenic	N	
133	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	WQ, Veg	N	The TAP, as amended, will be consistent with Chapter 5 of the TRPA Code. TRPA shall remain responsible for preparing Remedial Action Plans, in coordination with Washoe County.
134	Handbook of Best Management Practices	WQ, Soils/SEZ, Veg, Fish	N	The Handbook of Best Management Practices will continue to be used to design and construct BMPs.
135	Shorezone protection	WQ, Soils/SEZ, Veg	N	See responses to Compliance Measures 43 through 50
136	Project Review	WQ, Veg	N	An MOU between TRPA and Washoe County has not been adopted. Until such time as an MOU delegating certain permitting activities to Washoe County is adopted by both agencies, TRPA will continue to review projects within the Washoe County portion of the Basin as required by the Regional Plan.
137	Compliance inspections	Veg	N	The proposed amendment will not alter this.

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
138	Development Standards in the Backshore	WQ, Soils/SEZ, Veg, Wildlife, Scenic	N	See responses to Compliance Measures 43 through 50.
139	Land Coverage Standards: <i>Code of Ordinances</i> Chapter 30	WQ, Veg, Wildlife, Fish, Scenic	N	See response to Compliance Measure 11.
140	Grass Lake, Research Natural Area	WQ, Veg, Wildlife, Fish, Scenic	N	N/A
141	Conservation Element, Vegetation Subelement: Goals and Policies	Veg, Wildlife, Fish	N	No changes are proposed.
142	Late Successional Old Growth (LSOG): <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Fish	N	No changes are proposed.
143	Stream Environment Zone Vegetation: <i>Code of Ordinances</i> Chapter 61	WQ, Veg, Wildlife, Fish	N	
144	Tahoe Yellow Cress Conservation Strategy	Veg	N	No changes are proposed.
145	Control and/or Eliminate Noxious Weeds	Veg, Wildlife	N	No changes are proposed.
146	Freel Peak Cushion Plant Community Protection	Veg	N	N/A
<b>VEGETATION - SUPPLEMENTAL</b>				
147	Deepwater Plant Protection	WQ, Veg	N	No changes are proposed.
<b>WILDLIFE - IN PLACE</b>				
148	Wildlife Resources: <i>Code of Ordinances</i> Chapter 62	Wildlife, Noise	N	No changes are proposed.
149	Stream Restoration Program	WQ, Soils/SEZ, Veg, Wildlife, Fish, Rec, Scenic	N	No changes are proposed.
150	BMP and revegetation practices	WQ, Veg, Wildlife, Fish, Scenic	N	No changes are proposed.
151	OHV limitations	WQ, Soils/SEZ, AQ, Wildlife, Noise, Rec	N	No changes are proposed.

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
152	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	Wildlife	N	See response to Compliance Measure 133.
153	Project Review	Wildlife	N	See response to Compliance Measures 136 and 137.
<b>FISHERIES - IN PLACE</b>				
156	Fish Resources: <i>Code of Ordinances</i> Chapter 63	WQ, Fish	N	No changes are proposed.
157	Tree Removal: <i>Code of Ordinances</i> Chapter 61	Wildlife, Fish	N	The TAP does not change tree removal provisions of Chapter 61.
158	Shorezone BMPs	WQ, Fish	N	See response to Compliance Measures 43 through 50.
159	Filling and Dredging: <i>Code of Ordinances</i> Chapter 84	WQ, Fish	N	
160	Location standards for structures in the shorezone: <i>Code of Ordinances</i> Chapter 84	WQ, Fish	N	
161	Restrictions on SEZ encroachment and vegetation alteration	WQ, Soils/SEZ, Fish	N	No changes are proposed.
162	SEZ Restoration Program	WQ, Soils/SEZ, Fish	N	No changes are proposed.
163	Stream restoration program	WQ, Soils/SEZ, Fish	N	No changes are proposed.
164	Riparian restoration	WQ, Soils/SEZ, Fish	N	
165	Livestock: <i>Code of Ordinances</i> Chapter 64	WQ, Soils/SEZ, Fish	N	No changes are proposed.
Compliance M	BMP and revegetation practices	WQ, Fish	N	See response to Compliance Measures 1 through 4.

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
167	Fish habitat study	Fish	N	No changes are proposed.
168	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	Fish	N	See response to Compliance Measure 133.
169	Mitigation Fee Requirements: <i>Code of Ordinances</i> Chapter 86	Fish	N	No changes are proposed.
170	Compliance inspection	Fish	N	No changes are proposed.
171	Public Education Program	Wildlife, Fish	N	The TAP does not make any changes to the county's education and outreach efforts. No changes are proposed with the amendment.
<b>NOISE - IN PLACE</b>				
172	Airport noise enforcement program	Wildlife, Fish	N	No changes are proposed.
173	Boat noise enforcement program	Wildlife, Fish, Rec	N	No changes are proposed.
174	Motor vehicle/motorcycle noise enforcement program: <i>Code of Ordinances</i> Chapters 5 and 23	Wildlife, Fish	N	No changes are proposed.
175	ORV restrictions	AQ, Wildlife, Noise, Rec	N	No changes are proposed.
176	Snowmobile Restrictions	WQ, Wildlife, Noise, Rec	N	
177	Land use planning and controls	Wildlife, Noise	N	See response to Compliance Measure 9.
178	Vehicle trip reduction programs	Trans, Noise	N	The TAP should reduce VMT via installation of pedestrian and bike paths, improving public transit and creating walkable/bikeable communities. No changes are proposed, although the amendment may accelerate achievement of walkable/bikeable communities by expanding schools to establish in the communities they serve.

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
179	Transportation corridor design criteria	Trans, Noise	N	The TAP incorporates criteria from the corridor plans for State Route 28 and Mount Rose Highway by reference. No changes are proposed with the amendment.
180	Airport Master Plan South Lake Tahoe	Trans, Noise	N	N/A
181	Loudspeaker restrictions	Wildlife, Noise	N	No changes are proposed.
182	Project Review	Noise	N	See response to Compliance Measures 136 and 137.
183	Complaint system: <i>Code of Ordinances</i> Chapters 5 and 68	Noise	N	Existing complaint systems are not being modified.
184	Transportation corridor compliance program	Trans, Noise	N	No changes are proposed.
185	Exemptions to noise limitations	Noise	N	No changes are proposed.
186	TRPA's Environmental Improvement Program (EIP)	Noise	N	No changes are proposed.
187	Personal watercraft noise controls	Wildlife, Noise	N	No changes are proposed.
<b>NOISE - SUPPLEMENTAL</b>				
188	Create an interagency noise enforcement MOU for the Tahoe Region.	Noise	N	An interagency noise enforcement MOU for the Tahoe Region is not being proposed as part of the TAP amendment.
<b>RECREATION - IN PLACE</b>				
189	Allocation of Development: <i>Code of Ordinances</i> Chapter 50	Rec	N	See response to Compliance Measure 10.
190	Master Plan Guidelines: <i>Code of Ordinances</i> Chapter 14	Rec, Scenic	N	The TRPA, in coordination with Washoe County, will continue to process Specific and Master Plan Plans pursuant to Chapter 14 of the TRPA Code of Ordinances.
191	Permissible recreation uses in the shorezone and lake zone: <i>Code of Ordinances</i> Chapter 81	WQ, Noise, Rec	N	See response to Compliance Measures 43 through 50.
192	Public Outdoor recreation facilities in sensitive lands	WQ, Rec, Scenic	N	The TAP amendment is not altering provisions regarding public outdoor recreation in sensitive lands.

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
193	Hiking and riding facilities	Rec	N	No changes are proposed with the amendment.
194	Scenic quality of recreation facilities	Rec, Scenic	N	All proposals for new recreation facilities within the TAP will have to meet Scenic Quality standards. No changes are proposed.
195	Density standards	Rec	N	No changes to density standards are proposed.
196	Bonus incentive program	Rec	N	The TAP Amendment does not alter existing bonus unit incentives.
197	Required Findings: <i>Code of Ordinances</i> Chapter 4	Rec	N	All applicable TRPA Code Of Ordinance findings will continue to have to be met with the future approval of projects within the TAP, as amended.
198	Lake Tahoe Recreation Sign Guidelines	Rec, Scenic	N	No changes are proposed.
199	Annual user surveys	Rec	N	No changes are proposed.
<b>RECREATION - SUPPLEMENTAL</b>				
200	Regional recreational plan	Rec	N	No changes are proposed.
201	Establish fair share resource capacity estimates	Rec	N	The TAP does not establish or alter fair share resource capacity estimates, alter reservations of additional resource capacity, or include economic modeling. No changes are proposed with the amendment.
202	Reserve additional resource capacity	Rec	N	
203	Economic Modeling	Rec	N	
<b>SCENIC - IN PLACE</b>				
204	Project Review and Exempt Activities: <i>Code of Ordinances</i> Chapter 2	Scenic	N	See responses to Compliance Measures 136 and 137.
205	Land Coverage Limitations: <i>Code of Ordinances</i> Chapter 30	WQ, Scenic	N	See response to Compliance Measure 11.
206	Height Standards: <i>Code of Ordinances</i> Chapter 37	Scenic	N	No changes to the adopted height standards are proposed.
207	Driveway and Parking Standards: <i>Code of Ordinances</i> Chapter 34	Trans, Scenic	N	No changes are proposed.
208	Signs: <i>Code of Ordinances</i> Chapter 38	Scenic	N	No changes are proposed.
209	Historic Resources: <i>Code of Ordinances</i> Chapter 67	Scenic	N	No changes are proposed.
210	Design Standards: <i>Code of Ordinances</i> Chapter 36	Scenic	N	No changes are proposed.
211	Shorezone Tolerance Districts and Development Standards: <i>Code of Ordinances</i> Chapter 83	Scenic	N	See responses to Compliance Measures 43 through 50. No shorezone is located in Wood Creek Regulatory Zone.

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
212	Development Standards Lakeward of Highwater: <i>Code of Ordinances</i> Chapter 84	WQ, Scenic	N	N/A. No lakes are located in the Wood Creek Regulatory Zone.
213	Grading Standards: <i>Code of Ordinances</i> Chapter 33	WQ, Scenic	N	No changes are proposed.
214	Vegetation Protection During Construction: <i>Code of Ordinances</i> Chapter 33	AQ, Veg, Scenic	N	
215	Revegetation: <i>Code of Ordinances</i> Chapter 61	Scenic	N	See responses to Compliance Measures 16 and 17.
216	Design Review Guidelines	Scenic	N	No changes are proposed.
217	Scenic Quality Improvement Program(SQIP)	Scenic	N	See response to Compliance Measure 194.
218	Project Review Information Packet	Scenic	N	See response to Compliance Measure 194.
219	Scenic Quality Ratings, Features Visible from Bike Paths and Outdoor Recreation Areas Open to the General Public	Trans, Scenic	N	See response to Compliance Measure 194.
220	Nevada-side Utility Line Undergrounding Program	Scenic	N	The TAP includes a future action for the establishment of assessment districts or another financing mechanism to support undergrounding of utilities. No changes are proposed with the amendment
<b>SCENIC - SUPPLEMENTAL</b>				
221	Real Time Monitoring Program	Scenic	N	No changes to the real time monitoring program are being proposed with the TAP amendment.
222	Integrate project identified in SQIP	Scenic	N	No changes are proposed.