



STAFF REPORT

Date: June 21, 2023

To: TRPA Governing Board

From: TRPA Staff

Subject: Amendment to Washoe County's Tahoe Area Plan to Allow Single-Family Condominiums in Special Area 1 of the Incline Village Commercial Regulatory Zone

Summary and Staff Recommendation:

Washoe County will provide an overview of the proposed amendment to the Tahoe Area Plan (TAP) including single-family condominiums as an allowed use in Special Area 1 of the Incline Village Commercial Regulatory Zone. The proposed amendment was adopted as a development code amendment by the Washoe County Board of County Commissioners on January 17, 2023. TRPA staff recommend approval of the proposed amendment with additional mitigation measures addressing concerns of the Advisory Planning Commission (APC) and Regional Plan Implementation Committee (RPIC). The proposed mitigation measures define and set minimum standards for mixed-use development in Special Area 1 including a minimum proportion of deed-restricted housing. This staff report details the project background, proposed amendment, and mitigation measures.

Required Motions:

In order to adopt the proposed amendment to the Tahoe Area Plan, the Board must make the following motions:

- 1) A motion to approve 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 report; and
- 2) A motion to adopt Ordinance 2023-___, amending Ordinance 2021-06, to amend the Washoe County Tahoe Area Plan as shown in Attachment C.

An affirmative vote of a majority of each state's delegation is required for the 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 not been amended in the two years since its adoption. The proposed amendment pertains specifically to Special Area 1 of the Incline Village Commercial Zone.

In June 2022, TRPA issued a development permit for a mixed-use (multi-family and commercial) development at 941 and 947 Tahoe Boulevard (APN 132-231-09 and 132-231-10) in Special Area 1 of the Incline Village Commercial Zone. The permitted project included 40 multi-family units and 925 square feet of commercial space in compliance with the TAP implementing regulations. Following permit approval, the developer requested the conversion of the multi-family rental units into owner-occupied condominiums. This request could not be granted because single-family condominium uses are not permitted in Special Area 1.

Washoe County is proposing an amendment to remedy this issue by permitting single-family condominiums in Special Area 1 of the Incline Village Commercial Zone, allowing the proposed condominium subdivision at 947 Tahoe Boulevard along with future mixed-use condominium uses in Special Area 1. The County is also proposing to codify a policy requiring that condominiums are only allowed in the Incline Village Commercial regulatory zone when part of a mixed-use development or if they are affordable housing.

The Washoe County Board of County Commissioners approved an amendment to the Washoe County Development Code to allow this change on January 17, 2023. A copy of the adopted County Ordinance with proposed plan language is included as Attachment A to this packet. Public comment letters received before June 21, 2023, are included in this packet. Because it is not required under Nevada law, no environmental impact documentation was prepared for this local jurisdiction action. TRPA Governing Board approval is required to amend the TAP together with review of an environmental impact analysis.

The APC held a hearing for the proposed amendment and initial environmental check list (“IEC”) on March 8, 2023. At the hearing, the APC failed to pass a motion to recommend approval of the required findings, with six yes votes, four no votes, and two abstentions. Seven affirmative votes were required for a motion to pass. APC member comments focused on three main issues:

- Commissioners felt that the impact of condominium subdivisions on the number of short-term rentals (STRs) in Special Area 1 were not adequately analyzed in the IEC and that mitigations were needed to prevent the proliferation of STRs in condominium subdivisions. Washoe County is exploring options to limit STRs through the Washoe Tahoe housing Roadmap.
- Commissioners were concerned that the findings did not adequately address the potential impact of condominium subdivision on housing affordability.
- Commissioners suggested that the County define and set minimum standards for mixed-use development and affordable housing units in order to strengthen and further define the special policy requiring that single family dwellings in the Incline Village Commercial regulatory zone are part of a mixed-use development or are affordable housing units.

RPIC held a hearing for the proposed amendment on March 22, 2023. RPIC passed a motion to recommend approval of the zoning change limited to 941 and 947 Tahoe Boulevard (APN 132-231-09 and 132-231-10), with three yes votes, and two no votes. The RPIC motion recommended that the County consider policies to encourage workforce housing and define mixed-use development before the amendment is applied to the remainder of Special Area 1. Washoe County has requested that the Governing Board approve the original proposed amendment as approved by the Board of County Commissioners applying to Special Area 1 in its entirety.

Responding to RPIC and Washoe County’s request, TRPA staff recommend that the Governing Board approve the proposed amendment with mitigation measures defining and setting minimum standards for mixed-use development and promoting workforce housing in Special Area 1.

Staff presented concepts behind proposed mixed-use standards at the May 24 RPIC meeting. Mixed-use development is an important tool for achieving the goals of the Regional Plan. Mixed-use standards aim to promote the collocation of compatible uses combined with pedestrian-oriented design to support more walkable town centers and reduce vehicle miles traveled. Recognizing that affordability is crucial to the viability of mixed-use development and that there is a significant unmet demand for workforce housing in the basin, the standards also include requirements for deed-restricted housing.

The proposed amendment and mitigation language can be found in Exhibit A to Attachment C of this packet. The proposed mitigation measures include the following:

- A mixed-use definition broadly defining permissible non-residential uses, requiring pedestrian-oriented non-residential uses on the ground floor street frontage and using Floor Area Ratio (FAR).
- Standards requiring at least 10 percent deed-restricted housing that is substantially similar in size and layout to residential units being sold at market rate with the option to deed-restrict more units with a smaller footprint. The standards include two options for providing deed-restricted units:
 - Building a 1:1 mix of affordable and moderate units on or off-site; or
 - Building achievable units on site and deed-restricting an off-site parcel of equal size for future affordable housing.
- No minimum parking requirement with parking and vehicle access designed to limit conflict with pedestrian circulation.
- Design standards aimed at promoting pedestrian accessibility including transparent façade, pedestrian-oriented entry, and sidewalks.

When a regional definition and standards are adopted, the proposed mitigation measures for Special Area 1 will be repealed and replaced by those standards. The Governing board is asked to make a final determination on whether to approve the proposed area plan amendment.

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. TRPA staff reviewed and revised the IEC (Attachment E). The IEC finds that the proposed amendments with mitigation 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 with mitigation is in conformance with the Regional Plan. The proposed amendment was reviewed by the APC and RPIC. The recommendations of the APC and RPIC along with the proposed mitigation measures should 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 Jacob Stock, AICP, Senior Planner, at (775) 589-5221 or jstock@trpa.gov.

Attachments:

- A. Washoe County Adopting Ordinance
- B. Washoe County Staff Memo Summarizing the Proposed Area Plan Amendment
- C. TRPA Ordinance 2023-__
- D. Required Findings/Rationale
- E. Initial Environmental Checklist
- F. Conformity Checklist
- G. Compliance Measures Checklist

Attachment A
Washoe County Adopting 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 110.220.145 (Incline Village Commercial Regulatory Zone Special Area 1) and Section 110.220.150 (Incline Village Commercial Regulatory Zone Special Policies) referring to land use.

BILL NO. 1088

ORDINANCE NO. 1090

Title:

An ordinance amending Washoe County Code Chapter 110 (Development Code), Article 220 (Tahoe Area), Section 110.220.145 (Incline Village Commercial Regulatory Zone Special Area 1) to add single family dwellings, limited to air space condominiums, as an allowed use in Incline Village Commercial Regulatory Zone Special Area 1; and to amend Section 110.220.150 (Incline Village Commercial Regulatory Zone Special Policies) referring to land use to add Tahoe Area Plan Policy LU2-9 [Single family dwellings shall only be allowed in the Incline Village Commercial regulatory zone when they are part of a mixed-use development or when they are affordable housing units] as a special policy; 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 110.220.145 (Incline Village Commercial Regulatory Zone Special Area 1) in order to add single family dwellings, limited to air space condominiums, as an allowed use in the Incline Village Commercial Regulatory Zone Special Area 1; and to add Tahoe Area Plan Policy LU2-9 as to Section

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110.220.150 (Incline Village Commercial Regulatory Zone Special Policies); and

- B. The Washoe County Planning Commission initiated the proposed amendments by Resolution Number 22-17 on November 1, 2022; and
- C. The amendments and this ordinance were drafted in concert with the District Attorney, and the Planning Commission held a duly noticed public hearing for WDCA22-0002 on November 1, 2022, and adopted Resolution Number 22-17 recommending adoption of this ordinance; and
- D. Following a first reading and publication as required by NRS 244.100(1), and after 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 110.220.145 (Incline Village Commercial Regulatory Zone Special Area 1) is hereby amended as follows:

Section 110.220.145 Incline Village Commercial Regulatory Zone.

INCLINE VILLAGE COMMERCIAL REGULATORY ZONE		
Allowable Land Uses by Land Use Classification	Land Use Permit	Density
Residential		
Employee Housing	A	Based on other residential use densities
Multiple Family Dwelling	S	15 units per acre minimum 25 units per acre maximum
Multi-Person Dwelling	S	25 people per acre
Nursing and Personal Care (Section 110.220.410)	S	

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		40 people per acre
Residential Care (Section 110.220.410)	S	40 people per acre
Single Family Dwellings	S	1 unit per parcel + 1 accessory dwelling where allowed by Section 110.220.85
Tourist Accommodation		
Bed and Breakfast Facilities	A	5 units per site
Hotels, Motels and Other Transient Dwelling Units	A	40 units per acre
Timeshare (Hotel/Motel Design)	S	Based on hotel, motel and other transient use densities set forth above
Timeshare (Residential Design)	S	Based on hotel, motel and other transient use densities set forth above
Commercial		
Auto, Mobile Home and Vehicle Dealers	A	
Building Materials and Hardware	A	
Eating and Drinking Places	A	
Food and Beverage Retail Sales	A	
Furniture, Home Furnishings and Equipment	A	
General Merchandise Stores	A	
Mail Order and Vending	A	
Nursery	A	
Outdoor Retail Sales	S	
Service Stations	A	
Amusements and Recreation Services	S	
Privately Owned Assembly and Entertainment	S	
Outdoor Amusements	S	
Animal Husbandry Services	A	
Auto Repair and Service	S	
Broadcasting Studios	A	
Business Support Services	A	
Financial Services	A	
Contract Construction Services	A	
Health Care Services	A	
Laundries and Dry Cleaning Plant	A	
Personal Services	A	
Professional Offices	A	
Repair Services	A	
Sales Lot	S	
Schools – Business and Vocational	A	
Secondary Storage	S	
Food and Kindred Products	S	
Fuel and Ice dealers	S	
Industrial Services	S	
Printing and Publishing	A	

Small Scale Manufacturing	S	
Storage Yards	S	
Vehicle and Freight Terminals	S	
Vehicle Storage and Parking	S	
Warehousing	S	
Wholesale and Distribution	S	
Public Service		
Churches	A	
Collection Stations	S	
Regional Public Health and Safety Facilities	S	
Health Care Services	S	
Cultural Facilities	A	
Day Care Centers/Preschools	S	
Government Offices	A	
Hospitals	A	
Local Assembly and Entertainment	A	
Local Post Office	A	
Local Public Health and Safety Facilities	A	
Membership Organizations	A	
Publicly Owned Assembly and Entertainment	S	
Pipelines and Power Transmission	S	
Schools – Kindergarten through Secondary	A	
Social Service Organizations	A	
Threshold-Related Research Facilities	S	
Transit Stations and Terminals	S	
Transportation Routes	S	
Transmission and Receiving Facilities	S	
Recreation		
Day Use Areas	A	
Participant Sports Facilities	A	
Outdoor Recreation Concessions	S	
Recreational Centers	A	
Riding and Hiking Trails	S	
Sport Assembly	S	
Visitor Information Centers	S	
Resource Management		
Reforestation	A	
Sanitation Salvage Cut	A	
Thinning	A	
Tree Farms	A	
Early Successional Stage Vegetation Management	A	
Nonstructural Fish Habitat Management	A	
Nonstructural Wildlife Habitat Management	A	
Structural Fish Habitat Management	A	
Structural Wildlife Habitat Management	A	
Fire Detection and Suppression	A	
Fuels Treatment	A	
Insect and Disease Suppression	A	
Sensitive Plant Management	A	
Uncommon Plant Community Management	A	
Erosion Control	A	
Runoff Control	A	
Stream Environment Zone Restoration	A	

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INCLINE VILLAGE COMMERCIAL REGULATORY ZONE SPECIAL AREA 1		
Allowable Land Uses by Land Use Classification	Land Use Permit	Density
Residential		
Single Family Dwelling*	A	1 unit per parcel
Multiple Family Dwelling	A	15 units per acre minimum
		25 units per acre
Employee Housing	A	Based on other residential use densities
Nursing and Personal Care (Section 110.220.410)	S	40 people per acre
Residential Care (Section 110.220.410)	S	40 people per acre
Commercial		
Building Materials and Hardware	S	
Eating and Drinking Places	A	
Food and Beverage Retail Sales	A	
Furniture, Home Furnishings and Equipment	A	
General Merchandise Stores	A	
Mail Order and Vending	A	
Nursery	A	
Outdoor Retail Sales	S	
Service Stations	S	
Privately Owned Assembly and Entertainment	S	
Broadcasting Studios	A	
Financial Services	A	
Health Care Services	A	
Personal Services	A	
Professional Offices	A	
Repair Services	A	
Schools – Business and Vocational	A	
Printing and Publishing	S	
Public Service		
Churches	A	
Cultural Facilities	A	
Day Care Centers/Preschools	A	
Government Offices	A	
Local Assembly and Entertainment	A	
Local Post Office	A	
Local Public Health and Safety Facilities	A	
Membership Organizations	A	
Publicly Owned Assembly and Entertainment	S	
Regional Public Health and Safety Facilities	A	
Social Service Organizations	A	
Pipelines and Power Transmission	S	
Threshold-Related Research Facilities	S	
Transit Stations and Terminals	S	

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Transportation Routes	S	
Transmission and Receiving Facilities	S	
INCLINE VILLAGE COMMERCIAL REGULATORY ZONE SPECIAL AREA #2		
Allowable Land Uses by Land Use Classification	Land Use Permit	Density
Commercial		
General Merchandise Stores	A	
Mail Order and Vending	A	
Building Materials and Hardware	S	
Eating and Drinking Places	A	
Food and Beverage Retail Sales	A	
Furniture, Home Furnishings, and Equipment	A	
Professional Offices	A	
Broadcasting Studios	A	
Schools – Business and Vocational	A	
Financial Services	A	
Health Care Services	A	
Printing and Publishing	S	
INCLINE VILLAGE COMMERCIAL REGULATORY ZONE SPECIAL AREA #3		
Allowable Land Uses by Land Use Classification	Land Use Permit	Density
Public Service		
Churches	A	
Collection Stations	S	
Regional Public Health and Safety Facilities	S	
Health Care Services	S	
Cultural Facilities	A	
Day Care Centers/Preschools	S	
Government Offices	A	
Hospitals	A	
Local Assembly and Entertainment	A	
Local Post Office	A	
Local Public Health and Safety Facilities	A	
Membership Organizations	A	
Publicly Owned Assembly and Entertainment	S	
Pipelines and Power Transmission	S	
Schools – Kindergarten through Secondary	A	
Social Service Organizations	A	
Threshold-Related Research Facilities	S	
Transit Stations and Terminals	S	
Transportation Routes	S	
Transmission and Receiving Facilities	S	
Resource Management		
Reforestation	A	
Sanitation Salvage Cut	S	
Thinning	A	
Tree Farms	A	
Early Successional Stage Vegetation Management	A	
Nonstructural Fish Habitat Management	A	
Nonstructural Wildlife Habitat Management	A	
Structural Fish Habitat Management	A	
Structural Wildlife Habitat Management	A	
Fire Detection and Suppression	A	
Fuels Treatment	A	
Insect and Disease Suppression	A	

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Sensitive Plant Management	A	
Uncommon Plant Community Management	A	
Erosion Control	A	
Runoff Control	A	
Stream Environment Zone Restoration	A	

*Only when associated with an approved tentative subdivision map of multifamily into air space condominiums

SECTION 2. Washoe County Code Chapter 110 (Development Code), Article 220 (Tahoe Area), Section 110.220.150 (Incline Village Commercial Regulatory Zone Special Policies) referring to land use is hereby amended as follows:

Section 110.220.150 Incline Village Commercial Regulatory Zone Special Policies. The following special policies will be implemented in the Incline Village Commercial Regulatory Zone.

- a. The Incline Village Commercial Regulatory Zone includes the following special designations as defined in TRPA Code of Ordinances Section 11.6.3, *Special Designations*:
 - (1) Preferred Affordable Housing Area
 - (2) Scenic Restoration Area
- b. Parking areas should be developed taking access from local streets such as Alder Avenue and Incline Way.
- c. Single family dwellings shall only be allowed in the Incline Village Commercial regulatory zone when they are part of a mixed-use development or when they are affordable housing units.

SECTION 3. 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 December (month) 13 (day), 2022.

Proposed by Commissioner Hill.

Passed on January (month) 17 (day), 2023.

Vote:

Ayes: Hartung, Hill, Herman, Garcia, Clark

Nays: None

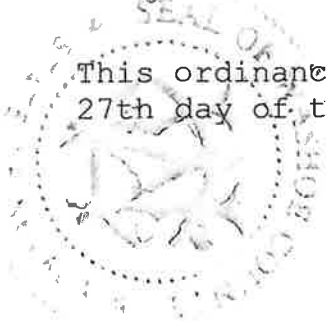
Absent: None


Chair
Washoe County Commission

ATTEST:


Janis Galassini, County Clerk

This ordinance shall be in force and effect from and after the 27th day of the month of January of the year 2023.



Attachment B
Washoe County Staff Memo Summarizing the Proposed Area Plan Amendment



WASHOE COUNTY

Integrity Communication Service

www.washoecounty.gov

MEMORANDUM

MEETING DATE: **June 28, 2023**

DATE: June 2, 2023

TO: TRPA Governing Board

FROM: Courtney Weiche, Senior Planner, Community Services Dept., 328-3608, cweiche@washoecounty.gov

THROUGH: Kelly Mullin, AICP, Planning & Building Division Director, Community Services Department, 328-3619, kmullin@washoecounty.gov

SUBJECT: Washoe County Tahoe Area Plan Amendment

SUMMARY

On January 17, 2023, the Washoe County Board of County Commissioners (“Board”) adopted Bill No. 1888, Ordinance No. 1696, an amendment to Washoe County’s Code (ref. WDCA22-0003), which amended Washoe County Code Chapter 110 (Development Code), Article 220 (Tahoe Area) to add single family dwellings, limited to condominiums, as an allowable use in the Incline Village Commercial (IV-C)- Special Area 1 regulatory zone subject to Land Use Policy LU2-9 which provides “single family dwellings shall only be allowed in the Incline Village Commercial regulatory zone when they are part of a mixed-use development or when they are affordable housing units”. The IV-C regulatory zone falls within Washoe County’s Tahoe Area Plan and TRPA has adopted Washoe County’s Development Code, Article 220 as part of its adoption of the Tahoe Area Plan. Therefore, the amendment requires approval by the TRPA Governing Board to conform Washoe County’s Development Code amendment with TRPA’s adoption of the Tahoe Area Plan.

On March 22, 2023, the Regional Plan Implementation Committee (“RPIC”) recommended approval of Washoe County’s amendment to include single-family condominiums as an allowed use within the Incline Village Commercial (IV-C)- Special Area 1 regulatory zone. However, the RPIC limited its recommendation of approval to only apply to two (2) parcels (APN 132-231-09 and 132-231-10) within the regulatory zone. Washoe County requests the TRPA Governing Board wholly approve the original amendments adopted by the Washoe County Board of County Commissioners with any necessary mitigations (Exhibit A to Attachment C), and not piecemeal the County’s requested amendment. County staff do not have the authority to support any changes to the original request without first having direction and/or approval to do so from the Board of County Commissioners.

BACKGROUND

January 26, 2021. The Board 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. TRPA Governing Board adopted the Washoe County Tahoe Area Plan and amendments to Chapters 34, 36, and 38 of the TRPA Code of Ordinances. The TRPA's adoption of the Washoe County Tahoe Area Plan included two Articles within Washoe County's Development Code—Article 220 Tahoe Area Plan modifiers and Article 220.1 Tahoe Area Design Standards.

October 8, 2021. An applicant submitted a special use permit application to Washoe County (WSUP21-0029) to construct a 40-unit multifamily residential project at 947/941 Tahoe Boulevard, as required for projects located in the broader Incline Village Commercial regulatory zone. Staff later determined that the proposed project was not subject to the approval of a special use permit because the project site was located in Special Area 1 of the IV-C, in which multifamily dwellings are an allowed use. As an allowed use and not a special use, the 40-unit multifamily project would not require discretionary action by the County. The applicants indicated their desire was to eventually subdivide the multifamily dwellings into air space condominiums.

December 8, 2021. The applicant submitted a tentative subdivision map application to Washoe County (WTM21-012) to subdivide a proposed 40-unit multifamily dwelling project located at 947/941 Tahoe Boulevard into 40 air space condominiums. Pursuant to Washoe County's development review process, the applicant held a neighborhood meeting in Incline Village on January 24, 2022, for the 40-unit project and subdivision.

During staff's review, it was identified that the Tahoe Regional Planning Agency's (TRPA) Code of Ordinances considers condominiums to be single family dwellings, which are currently not an allowed use in IV-C Special Area 1.

Upon subsequent consultation with Washoe County and TRPA staff, the applicant was informed that they would need to seek approval to amend TRPA's adoption of the Tahoe Area Plan and Washoe County's Development Code (Article 220) if they desired to pursue adding single family condominium dwellings as an allowable use in Special Area 1 of the IV-C regulatory zone. This request would require both Washoe County and TRPA approval.

It is important to note that the subject amendment is not specific to any one parcel or project in the IV-C Special Area 1 regulatory zone. The proposed amendment addresses the addition of single-family dwellings, limited to air space condominiums, for the whole of IV-C, Special Area 1.

July 8, 2022. The applicant submitted a development code amendment application to Washoe County (WDCA22-0002) to add single family dwellings, limited to condominiums, as an allowable use in the Incline Village Commercial (IV-C)- Special Area 1 regulatory zone subject to Land Use Policy LU2-9 which provides "single family dwellings shall only be allowed in the Incline Village Commercial regulatory zone when they are part of a mixed-use development or when they are affordable housing units".

August 22, 2022. The applicant held a Zoom meeting to request feedback on the requested development code amendment. A total of 3,264 individual email recipients received the meeting invitation. Thirty-four people were in attendance.

November 1, 2022. 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 WDCA22-0002 to the Board.

December 13, 2022. The Washoe County Board of County Commissioners (Board) introduced and conducted a first reading for Bill 1888, an ordinance amending Washoe County Code Chapter 110 (Development Code), Article 220, Tahoe Area.

January 17, 2023. The Board held a public hearing and conducted a second reading for Bill 1888, and after the public hearing, adopted Ordinance Number 1696, which amends Washoe County Code Chapter 110 (Development Code), Article 220, Tahoe Area as stated below in this staff report.

February 22, 2023. The Regional Plan Implementation Committee (RPIC) heard a presentation on the requested amendment to TRPA's adoption of the Tahoe Area Plan for informational purposes only.

March 8, 2023. The Advisory Planning Commission held a hearing on the requested amendment and failed to pass a motion to recommend approval of the required findings.

March 22, 2023. The RPIC partially recommended approval of the requested amendment to include single-family condominiums as an allowed use in Special Area 1 but limited its approval to only include two parcels within the regulatory zone (APN 132-231-09 and 132-231-10). RPIC included a recommendation to consider allowing single-family condominiums as an allowed use for the remainder of the Special Area 1 regulatory zone only after further defining mixed-use zoning and incentives for affordable housing. Please note that Washoe County Commissioner Hill voted against the motion to modify the amendment as adopted by the Board. The TRPA staff recommendation addresses RPIC's concerns by defining mixed-use zoning and incentives for affordable housing.

PUBLIC INPUT RECEIVED

Public comment included a mix of both support and opposition for the amendment. Many of the comments focused on a specific project, known as "Nine 47 Tahoe Condo", recently approved by TRPA for new construction as a multifamily dwelling development in June of 2022. The subject area plan amendment would apply to the entire Special Area 1 of the Incline Village Commercial regulatory zone. The analysis required for the requested amendment is for the addition of single-family dwellings as an allowable use for IV-C, Special Area 1 only, provided that: (1) the use is associated with an approved tentative subdivision map for multifamily use; and (2) the use is part of a mixed-use development or the single-family dwelling units are affordable housing units. Proposed mitigation measures further define the above stated requirements.

CONCLUSION

Washoe County believes all findings can be made to approve the proposed area plan amendment and that the amendment will support and further the aims of the Tahoe Area Plan and the Regional Plan. It is requested that the Governing Board approve the proposed amendment in its entirety.

Attachment C
TRPA Ordinance 2023-__

TAHOE REGIONAL PLANNING AGENCY
ORDINANCE 2023-__

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 2013-05 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 VI of the Rules of Procedure. The Tahoe Area Plan amendments have been determined, with mitigation, 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. 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 Exhibit 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 affect 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 Package shall not be affected thereby. For this purpose, the provisions of this ordinance and the amendments to the Regional Plan Package 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 _____, 2023, by the following vote:

Ayes:

Nays:

Abstentions:

Absent:

Cindy Gustafson, Chair
Tahoe Regional Planning Agency,
Governing Board

EXHIBIT A

AMENDMENTS TO THE WASHOE TAHOE AREA PLAN

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

Section 110.220.145 Incline Village Commercial Regulatory Zone.

INCLINE VILLAGE COMMERCIAL REGULATORY ZONE		
Allowable Land Uses by Land Use Classification	Land Use Permit	Density
Residential		
Employee Housing	A	Based on other residential use densities
Multiple Family Dwelling	S	15 units per acre minimum 25 units per acre maximum
Multi-Person Dwelling	S	25 people per acre
Nursing and Personal Care (Section 110.220.410)	S	40 people per acre
Residential Care (Section 110.220.410)	S	40 people per acre
Single Family Dwellings	S	1 unit per parcel + 1 accessory dwelling where allowed by Section 110.220.85
Tourist Accommodation		
Bed and Breakfast Facilities	A	5 units per site
Hotels, Motels and Other Transient Dwelling Units	A	40 units per acre
Timeshare (Hotel/Motel Design)	S	Based on hotel, motel and other transient use densities set forth above
Timeshare (Residential Design)	S	Based on hotel, motel and other transient use densities set forth above
Commercial		
Auto, Mobile Home and Vehicle Dealers	A	
Building Materials and Hardware	A	
Eating and Drinking Places	A	
Food and Beverage Retail Sales	A	
Furniture, Home Furnishings and Equipment	A	

General Merchandise Stores	A	
Mail Order and Vending	A	
Nursery	A	
Outdoor Retail Sales	S	
Service Stations	A	
Amusements and Recreation Services	S	
Privately Owned Assembly and Entertainment	S	
Outdoor Amusements	S	
Animal Husbandry Services	A	
Auto Repair and Service	S	
Broadcasting Studios	A	
Business Support Services	A	
Financial Services	A	
Contract Construction Services	A	
Health Care Services	A	
Laundries and Dry Cleaning Plant	A	
Personal Services	A	
Professional Offices	A	
Repair Services	A	
Sales Lot	S	
Schools – Business and Vocational	A	
Secondary Storage	S	
Food and Kindred Products	S	
Fuel and Ice dealers	S	
Industrial Services	S	
Printing and Publishing	A	
Small Scale Manufacturing	S	
Storage Yards	S	
Vehicle and Freight Terminals	S	
Vehicle Storage and Parking	S	
Warehousing	S	
Wholesale and Distribution	S	
Public Service		
Churches	A	
Collection Stations	S	
Regional Public Health and Safety Facilities	S	
Health Care Services	S	
Cultural Facilities	A	
Day Care Centers/Preschools	S	
Government Offices	A	
Hospitals	A	
Local Assembly and Entertainment	A	
Local Post Office	A	
Local Public Health and Safety Facilities	A	
Membership Organizations	A	

Publicly Owned Assembly and Entertainment	S	
Pipelines and Power Transmission	S	
Schools – Kindergarten through Secondary	A	
Social Service Organizations	A	
Threshold-Related Research Facilities	S	
Transit Stations and Terminals	S	
Transportation Routes	S	
Transmission and Receiving Facilities	S	
Recreation		
Day Use Areas	A	
Participant Sports Facilities	A	
Outdoor Recreation Concessions	S	
Recreational Centers	A	
Riding and Hiking Trails	S	
Sport Assembly	S	
Visitor Information Centers	S	
Resource Management		
Reforestation	A	
Sanitation Salvage Cut	A	
Thinning	A	
Tree Farms	A	
Early Successional Stage Vegetation Management	A	
Nonstructural Fish Habitat Management	A	
Nonstructural Wildlife Habitat Management	A	
Structural Fish Habitat Management	A	
Structural Wildlife Habitat Management	A	
Fire Detection and Suppression	A	
Fuels Treatment	A	
Insect and Disease Suppression	A	
Sensitive Plant Management	A	
Uncommon Plant Community Management	A	
Erosion Control	A	
Runoff Control	A	
Stream Environment Zone Restoration	A	
INCLINE VILLAGE COMMERCIAL REGULATORY ZONE SPECIAL AREA 1		
Allowable Land Uses by Land Use Classification	Land Use Permit	Density
Residential		
Single Family Dwelling*	A	1 unit per parcel
Multiple Family Dwelling	A	15 units per acre minimum 25 units per acre

Employee Housing	A	Based on other residential use densities
Nursing and Personal Care (Section 110.220.410)	S	40 people per acre
Residential Care (Section 110.220.410)	S	40 people per acre
Commercial		
Building Materials and Hardware	S	
Eating and Drinking Places	A	
Food and Beverage Retail Sales	A	
Furniture, Home Furnishings and Equipment	A	
General Merchandise Stores	A	
Mail Order and Vending	A	
Nursery	A	
Outdoor Retail Sales	S	
Service Stations	S	
Privately Owned Assembly and Entertainment	S	
Broadcasting Studios	A	
Financial Services	A	
Health Care Services	A	
Personal Services	A	
Professional Offices	A	
Repair Services	A	
Schools – Business and Vocational	A	
Printing and Publishing	S	
Public Service		
Churches	A	
Cultural Facilities	A	
Day Care Centers/Preschools	A	
Government Offices	A	
Local Assembly and Entertainment	A	
Local Post Office	A	
Local Public Health and Safety Facilities	A	
Membership Organizations	A	
Publicly Owned Assembly and Entertainment	S	
Regional Public Health and Safety Facilities	A	
Social Service Organizations	A	
Pipelines and Power Transmission	S	
Threshold-Related Research Facilities	S	
Transit Stations and Terminals	S	
Transportation Routes	S	
Transmission and Receiving Facilities	S	

INCLINE VILLAGE COMMERCIAL REGULATORY ZONE SPECIAL AREA #2		
Allowable Land Uses by Land Use Classification	Land Use Permit	Density
Commercial		
General Merchandise Stores	A	
Mail Order and Vending	A	
Building Materials and Hardware	S	
Eating and Drinking Places	A	
Food and Beverage Retail Sales	A	
Furniture, Home Furnishings, and Equipment	A	
Professional Offices	A	
Broadcasting Studios	A	
Schools – Business and Vocational	A	
Financial Services	A	
Health Care Services	A	
Printing and Publishing	S	
INCLINE VILLAGE COMMERCIAL REGULATORY ZONE SPECIAL AREA #3		
Allowable Land Uses by Land Use Classification	Land Use Permit	Density
Public Service		
Churches	A	
Collection Stations	S	
Regional Public Health and Safety Facilities	S	
Health Care Services	S	
Cultural Facilities	A	
Day Care Centers/Preschools	S	
Government Offices	A	
Hospitals	A	
Local Assembly and Entertainment	A	
Local Post Office	A	
Local Public Health and Safety Facilities	A	
Membership Organizations	A	
Publicly Owned Assembly and Entertainment	S	
Pipelines and Power Transmission	S	
Schools – Kindergarten through Secondary	A	
Social Service Organizations	A	
Threshold-Related Research Facilities	S	
Transit Stations and Terminals	S	
Transportation Routes	S	
Transmission and Receiving Facilities	S	
Resource Management		
Reforestation	A	
Sanitation Salvage Cut	S	
Thinning	A	
Tree Farms	A	

Early Successional Stage Vegetation Management	A	
Nonstructural Fish Habitat Management	A	
Nonstructural Wildlife Habitat Management	A	
Structural Fish Habitat Management	A	
Structural Wildlife Habitat Management	A	
Fire Detection and Suppression	A	
Fuels Treatment	A	
Insect and Disease Suppression	A	
Sensitive Plant Management	A	
Uncommon Plant Community Management	A	
Erosion Control	A	
Runoff Control	A	
Stream Environment Zone Restoration	A	

***Only allowed when associated with an approved tentative subdivision map of a multifamily structure or structures into air space condominiums. Subdivision of a mixed-use structure or structures shall be subject to the following requirements:**

- 1. Structure(s) shall be designed to accommodate pedestrian-oriented non-residential uses on the ground floor street frontage at a minimum average depth of 40 feet, but in no case less than 25 feet, for a minimum of 60 percent of the ground floor frontage. Adjustment to the location of pedestrian frontage can be approved administratively if site conditions (e.g., slope, lack of right-of-way, etc.) prevent placing it on the street. The mixed-use structure(s) shall have a maximum floor area ratio (FAR) 1.3 not subject to density limits. Unoccupied areas such as basements, parking garages, stairs, and elevator shafts shall be excluded from the FAR calculation.**
- 2. Permissible pedestrian-oriented non-residential uses include, but are not limited to, retail, restaurant, personal services, office, and entertainment uses. Lobbies, gymnasiums, sales offices, management offices and leasing offices may be included if they are open to the public.**
- 3. Structure(s) shall include deed-restricted residential units. Deed-restricted units shall be substantially similar to the project’s market rate mix of units, size, and design of units. However, two or more affordable deed-restricted studio units may be substituted for any required larger deed-restricted unit if the combined square footage is similar. In addition to the above stated requirements, deed-restrictions shall meet one of the following alternatives:**
 - a. No less than 10 percent of residential units or at least one unit, whichever is greater, shall be deed-restricted affordable or moderate-income housing. Where there is an even number of deed-restricted units, affordable and moderate-income housing may be deed-restricted on a 1:1 basis. Where there is an odd number of deed-restricted units, the majority shall be deed-restricted affordable. Deed-restricted units may be built on site or elsewhere within Special Area-1. Deed-restricted units must be built before or concurrently with market rate units.**
 - b. No less than 10 percent of residential units or at least one unit, whichever is greater, shall be deed-restricted achievable units. Deed-**

restricted units must be built concurrently on site. An offsite parcel in Special Area 1 with an equal or greater unit capacity, less any mixed-use space on the first floor, as the project site must be deed-restricted affordable. After building the full unit capacity of affordable housing units on the offsite parcel pursuant to this subsection, TRPA shall, upon the developer's request, release the achievable units from the deed restriction.

- 4. No minimum parking requirement. Parking and vehicle access shall be designed to limit conflict with pedestrian circulation along the ground floor frontage.**
- 5. No more than 20 linear feet of the street-fronting façade may be blank or featureless.**
- 6. The ground floor and street frontage shall be designed to promote pedestrian accessibility such as transparent façade, ground floor ceiling height no less than 10 feet, pedestrian-oriented street-facing entry, sidewalks, and other pedestrian improvements.**

These requirements shall apply until TRPA adopts an amendment to the Code of Ordinances defining and setting minimum standards for mixed-use development at which time the Code shall apply, and requirements 1, 2, 5, and 6 shall be automatically repealed. Buildings in Special Area 1 that have received a permit from TRPA on or before June 30, 2023, are not required to meet requirements 1, 2, 5, and 6.

Section 110.220.150 Incline Village Commercial Regulatory Zone Special Policies. The following special policies will be implemented in the Incline Village Commercial Regulatory Zone.

- a. The Incline Village Commercial Regulatory Zone includes the following special designations as defined in TRPA Code of Ordinances Section 11.6.3, *Special Designations*:
 - (1) Preferred Affordable Housing Area
 - (2) Scenic Restoration Area
- b. Parking areas should be developed taking access from local streets such as Alder Avenue and Incline Way.
- c. Single family dwellings shall only be allowed in the Incline Village Commercial regulatory zone when they are part of a mixed-use development or when they are affordable housing units.**

Attachment D
Required Findings/Rationale

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Rationale: **TAP Amendments and Threshold Gain**

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

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

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

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

A. Water Quality

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

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

B. Air Quality

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

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

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

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

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

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

C. Soil Conservation

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

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

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

D. Scenic Quality

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

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

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

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

E. Vegetation

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

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

F. Recreation

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

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

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

G. Fisheries

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

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

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

H. Wildlife

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

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

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

I. Noise

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

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

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

III. Conclusion

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

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

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

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

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

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

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

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

Attachment E
Initial Environmental Checklist



**TAHOE
REGIONAL
PLANNING
AGENCY**

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***INITIAL ENVIRONMENTAL CHECKLIST
FOR DETERMINATION OF ENVIRONMENTAL IMPACT***

Project Name:

APN/Project Location:

County/City:

Project Description:



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The following questionnaire will be completed by the applicant based on evidence submitted with the application. All "Yes" and "No, With Mitigation" answers will require further written comments. Use the blank boxes to add any additional information and reference the question number and letter. If more space is required for additional information, please attached separate sheets and reference the question number and letter.

For information on the status of TRPA environmental thresholds click on the links to the Threshold Dashboard.

I. Environmental Impacts

1. Land

Current and historic status of soil conservation standards can be found at the links below:

- [Impervious Cover](#)
- [Stream Environment Zone](#)

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
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 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 type="checkbox"/>	<input type="checkbox"/>
c. Unstable soil conditions during or after completion of the proposal?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Changes in the undisturbed soil or native geologic substructures or grading in excess of 5 feet?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 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 type="checkbox"/>	<input type="checkbox"/>

Discussion



2. Air Quality

Current and historic status of air quality standards can be found at the links below:

- [Carbon Monoxide \(CO\)](#)
- [Nitrate Deposition](#)
- [Ozone \(O3\)](#)
- [Regional Visibility](#)
- [Respirable and Fine Particulate Matter](#)
- [Sub-Regional Visibility](#)

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Substantial air pollutant emissions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Deterioration of ambient (existing) air quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. The creation of objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>
e. Increased use of diesel fuel?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion



3. Water Quality

Current and historic status of water quality standards can be found at the links below:

- [Aquatic Invasive Species](#)
- [Deep Water \(Pelagic\) Lake Tahoe](#)
- [Groundwater](#)
- [Nearshore \(Littoral\) Lake Tahoe](#)
- [Other Lakes](#)
- [Surface Runoff](#)
- [Tributaries](#)
- [Load Reductions](#)

Will the proposal result in:	Yes	No	No, with mitigation	Data insufficient
a. Changes in currents, or the course or direction of water movements?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>
c. Alterations to the course or flow of 100-year flood waters?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Change in the amount of surface water in any water body?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>
f. Alteration of the direction or rate of flow of ground water?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 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 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 type="checkbox"/>	<input type="checkbox"/>
k. Is the project located within 600 feet of a drinking water source?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion



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4. Vegetation

Current and historic status of vegetation preservation standards can be found at the links below:

- [Common Vegetation](#)
- [Late Seral/Old Growth Ecosystems](#)
- [Sensitive Plants](#)
- [Uncommon Plant Communities](#)

Will the proposal result in:	Yes	No	No, with mitigation	Data insufficient
a. Removal of native vegetation in excess of the area utilized for the actual development permitted by the land capability/IPES system?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 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 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 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 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 TRPA's Conservation or Recreation land use classifications?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. A change in the natural functioning of an old growth ecosystem?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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5. Wildlife

Current and historic status of special interest species standards can be found at the links below:

- [Special Interest Species](#)

Current and historic status of the fisheries standards can be found at the links below:

- [Instream Flow](#)
- [Lake Habitat](#)
- [Stream Habitat](#)

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
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 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 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 type="checkbox"/>	<input type="checkbox"/>
d. Deterioration of existing fish or wildlife habitat quantity or quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

6. Noise

Current and historic status of the noise standards can be found at the links below:

- [Cumulative Noise Events](#)
- [Single Noise Events](#)

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
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 type="checkbox"/>	<input type="checkbox"/>
b. Exposure of people to severe noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 type="checkbox"/>	<input type="checkbox"/>
e. The placement of uses that would generate an incompatible noise level in close proximity to existing residential or tourist accommodation uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>

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7. Light and Glare

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient
a. Include new or modified sources of exterior lighting?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 type="checkbox"/>	<input type="checkbox"/>
d. Create new sources of glare through the siting of the improvements or through the use of reflective materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

8. Land Use

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient
a. Include uses which are not listed as permissible uses in the applicable Area Plan, Plan Area Statement, adopted Community Plan, or Master Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Expand or intensify an existing non-conforming use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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9. Natural Resources

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. A substantial increase in the rate of use of any natural resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Substantial depletion of any non-renewable natural resource?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

10. Risk of Upset

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient
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 type="checkbox"/>	<input type="checkbox"/>
b. Involve possible interference with an emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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11. Population

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient
a. Alter the location, distribution, density, or growth rate of the human population planned for the Region?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Include or result in the temporary or permanent displacement of residents?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

12. Housing

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient
a. Affect existing housing, or create a demand for additional housing? <i>To determine if the proposal will affect existing housing or create a demand for additional housing, please answer the following questions:</i>				
1. Will the proposal decrease the amount of housing in the Tahoe Region?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. 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 type="checkbox"/>	<input type="checkbox"/>

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13. Transportation / Circulation

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Generation of 650 or more new average daily Vehicle Miles Travelled?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Changes to existing parking facilities, or demand for new parking?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 type="checkbox"/>	<input type="checkbox"/>
e. Alterations to waterborne, rail or air traffic?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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14. 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?:

	Yes	No	No, with mitigation	Data insufficient
a. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Parks or other recreational facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Maintenance of public facilities, including roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Other governmental services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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15. Energy

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Use of substantial amounts of fuel or energy?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>

Discussion:

16. Utilities

Except for planned improvements, will the proposal result in a need for new systems, or substantial alterations to the following utilities:

	Yes	No	No, with mitigation	Data insufficient
a. Power or natural gas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Communication systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 type="checkbox"/>	<input type="checkbox"/>
e. Storm water drainage?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Solid waste and disposal?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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17. Human Health

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Creation of any health hazard or potential health hazard (excluding mental health)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Exposure of people to potential health hazards?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

18. Scenic Resources / Community Design

Current and historic status of the scenic resources standards can be found at the links below:

- [Built Environment](#)
- [Other Areas](#)
- [Roadway and Shoreline Units](#)

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient
a. Be visible from any state or federal highway, Pioneer Trail or from Lake Tahoe?	<input 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 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 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 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 type="checkbox"/>	<input type="checkbox"/>

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19. Recreation

Current and historic status of the recreation standards can be found at the links below:

- [Fair Share Distribution of Recreation Capacity](#)
- [Quality of Recreation Experience and Access to Recreational Opportunities](#)

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient
a. Create additional demand for recreation facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Create additional recreation capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 type="checkbox"/>	<input type="checkbox"/>

Discussion



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

20. Archaeological / Historical

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
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 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 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 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 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 type="checkbox"/>	<input type="checkbox"/>

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21. Findings of Significance

	Yes	No	No, with mitigation	Data insufficient
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 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 of time, while long-term impacts will endure well into the future.)	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 type="checkbox"/>	<input type="checkbox"/>

Discussion



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DECLARATION:

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Signature:

_____ at _____
Person preparing application County Date

Applicant Written Comments: (Attach additional sheets if necessary)



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Determination:

On the basis of this evaluation:

- a. The proposed project 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 YES NO
- b. The proposed project could have a significant effect on the environment, but due to the listed mitigation measures which have been added to the project, could have no significant effect on the environment and a mitigated finding of no significant effect shall be prepared in accordance with TRPA's Rules and Procedures. YES NO
- c. The proposed project may have a significant effect on the environment and an environmental impact statement shall be prepared in accordance with this chapter and TRPA's Rules of Procedures. YES NO

Signature of Evaluator

Date _____

Title of Evaluator

ATTACHMENT E

EXHIBIT A

IEC Discussion Continued

Project Description Continued:

As noted above, the proposed amendment could result in additional development or the potential conversion of existing development. The ability to create individual ownership airspace units generally allows for higher per unit sale prices creating a potential incentive to develop condominiums over other uses. In addition, Washoe County currently allows one short-term vacation rental (“STR”) per legal parcel. As a result, a typical MFD development would be limited to one STR. Under the proposed amendment, the ability to divide the MFD into individual parcel units could increase the number of STRs under the “one per parcel” allowance. Around the basin, the ability to “condominiumize” and STR use aids a general shift from other uses (e.g., commercial) into SFD residential and reduces the likelihood of affordable housing. A mitigation to this IEC aims to address affordable housing impacts and the potential shift of uses to SFD by defining and setting minimum standards for mixed-use development, including a required deed-restricted component. This IEC also examines whether the potential increase in SFD/STRs within SA 1 could result in adverse environmental impacts different than what is currently allowed.

Special Area 1, comprised of 42 parcels, is substantially built out with shopping centers, restaurants, banks, retail stores and commercial offices. Of the 42 parcels, twelve parcels are undeveloped. Seven of the 12 parcels are privately-owned vacant parcels, two are approved for a 40-unit MFD project known as Nine 47 Tahoe (“Nine 47”) which will be deed restricted to prohibit short-term rentals, or STRs. There are three existing residential units on the second level of a 2-story structure located on a parcel in SA 1 (Commercial space occupies the lower level). The remaining 35+/- developed commercial properties in SA 1 could be redeveloped and converted into residential units and subdivided under the proposed amendments. While it is unreasonable to speculate as to the extent of such redevelopment/conversions, it is likely that some may occur (e.g., the recent Latitude 39 project that redeveloped commercial property into condos). Thus, as a result of the proposed amendment, there could potentially be additional SFD condos (that could be rented as STRs, an existing permitted use) in Special Area 1. This impact is mitigated by a mixed-use definition and minimum standards which clarify LU2-9 and ensure that new SFD condos are located in mixed-use developments with an affordable component or are affordable residential units.

Land Use Discussion Continued:

TRPA’s definition of SFD and MFD (up to a fourplex) includes vacation home rentals, or STRs. Washoe County deems STRs to be a residential use.

https://www.washoecounty.gov/csd/planning_and_development/short_term_rentals/FAQ.php

) STRs are therefore a residential, not a tourist accommodation, use. Under the County's Development Code, only one STR may be permitted per parcel. Thus, a 20-unit MFD development could have only one STR. If the same MFD development was subdivided into 20 SFD condos, the development could have 20 STRs. The amendment therefore could result in an increase in the number of STRs in SA 1. However, where STRs are a residential use and the IEC demonstrates there is no appreciable difference between MFDs, SFD condos or STRs in potential impacts to TRPA's nine threshold categories, the amendment's impact on land use is insignificant.

Population Discussion Continued:

A mitigation requiring that SFD is only permitted with defined mixed-use development or affordable housing preserves non-residential uses in SA1 and renders the impact insignificant. Additionally, any residential displacement is mitigated through this requirement along with the requirement that any housing rented at an affordable rate and converted to SFD is replaced 1:1.

Housing Discussion Continued:

While it could be argued that new luxury housing creates additional demand for services and thus new demand for workforce units, the mitigation to this amendment addresses this concern by requiring new deed-restricted units to offset increased demand.

Findings of Significance Continued:

Allowing MFD projects to be subdivided into SFD condos as proposed in this amendment could increase the number of STRs in SA 1 because Washoe County currently allows one STR per legal parcel. This IEC and LSC's analysis demonstrate that the potential impacts of STRs would be less than significant.

Attachment F
Conformity Checklist

Attachment F

**Tahoe Regional Planning Agency
Area Plan Finding of Conformity Checklist**

AREA PLAN INFORMATION

Area Plan Name: Tahoe Area Plan (TAP)
Lead Agency: Washoe County
Submitted to TRPA: February 8, 2023
TRPA File No: N/A

CONFORMITY REVIEW

Review Stage: Final Review
Conformity Review Date: February 9, 2023
TRPA Reviewer: Jacob Stock, AICP

HEARING DATES

Lead Agency Approval: January 17 or 24, 2023
APC: March 8, 2023
Governing Board: March 29, 2023
Appeal Deadline: N/A
MOU Approval Deadline: N/A

CHARACTERISTICS

Geographic Area and Description: Incline Village Commercial Regulatory Zone, Special Area 1
Land Use Classifications: Mixed Use (Town Center Overlay)

Area Plan Amendment Summary: The proposed amendments affect TAP Appendix A (Development Code Standards), Section 110.220.145 Incline Village Commercial Regulatory Zone Allowable Land Uses and Section 110.220.150 Incline Village Commercial Regulatory Zone Special Policies as follows:

- Add Single Family Dwellings, limited to air space condominiums, as an allowed use in Special Area 1 of the Incline Village Commercial Regulatory Zone, and
- Add Tahoe Area Plan Policy LU2-9 as a special policy to Section 110.220.150 Incline Village Commercial Regulatory Zone Special Policies.
- Mitigation defining and setting minimum standards for mixed-use development in Special Area 1.

Conformity Checklist

		TRPA Code Section	Conformity		
			YES	NO	N/A
A. Contents of Area Plans					
1	General	13.5.1	●		
2	Relationship to Other Code Sections	13.5.2	●		
B. Development and Community Design Standards					
<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 Dwellings 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			●
C. Alternative Development Standards and Guidelines Authorized in an Area Plan					
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			●

		TRPA Code Section	Conformity		
			YES	NO	N/A
D. Development Standards and Guidelines Encouraged in Area Plans					
1	Urban Bear Strategy	13.5.3.C.1			●
2	Urban Forestry	13.5.3.C.2			●
E. Development on Resort Recreation Parcels					
1	Development on Resort Recreation Parcels	13.5.3.D			●
F. Greenhouse Gas Reduction					
1	Greenhouse Gas Reduction Strategy	13.5.3.E			●
G. Community Design Standards					
1	Development in All Areas	13.5.3.F.1.a			●
2	Development in Regional Center or 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			●
H. Modification to Town Center Boundaries					
1	Modification to Town Center Boundaries	13.5.3.G			●
I. Conformity Review Procedures for Area Plans					
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			●
J. Findings for Conformance with the Regional Plan					
<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	●		

		TRPA Code Section	Conformity		
			YES	NO	N/A
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 and 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			●
K. Area Plan Amendments					
1	Conformity Review for Amendments 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			●
L. Administration					
1	Effect of Finding of Conformance of Area Plan	13.6.8	●		

		TRPA Code Section	Conformity		
			YES	NO	N/A
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 Notes

A. CONTENTS OF AREA PLANS

1. General YES NO N/A

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 subsection 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.

Notes 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 in Special Area 1 (SA1) of the Incline Village Commercial Regulatory Zone (IVCRZ) in Appendix A of the TAP.

2. Relationship to Other Sections of the Code YES NO N/A

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.

Notes Under the proposed amendment, development and design standards comply with those prescribed in the Code. The only difference is that single family dwellings (SFDs) will be limited to condominiums.

B. DEVELOPMENT AND COMMUNITY DESIGN STANDARDS

Area plans shall have development standards that are consistent with those in Table 13.5.3-1

MAXIMUM BUILDING HEIGHT

1. **Outside of Centers** YES NO N/A

Citation 13.5.3

Requirement Building height standards shall be consistent with Code Section 37.4.

Notes The proposed amendments make no changes to building height standards outside Centers. The adopted TAP is consistent with Code Section 37.4 for height outside Centers

2. **Within Town Centers** YES NO N/A

Citation 13.5.3

Requirement Building height is limited to a maximum of 4 stories and 56 feet.

Notes The proposed amendments make no changes to building height standards. Height within Town Centers in the adopted TAP are limited to a maximum of 4 stories and 56 feet.

3. **Within the Regional Center** YES NO N/A

Citation 13.5.3

Requirement Building height is limited to a maximum of 6 stories and 95 feet.

Notes There are no Regional Centers in the TAP.

4. **Within the High-Density Tourist District** YES NO N/A

Citation 13.5.3

Requirement Building height is limited to a maximum of 197 feet.

Notes There is no high-density tourist district in the TAP.

DENSITY

5. Single-Family Dwellings

YES NO N/A

Citation 13.5.3

Requirement Single-family dwelling density shall be consistent with Code Section 31.3.

Notes The proposed amendments do not change SFD density. SFDs as condominiums will only be permitted when part of a mixed-use project or when they are affordable housing units and will be subject to existing density standards.

6. Multiple-Family Dwellings outside of Centers

YES NO N/A

Citation 13.5.3

Requirement Multiple-family dwelling density outside of Centers shall be consistent with Code Section 31.3.

Notes The proposed amendments do not change multiple-family dwelling (MFD) density outside Centers. MFD density outside Centers in the adopted TAP is consistent with Code Section 31.3.

7. Multiple-Family Dwellings within Centers

YES NO N/A

Citation 13.5.3

Requirement Multiple-family dwelling density within Centers shall be a maximum of 25 units per acre.

Notes The proposed amendments do not change MFD density within Centers. MFD density within Centers in the adopted TAP is a maximum of 25 units per acre.

8. Tourist Accommodations

YES NO N/A

Citation 13.5.3

Requirement Tourist accommodations (other than bed and breakfast) shall have a maximum density of 40 units per acre.

Notes The proposed amendments do not make any changes to tourist accommodation density.

LAND COVERAGE

9. Land Coverage

YES NO N/A

Citation 13.5.3

Requirement Land coverage standards shall be consistent with Section 30.4 of the TRPA Code.

Notes The proposed amendments do not make any changes to land coverage.

10. **Alternative Comprehensive Coverage Management System** YES NO N/A
See Section C.1 of this document.

SITE DESIGN

11. **Site Design Standards** YES NO N/A
Citation 13.5.3

Requirement Area plans shall conform to Section 36.5 of the TRPA Code.

Notes The proposed amendments do not change site design standards in the TAP which conform to Section 36.5 of the TRPA Code.

COMPLETE STREETS

12. **Complete Streets** YES NO N/A
Citation 13.5.3

Requirement Within Centers, plan for sidewalks, trails, and other pedestrian amenities providing safe and convenient non-motorized circulation within Centers, as applicable, and incorporation of the Regional Bike and Pedestrian Plan.

Notes The proposed amendments do not make any changes to complete street standards.

C. ALTERNATIVE DEVELOPMENT STANDARDS AND GUIDELINES AUTHORIZED IN AREA PLANS

1. **Alternative Comprehensive Coverage Management System** YES NO N/A
Citation 13.5.3.B.1

Requirement An Area Plan may propose a comprehensive coverage management system as an alternative to the parcel-level coverage requirements outlined in Sections 30.4.1 and 30.4.2, provided that the alternative system shall: 1) reduce the total coverage and not increase the cumulative base allowable coverage in the area covered by the comprehensive coverage management system; 2) reduce the total amount of coverage and not increase the cumulative base allowable coverage in Land Capability Districts 1 and 2; and 3) not increase the amount of coverage otherwise allowed within 300 feet of high water of Lake Tahoe (excluding those areas landward of Highways 28 and 89 in Kings Beach and Tahoe City Town Centers within that zone). For purposes of this provision, "total" coverage is the greater of existing or allowed coverage.

Notes Washoe County does not have an alternative comprehensive coverage management system.

2. Alternative Parking Strategies

YES NO N/A

Citation 13.5.3.B.2

Requirement An Area Plan is encouraged to include shared or area-wide parking strategies to reduce land coverage and make more efficient use of land for parking and pedestrian uses. Shared parking strategies may consider and include the following:

- Reduction or relaxation of minimum parking standards;
- Creation of maximum parking standards;
- Shared parking;
- In-lieu payment to meet parking requirements;
- On-street parking;
- Parking along major regional travel routes;
- Creation of bicycle parking standards;
- Free or discounted transit;
- Deeply discounted transit passes for community residents; and
- Paid parking management

Notes Washoe County does not have alternative parking strategies. The existing TAP does include policies and standards that mirror some of the listed parking strategies.

3. Areawide Water Quality Treatments and Funding Mechanisms

YES NO N/A

Citation 13.5.3.B.3

Requirement An Area Plan may include water quality treatments and funding mechanisms in lieu of certain site-specific BMPs, subject to the following requirements:

- Area-wide BMPs shall be shown to achieve equal or greater effectiveness and efficiency at achieving water quality benefits to certain site-specific BMPs and must infiltrate the 20-year, one-hour storm;
- Plans should be developed in coordination with TRPA and applicable state agencies, consistent with applicable TMDL requirements;
- Area-wide BMP project areas shall be identified in Area Plans and shall address both installation and ongoing maintenance;
- Strong consideration shall be given to areas connected to surface waters;
- Area-wide BMP plans shall consider area-wide and parcel level BMP requirements as an integrated system;
- Consideration shall be given to properties that have already installed and maintained parcel-level BMPs, and financing components or area-wide BMP plans shall reflect prior BMP installation in terms of the charges levied against projects that already complied with BMP requirements with systems that are in place and operational in accordance with applicable BMP standards.
- Area-wide BMP Plans shall require that BMPs be installed concurrent with development activities. Prior to construction of area-wide treatment facilities, development projects shall either install parcel-level BMPs or construct area-wide improvements.

Notes Washoe County has chosen not to develop an area-wide water quality program. This is an optional component.

4. Alternative Transfer Ratios for Development Rights YES NO N/A

Citation 13.5.3.B.4

Requirement Within a Stream Restoration Plan Area as depicted in Map 1 in the Regional Plan, an Area Plan may propose to establish alternative transfer ratios for development rights based on unique conditions in each jurisdiction, as long as the alternative transfer ratios are determined to generate equal or greater environment gain compared to the TRPA transfer ratios set forth in Chapter 51: Transfer of Development.

Notes There are no Stream Restoration Plan Areas in the TAP.

D. DEVELOPMENT STANDARDS AND GUIDELINES ENCOURAGED IN AREA PLANS

1. Urban Bear Strategy YES NO N/A

Citation 13.5.3.C.1

Requirement In Area Plans, lead agencies are encouraged to develop and enforce urban bear strategies to address the use of bear-resistant solid waste facilities and related matters.

Notes No changes are proposed to an urban bear strategy.

2. Urban Forestry YES NO N/A

Citation 13.5.3.C.2

Requirement In Area Plans, lead agencies are encouraged to develop and enforce urban forestry strategies that seek to reestablish natural forest conditions in a manner that does not increase the risk of catastrophic wildfire.

Notes No changes are proposed to an urban forestry strategy.

E. DEVELOPMENT ON RESORT RECREATION PARCELS

1. Development on Resort Recreation Parcels YES NO N/A

Citation 13.5.3.D

Requirement In addition to recreation uses, an Area Plan may allow the development and subdivision of tourist, commercial, and residential uses on the Resort Recreation District parcels depicted on Map 1 of the Regional Plan and subject to the following conditions:

- The parcels must become part of an approved Area Plan;

- Subdivisions shall be limited to “air space condominium” divisions with no lot and block subdivisions allowed;
- Development shall be transferred from outside the area designated as Resort Recreation; and
- Transfers shall result in the retirement of existing development.

Notes There are no resort recreation parcels in the TAP.

F. GREENHOUSE GAS REDUCTION

1. Greenhouse Gas Reduction Strategy

YES NO N/A

Citation 13.5.3.E

Requirement To be found in conformance with the Regional Plan, Area Plans shall include a strategy to reduce emissions of Greenhouse Gases from the operation or construction of buildings. The strategy shall include elements in addition to those included to satisfy other state requirements or requirements of this code. Additional elements included in the strategy may include but are not limited to the following:

- A local green building incentive program to reduce the energy consumption of new or remodeled buildings;
- A low interest loan or rebate program for alternative energy projects or energy efficiency retrofits;
- Modifications to the applicable building code or design standards to reduce energy consumption; or
- Capital improvements to reduce energy consumption or incorporate alternative energy production into public facilities.

Notes The proposed amendments do not change the TAP’s approved GHG reduction strategy.

G. COMMUNITY DESIGN STANDARDS

To be found in conformance with the Regional Plan, Area Plans shall require that all projects comply with the design standards in this subsection. Area Plans may also include additional or substitute requirements not listed below that promote threshold attainment.

1. Development in All Areas

YES NO N/A

Citation 13.5.3.F.1.a

Requirement All new development shall consider, at minimum, the following site design standards:

- Existing natural features retained and incorporated into the site design;
- Building placement and design that are compatible with adjacent properties and designed in consideration of solar exposure, climate, noise, safety, fire protection, and privacy;

- Site planning that includes a drainage, infiltration, and grading plan meeting water quality standards, and
- Access, parking, and circulation that are logical, safe, and meet the requirements of the transportation element.

Notes The proposed amendments do not affect the adopted TAP's site design standards.

2. Development in Regional Center or Town Centers YES NO N/A

Citation 13.5.3.F.1.b

Requirement In addition to the standards above, development in Town Centers or the Regional Center shall address the following design standards:

- Existing or planned pedestrian and bicycle facilities shall connect properties within Centers to transit stops and the Regional Bicycle and Pedestrian network.
- Area Plans shall encourage the protection of views of Lake Tahoe.
- Building height and density should be varied with some buildings smaller and less dense than others.
- Site and building designs within Centers shall promote pedestrian activity and provide enhanced design features along public roadways. Enhanced design features to be considered include increased setbacks, stepped heights, increased building articulation, and/or higher quality building materials along public roadways.
- Area Plans shall include strategies for protecting undisturbed sensitive lands and, where feasible, establish park or open space corridors connecting undisturbed sensitive areas within Centers to undisturbed areas outside of Centers.

Notes The proposed amendments do not affect the adopted TAP's site design standards.

3. Building Heights YES NO N/A

Citation 13.5.3.F.2

Requirement

- Area Plans may allow building heights up to the maximum limits in Table 13.5.3-1 of the Code of Ordinances
- Building height limits shall be established to ensure that buildings do not project above the forest canopy, ridge lines, or otherwise detract from the viewshed.
- Area Plans that allow buildings over two stories in height shall, where feasible, include provisions for transitional height limits or other buffer areas adjacent to areas not allowing buildings over two stories in height.

Notes Building height is set forth in Appendix A of the TAP and is consistent with these standards. No changes are proposed to building height.

4. Building Design YES NO N/A

Citation 13.5.3.F.3

Requirement Standards shall be adopted to ensure attractive and compatible development. The following shall be considered:

- Buffer requirements should be established for noise, snow removal, aesthetic, and environmental purposes.
- The scale of structures should be compatible with existing and planned land uses in the area.
- Viewsheds should be considered in all new construction. Emphasis should be placed on lake views from major transportation corridors.
- Area Plans shall include design standards for building design and form. Within Centers, building design and form standards shall promote pedestrian activity.

Notes Building design is set forth in Appendix A of the TAP and is consistent with these standards. No changes are proposed to these standards.

5. Landscaping YES NO N/A

Citation 13.5.3.F.4

Requirement The following should be considered with respect to this design component of a project:

- Native vegetation should be utilized whenever possible, consistent with Fire Defensible Space Requirements.
- Vegetation should be used to screen parking, alleviate long strips of parking space, and accommodate stormwater runoff where feasible.
- Vegetation should be used to give privacy, reduce glare and heat, deflect wind, muffle noise, prevent erosion, and soften the line of architecture where feasible.

Notes No changes are proposed to these standards.

6. Lighting YES NO N/A

Citation 13.5.3.F.5

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

- Exterior lighting should be minimized to protect dark sky views, yet adequate to provide for public safety, and should be consistent with the architectural design.
- Exterior lighting should utilize cutoff shields that extend below the lighting element to minimize light pollution and stray light.
- Overall levels should be compatible with the neighborhood light level. Emphasis should be placed on a few, well-placed, low-intensity lights.
- Lights should not blink, flash, or change intensity except for temporary public safety signs.

Notes No change to lighting standards is proposed as part of these amendments.

7. Signing – Alternative Standards YES NO N/A

Citation 13.5.3.F.6

Requirement Area Plans may include alternative sign standards. For Area Plans to be found in conformance with the Regional Plan, the Area Plan shall demonstrate that the sign standards will minimize and mitigate significant scenic impacts and move toward attainment or achieve the adopted scenic thresholds for the Lake Tahoe region.

Notes No change to Chapter 8 – Signs of Appendix B to the TAP is proposed.

8. Signing – General Policies YES NO N/A

Citation 13.5.3.F.6

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

- Off-premise signs should generally be prohibited; way-finding and directional signage may be considered where scenic impacts are minimized and mitigated.
- Signs should be incorporated into building design;
- When possible, signs should be consolidated into clusters to avoid clutter.
- Signage should be attached to buildings when possible; and
- Standards for number, size, height, lighting, square footage, and similar characteristics for on-premise signs shall be formulated and shall be consistent with the land uses permitted in each district.

Notes No change is proposed as part of these amendments.

H. MODIFICATION TO TOWN CENTER BOUNDARIES

1. Modification to Town Center Boundaries YES NO N/A

Citation 13.5.3.G

Requirement When Area Plans propose modifications to the boundaries of a Center, the modification shall comply with the following:

- Boundaries of Centers shall be drawn to include only properties that are developed, unless undeveloped parcels proposed for inclusion have either at least three sides of their boundary adjacent to developed parcels (for four-sided parcels), or 75 percent of their boundary adjacent to developed parcels (for non-four-sided parcels). For purposes of this requirement, a parcel shall be considered developed if it includes any of the following: 30 percent or more of allowed coverage already existing on site or an approved but unbuilt project that proposes to meet this coverage standard.
- Properties included in a Center shall be less than ¼ mile from existing Commercial and Public Service uses.

- Properties included in a Center shall encourage and facilitate the use of existing or planned transit stops and transit systems.

Notes The amendments do not include any modifications to the Town Center boundaries.

I. CONFORMITY REVIEW PROCEDURES FOR AREA PLANS

1. Initiation of Area Planning Process by Lead Agency YES NO N/A

Citation 13.6.1

Requirement The development of an Area Plan shall be initiated by a designated lead agency. The lead agency may be TRPA or a local, state, federal, or tribal government. There may be only one lead agency for each Area Plan.

Notes The Tahoe Area Plan has already been adopted.

2. Initial Approval of Area Plan by Lead Agency YES NO N/A

Citation 13.6.2

Requirement If the lead agency is not TRPA, then the Area Plan shall be approved by the lead agency prior to TRPA's review of the Area Plan for conformance with the Regional Plan under this section. In reviewing and approving an Area Plan, the lead agency shall follow its own review procedures for plan amendments. At a minimum, Area Plans shall be prepared in coordination with local residents, stakeholders, public agencies with jurisdictional authority within the proposed Area Plan boundaries, and TRPA staff.

If the lead agency is TRPA, the Area Plan shall require conformity approval under this section by TRPA only. No approval by any other government, such as a local government, shall be required.

Notes The TAP has already been approved by the Lead Agency.

3. Review by Advisory Planning Commission YES NO N/A

Citation 13.6.3

Requirement The TRPA Advisory Planning Commission shall review the proposed Area Plan and make recommendations to the TRPA Governing Board. The commission shall obtain and consider the recommendations and comments of the local government(s) and other responsible public agencies, as applicable. jurisdictional authority within the proposed Area Plan boundaries, and TRPA staff.

Notes The approved TAP was reviewed by the APC.

4. Approval of Area Plan by TRPA YES NO N/A

Citation 13.6.4

Requirement For Area Plans initiated and approved by a lead agency other than TRPA, the Area Plan shall be submitted to and reviewed by the TRPA Governing Board at a public hearing. Public comment shall be limited to issues raised by the public before the Advisory Planning Commission and issues raised by the Governing Board. The TRPA Governing Board shall make a finding that the Area Plan, including all zoning and development Codes that are part of the Area Plan, is consistent with and furthers the goals and policies of the Regional Plan. This finding shall be referred to as a finding of conformance and shall be subject to the same voting requirements as approval of a Regional Plan amendment.

Notes The Governing Board adopted the TAP on March 26, 2021.

J. FINDINGS OF CONFORMANCE WITH THE REGIONAL PLAN

In making the general finding of conformance, the TRPA Governing Board shall make the general findings applicable to all amendments to the Regional Plan and Code set forth in Sections 4.5 and 4.6, and also the following specific review standards:

GENERAL REVIEW STANDARDS FOR ALL AREA PLANS

1. Zoning Designations YES NO N/A

Citation 13.6.5.A.1

Requirement The submitted Area Plan shall identify zoning designations, allowed land uses, and development standards throughout the plan area.

Notes Section 110.220.145 in Appendix A to the AP is being amended to add SFDs, limited to condominiums, as a permissible use in Special Area 1 of the IVCRZ. No changes to existing zoning designation or development standards are proposed.

2. Regional Plan Policies YES NO N/A

Citation 13.6.5.A.2

Requirement The submitted Area Plan shall be consistent with all applicable Regional Plan policies, including, but not limited to, the regional growth management system, development allocations, and coverage requirements.

Notes The TAP contains goals and policies that are in alignment with Regional Plan policies. Consistent with Land Use Policy LU2-9 applicable to the greater IVCRZ, which requires SFDs to be part of a mixed-use project or provide affordable housing, LU2-9 will be added to the special policies in Section 110.22.150 so that it will also apply to Special Area 1.

3. Regional Plan Land Use Map YES NO N/A

Citation 13.6.5.A.3

Requirement The submitted Area Plan shall either be consistent with the Regional Land Use Map or recommend and adopt amendments to the Regional Land Use Map as part of an integrated plan to comply with Regional Plan policies and provide threshold gain.

Notes The proposed amendments are consistent with the Regional Land Use Map and do not require amendments to the Map.

4. Environmental Improvement Projects YES NO N/A

Citation 13.6.5.A.4

Requirement The submitted Area Plan shall recognize and support planned, new, or enhanced Environmental Improvement Projects. Area Plans may also recommend enhancements to planned, new, or enhanced Environmental Improvement Projects as part of an integrated plan to comply with Regional Plan Policies and provide threshold gain.

Notes The TAP recognizes and incorporates the Environmental Improvement Program (EIP). Planned environmental improvement projects are included in the plan. No changes are proposed as part of the amendments.

5. Redevelopment YES NO N/A

Citation 13.6.5.A.

Requirement The submitted Area Plan shall promote environmentally beneficial redevelopment and revitalization within town centers, regional centers and the High Density Tourist District.

Notes The TAP promotes redevelopment within Town Centers by incorporating the incentives established in the 2012 Regional Plan Update. The Town Center is eligible for increased density, coverage, and height as a result of area plan adoption. This promotes compact development and promotes the Regional Plan's land use and transportation strategies. Adding SFDs as an additional permissible use will further incentivize redevelopment in Special Area 1, a Town Center. Including a mixed-use definition and minimum standards will help ensure that new SFD development contributes to walkable town centers and supports affordable housing.

6. Established Residential Areas YES NO N/A

Citation 13.6.5.A.6

Requirement The submitted Area Plan shall preserve the character of established residential areas outside of town centers, regional centers and the High Density Tourist District, while seeking opportunities for environmental improvements within residential areas.

Notes No changes to residential areas outside of Town Centers are proposed as part of these amendments.

7. Stream Environment Zones YES NO N/A

Citation 13.6.5.A.7

Requirement The submitted Area Plan shall protect and direct development away from Stream Environment Zones and other sensitive areas, while seeking opportunities for environmental improvements within sensitive areas. Development may be allowed in disturbed Stream Environment zones within town centers, regional centers and the High-Density Tourist District only if allowed development reduces coverage and enhances natural systems within the Stream Environment Zone.

Notes No changes are proposed under the amendments.

8. Alternative Transportation Facilities and Implementation YES NO N/A

Citation 13.6.5.A.8

Requirement The submitted Area Plan shall identify facilities and implementation measures to enhance pedestrian, bicycling and transit opportunities along with other opportunities to reduce automobile dependency.

Notes No changes are proposed as part of the amendments. However, adding an additional residential use in Special Area 1 will help achieve a walkable and bikeable community.

LOAD REDUCTION PLANS

9. Load Reduction Plans YES NO N/A

Citation 13.6.5.B

Requirement TRPA shall utilize the load reduction plans for all registered catchments or TRPA default standards when there are no registered catchments, in the conformance review of Area Plans.

Notes No changes are proposed as part of the amendments.

ADDITIONAL REVIEW STANDARDS FOR TOWN CENTERS AND THE REGIONAL CENTER

10. Building and Site Design Standards YES NO N/A

Citation 13.6.5.C.1

Requirement The submitted Area Plan shall include building and site design standards that reflect the unique character of each area, respond to local design issues and consider ridgeline and viewshed protection.

Notes No changes to the approved TAP's building and site design standards are proposed as part of these amendments.

11. Alternative Transportation YES NO N/A

Citation 13.6.5.C.2

Requirement The submitted Area Plan shall promote walking, bicycling, transit use and shared parking in town centers and regional centers, which at a minimum shall include continuous sidewalks or other pedestrian paths and bicycle facilities along both sides of all highways within town centers and regional centers, and to other major activity centers.

Notes No changes to alternative transportation are proposed as part of these amendments. However, adding mixed-use standards in Special Area 1 could help achieve a walkable and bikeable community.

12. Promoting Pedestrian Activity YES NO N/A

Citation 13.6.5.C.3

Requirement The submitted Area Plan shall use standards within town centers and regional centers addressing the form of development and requiring that projects promote pedestrian activity and transit use.

Notes The adopted Design Standards promote pedestrian activity through site design, building design, and transportation facility standards and guidelines. Adding an additional residential and mixed-use standards use in Special Area 1 could help achieve a walkable and bikeable community.

13. Redevelopment Capacity YES NO N/A

Citation 13.6.5.C.4

Requirement The submitted Area Plan shall ensure adequate capacity for redevelopment and transfers of development rights into town centers and regional centers.

Notes The proposed amendments will not impact redevelopment capacity.

14. Coverage Reduction and Stormwater Management YES NO N/A

Citation 13.6.5.C.5

Requirement The submitted Area Plan shall identify an integrated community strategy for coverage reduction and enhanced stormwater management.

Notes No changes are proposed as part of these amendments.

15. Threshold Gain YES NO N/A

Citation 13.6.5.C.6

Requirement The submitted Area Plan shall demonstrate that all development activity within Town Centers and the Regional Center will provide for or not interfere with Threshold gain, including but not limited to measurable improvements in water quality.

Notes All development, including any SFD development that may occur as a result of the proposed amendments, is required to adhere to the standards of the TAP which are designed to promote threshold gains including but not limited to scenic, community design, air quality, soils and water quality. No changes to the area plan's threshold gain strategies are proposed under these amendments.

ADDITIONAL REVIEW STANDARDS FOR THE HIGH-DENSITY TOURIST DISTRICT

16. Building and Site Design YES NO N/A

Citation 13.6.5.D.1

Requirement The submitted Area Plan shall include building and site design standards that substantially enhance the appearance of existing buildings in the High Density Tourist District.

Notes There is no High-Density Tourist District in the TAP.

17. Alternative Transportation YES NO N/A

Citation 13.6.5.D.2

Requirement The submitted Area Plan shall provide pedestrian, bicycle and transit facilities connecting the High-Density Tourist District with other regional attractions.

Notes There is no High-Density Tourist District in the TAP.

18. Threshold Gain YES NO N/A

Citation 13.6.5.D.3

Requirement The submitted Area Plan shall demonstrate that all development activity within the High-Density Tourist District will provide or not interfere with Threshold gain, including but not limited to measurable improvements in water quality. If necessary to achieve Threshold gain, off-site improvements may be additionally required.

Notes There is no High-Density Tourist District in the TAP.

K. AREA PLAN AMENDMENTS

1. Conformity Review for Amendments to an Area Plan YES NO N/A

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.

Notes 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.

2. Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan - Notice YES NO N/A

Citation 13.6.7.A

Requirement TRPA shall provide lead agencies with reasonable notice of pending amendments that may affect Area Plans. TRPA also shall provide lead agencies with notice of Area Plan topics that may require amendment following adopted Regional Plan amendments pursuant to this section.

Notes Acknowledged, but not applicable to the proposed amendments.

3. Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan - Timing YES NO N/A

Citation 13.6.7.B

Requirement If TRPA approves an amendment to the Regional Plan that would also require amendment of an Area Plan to maintain conformity, the lead agency shall be given one year to amend the Area Plan to demonstrate conformity with the TRPA amendment. 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 Governing Board’s review shall be limited to determining the conformity of only those amendments made by the lead agency to conform to the TRPA amendment. If the Governing Board finds that the other government fails to demonstrate conformity with the TRPA amendment following the one-year deadline, then the Board shall identify the policies and/or zoning provisions in the Area Plan that are inconsistent and assume lead agency authority to amend those policies and provisions.

Notes Acknowledged, but not applicable to the proposed amendments.

L. ADMINISTRATION

1. Effect of Finding of Conformance of Area Plan YES NO N/A

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.

Notes The Governing Board found the TAP to be in conformance with the Regional Plan on May 26, 2021. These amendments will be reviewed by the Governing Board prior to going into effect.

2. Procedures for Adoption of Memorandum of Understanding YES NO N/A

Citation 13.7

Requirement An Area Plan shall be consistent with the Procedures for Adoption of a Memorandum of Understanding.

Notes A memorandum of understanding delegating permitting authority to Washoe County has not yet been adopted.

3. Monitoring, Certification, and Enforcement of an Area Plan YES NO N/A

Citation 13.8

Requirement An Area Plan shall include notification, monitoring, annual review, and recertification procedures consistent with Code Section 13.8.

Notes The adopted TAP includes these procedures. No changes are proposed.

4. Appeal Procedure YES NO N/A

Citation 13.9

Requirement The Area Plan shall include an appeal procedure consistent with Code Section 13.9.

Notes Section 110.220.435 in Appendix A to the TAP contains the required appeal procedure. No changes are proposed.

Attachment G
Compliance Measures Checklist

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
WATER QUALITY/SEZ - IN PLACE				
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 Special Area 1 (SA 1) of the TAP's Incline Village Commercial Regulatory Zone (IVCRZ) 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.)

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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 an additional residential use - single family dwellings (SFD) as condominiums, to be developed within SA 1, a Town Center. This will expand options for residential development within Town Centers and could increase the likelihood of achieving walkable, bikeable communities.
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

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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.
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 proposed amendment adds an additional residential use (SFD limited to condominiums) as an allowed use in SA 1. Multiple family dwelling (MFD) is already an allowed use in SA 1. MFD involves for rent units, whereas SFD involves for sale units. The amendment does not change density standards. Any SFD condominium project proposed in SA 1 as a result of the amendment must obtain residential allocations and potential residential units of use or transfer existing development to the site.
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.

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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.
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 residential development in SA 1. 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	

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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	
34	Reporting requirements, highway abrasives and deicers: Goals and Policies:, Land Use Element and Code of Ordinances Chapter 60	WQ, Soils/SEZ, Fish	N	
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	
40	Land use planning and controls -outdoor recreation: <i>Code of Ordinances</i> Chapter 21	WQ, Soils/SEZ, Wildlife, Noise, Rec, Scenic	N	

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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 SA 1.
44	BMP implementation program--shorezone areas: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
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.

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
WATER QUALITY/SEZ - SUPPLEMENTAL				
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	
60	Water conservation/flow reduction program	WQ, Soils/SEZ, Fish	N	
61	Additional land use controls	WQ, Soils/SEZ, Wildlife	N	
AIR QUALITY/TRANSPORTATION - IN PLACE				
62	Fixed Route Transit - South Shore: STAGE	Trans, Rec	N	The TAP does not impact any transit services, bikeways, or pedestrian facilities, except to encourage Town Center redevelopment and the completion of identified transportation improvements.
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	

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
72	Pedestrian facilities	Trans, Rec, Scenic	N	
73	Wood heater controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	The TRPA Code provisions related to Compliance Measures 73 through 75 remain in effect, and no changes are proposed with the amendment.
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.
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	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 MFD and SFD condominium uses are the same.
85	Parking Management Areas	Trans	N	
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	

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
90	General Aviation, The Lake Tahoe Airport	Trans, Noise	N	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.
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				
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	

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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	
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	
VEGETATION - IN PLACE				
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	

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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. The proposed amendment will not alter this.
137	Compliance inspections	Veg	N	
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.

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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
VEGETATION - SUPPLEMENTAL				
147	Deepwater Plant Protection	WQ, Veg	N	No changes are proposed.
WILDLIFE - IN PLACE				
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.
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.
FISHERIES - IN PLACE				
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.

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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 Measure 1	BMP and revegetation practices	WQ, Fish	N	See response to Compliance Measures 1 through 4.
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.

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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.
NOISE - IN PLACE				
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 housing development options in SA 1.
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

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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.
NOISE - SUPPLEMENTAL				
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.
RECREATION - IN PLACE				
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.
193	Hiking and riding facilities	Rec	N	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
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.
RECREATION - SUPPLEMENTAL				
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	
SCENIC - IN PLACE				
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.

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
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 SA 1.
212	Development Standards Lakeward of Highwater: <i>Code of Ordinances</i> Chapter 84	WQ, Scenic	N	N/A. No lakes are located in SA 1.
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.
SCENIC - SUPPLEMENTAL				
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.