

ATTACHMENT A: REQUIRED FINDINGS & FINDING OF NO SIGNIFICANT EFFECT TO AMEND THE TRPA CODE OF ORDINANCES

This document contains required findings per Chapter 3 and 4 of the TRPA Code of Ordinances for amendments to the TRPA Code of Ordinances Chapters 13 and the Community Design Goals and Policies of the Regional Plan.

Chapter 3 Findings: The following finding must be made based on the information submitted in the Initial Environmental Checklist:

Finding 3.3.2: 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: TRPA staff analyzed the potential environmental effects of the proposed amendments to Chapter 13 and the Regional Plan through an Initial Environmental Checklist (IEC). The proposed amendments formalize the review process for area plans that propose alternative height in town centers and density standards in centers of their area plan, above what is set forth in Chapter 13. However, there would be no environmental impact of this amendment alone, as the current standards would remain in place unless there are alternative standards proposed that are considered and approved by TRPA. The proposed amendment would not have a significant effect on the environment and TRPA staff prepared a finding of no significant effect in accordance with TRPA's Rules of Procedure Section 6.6 and Code of Ordinance Section 3.3.2.

Finding 4.4.1.A: The proposed amendments are 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 amendments would formalize a review process for area plans that propose density or height standards in centers that exceed the allowances in Chapter 13 of the TRPA Code of Ordinances. Alternative standards would take effect through an area plan amendment or by establishing a new area plan, which would follow the standard hearing process as outlined in Chapter 13. The alternative standards must be consistent with the Regional Plan and demonstrate that the amendments will not have a significant environmental impact, as required in *Chapter 3: Environmental Documentation*. Allowing local jurisdictions to propose density and height standards that are above the maximums currently set forth in Chapter 13 is consistent with Regional Plan Goals and Policies that encourage the redevelopment of town centers, directing development from more sensitive areas

to centers, and encouraging densities and a development pattern that promotes walking, bicycling, and provides demand for transit. However, this amendment alone does not result in any changes to area plans or a development action.

TRPA finds that the amendment is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Community Plans, Plan Area Statements, the TRPA Code of Ordinances, and other TRPA plans and programs.

Finding 4.4.1.B: The proposed ordinance and rule amendments will not cause the environmental threshold carrying capacities to be exceeded.

Rationale: No significant environmental effects were identified as a result of the proposed amendments, and the thresholds would not be adversely affected or exceeded, as demonstrated in the IEC. The amendments formalize a process for local jurisdictions to propose increased density and height within centers of their area plans. If local jurisdictions propose higher density and height limits than what is currently allowed under Chapter 13, the amendments must be consistent with and help to implement the Goals and Policies of the Regional Plan, the environmental analysis must demonstrate that there will be no significant environmental impact, and local jurisdictions must have adopted design standards in place and must be able to make findings in Chapter 37 of the TRPA Code for any height above 56 feet.

Finding 4.4.1.C: Wherever federal, state or local air and water quality standards are applicable for the Region, the strictest standards shall be attained, maintained, or exceeded pursuant to Article V(d) of the Tahoe Regional Planning Compact.

No applicable federal, state or local air and water quality standard will be exceeded by adoption of the amendments. The proposed amendment does not change the Federal, State or local air and water quality standards applicable for the Region. Projects will continue to be subject to 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). Federal, State, and local air and water quality standards remain applicable for all parcels in the region, thus ensuring environmental standards will be achieved or maintained pursuant to the Bi-State Compact.

Finding 4.5: The Regional Plan and all of its elements, as amended, achieves and maintains the thresholds.

Rationale:

In 2012, TRPA found that the Regional Plan, as revised, would achieve and maintain thresholds. The proposed amendment would not result in a development action and therefore does not conflict with any Regional Plan provision designed to

achieve and maintain thresholds. The amendment would allow local jurisdictions to implement Regional Plan, Area Plan, and General Plan Goals and Policies that would help them plan for their community's needs realize their unique vision.

Finding 4.6: To approve any amendment or adoption of the Code, Rules, or other TRPA plans and programs that implement the Regional Plan, TRPA shall find that the Regional Plan and all of its elements, as implemented through the Code, Rules of Procedure, and other TRPA plans and programs, as amended, achieves and maintains the thresholds.

Rationale: As demonstrated in the IEC, the Regional Plan and all of its elements, as amended, will achieve and maintain the thresholds. The amendment will not result in a development action. New area plans or amendments to existing area plans that propose higher density or height limits for centers beyond what is currently allowed in Chapter 13, will be evaluated for their consistency with the Regional Plan, must demonstrate that the standards will not have an environmental impact, and must have the requirements in place for additional building height. Area plans must be reviewed and approved by the TRPA Governing Board.



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FINDING OF NO SIGNIFICANT EFFECT

Project Description: Amendment to Chapter 13 of the Code of Ordinances.

Staff Analysis: In accordance with Article IV of the Tahoe Regional Planning Compact, as amended, and Section 6.6 of the TRPA Rules of Procedure, TRPA staff reviewed the information submitted with the subject project.

Determination: Based on the Initial Environmental Checklist(s), Agency staff found that the subject project will not have a significant effect on the environment.

A handwritten signature in black ink, appearing to read "A. Miller".

7/24/24

TRPA Executive Director/Designee

Date