

Exhibit 1 to Attachment B

Required Findings

EXHIBIT 1

REQUIRED FINDINGS/RATIONALE

TRPA Code of Ordinances Section 3.3 – Determination of Need to Prepare an Environmental Impact Statement

Finding: TRPA finds that the proposed Rules of Procedure amendment will not have a significant effect on the environment.

Rationale: An Initial Environmental Checklist (IEC) has been prepared to evaluate the effects of the proposed amendment to the Code of Ordinances (see Exhibit 3) amendment to the Rules of Procedure (see Exhibit 4). The IEC found that the proposed amendments would not have a significant effect on the environment. The proposed amendments are consistent with and will implement the Regional Plan and Code of Ordinances. The amendments, which waive a fee for deed-restricted affordable, moderate, and achievable housing developed within areas eligible for residential bonus units, and resets a fee, is minor in nature and is not anticipated to result in environmental effects.

TRPA Code of Ordinances Section 4.4 – Threshold-Related Findings

1. Finding: The project (amendment to the Code of Ordinances and Rules of Procedure) is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, plan area statements and maps, the Code, and other TRPA plans and programs;

Rationale: The Code of Ordinances was recently updated (Ordinance 2021-05) to replace the air quality mitigation fee program with a mobility mitigation fee program. The amendment to the Code of Ordinances waives the mobility mitigation fee for deed-restricted affordable, moderate, and achievable housing developed within areas eligible for residential bonus units to align with the Regional Plan goal of concentrating development in town centers and incentivizing affordable housing in those centers. The amendment is consistent with the Regional Plan's goals and policies, including those which seek to reduce Vehicle Miles Travelled. Based on the analysis in the IEC, the Code of Ordinances amendment is minor in nature and will not result in environmental effects. As such, the amendment will support the achievement and maintenance of thresholds.

The amendment to the Rules of Procedure is intended to reset the fee rate to align the recently adopted 2020 Regional Transportation Plan, to implement the VMT threshold standard at the project level, and to align with the Code of Ordinances. The amendment is consistent with the Regional Plan's goals and policies, including those which seek to reduce Vehicle Miles Travelled. Based on the analysis in the IEC, the Rules of Procedure amendment is minor in nature and will not result in environmental effects. As such, the amendment will support the achievement and maintenance of thresholds.

2. Finding: The project will not cause the environmental threshold carrying capacities to be exceeded;

Rationale: The proposed amendments are consistent with the threshold attainment strategies in the Regional Plan. The proposed amendments facilitate implementation of the Transportation and Sustainable Communities threshold on a project level and are expected to benefit threshold compliance.

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

Rationale: The proposed amendments would not adversely affect any state, federal, or local standards. The amendments waives fees for affordable, moderate, and achievable housing, and resets the existing rate for a mitigation fee to implement the VMT threshold standard at the project level and align with the 2020 Regional Transportation Plan.

TRPA Code of Ordinances Section 4. 6 – Findings Necessary to Amend or Adopt TRPA Ordinances, Rules, or Other TRPA Plans and Programs.

Finding: The Regional Plan and all of its elements, as implemented through the Code, Rules, and other TRPA plans and programs, as amended, achieves and maintains thresholds.

Rationale: Please see the rationales for the Section 4.4 findings above. The proposed amendments would not adversely affect threshold attainment and would likely benefit it.

FINDING OF NO SIGNIFICANT EFFECT

Project Description: Proposed amendments to the Code of Ordinances to waive the mobility mitigation fee for deed-restricted affordable, moderate, and achievable housing developed within areas eligible for residential bonus units, and proposed amendments to the Rules of Procedure to reset the mobility mitigation fee rate.

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, Agency staff found that the subject project will not have a significant effect on the environment.

TRPA Executive Director/Designee

Date