

**TRPA
APC
PACKETS**

**SEPTEMBER
1998**

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION
NOTICE OF MEETING

NOTICE IS HEREBY GIVEN that the Advisory Planning Commission of the Tahoe Regional Planning Agency will conduct its regular meeting at 9:30 a.m. on Wednesday, September 9, 1998, at the Horizon Casino Resort, Stateline, Nevada. The agenda for the meeting is attached hereto and made a part of this notice.

August 31, 1998



By: _____
Jerry Wells
Deputy Executive Director

This agenda has been posted at the TRPA office and at the following post offices: Zephyr Cove and Stateline, Nevada, and Tahoe Valley and Al Tahoe, California. The agenda has also been posted at the North Tahoe Conference Center in Kings Beach, the Incline Village GID office, and the North Lake Tahoe Chamber of Commerce.

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

Horizon Casino Resort
Stateline, Nevada

September 9, 1998
9:30 a.m.

All items on this agenda are action items unless otherwise noted.

AGENDA

- I. CALL TO ORDER AND DETERMINATION OF QUORUM
- II. APPROVAL OF AGENDA
- III. PUBLIC INTEREST COMMENTS (No Action)

Any member of the public wishing to address the Advisory Planning Commission on any agenda item not listed as a Public Hearing or a Planning Matter item, or on any other issue, may do so at this time. However public comment on Public Hearing and Planning Matter items will be taken at the time those agenda items are heard.

NOTE: THE ADVISORY PLANNING COMMISSION IS PROHIBITED BY LAW FROM TAKING IMMEDIATE ACTION ON, OR DISCUSSING ISSUES RAISED BY THE PUBLIC THAT ARE NOT LISTED ON THIS AGENDA.

- IV. DISPOSITION OF MINUTES
- V. PUBLIC HEARING AND RECOMMENDATION TO THE GOVERNING BOARD
 - A. Amendment of PAS 111, Tahoe Island, Special Designation to Allow the Transfer of Existing Commercial Floor Area Into Parcels in Special Area #1 Which Contain Legally Existing Commercial Uses **PAGE 1**
 - B. Amendment of Chapter 14, Community Plans, and Goal 2, Land Use Subelement of the Goals and Policies, to Address Commercial Allocation and Irrevocable Commitments **PAGE 12**
- VI. PLANNING MATTERS
 - A. Status of Metropolitan Planning Organization (MPO) **PAGE 25**
 - B. Heavenly Gondola Project Environmental Assessment, Discussion Regarding Scope of Environmental Document **PAGE 29**
 - C. Status Report on Regional Revenue Source Analysis **PAGE 37**

VII. REPORTS

- A. Executive Director
- B. Legal Counsel
- C. APC Members

VIII. ADJOURNMENT

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

North Tahoe Conference
8318 North Lake Boulevard
Kings Beach, California

August 12, 1998

REGULAR MEETING MINUTES

Vice-Chairperson Gary Marchio called the regular August 12, 1998, meeting of the Advisory Planning Commission ("APC") to order at 9:45 a.m. and asked for a roll call.

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Members Present: Mr. Lohman, Mr. Doughty, Mr. Westerdahl, Mr. Adair, Mr. Porta, Ms. Rohr, Mr. Poppoff, Mr. Lawrence, Mr. Morgan (arrived at 10:45 a.m.), Ms. Kvas, Mr. Combs, Mr. Marchio

Members Absent: Mr. Jolley, Mr. Hansen, Mr. Morros, Mr. Oden, Mr. Joiner, Mr. Haen, Mr. Jepsen

II. APPROVAL OF AGENDA

MOTION by Mr. Poppoff, with a second by Mr. Combs, to approved the agenda as presented. The motion carried unanimously.

III. PUBLIC INTEREST COMMENTS – None

IV. DISPOSITION OF MINUTES

Mr. Doughty noted that on page 6, the fourth paragraph, he clarified his comments by stating "what the County is asking is consideration by the Agency to accept certificates of allocations from Douglas County to allow the County to mail the originals to TRPA rather than having them forwarded to the applicant and run the risk of being lost in the mail, and then having to go through the long process of reissuance of the allocation".

Ms. Rohr commented that on page 2, the twelfth paragraph, the words "the Agency turned" should be added after the phrase "the Community Planning Team suggested that in the update". In addition, the word "what" should be added on page 3, in the third paragraph.

MOTION by Ms. Kvas, with a second by Mr. Doughty, to approve the July 8, 1998, APC minutes as amended. The motion carried with Mr. Porta abstaining.

Executive Director Jim Baetge introduced TRPA's new Agency Counsel, John Marshall, who is now on board full time.

V. PUBLIC HEARING AND RECOMMENDATION TO THE GOVERNING BOARD

A. Amendment to Code Chapter 21, Density Relative to Tourist Accommodation

APC REGULAR MEETING MINUTES AUGUST 12, 1998

Units and Redevelopment

Principal Planner Gordon Barrett presented the staff summary amending Chapter 21 of the Code of Ordinances to allow projects located within Special Height Districts to deviate from the established Table of Maximum Densities.

Mr. Doughty commented that he believed that Section 21.3.C, which refers to timeshare use in an adopted community plan, should not be removed. He stated that it falls into a Special Height District. The community plan should not be removed from that concept.

Mr. Barrett stated that we would retain Section 21.3.C and add a new Section 21.3.D, along with the findings, which is the new underlined language proposed in blue print.

Vice-Chairperson Marchio opened the meeting up for a public hearing.

Mr. Lew Feldman, appearing on behalf of Park Avenue and Project 3, stated that it was very important that we move forward with the density proposal which has been disclosed in the EIS, and the proponent has demonstrated that the impacts have been mitigated.

Since no one else wished to comment, Vice-Chairperson Marchio closed the public hearing.

MOTION by Mr. Doughty, with a second by Ms. Kvas, to recommend approval to the Governing Board to amend Chapter 21 to allow special projects located within Special Height Districts to deviate from the established Table of Maximum Densities, with an amendment to retain Section 21.3.C and include a new Section 21.3.D, which is written in blue in the staff summary, along with the findings.

Agency Counsel John Marshall clarified the motion by stating that on page 19, Section 21.3.C, would be replaced by Section 21.3.D and strike the redline so there would be a new section. Mr. Doughty replied that he wanted to retain Section 21.3.C as written, include Findings 1, 2, 3 and 4, and create a new Section 21.3.D, along with the necessary findings. Mr. Marshall suggested adding a new Subsection 21.3.D which would read as it is and ignore the redlines.

The motion carried with Mr. Poppoff voting no.

Mr. Poppoff stated he voted no because he is against issues involving increasing density.

Mr. Marchio thanked Mr. Marshall for his input on the motion.

B. Amendment of Code Chapter 18, Permissible Uses, and Related Chapters to Add the Public Service Use of Environmental Improvement Program (EIP) Research Facilities

Principal Planner Gordon Barrett presented the staff summary amending Chapter 18, Permissible Uses, and related chapters to add the Public Service Use of Environmental Improvement Program (EIP).

A discussion ensued.

Mr. Poppoff did not agree with the statement that the research facilities shall be primarily used to implement those projects listed in the Environmental Improvement Program (EIP). He did not

APC REGULAR MEETING MINUTES AUGUST 12, 1998

believe that TRPA should be setting the research tasks that a university should or should not be doing.

Mr. Barrett commented that on the other side of that issue, if someone has a research project that they would like to see put on the EIP, they just needed to demonstrate that and TRPA would have it put on the EIP.

Mr. Poppoff stated that he did not think that TRPA should be telling researchers what they can and cannot do.

Mr. Baetge replied that the idea of the EIP was if it a research project makes sense to do in Lake Tahoe, let's list it in the EIP so that all the other players know that it's there. He did not believe it was restrictive.

Mr. Poppoff commented that the wording and definition was very restrictive. He said it was proper to state that the research is relative to Lake Tahoe; it should not be restricted to whatever TRPA decides should be listed in the EIP.

Mr. Westerdahl believed that the word "primarily" was too vague and suggested an example be given in the Code.

In addition, Mr. Westerdahl questioned whether it was customary for non-profit organizations, such as universities, to post a security when they want to put in a research facility.

Mr. Doughty commented that we don't require any other government or public service entity to post securities. In the past, we have required deed restrictions. He did not agree with the requirement to post a security.

Mr. Baetge commented that he felt strong on this issue because we would be making an exception to let research facilities go into areas where you normally would not let it take place happen. The end result, say in two years, could be that the research facility becomes unfunded and then what happens to the building. After the research ends, we don't want the use of the building to change, so the bond would be insurance that the building would be removed upon completion.

Mr. Doughty believed that it was unreasonable to require that of a government facility or non-profit organization.

Agency Counsel John Marshall stated that arrangements could be made with the property owner to have them sign a deed restriction or some type of contract stating what happens to the premises when it is vacated.

Mr. Westerdahl commented that the posting of a security will cause a lot of grief for university systems because they are self-assured and don't have the money available. The language could cause problems for non-provide and university systems.

A discussion ensued.

Mr. Poppoff commented that he had not seen a lot of duplication between research facilities, and if there is, it can be taken care of better by a coordination group between the research facilities rather than through TRPA. In addition, the stakeholders', meaning the research facilities, input should be included in this proposal, along with their comments and/or suggestions.

APC REGULAR MEETING MINUTES AUGUST 12, 1998

Mr. Barrett stated that TRPA met with the research groups in June. TRPA did not review the Ordinance language with them. The TRPA Governing Board made some policy issues with the purpose of meeting some of the TRPA thresholds.

Mr. Porta agreed with Mr. Westerdahl that the word "primarily" was too vague. He stated that the wording "projects listed in the EIP and other Tahoe Basin-related research projects" could be added to Section 18.1. He questioned if deed restrictions or bonds were defined in the Code.

Mr. Barrett replied no.

Mr. Westerdahl stated that TRPA's intention about the removal and conversion of the building needed to be defined in the Code.

Ms. Kvas asked that in non-commercial plan area statements where this is going to be a permissible use, would it be with a Special Use Permit? Mr. Barrett replied yes. Then, if you have a Special Use Permit, you can address those specifics within those recreational plan area statements.

Ms. Kvas asked for clarification on "not undeveloped" in No. 3 on page 25 of the Staff Summary. In addition, she had problems with the statement "overnight accommodation facilities other than caretaker facilities are not included as part of this use". Ms. Kvas suggested that some flexibility be given in the event employees are working on different shifts doing research on a specific project and coming and going from the facility where it would be more convenient to provide housing and overnight accommodations.

Vice-chairperson Marchio opened the meeting up for a public hearing.

Mr. Jeff Cutler, representing the League to Save Lake Tahoe, commented that the Code amendment needed more thought before moving forward to the Governing Board for approval. He had a problem with converting floor space if it is designated as public use to another use. He believed that the Agency should draw down from the overall pool of commercial availability.

Ms. Mary Gilanfarr, Executive Director of the Tahoe-Sierra Preservation Council, stated that the amendment was a clear policy direction and the importance of research and their facilities. She was of the opinion that there is a big need for research in the Tahoe Basin and this an amendment was an important item that needs to be implemented.

Since no one else wished to comment, Vice-Chairperson Marchio closed the public hearing.

MOTION by Mr. Poppoff, with a second by Mr. Morgan, to send the amendment back to the TRPA staff for more work and the convening of a consensus group composed of the stakeholders involved, such as the individuals representing the research facilities.

Mr. Baetge asked Mr. Doughty if there was a problem with timing if the amendment did not go forward and he replied no.

Mr. Poppoff stated that he wanted the issues that had been raised at the meeting today reviewed, such as the security issue, type of research, housing and review what is written in the Compact pertaining to research in the Tahoe Basin.

APC REGULAR MEETING MINUTES AUGUST 12, 1998

Mr. Wester Dahl suggested that the administrators and risk managers of the proposed research facilities be included in the consensus meeting.

The motion carried unanimously.

(Break taken at 11:20 a.m.)

(Reconvened at 11:28 a.m.)

- C. Amendment of Chapter 33, Allocation of Development; Chapter 34, Transfer of Development; and Related Chapters To Allow the Transfer of Residential Units of Use to Sensitive Lands and to Allow the Conversion of Commercial Floor Area To Tourist and Residential Units

Principal Planner Gordon Barrett presented the staff summary amending Chapter 33, Allocation of Development, Chapter 34, Transfer of Development, and Chapter 35, Bonus Incentive Program.

Mr. Doughty commented that he was concerned about the loss of TAUs from the pool. He stated that this should be looked at on a Basin-wide basis. In addition, he was concerned about the conversion and loss of the 150,000 square feet of commercial floor that was being lost. He believed that if we are allowing the conversion from TAUs to housing, we should focus that on affordable housing. Mr. Doughty questioned where the conversion factor came from and believed that this issue should be seriously looked at. He commented that the TRPA and local government standards issue needed to be defined, in addition to the approval of the local government issue.

Mr. Adair questioned if the 1,200 square foot per unit reduction in land coverage was retired or banked. Mr. Barrett replied that the intent is to retire the coverage, and Mr. Adair suggested that this should be made clear.

A discussion ensued.

Vice-Chairperson Marchio opened the meeting up for a public hearing.

Ms. Jaye Von Klug, Redevelopment Manager for the City of South Lake Tahoe, stated that when the public purchases a piece of property for public use that includes open space, the City pays the full value for the property and there is no need for a owner to get a bonus. Ms. Von Klug had no problem including some language that excluded public acquisition from the amendment. She urged the APC to stay with the staff recommendation of allowing conversions when it is coming out of sensitive land to an EIP or it's meeting the standards. She does not want to see uneconomical hotels going into uneconomical stripped, commercial centers. In addition, the City is looking into putting condominiums in some of their urbanized projects, such as near the gondola at the Heavenly Resort.

Mr. Cutler, representing the League to Save Lake Tahoe, had concerns over the procedures presented as opposed to the substance. He did not believe that what had been presented in the staff summary gives the public or the decision makers the tools to tell if the proposals are good or not. Mr. Cutler believed that a moment of crises is approaching where a series of small incremental changes are being proposed and approved where each in of themselves may not be the straw that breaks the camel backs, but each in of themselves is starting to stray further and further away from what was contemplated and analyzed in the Regional Plan. An example of that is allowing public service uses to convert and free up the commercial space, allowing exceptions

APC REGULAR MEETING MINUTES AUGUST 12, 1998

for density requirements, and adding research facilities as another public service use. He was of the opinion that the findings cannot be made to adopt the proposed amendment. Mr. Cutler believed more research and analysis was warranted.

Ms. Leah Kaufman, a planning consultant, believed that there had been strong environmental analysis on Item No. 2 of the staff summary.

Since no one else wished to comment, Vice-Chairperson Marchio closed the public hearing.

A discussion ensued.

Vice-Chairperson Marchio opened the meeting up for a public hearing.

Mr. Renz Robinson, owner of the Dunes Resort in Tahoe Vista, suggested that by the time a new study is conducted, and the study attempts to take in all the different types of land uses from commercial to residential to tourist to public uses and the different types of land capabilities, there would be a dozen new things that have since been developed. His concerns are that this is a never ending process. Mr. Robinson commented that he didn't know how anything ever gets done and suggested that TRPA start bifurcating these things and looking at individual issues.

Ms. Nancy Sjursen, representing Sierra Planning, stated that the preliminary analysis by the TRPA staff is good. She believed that the items that were non-controversial could be separated out and approved. She was of the opinion that Item No. 1 was non-controversial and did not like to see a non-controversial item being held up by more controversial additions.

Ms. Fran Robinson, owner of the Dunes Resort, was of the belief that the group would bifurcate these issues and look at something that was not controversy and go forward.

Mr. Cutler stated that from the League's prospective, an environmental analysis needed to be done based on the Regional Plan as it exists today.

Ms. Kaufman stated that an environmental analysis had been done.

Since no one else wished to comment, Vice-Chairperson Marchio closed the public hearing.

MOTION by Mr. Doughty, with a second by Mr. Combs, to bifurcate Item No. 1 of the staff summary, including the clarification that reduction in land coverage is permanently retired, clarification by staff on Item No. 5 in Section 34.4.B in terms of what governmental approvals are required, and in Item No. 7 in Section 34.4.B, an explanation of what is necessary to conform to TRPA's plans and Codes, then forwarding on to the Governing Board for approval. The motion carried unanimously.

- D. Amendment of Code Chapter 33, Allocation of Development, To Redistribute Commercial Allocations from Outside to Inside Community Plans in Douglas County

Principal Planner Gordon Barrett presented the staff summary amending Chapter 33, Allocation of Development, to redistribute Commercial Allocations from Outside to Inside Community Plans in Douglas County.

A discussion ensued.

APC REGULAR MEETING MINUTES AUGUST 12, 1998

Vice-Chairperson Marchio opened the meeting up for a public hearing. Since no one wished to comment, Vice-Chairperson Marchio closed the public hearing.

MOTION by Mr. Poppoff, with a second by Mr. Porta, to recommend approval to the Governing Board amending Chapter 33, Allocation of Development, to redistribute Commercial Allocations from Outside to Inside Community Plans in Douglas County. The motion carried unanimously.

E. Amendment of the Meyers Community Plan Relative to Residential Bonus Units and Density and to Transfer of Development Rights for Special Area #1

Principal Planner Gordon Barrett presented the staff summary amending the Meyers Community Plan relative to residential bonus units and density and to transfer of development rights for Special Area #1.

A discussion ensued.

Mr. Mike Dill, with Aspen Environmental Services and representing the property owners of the proposed amendment, stated that he was asking the APC to approve a use definition in the residential category for nursing and personal care. This use as proposed is to be added to the use chart as a special use to the Meyers Community Plan. The specifics of a project would be required to go back to the Governing Board on its own merits.

Mr. Cutler, representing the League to Save Lake Tahoe, stated that he did not find the required findings in the staff summary to support the proposed project. He believed more analysis needed to be done of the possible environmental affects.

Since no one else wished to comment, Vice-Chairperson Marchio closed the public hearing.

A discussion ensued.

MOTION by Mr. Combs, with a second by Mr. Lohman, to recommend approval to the Governing Board amending the Meyers Community Plan to add nursing and personal care as a Permissible Use. The motion carried unanimously.

A. Executive Director

1. Status Report on Alternative Regional Revenue Feasibility Study

Executive Director Jim Baetge stated that the status report on Alternative Revenue Sources done by Arthur Bower would be presented to the APC in September for more details and comments. The Sedway streamlining report was recently received and is consistent with the way TRPA was going.

B. LEGAL COUNSEL

Agency Counsel John Marshall stated that the Lake Tahoe Watercraft Association, et al. v. TRPA litigation has been stayed pending the development of new information from staff and possibly switching to a recommendation for an admissions standard. The stay runs through the end of December. TRPA's motion for a judgment on the pleadings and the League's motion to dismiss will be heard in a couple of weeks. If TRPA adopts a revised ordinance, that would be the focus of

APC REGULAR MEETING MINUTES AUGUST 12, 1998

any legal challenge from the industry or local interests. In the TSPC case, a pretrial statement was filed that listed out the various issues and is moving towards trial. In the Suitum case, discovery has been concluded and is also moving towards trial to be set sometime next year.

C. APC MEMBERS

Mr. Poppoff stated that he was concerned when things develop that give TRPA a bad image. He received a phone call about a house that is being built in a stream environment zone by Third Creek. The house looks like it is being built on the bank, and it is in a high groundwater area. Mr. Poppoff continued that he called TRPA and the answer he received was that the project is being taken care of by an MOU with Washoe County and TRPA was not involved. He questioned the MOU allowing things to be built in a stream environment zone.

Mr. Baetge stated that the delegation of local government falls under the same threshold issues as TRPA and he would personally look into this situation.

Mr. Poppoff stated that the house was on Trap Street off of Fairway Drive.

Ms. Kvas said she would also look into this situation.

X . ADJOURNMENT - The meeting was adjourned at 12:59 p.m.

Respectfully submitted,



Sue Mikanovich
Clerk to the Commission

This meeting was taped in its entirety. Anyone wishing to listen to the tapes may call (702) 588-4547 to make an appointment. In addition, written documents submitted at the meeting are available for review at the TRPA office, 308 Dorla Court, Zephyr Cove, Nevada.

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MEMORANDUM

September 1, 1998

To: Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of Plan Area Statement 111, Tahoe Island, Special Designation, to Allow the Transfer of Existing Development in Special Area #1 Which Contain Legally Existing Commercial Uses

Proposed Action: The applicant for two parcels along Highway 89 in South Lake Tahoe (APNs 023-141-08, and -151-03), proposes to amend Plan Area 111 to designate Special Area #1 as a Receiving Area for the Transfer of Existing Development on parcels with legally existing commercial uses. This will be accomplished through a new Special Designation and a modified Special Policy.

Refer to Exhibits A through C which show the vicinity map, surrounding land uses, and proposed Plan Area Statement changes.

Staff Recommendation: Staff recommends that the Advisory Planning Commission conduct the public hearing as noticed and, based on its outcome, recommend approval of the amendment to the TRPA Governing Board. The staff modification would require installation of design and site planning improvement identified for this roadway threshold travel unit in TRPA's Scenic Quality Improvement Program (SQIP) as part of project development. It is shown in existing Special Policy #5 of the Plan Area Statement (Exhibit C) which the Governing Board added in 1994 for another commercial use amendment in this plan area. This policy would be modified to apply to parcels eligible to use the provisions now being considered.

Discussion: The subject parcels are located within Special Area #1 of Plan Area 111. This plan area is a residential plan area with certain commercial and tourist accommodation uses permitted in the special areas. Plan Area 111 lies along Highway 89 between the South "Y" (a preliminary community plan) and National Forest lands at the edge of town. The applicant's site is composed of two parcels. One presently has a commercial use on it, Dixon's Restaurant, along with some tourist accommodation uses in the back that are currently boarded up. The other parcel contains the Rustic Mountain Inn and Emerald Pines Resort (tourist accommodation uses).

JH/dmc

AGENDA ITEM V.A1

The Highway 89 corridor is a mix of tourist, commercial, and residential uses. It has been identified in TRPA's Scenic Quality Improvement Program (SQIP) and the Environmental Improvement Program (EIP) as an area targeted for scenic and community design restoration. Special Area #2 lies adjacent to Special Area #1 and together the areas possess a strip commercial appearance and use pattern.

Special Policy #3 in the Plan Area Statement encourages the City of South Lake Tahoe to prepare and implement a redevelopment plan for the Highway 89 corridor. It is a worthwhile goal, however, it does not appear to be a high priority. In the meantime, property owners do not have many options available to them to undertake redevelopment on their own. In order to redevelop sites such as this, make them economically viable, and make needed environmental improvements, the applicant proposes to allow commercial expansions through the transfer of existing development. Presently, existing commercial floor area may not be transferred into the Special Area. Since this is a residential plan area, it does not, and will not, have new commercial floor area allocated to it. The Transfer of Existing Development Special Designation is needed to allow transfers and expansions.

To limit the potential applicability of this amendment, which would likely worsen the form and function of the existing commercial/tourist strip, the applicant proposes to limit the transfer provisions only to parcels with legally existing commercial uses. That would result in one of the applicant's two parcels eligible for the transfer. TRPA staff estimate that the Special Designation would be available to three additional sites in Special Area #1 and 1 site in Special Area #2.

City of South Lake Tahoe Zoning and General Plan Designations: The subject parcels are zoned by the City of South Lake Tahoe as Tourist Commercial (TC). The General Plan designation is Tourist Accommodation.

Required Findings: The following findings must be made prior to adopting the proposed amendments:

A. Chapter 6 Findings:

1. Finding: The project 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 proposed amendments to the Plan Area Statement will not adversely affect implementation of the Regional Plan because commercial uses are already permitted and the amendment will only apply to a limited number of parcels within the Special Area fronting on State Route 89.

2. Finding: That the project will not cause the environmental thresholds to be exceeded.
- Rationale: The amendment has been conditioned to require the installation of scenic and community design threshold improvements as part of project development. Any projects that are proposed due to this amendment will be required to comply with all aspects of the Regional Plan package, including applicable thresholds.
3. Finding: Wherever federal, state and local air and water quality standards applicable for the Region, whichever are strictest, must be attained and maintained pursuant to Article V(d) of the Compact, the project meets or exceeds such standards.
- Rationale: Any new or expansion of development due to this amendment will continue to be subject to federal, state, and local air and water quality standards.
4. 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 the thresholds.
- Rationale: For reasons stated in Findings 1 and 2 above, the Regional Plan will continue to achieve and maintain the threshold. It will not utilize any resources, nor have any "project-type" impacts discussed in Section 6.3.B of the TRPA Code.
5. Finding: The Regional Plan, as amended, achieves and maintains the thresholds.
- Rationale: See findings 1 and 2 above

B. Chapter 13 Findings:

1. Finding: Prior to adopting any plan area amendment, TRPA must find the amendment is substantially consistent with the plan area designation criteria in Subsection 13.5.B and 13.5.C.
- Rationale: The amendment will not expand the area of commercial uses beyond that which presently exists and is zoned for. The new Special Designation of Transfer of Existing Development will enhance the Region's ability to implement threshold improvement projects by requiring scenic threshold improvements as a condition of project development.