

Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Building staff at 775.328.6100.

Project Information		Staff Assigned Case No.: _____	
Project Name:			
Project Description:			
Project Address:			
Project Area (acres or square feet):			
Project Location (with point of reference to major cross streets AND area locator):			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
Indicate any previous Washoe County approvals associated with this application: Case No.(s).			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
Name:		Name:	
Address:		Address:	
Zip:		Zip:	
Phone:	Fax:	Phone:	Fax:
Email:		Email:	
Cell:	Other:	Cell:	Other:
Contact Person:		Contact Person:	
Applicant/Developer:		Other Persons to be Contacted:	
Name:		Name:	
Address:		Address:	
Zip:		Zip:	
Phone:	Fax:	Phone:	Fax:
Email:		Email:	
Cell:	Other:	Cell:	Other:
Contact Person:		Contact Person:	
For Office Use Only			
Date Received:		Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

Development Code Amendment Application Supplemental Information

(All required information may be separately attached)

1. What section of the Washoe County Code (WCC) 110 of the Development Code is being requested to be amended?

2. Provide the specific language you are seeking to delete and/or add to the Development Code?

3. What is the purpose to amend the Development Code?

4. Are there any negative impacts to amending this section of the Development Code?



Diocese of Reno

° 290 S. Arlington Avenue ° Reno, NV 89501-1713 ° Phone 775.326.9428 ° Fax 775.329.6009 °

Office of the Bishop

Rev. Jorge Herrera
St. Therese of the Little Flower Catholic Church
875 E. Plumb Lane
Reno, Nv. 89502

Dear Father Jorge,

By means of this letter I am appointing you Pastor of St. Francis of Assisi Catholic Church. This assignment is effective September 1, 2020 for a term of six years.

In entrusting to you the pastoral care of this community of the Christian faithful, I am confident that you will carry out your responsibilities inspired by the example of the Good Shepherd, Jesus Christ, who came to serve and not be served. In your ministry you are a co-worker with me, the bishop, in proclaiming God's Word, teaching the faith, celebrating the sacraments and caring for those in need in the spirit of charity. Your parishioners, fellow disciples of the Lord, are also our collaborators in the mission of the Church. May you work with them so that together we may build up the body of Christ and strengthen the bonds of faith, hope and love.

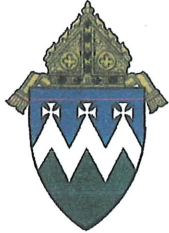
Thank you for your willingness to accept this assignment. May God who has begun this good work in you bring it to fulfillment.

Sincerely yours in Christ,

Most Reverend Randolph R. Calvo
Bishop of Reno

Given at the Pastoral Center
this day August 31, 2020.

Rev. Robert W. Chorey
Moderator of the Curia/Chancellor



CERTIFICATE OF INSTALLATION

During the Pontificate of Pope Francis, I, the Most Reverend Randolph R. Calvo, Bishop of Reno, in the presence of the parishioners whose signatures appear below, commit to **Father Jorge Herrera** responsibility for the spiritual and temporal administration of **St. Francis of Assisi Parish** to which he has been duly appointed as Pastor.

That **Father Jorge Herrera** is hereby officially installed as Pastor of this parish, with all rights and responsibilities in accord with the laws of the Church. This document certifies that the installation ceremony has taken place and that it has been publicly proclaimed in fulfillment of all applicable requirements, canonical and civil.

Given this 4th day of **October** in the year of our Lord 2020, at **St. Francis of Assisi Parish** in **Incline Village, Nevada**

Dorothy Cawley
Witness

Rev. Jorge Herrera
Reverend Jorge Herrera

Deacon Bob Ruggiero
Witness

[Signature]
Most Reverend Randolph R. Calvo

DEVELOPMENT CODE AMENDMENT APPLICATION

Saint Clare's and Village Church

MAY 2023

Prepared for:

Saint Clare's
PO Box 308
Tahoe Vista, CA

Village Church
736 McCourry Blvd.
Incline Village, NV

Prepared by: AnnMarie Lain



5510 Longley Lane
Reno, NV 89511

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1.0 AMENDMENT REQUEST OVERVIEW

1.1 Background

Saint Clare's was founded in 2018 as response to a need in the community to provide faith-based education. Saint Clare's is the only Catholic school offered in the Tahoe Area, the closest Catholic schools are in Reno and Carson City. From the fall of 2018 to spring of 2022, Saint Clare's operated out of the North Tahoe Hebrew's congregation facility located at 7000 Latone Avenue in Tahoe Vista. Saint Clare's is a fully certified childcare center and school. They are licensed by the Nevada Department of Education, and continually pass all of the required inspections by the Washoe County Health District and the North Lake Tahoe Fire Protection District.

Following the spring of 2022, St. Clare's was informed by the Hebrew Congregation that they would not be able to renew their lease agreement for the 2022-2023 school year. An extensive search of available places to lease within the area that permitted school use provided no options. With a desire to operate within their existing home church facility and the backing of support by the Diocese of Reno, St. Clare's enlisted DOWL's professional services to help them navigate the multi-jurisdictions that regulate land use within the area. In May of 2022, Saint Clare's submitted a Temporary Use Permit application to Tahoe Regional Planning Agency (TRPA) with a request to operate their primary and secondary school for the 2022-2023 school year out of Saint Francis of Assisi located at 701 Mt. Rose Highway. The 3.2-acre parcel has been home to the Saint Francis of Assisi Church since 1969. With an approved Temporary Use Permit, Saint Clare's has been operating their school at this location with an enrollment of 40 students and seven full time staff. Anticipated enrollment for the 2023-2024 school year is 45 students. Saint Clare's wishes to support the desires of their community by continuing to offer a small-scale school with a projected capacity between 45-50 students for the foreseeable future. Saint Clare's hires highly qualified trained professionals with certifications from the Association of Montessori International which is an additional two-year training post college. They offer a rigorous academic curriculum while integrating religious education and daily worship.

Just up the street from Saint Francis, Village Church has been operating a Christian day-care/preschool for the last 20 years with an approved Special Use Permit. The church has always had a dream of having an elementary school to complement the preschool and continue faith-based education for the children in the community. When Village Church approached Washoe County to begin the process to establish the school, they were informed that St. Clare's was pursuing a code amendment for the same purpose. Village Church decided to use this opportunity to collaborate as a community and present this request to the jurisdictions on a unified front.

The Tahoe Area Plan was adopted by Washoe County on January 26, 2021, and TRPA on May 26, 2021. Per *TRPA Code of Ordinances Section 13.7.1 Memorandum of Understanding (MOU) Required*, the lead agency and TRPA are required to adopt a MOU that clearly specifies which activities within the Area Plan are delegated or exempt from TRPA review and approval and describes all procedures and responsibilities to ensure effective implementation of the Area Plan. Without an adopted MOU in place, the procedures to process a Development Code Amendment application had not been defined and there was uncertainty between TRPA and Washoe County on how to move forward. It was not until Washoe County began processing their first Tahoe Area Plan amendment request (Development Code Amendment Case WDCA22-0002) that a clear path forward was identified. Although the above referenced case number is still in progress, Washoe County and TRPA were able to provide DOWL with clear direction on the review process, and submittal requirements for a Tahoe Area Plan amendment request. Over the last year DOWL has been in continued conversations with TRPA and Washoe County, and this Development Code Amendment application is the result of the multi-jurisdictional collaboration and guidance.

Both Village Church and Saint Clare's are responding to the needs in their community to offer faith-based education. Village Church and Saint Clare's both operate as non-profits, are affiliated with formally religious entities, and they include regular forms of worship and religious instruction in curriculum. They are both

considered “religious institutions” defined by the United States Department of Justice, which includes schools where the facilities are used for both secular and religious educational activities.

This Development Code Amendment application has been submitted on behalf of Village Church and Saint Clare’s Tahoe both of which are located within the Washoe County Tahoe Area Plan and the residential regulatory zone of Wood Creek. Residential regulatory zones focus primarily on single family dwellings and are intended to provide a “broad scope” of public service to serve the residential communities. In the Wood Creek regulatory zone, day care centers/preschools are an allowed use with a Special Use Permit, however, schools are not a permitted use.

1.2 Proposed Amendment

Washoe County Development Code (WCDC) regulates allowable and permitted land uses within the unincorporated areas of Washoe County. The Washoe County Tahoe Area Plan provides the regulatory framework for development in the portion of Washoe County that is within the Tahoe Basin. The master plan land use classifications and Regulatory Zones in the Tahoe Planning Area are different from those utilized in Washoe County’s other planning areas. Per *WCDC 110.220.10 (b) Regulatory Zones*, amendments to permissible uses in the Tahoe Planning Area Regulatory Zones require a development code amendment pursuant to Article 18, *Amendment of Development Code*, of the Washoe County Development Code. In addition, any amendment regarding uses in the Tahoe Planning Area must also undergo conformity review pursuant to TRPA Code of Ordinances. Per *WCDC 110.808.05 (a) Initiation of Amendment*, any owner of real property may initiate an amendment through the application to the Planning Commission.

The applicants are proposing a Development Code Amendment to add the “Schools – kindergarten through secondary” use type as a permitted use, subject to a special use permit, on those parcels in size equal to, or greater than, three-acres within the Tahoe – Wood Creek Regulatory Zone.

1.2.1 Tahoe Area Plan

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

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

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

The Religious Land Use and Institutionalized Persons Act (RLUIPA) of 2000 is a civil rights law that protects individuals and religious assemblies and institutions from discriminatory and unduly burdensome land use regulations. RLUIPA provides protections against (a) land use regulations that impose a substantial burden on religious exercise (b) unequal treatment for religious assemblies or institutions in zoning laws (c) religious or denominational discrimination (d) exclusion of religious assemblies from a jurisdiction; and (e) unreasonable limitation of religious assemblies within a jurisdiction. An analysis of allowable uses within the Tahoe Area

Plan clearly indicates an unequal treatment of nonreligious assemblies/institutions and religious institutions. For example, “Local Assembly and Entertainment” and “Publicly Owned Assembly and Entertainment” are uses that are allowed in regulatory zones that exclude both churches and schools (**Appendix 1**). It is not apparent from the allowed uses why a church or religious institution such as a faith-based school would cause greater harm to regulatory objectives than an “assembly” that could be used for unspecified meetings.

1.2.2 Wood Creek Regulatory Zone

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

The Wood Creek Regulatory Zone includes a Special Area with two parcels. This area was established to allow public service uses on county-owned property. Additional uses allowed with a special use permit in this area include cultural facilities (permanent public or quasi-public facilities generally of a noncommercial nature, such as art exhibitions, planetariums, botanical gardens, libraries, museums, archives, and arboreta), local assembly and entertainment, and sports assembly (commercial facilities for spectator-oriented, specializes, sports assembly that do not exceed a 5,000 seating capacity, such as stadiums, arenas, and field houses).

1.2.3 Proposed Amendment Location

The applicants have proposed an acreage restriction to preserve the existing neighborhood character throughout the internal corridors of Wood Creek. The areas highlighted in yellow in **Appendix 2** show parcels equal to or greater than three acres in size within the Wood Creek regulatory zone. If the Development Code Amendment application is approved by Washoe County and TRPA, Village Church and Saint Clare’s would be required to obtain an approved special use permit to establish the school use. The special use permit process is a site-specific review of a use that requires special appraisal to determine if the uses have the potential to adversely affect other land uses, transportation systems, public facilities, or environmental resources in the vicinity. The special use permit process requires neighborhood notification, a neighborhood meeting, and a public hearing. The code amendment impacts the highlighted parcels owned by the Village Church, Saint Francis, and Washoe County. These parcels all have frontage along major corridors in the area. While the code amendment provides the acreage restriction to preserve the neighborhood character on the internal corridors of the regulatory zone, it should be noted that there are other uses and factors that can impact the character of a neighborhood, including 16 approved short term rental permits on residential lots in the Wood Creek regulatory zone and an estimated 48% vacancy rate of single-family homes in the area (American Community Survey).

1.3 Community Engagement

Notification was sent to property owners within 750ft of the proposed amendment location on May 18th, 2023. A neighborhood meeting was held on June 2nd, 2023, at Saint Francis of Assisi located in Incline Village. The purpose of the neighborhood meeting was to inform residents about the proposed Development Code Amendment application and gather community input before submitting a formal application to the county.

Twenty attendees signed the sign-in sheet. Fifteen attendees submitted comment cards. Of the comment cards received, thirteen were in support of the amendment and three were opposed. DOWL staff received three phone calls from noticed community members prior to the meeting. Of the phone calls received, one was in support of the amendment and two were opposed. A copy of the neighborhood meeting sign in sheet and comments are included in **Appendix 3**.

Public concerns voiced at the meeting included traffic, noise, parking, environmental impacts, and fire safety. DOWL staff explained that these concerns would be addressed with a site-specific evaluation upon submittal of

a special use permit. There was also a discussion about the potential negative impact to enrollment numbers in public schools. It was explained that a parent's right to direct the educational upbringing of their child is a protected constitutional right. Compulsory attendance statutes allow for attendance at private schools, religious schools, and homeschool to meet compulsory attendance requirements.

2.0 FINDINGS OF FACT

2.1 Introduction

"It is obvious that provision must be made for changing the regulations as conditions change or new conditions arise. Otherwise, zoning would be a straight-jacket and a detriment to a community instead of an asset." - *A Standard State Zoning Enabling Act, United States Department of Commerce.*

The development code amendment process provides a method of review and analysis of periodic revisions needed to establish and maintain a rational land use pattern. Revisions are an essential tool that allows jurisdictions to stay current with desirable trends in planning and development and to respond to changed conditions. The development code amendment process reviews the code amendment in its entirety for consistency with the master plan and overall purpose of the development code. Per *WCDC 110.818.15(e) Findings*: the Planning Commission must make at least one of the following findings of fact before making a recommendation to the Board of County Commissioners.

2.1.1 Consistency with Mater Plan

The proposed Development Code Amendment is in substantial compliance with the policies and action programs of the Washoe County Masterplan. It supports the following policy identified in the Public Service and Facilities Element of the Washoe County Masterplan: *PSF 7.1 Provide an adequate level of school services for Washoe County residents in response to growth in Washoe County.*

The proposed amendment is compatible with the new Tahoe Area Plan which encourages sustainable development into areas with existing development and infrastructure. The use of the already existing church facilities that remain mostly unutilized during the day supports the goals and policies of the Tahoe Area Plan.

2.1.2 Promotes the Purpose of the Development Code

The proposed Development Code Amendment will not adversely impact the public health, safety or welfare, and will promote the original purpose for the development code. Per *WCDC 110.918.10 Purpose of Development Code*, the purpose of the development codes is to (a) Promote the public health, safety, morals, convenience and general welfare; (b) Lessen traffic congestion in the streets; (c) Provide light and air for all buildings; (d) Avoid undesirable concentrations of population; (e) Prevent overcrowding of land and to facilitate adequate provision of transportation, water, sewage, schools, parks and other requirements; (f) Provide for the division of land; and (g) Promote the economic and social advantages gained from an appropriately regulated use of land resources.

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

2.1.3 Response to Changed Conditions

The proposed development code amendment responds to changed conditions or further studies that have occurred since the Development Code was adopted by the Board of County Commissioners, and the requested amendment allows for a more desirable utilization of land within the regulatory zones. The Washoe

Tahoe Local Employee Housing Needs and Opportunities study, completed in September 2021 estimates that the population increased at a faster rate in Washoe Tahoe since 2019 than in prior years. It states, “the year 2020 resulted in significant change in most high-amenity, mountain communities throughout the west, driven by the COVID-19 pandemic, with many residents’ relocating to more rural, high quality-of-life places such as Washoe Tahoe.” Not only did the pandemic increase the rate at which more people relocated to Incline Village, it also shifted the ways in which families viewed schools.

Since March 2020, public and private education has been in a space never experienced before in educational history. This pandemic, however, generated increased interest in innovation, both as a concept and a strategy to rethink what a school is, what it looks like, and how it operates. More, now than ever, parents are looking for options with school choice. An increase in educational options will help build more resilient communities.

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

2.1.4 No Adverse Affects

The proposed development code amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Masterplan.

Adoption of the proposed amendment would only amend the zoning requirements of the Tahoe Area Plan-Wood Creek regulatory zone concerning school use. Within this area, and only on parcels three acres in size or more, school use would require a discretionary special use permit approval by Washoe County and TRPA. All aspects of the Tahoe Area Plan and Washoe County Development Code not specifically affected by the proposed amendment would continue to apply throughout the plan area. As such, future projects within the plan area would be required to comply with all applicable provisions of the TRPA code and Washoe County Development Code as well as any project revisions or mitigation measures required as conditions of approval for a special use permit. Although not a required component of the Washoe County development code amendment application review, DOWL has submitted a Draft Initial Environmental Checklist report that will be required by TRPA for conformance review (**Appendix 4**).

2.2 Summary

In summary, no element of the proposed amendment interferes with the efficacy of any the elements of the Washoe County Development Code, Washoe County Master Plan, Tahoe Regional Development Code, or Tahoe Area Plan. It is clear from the description of the regulatory zoning district that school use is entirely consistent with the purpose of the regulatory zone and that no previous justification exists for prohibiting school use within the regulatory zone. On behalf of Saint Clare’s and Village Church, DOWL would like to thank both TRPA and Washoe County Planning Department staff for their continued help and guidance through the Development Code Amendment application process.

APPENDIX 1 ANALYSIS OF ALLOWABLE USES:

ZONING DISTRICTS (Chapter 18.02)														
		Public Service							Recreation					
		Day Care Center/Preschool	Schools – Pre-schools	Schools (Kindergarten	Churches	Cultural Facilities	Local Assembly and	Publicly Owned Assembly	Schools - college	Group Facilities	Sport Assembly	Day Use Areas	Participant Sports Facilities	Recreation Centers
Tourist/Mixed	Incline Village Commercial*	S	X	A	A	A	A	S	X	X	S	A	A	A
	Incline Village Tourist*	A	X	X	S	A	A	S	S	X	S	A	S	S
	Crystal Bay Tourist	A	X	X	S	S	A	S	X	X	S	A	S	X
	Ponderosa Ranch*	A	X	X	X	X	X	X	X	S	X	A	X	X
Residential	Chateau	X	X	X	X	X	X	X	X	X	X	A	S	X
	Crystal Bay	X	X	X	X	X	X	X	X	X	X	X	X	X
	Crystal Bay Condominium*	X	X	X	X	X	X	X	X	X	X	A	S	X
	Fairway*	S	X	S	S	S	X	S	X	X	S	A	S	X
	Incline Village 1	X	X	X	X	X	X	X	X	X	X	A	S	X
	Incline Village 2	X	X	X	X	X	X	X	X	X	X	A	S	X
	Incline Village 3*	S	X	X	S	X	X	X	A	X	X	A	S	X
	Incline Village 4	X	X	X	X	X	X	X	X	X	X	A	S	X
	Incline Village 5	X	X	X	X	X	X	X	X	X	X	A	S	X
	Incline Village Residential	S	A	S	S	S	X	S	X	X	S	A	S	X
	Lakeview	X	X	X	X	X	X	X	X	X	X	A	S	X
	Mill Creek	S	X	X	S		X	X	X	X	X	A	S	X
	Mt. Shadows*	X	X	X	S	X	X	X	X	X	X	A	S	X
	Stateline	X	X	X	X	X	X	X	X	X	X	A	S	X
	Tyrolian Village*	X	X	X	X	X	X	X	X	X	X	A	S	X
	Wood Creek*	S	X	X	S	S	S	X	X	X	S	A	S	X
Conservation	Marlette	X	X	X	X	X	X	X	X	X	X	S	X	X
	Martis Peak	X	X	X	X	X	X	X	X	S	X	S	X	X
	Mount Rose	X	X	X	X	X	X	X	X	X	X	X	X	X
	Tunnel Creek	X	X	X	X	X	X	X	X	X	X	S	X	X
Recreation	East Shore	X	X	X	X	S	X	S	X	S	X	A	S	X
	Incline Meadows	X	X	X	X	X	X	X	X	X	X	A	X	X
	Incline Ski	X	X	X	X	S	X	S	X	X	X	A	X	X

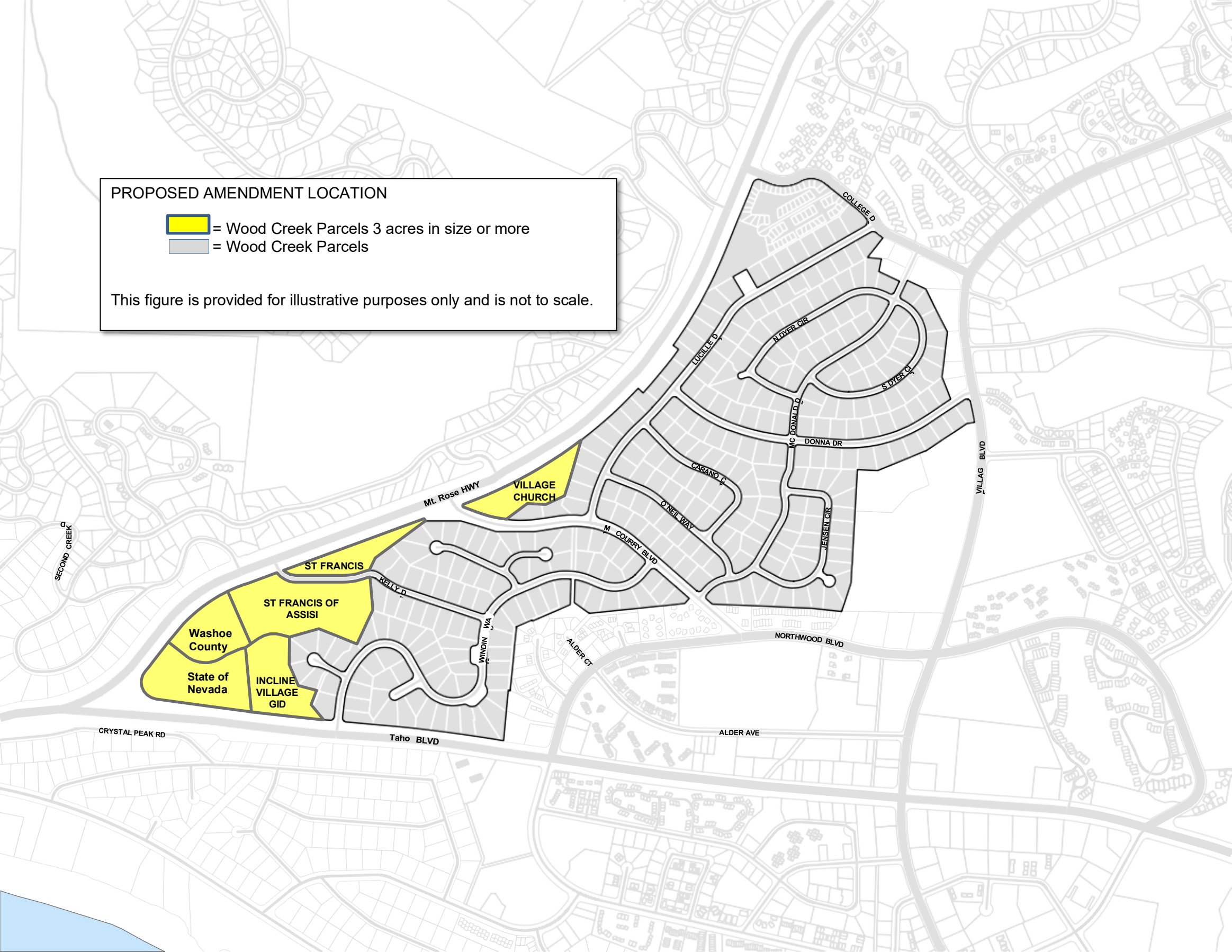
S = allowed use with a special use permit, A = allowed outright, X = not allowed
 *Regulatory areas with sub areas that may further delineate allowable uses

APPENDIX 2 PROPOSED AMENDMENT LOCATION:

PROPOSED AMENDMENT LOCATION

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

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



APPENDIX 3 NEIGHBORHOOD MEETING PACKET:

Wood Creek - Development Code Amendment

**Neighborhood Meeting
Sign-In Sheet**

Project Name: _____

Meeting Location: 701 Mount Rose Highway, Incline Village, NV 89451

Meeting Date: June 2nd, 2003

	First and Last Name (please print legibly)	Address	Email (or) Phone
1	Annelore Catanis	732 Beth Ln.	
2	Tim Gilbert	920 Michael Ct	
3	Shirley Constan	731 Beth Lane.	
4	CHAD FULKERSON	737 KELLY DR	
5	ATHENA BROCKMAN	875 NORTHWOOD	
6	Don Ferred	501 Eagle	
7	Karen Ferrell	" "	
8	Jeff Ogden	943 JENNIFER INCLINE	jogden704@gmail.com

Disclaimer: A copy of this sign-in sheet will be submitted to Washoe County Planning Division along with the project application.

	First and Last Name (please print legibly)	Address	Email (or) Phone
9	Gregory Sikorski		bullgoose@moose@gmail.com
10	Agnes Boutte		brenda.boutte@gmail.com
11	Donna Reedhouse		donna.reedhouse
12	Alan Reedhouse		@galco.com
13	Anne Payne		anne.payne@gmail.com
14	Jay McConnell		
15	Thomas Payne		tpayne82@gmail.com
16	MAYA HURDLE		
17	Natalie Lina		
18	Lorena Herrera		lorenaA@sfah.org
19	Beverly Olivares		boivaresa0210@gmail.com

Disclaimer: A copy of this sign-in sheet will be submitted to Washoe County Planning Division along with the project application.

Project Name: St. Claire's / Village Church School Neighborhood Meeting
Comment Card

Name: William Haynes

Company/Organization (if applicable): N/A

Address: 960 Mercury Ct.

.....
Comment:

St. Claire's is a unique Catholic Montessori School
that offers a different education experience that
you cannot find anywhere else in Lake Tahoe. We
are a diverse community that requires a diverse
School options.

Neighborhood Meeting
Comment Card

Project Name: Sf Claris

Name: Michael Skeehan

Company/Organization (if applicable): _____

Address: 930 Tahoe Blvd #802-88 Incline Village NV 89451

.....
Comment:

I support this amendment.

Project Name: School Zoning

Company/Organization (if applicable): _____

Address: _____

I'm really excited about this school and how it will foster a new generation in Incline Village. Please get this amendment passed!

Neighborhood Meeting
Comment Card

Project Name: _____

Name: Peter Larson

Company/Organization (if applicable): _____

Address: _____

.....
Comment:

This meeting was a productive step in
creating dialogue between the Saint Clare's and
Wood Creek communities.

Neighborhood Meeting
Comment Card

Project Name: _____

Name: Tony Shueiss

Company/Organization (if applicable): _____

Address: 1008 Galaxy Way, Indine Village

.....
Comment:

This zone change is critical to our
family's wellbeing in Nevada. If St. Clare's
goes away, our family, including our 4 kids
attending St. Clare's, will have to move out of the
area to find an educational home for our
family. St. Clare's is why we are here.

Project Name: ST. LLARE'S COE AMENDMENT

Neighborhood Meeting
Comment Card

Name: ST. LLARES PARZENT, ATHENA BROCKMAN

Company/Organization (if applicable): _____

Address: 875 NORTHWOOD BLVD. INCLINE VILLAGE

.....
Comment:

We are so thankful for the increase in
academic options in Incline Village. There
is demand across the socio-economic spectrum of
this community for alternative, flexible, dynamic
learning for kids with differing needs. We would
homeschool or move, as our goal is entrepreneurial
education for our children alongside faith-based instruction.

Project Name: St. Clare's / St. Francis

Neighborhood Meeting
Comment Card

Name: Donna Roodhose

Company/Organization (if applicable): _____

Address: _____

.....
Comment:

The availability of a faith based school is an
important option for this community. Since the
noise and/or traffic, ^{impacts} if any, can be ~~was~~ mitigated
through this process, I believe that it is a bigger
issue for the Incline Village community and
important in these times to allow an educational
option. Thank you.

Neighborhood Meeting
Comment Card

Project Name: _____

Name: Diane Kellogg

Company/Organization (if applicable): _____

Address: 552 N. Dyer Cir, Incline Vlg

.....
Comment:

I want to speak to the need for options. I am
a parent with a child that didn't fit the public
school model here in Incline. I was forced to send
my children to Reno where they flourished. They are
both College Grads. that Incline schools failed. We
need options.

Project Name: seeking SUP for St. Clare's **Neighborhood Meeting
Comment Card**

Name: Brittany Brady

Company/Organization (if applicable): _____

Address: 900 Ace Ct.

.....
Comment:

I am happy that parents can
have more options for the education
that they receive.

Project Name: ST. CLARE'S VILLAGE SCHOOL

Neighborhood Meeting
Comment Card

Name: ELAINE HAYNES

Company/Organization (if applicable): _____

Address: HOME 960 MERCURY COURT, INCLINE VILLAGE

.....
Comment:

THERE IS A SIGNIFICANT INCREASE IN YOUNG FAMILIES
AND CHILDREN IN INCLINE VILLAGE. THIS CREATES
A NEED AND DESIRE FOR INCREASED SCHOOLING OPTIONS.

Project Name: St Clare Evening

Neighborhood Meeting
Comment Card

Name: Clare Johnston

Company/Organization (if applicable): _____

Address: _____

.....
Comment:

Clare likes her new school and her favorite
activity is painting.

Neighborhood Meeting
Comment Card

Project Name: 57. Clare Zoning

Name: ROSE

Company/Organization (if applicable): _____

Address: _____

.....
Comment:

My favorite school activity is everything.

Project Name: St. Clair School

Neighborhood Meeting
Comment Card

Name: Duane Catania

Company/Organization (if applicable): _____

Address: 732 Betty Ln.

.....
Comment:

Strongly oppose re-zoning of this residential
neighborhood

Project Name: St. Clare School at St. Francis

Neighborhood Meeting
Comment Card

Name: Hannelore Catania

Company/Organization (if applicable): _____

Address: 732 Betty Ln.

.....
Comment:

As a parish member I do not support this
project. It has created great division in the
church membership. This project, also,
is causing noise complaints and
additional traffic congestion which
raises safety concerns. Strongly oppose this.

Project Name: Tahoe Wood Creek Neighborhood Meeting
Comment Card

Name: Agnes Boutte

Company/Organization (if applicable): _____

Address: 583 Rockrose Ct. I V NV 89457

Comment:

The timing of getting this code
ordinance changed in my
question. How can this school
start in fall if this process
will take longer than August.



TELEPHONE RECORD

PROJECT: Wood Creek - DCA

DATE: 5/25/2023

PROJECT NUMBER:

TIME: 10am

ORGANIZER:

SUBJECT: Neighborhood Meeting Notice

WITH: Heather Bacon

CALL INFO:

NOTES:

DOWL Staff received a call from Heather Bacon on Thursday May 25th, 2023. Ms. Bacon received a notice for the neighborhood meeting and wanted to understand what the proposal was. DOWL staff explained the proposal and Ms. Bacon stated that offering faith-based education for children made sense. She was appreciative of the explanation.



TELEPHONE RECORD

PROJECT: Wood Creek - DCA
PROJECT NUMBER:
ORGANIZER:
WITH: Kelli Perrell

DATE: 5/26/2023
TIME: 10:45am
SUBJECT: Neighborhood Meeting Notice
CALL INFO: 430 Pat Ct.

NOTES:

DOWL Staff received a call from Kelli Perrell on Friday May 26th, 2023. Ms. Perrell received a notice for the neighborhood meeting and opposes the amendment. She stated that the noise from the currently operating Village Church day-care/preschool has a negative impact. She also stated concerns that allowing alternative schools negatively impacts the public middle school by losing enrollment numbers. She is also concerned about the parking issues that currently exist on Sundays and Wednesdays during which people park on the highway. She also opposes the amendment due to traffic concerns.



TELEPHONE RECORD

PROJECT: Wood Creek - DCA

DATE: 5/31/2023

PROJECT NUMBER:

TIME: 1:00pm

ORGANIZER:

SUBJECT: Neighborhood Meeting Notice

WITH: Anonymous

CALL INFO:

NOTES:

DOWL Staff received a call from a caller who wished to remain anonymous on Wednesday May 31st, 2023. The caller received a notice for the neighborhood meeting and opposes the amendment. She stated that she had concerns that herself and the majority of her neighbors were second homeowners, and so they many do not receive mail in Incline Village and so many of them couldn't be there for the meeting.

DOWL staff explained to the caller that notices were mailed to the mailing address on file and therefore didn't have to be a local mailing address. DOWL staff also told the caller that attendance at the meeting was not required to submit a comment, and that there would be a series of other meetings and public hearings that could be attended.

Although the caller was generally supportive of private education, she opposed the amendment due to traffic concerns.

APPENDIX 4 DRAFT INITIAL ENVIRONMENTAL CHECKLIST:

INITIAL ENVIRONMENTAL CHECKLIST

Tahoe Area Plan Development Code Amendment

June 2023

Prepared for:

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

Tahoe Regional Planning
Agency
PO Box 5310
Stateline, NV 89449

Prepared by:

DOWL, LLC
5510 Longley Lane
Reno, NV 8951



Draft Initial Environmental Checklist

for the

Tahoe Area Plan Development Code Amendment

Prepared for:

Washoe County, Nevada

1001 East Ninth Street, Reno, NV 89512

and

Tahoe Regional Planning Agency

PO Box 5310, Stateline, NV 89449

Prepared By:

DOWL, LLC

5510 Longley Lane, Reno, NV 89511

June 2023

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LIST OF ABBREVIATIONS

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

1.0 INTRODUCTION

1.1 Introduction and Regulatory Guidance

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

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

1.2 Purpose of this Document

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

2.0 PROJECT DESCRIPTION

2.1 Background

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

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

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

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

2.2 Project Location

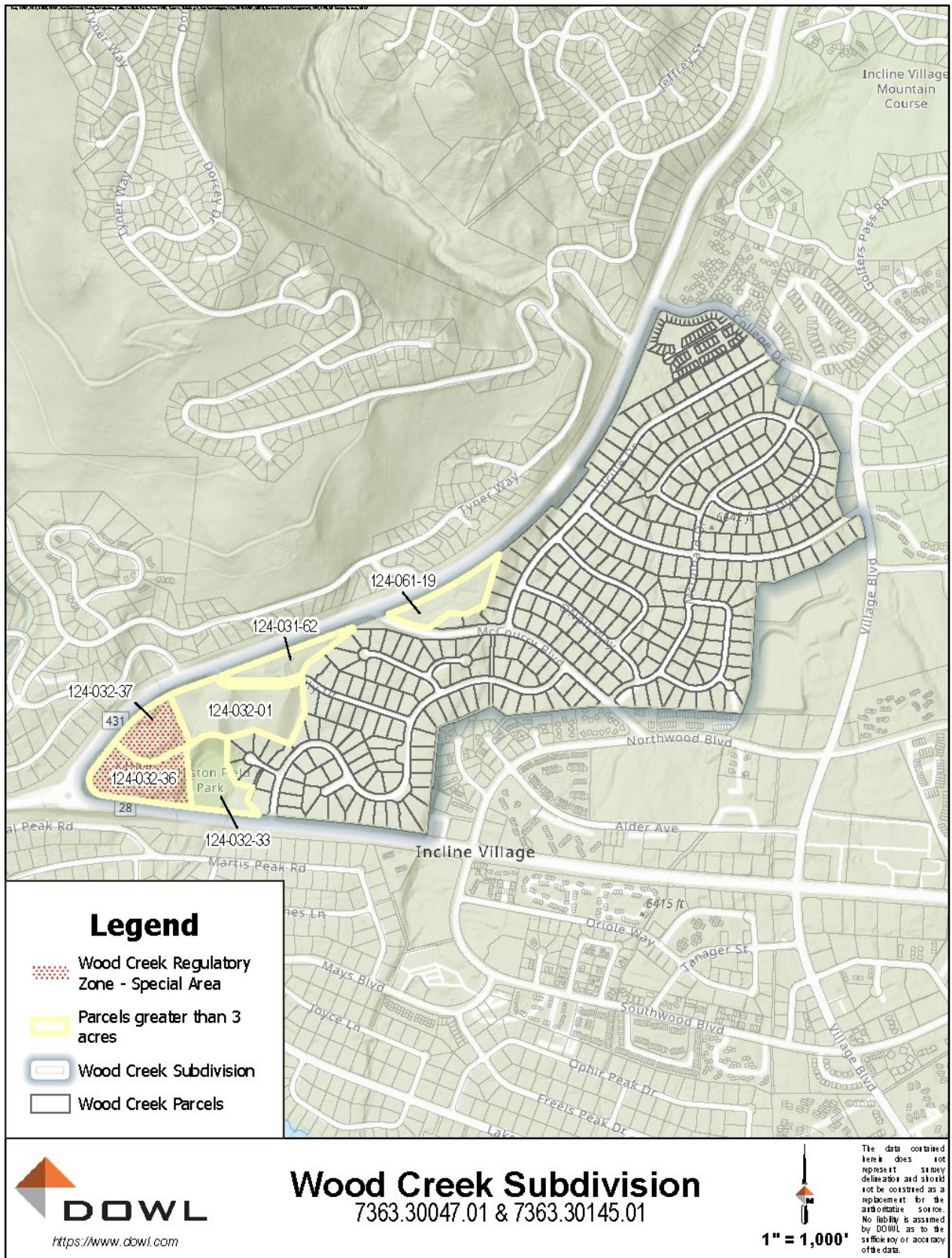
The Wood Creek Regulatory Zone is within Incline Village in Washoe County, Nevada. The Wood Creek Area is within portions of Township 16N, Range 18E. Table 1 shows the description of the location of Wood Creek Regulatory Zone.

Table 1: Project Location Description

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

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

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



2.3 Objective

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

Six (6) parcels within Wood Creek Regulatory Zone are larger than 3 acres (Table 2). Two (2) of these parcels are within the Wood Creek Regulatory Zone SA. This SA is established to allow public service uses¹ on county-owned property.

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

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

*Parcels within the Wood Creek Regulatory Zone SA

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

3.0 INITIAL ENVIRONMENTAL CHECKLIST

3.1 Environmental Effects

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

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

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

3.2 Land

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

3.2.1 Discussion

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

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

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

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

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

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

3.3 Air Quality

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

3.3.1 Discussion

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

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

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

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

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

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

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

Construction Emissions

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

Operational Emissions

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

3.4 Water Quality

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

3.4.1 Discussion

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

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

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

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

3.5 Vegetation

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

3.5.1 Discussion

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

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

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

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

3.6 Wildlife

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

3.6.1 Discussion

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

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

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

3.7 Noise

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

3.7.1 Discussion

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

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

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

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

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

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

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

3.8 Light and Glare

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

3.8.1 Discussion

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

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

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

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

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

DRAFT

3.9 Land Use

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

3.9.1 Discussion

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

3.10 Natural Resources

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

3.10.1 Discussion

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

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

3.11 Risk of Upset

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

3.11.1 Discussion

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

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

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

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

3.12 Population

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

3.12.1 Discussion

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

3.13 Housing

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

3.13.1 Discussion

No impact. The amount of housing in the Tahoe Region is limited by the number of available development rights and residential bonus units available through the TRPA growth management system, which would not be altered by the Area Plan DCA.

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

3.14 Transportation/Circulation

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

3.14.1 Discussion

No impact. The proposed Area Plan DCA would not alter any requirements related to parking standards, transportation facilities, approve waterborne transit, or be expected to increase traffic generation compared to that which could occur under the existing Area Plan. Nor will the DCA approve project-specific transportation elements that inherently would increase the potential for hazard.

The proposed Area Plan DCA would allow primary and secondary school use under a Special Use Permit on parcels larger than 3 acres in the Wood Creek Regulatory Zone. All aspects of the Regional Plan, Area Plan, and TRPA Code would continue to apply throughout the plan area.

There are no railways or airports located in the plan area, and any future waterborne transit would be subject to a project-level planning, design, and environmental review process.

Any future projects would be subject to all applicable federal, state, and local design standards. Any future facilities would be evaluated at the time the characteristics of those facilities are known to determine their effects on parking and transportation and ensure they do not result in significant impacts.

For these reasons, the proposed Area Plan DCA would have no impacts to parking, transportation, or traffic generation.

3.15 Public Services

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

3.15.1 Discussion

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

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

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

3.16 Energy

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

3.16.1 Discussion

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

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

3.17 Utilities

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

3.17.1 Discussion

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

Communication systems

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

Water Service

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

Sanitary Sewer Service

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

3.18 Human Health

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

3.18.1 Discussion

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

As with existing conditions, implementation of the proposed Area Plan DCA could result in new development and redevelopment in the plan area that could increase the number of residents and visitors in the plan area. Hazards such as wildfire, flooding, seismic hazards (e.g., earthquakes, avalanches, and seiches), and landslides have the potential to occur in the plan area: there would be no increase in exposure of people to these hazards.

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

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

3.19 Scenic Resources/Community Design

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

3.19.1 Discussion

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

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

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

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

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

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3.20 Recreation

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

3.20.1 Discussion

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

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

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

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

3.21 Archaeological/Historical

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

3.21.1 Discussion

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

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

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

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

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

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

3.22 Findings of Significance

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

3.22.1 Discussion

The proposed Area Plan DCA would not alter policies or requirements that balance short-term and long-term environmental goals.

4.0 REFERENCES

- Ascent Environmental. (2012). *Regional Plan Update Final Environmental Impact Statement*.
Ascent Environmental. (2022). *South Shore Area Plan Amendment Initial Environmental Checklist*.
TRPA. (2012). *Rules of Procedure*. Code of Ordinances.
TRPA. (2021). *Threshold Standards and Regional Plan*.
TRPA. (2021). *Washoe County Tahoe Area Plan*.
TRPA. (2022). *Code of Ordinances*.
TRPA. (n.d.). *Standard Conditions of Approval for Grading Projects*.
TRPA. (n.d.). *Standard Conditions of Approval for Residential Projects*.

5.0 REPORT PREPARERS

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