

# Tahoe Regional Planning Agency

## Area Plan Finding of Conformity Checklist

### AREA PLAN INFORMATION

Area Plan Name: Tourist Core Area Plan Amendment (Tahoe Wellness Center)  
Lead Agency: City of South Lake Tahoe  
Submitted to TRPA: June 14, 2021  
TRPA File No: N/A

### CONFORMITY REVIEW

Review Stage: Final Review  
Conformity Review Date: November 30, 2021  
TRPA Reviewer: Jennifer Self

### HEARING DATES

Lead Agency Approval: November 16, 2021  
APC: January 18, 2022  
Governing Board: January 26, 2022  
Appeal Deadline: N/A  
MOU Approval Deadline: N/A

### CHARACTERISTICS

Geographic Area and Description: Tourist Center Gateway District, Special Area #1  
Land Use Classifications: Mixed Use

Area Plan Amendment Summary: The proposed amendments affect Appendix C, Table 1: Permitted Uses by Land Use District and Table 2: List of Primary Uses and Use Definitions of the Tourist Core Area Plan as follows:

- Allow small scale manufacturing, industrial services, and wholesale and distribution land uses within the Tourist Center Gateway (TSC-G) District, Special Area #1.

- Add a provision that the subject land uses would only be allowed in connection with a retail commercial use where it will enhance the visitor experience and is limited in size to 30% of the associated retail space.
- Amend the land use definition of industrial services to better reflect the goals and intent of the TCAP.
- Add a land use definition for wholesale and distribution consistent with the goals of the TCAP.

## Conformity Checklist

		TRPA Code Section	Conformity		
			YES	NO	N/A
<b>A. Contents of Area Plans</b>					
1	<a href="#">General</a>	13.5.1	●		
2	<a href="#">Relationship to Other Code Sections</a>	13.5.2	●		
<b>B. Development and Community Design Standards</b>					
<i>Building Height</i>					
1	<a href="#">Outside of Centers</a>	13.5.3			●
2	<a href="#">Within Town Centers</a>	13.5.3			●
3	<a href="#">Within the Regional Center</a>	13.5.3			●
4	<a href="#">Within the High-Density Tourist District</a>	13.5.3			●
<i>Density</i>					
5	<a href="#">Single-Family Dwellings</a>	13.5.3			●
6	<a href="#">Multiple-Family Dwellings outside of Centers</a>	13.5.3			●
7	<a href="#">Multiple-Family Dwellings within Centers</a>	13.5.3			●
8	<a href="#">Tourist Accommodations</a>	13.5.3			●
<i>Land Coverage</i>					
9	<a href="#">Land Coverage</a>	13.5.3			●
10	<a href="#">Alternative Comprehensive Coverage Management</a>	13.5.3.B.1			●
<i>Site Design</i>					
11	<a href="#">Site Design Standards</a>	13.5.3	●		
<i>Complete Streets</i>					
12	<a href="#">Complete Streets</a>	13.5.3			●
<b>C. Alternative Development Standards and Guidelines Authorized in an Area Plan</b>					
1	<a href="#">Alternative Comprehensive Coverage Management System</a>	13.5.3.B.1			●
2	<a href="#">Alternative Parking Strategies</a>	13.5.3.B.2			●
3	<a href="#">Areawide Water Quality Treatments and Funding Mechanisms</a>	13.5.3.B.3			●
4	<a href="#">Alternative Transfer Ratios for Development Rights</a>	13.5.3.B.4			●

		TRPA Code Section	Conformity		
			YES	NO	N/A
<b>D. Development Standards and Guidelines Encouraged in Area Plans</b>					
1	<a href="#">Urban Bear Strategy</a>	13.5.3.C.1			●
2	<a href="#">Urban Forestry</a>	13.5.3.C.2			●
<b>E. Development on Resort Recreation Parcels</b>					
1	<a href="#">Development on Resort Recreation Parcels</a>	13.5.3.D			●
<b>F. Greenhouse Gas Reduction</b>					
1	<a href="#">Greenhouse Gas Reduction Strategy</a>	13.5.3.E			●
<b>G. Community Design Standards</b>					
1	<a href="#">Development in All Areas</a>	13.5.3.F.1.a			●
2	<a href="#">Development in Regional Center or Town Centers</a>	13.5.3.F.1.b			●
3	<a href="#">Building Heights</a>	13.5.3.F.2			●
4	<a href="#">Building Design</a>	13.5.3.F.3			●
5	<a href="#">Landscaping</a>	13.5.3.F.4			●
6	<a href="#">Lighting</a>	13.5.3.F.5			●
7	<a href="#">Signing – Alternative Standards</a>	13.5.3.F.6			●
8	<a href="#">Signing – General Policies</a>	13.5.3.F.6			●
<b>H. Modification to Town Center Boundaries</b>					
1	<a href="#">Modification to Town Center Boundaries</a>	13.5.3.G			●
<b>I. Conformity Review Procedures for Area Plans</b>					
1	<a href="#">Initiation of Area Planning Process by Lead Agency</a>	13.6.1	●		
2	<a href="#">Initial Approval of Area Plan by Lead Agency</a>	13.6.2	●		
3	<a href="#">Review by Advisory Planning Commission</a>	13.6.3	●		
4	<a href="#">Approval of Area Plan by TRPA</a>	13.6.4	●		
<b>J. Findings for Conformance with the Regional Plan</b>					
<i>General Review Standards for All Area Plans</i>					
1	<a href="#">Zoning Designations</a>	13.6.5.A.1	●		
2	<a href="#">Regional Plan Policies</a>	13.6.5.A.2	●		

		TRPA Code Section	Conformity		
			YES	NO	N/A
3	<a href="#">Regional Plan Land Use Map</a>	13.6.5.A.3	●		
4	<a href="#">Environmental Improvement Projects</a>	13.6.5.A.4			●
5	<a href="#">Redevelopment</a>	13.6.5.A.5	●		
6	<a href="#">Established Residential Areas</a>	13.6.5.A.6			●
7	<a href="#">Stream Environment Zones</a>	13.6.5.A.7			●
8	<a href="#">Alternative Transportation Facilities and Implementation</a>	13.6.5.A.8			●
<i>Load Reduction Plans</i>					
9	<a href="#">Load Reduction Plans</a>	13.6.5.B			●
<i>Additional Review Standards for Town Centers and the Regional Center</i>					
10	<a href="#">Building and Site Design Standards</a>	13.6.5.C.1			●
11	<a href="#">Alternative Transportation</a>	13.6.5.C.2			●
12	<a href="#">Promoting Pedestrian Activity</a>	13.6.5.C.3			●
13	<a href="#">Redevelopment Capacity</a>	13.6.5.C.4			●
14	<a href="#">Coverage Reduction and Stormwater Management</a>	13.6.5.C.5			●
15	<a href="#">Threshold Gain</a>	13.6.5.C.6	●		
<i>Additional Review Standards for the High-Density Tourist District</i>					
16	<a href="#">Building and Site Design</a>	13.6.5.D.1			●
17	<a href="#">Alternative Transportation</a>	13.6.5.D.2			●
18	<a href="#">Threshold Gains</a>	13.6.5.D.3			●
<b>K. Area Plan Amendments</b>					
1	<a href="#">Conformity Review for Amendments to an Area Plan</a>	13.6.6	●		
2	<a href="#">Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan – Notice</a>	13.6.7.A			●
3	<a href="#">Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan – Timing</a>	13.6.7.B			●
<b>L. Administration</b>					
1	<a href="#">Effect of Finding of Conformance of Area Plan</a>	13.6.8	●		

		TRPA Code Section	Conformity		
			YES	NO	N/A
2	<a href="#">Procedures for Adoption of Memorandum of Understanding</a>	13.7			●
3	<a href="#">Monitoring, Certification, and Enforcement of an Area Plan</a>	13.8			●
4	<a href="#">Appeal Procedure</a>	13.9	●		

## Conformity Review Notes

### A. CONTENTS OF AREA PLANS

**1. General**  YES  NO  N/A

*Citation* 13.5.1

*Requirement* An Area Plan shall consist of applicable policies, maps, ordinances, and any other related materials identified by the lead agency, sufficient to demonstrate that these measures, together with TRPA ordinances that remain in effect, are consistent with and conform to TRPA’s Goals and Policies and all other elements of the Regional Plan. In addition to this Section 13.5, additional specific requirements for the content of Area Plans are in subsection 13.6.5.A. The Memorandum of Understanding (MOU) that is associated with an approved Area Plan is a separate, but related, approval and is not part of the Area Plan.

*Notes* The TCAP consists of goals, policies, actions, projects, maps, ordinances, and related materials that conform to the Regional Plan. The adopted land use and zoning maps are consistent with Regional Plan Map 1, *Conceptual Regional Land Use Map*. No modifications to boundaries are proposed.

The proposed amendments make changes to only land use development standards in Appendix C of the TCAP.

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

*Citation* 13.5.2

*Requirement* This section is intended to authorize development and design standards in Area Plans that are different than otherwise required under this Code. In the event of a conflict between the requirements in this section and requirements in other parts of the Code, the requirements in this section shall apply for the purposes of developing Area Plans. Except as otherwise specified, Code provisions that apply to Plan Area Statements (Chapter 11), Community Plans (Chapter 12), and Specific and Master Plans (Chapter 14) may also be utilized in a Conforming Area Plan. If an Area Plan proposes to modify any provision that previously applied to Plan Area Statements, Community Plans, or Specific and Master Plans, the proposed revision shall be analyzed in accordance with Code Chapters 3 and 4.

**Notes** The Area Plan's development standards are included as Appendix C to the TCAP. Under the proposed amendments only permissible land uses and land use definitions would be affected. No other design standard changes are proposed.

## B. DEVELOPMENT AND COMMUNITY DESIGN STANDARDS

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

### MAXIMUM BUILDING HEIGHT

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

*Citation* 13.5.3

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

**Notes** Building heights are established in Appendix C of the TCAP. The proposed amendments make no changes to building height standards.

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

*Citation* 13.5.3

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

**Notes** Building heights are established in Appendix C of the TCAP. The proposed amendments make no changes to building height standards.

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

*Citation* 13.5.3

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

**Notes** Building heights are established in Appendix C of the TCAP. The proposed amendments do not make and changes to building height standards or boundaries to a regional center.

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

*Citation* 13.5.3

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

**Notes** Building heights are established in Appendix C of the TCAP. The proposed amendments do not make any changes to building height standards or boundaries to a high-density tourist district.

**DENSITY**

**5. Single-Family Dwellings**

YES  NO  N/A

*Citation* 13.5.3

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

*Notes* The proposed amendments do not make any changes to single-family dwelling density.

**6. Multiple-Family Dwellings outside of Centers**

YES  NO  N/A

*Citation* 13.5.3

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

*Notes* The proposed amendments do not make any changes to multiple-family dwelling density.

**7. Multiple-Family Dwellings within Centers**

YES  NO  N/A

*Citation* 13.5.3

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

*Notes* The proposed amendments do not make any changes to multiple-family dwelling density.

**8. Tourist Accommodations**

YES  NO  N/A

*Citation* 13.5.3

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

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

**LAND COVERAGE**

**9. Land Coverage**

YES  NO  N/A

*Citation* 13.5.3

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

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

**10. Alternative Comprehensive Coverage Management System**

YES  NO  N/A

*See Section C.1 of this document.*



**SITE DESIGN**

- 11. Site Design Standards**  YES  NO  N/A

*Citation* 13.5.3

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

*Notes* The development standards in Appendix C of the TCAP are functionally equivalent to the standards set forth in Section 36.5 of the TRPA Code of Ordinances.

**COMPLETE STREETS**

- 12. Complete Streets**  YES  NO  N/A

*Citation* 13.5.3

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

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

**C. ALTERNATIVE DEVELOPMENT STANDARDS AND GUIDELINES AUTHORIZED IN AREA PLANS**

- 1. Alternative Comprehensive Coverage Management System**  YES  NO  N/A

*Citation* 13.5.3.B.1

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

*Notes* The City of South Lake Tahoe has chosen not to develop an alternative comprehensive coverage management system. This is an optional component.

**2. Alternative Parking Strategies**

YES  NO  N/A

*Citation* 13.5.3.B.2

- Requirement* An Area Plan is encouraged to include shared or area-wide parking strategies to reduce land coverage and make more efficient use of land for parking and pedestrian uses. Shared parking strategies may consider and include the following:
- Reduction or relaxation of minimum parking standards;
  - Creation of maximum parking standards;
  - Shared parking;
  - In-lieu payment to meet parking requirements;
  - On-street parking;
  - Parking along major regional travel routes;
  - Creation of bicycle parking standards;
  - Free or discounted transit;
  - Deeply discounted transit passes for community residents; and
  - Paid parking management

*Notes*

The City of South Lake has chosen not to develop alternative parking strategies. This is an optional component. The existing Area Plan does include policies and standards that mirror some of the listed parking strategies.

**3. Areawide Water Quality Treatments and Funding Mechanisms**

YES  NO  N/A

*Citation* 13.5.3.B.3

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

Notes

**4. Alternative Transfer Ratios for Development Rights**

YES  NO  N/A

*Citation* 13.5.3.B.4

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

Notes

**D. DEVELOPMENT STANDARDS AND GUIDELINES ENCOURAGED IN AREA PLANS**

**1. Urban Bear Strategy**

YES  NO  N/A

*Citation* 13.5.3.C.1

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

Notes

**2. Urban Forestry**

YES  NO  N/A

*Citation* 13.5.3.C.2

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

Notes

**E. DEVELOPMENT ON RESORT RECREATION PARCELS**

**1. Development on Resort Recreation Parcels**

YES  NO  N/A

*Citation* 13.5.3.D

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

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

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

Notes No changes are proposed to resort recreation parcels.

## F. GREENHOUSE GAS REDUCTION

### 1. Greenhouse Gas Reduction Strategy

YES  NO  N/A

*Citation* 13.5.3.E

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

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

Notes Buildings constructed within the TCAP are subject to the California Building Code which already includes some of the nation’s strictest standards to reduce energy use. No changes are proposed to a GHG strategy.

## G. COMMUNITY DESIGN STANDARDS

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

### 1. Development in All Areas

YES  NO  N/A

*Citation* 13.5.3.F.1.a

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

- Existing natural features retained and incorporated into the site design;

- Building placement and design that are compatible with adjacent properties and designed in consideration of solar exposure, climate, noise, safety, fire protection, and privacy;
- Site planning that includes a drainage, infiltration, and grading plan meeting water quality standards, and
- Access, parking, and circulation that are logical, safe, and meet the requirements of the transportation element.

*Notes* Appendix C of the TCAP includes these site design standards. No changes are proposed to the standards above.

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

*Citation* 13.5.3.F.1.b

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

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

*Notes* TCAP establishes these standards in Appendix C. No changes are proposed to these standards.

**3. Building Heights**  YES  NO  N/A

*Citation* 13.5.3.F.2

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

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

4. **Building Design**  YES  NO  N/A

*Citation* 13.5.3.F.3

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

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

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

5. **Landscaping**  YES  NO  N/A

*Citation* 13.5.3.F.4

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

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

Notes No changes are proposed to these standards.

6. **Lighting**  YES  NO  N/A

*Citation* 13.5.3.F.5

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

- Exterior lighting should be minimized to protect dark sky views, yet adequate to provide for public safety, and should be consistent with the architectural design.
- Exterior lighting should utilize cutoff shields that extend below the lighting element to minimize light pollution and stray light.
- Overall levels should be compatible with the neighborhood light level. Emphasis should be placed on a few, well-placed, low-intensity lights.

- Lights should not blink, flash, or change intensity except for temporary public safety signs.

*Notes* The City exterior lighting standards apply in the TCAP. The exterior lighting standards include provisions to allow for adequate level of lighting while protecting the night time sky. No change is proposed as part of these amendments.

**7. Signing – Alternative Standards**  YES  NO  N/A

*Citation* 13.5.3.F.6

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

*Notes* The city’s substitute signage standards are used within the TCAP. No change is proposed as part of these amendments.

**8. Signing – General Policies**  YES  NO  N/A

*Citation* 13.5.3.F.6

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

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

*Notes* The city’s substitute signage standards are used within the TCAP. No change is proposed as part of these amendments.

**H. MODIFICATION TO TOWN CENTER BOUNDARIES**

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

*Citation* 13.5.3.G

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

- Boundaries of Centers shall be drawn to include only properties that are developed, unless undeveloped parcels proposed for inclusion have either at least three sides of their boundary adjacent to developed parcels (for four-

sided parcels), or 75 percent of their boundary adjacent to developed parcels (for non-four-sided parcels). For purposes of this requirement, a parcel shall be considered developed if it includes any of the following: 30 percent or more of allowed coverage already existing on site or an approved but unbuilt project that proposes to meet this coverage standard.

- Properties included in a Center shall be less than ¼ mile from existing Commercial and Public Service uses.
- Properties included in a Center shall encourage and facilitate the use of existing or planned transit stops and transit systems.

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

## I. CONFORMITY REVIEW PROCEDURES FOR AREA PLANS

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

*Citation* 13.6.1

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

Notes The City of South Lake Tahoe served as lead agency for these amendments.

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

*Citation* 13.6.2

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

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

Notes The City of South Lake Tahoe involved the public at large and interested stakeholders pursuant to state law and the California Environmental Quality Act (CEQA). Additionally, City staff worked with TRPA staff on the amendment package and environmental review.

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

*Citation* 13.6.3

*Requirement* The TRPA Advisory Planning Commission shall review the proposed Area Plan and make recommendations to the TRPA Governing Board. The commission shall



obtain and consider the recommendations and comments of the local government(s) and other responsible public agencies, as applicable. jurisdictional authority within the proposed Area Plan boundaries, and TRPA staff.

*Notes* The Area Plan is scheduled for review by the Advisory Planning Commission on January 18, 2022.

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

*Citation* 13.6.4

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

*Notes* The Area Plan will be scheduled for review by the Governing Board on January 26, 2022 after review by the Regional Plan Implementation Committee and the Advisory Planning Commission. The Governing Board will need to find the Area Plan in conformance with the Regional Plan before it takes effect.

**J. FINDINGS OF CONFORMANCE WITH THE REGIONAL PLAN**

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

**GENERAL REVIEW STANDARDS FOR ALL AREA PLANS**

**1. Zoning Designations**  YES  NO  N/A

*Citation* 13.6.5.A.1

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

*Notes* Appendix C of the TCAP identifies zoning designation, allowed land uses, and development standards for the area plan.

**2. Regional Plan Policies**  YES  NO  N/A

*Citation* 13.6.5.A.2

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

*Notes* The Area Plan contains goals and policies that are in alignment with Regional Plan policies. No changes to policies, the regional growth management system, development allocations, or coverage requirements are proposed as part of these amendments.

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

*Citation* 13.6.5.A.3

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

*Notes* The proposed zones are consistent with the Mixed-Use regional land use.

**4. Environmental Improvement Projects**  YES  NO  N/A

*Citation* 13.6.5.A.4

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

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

**5. Redevelopment**  YES  NO  N/A

*Citation* 13.6.5.A.

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

*Notes* The Area Plan promotes redevelopment within Town Centers by incorporating the incentives established in the 2012 Regional Plan Update. The Town Center is eligible for increased density, coverage, and height as a result of area plan adoption. This promotes compact development and promotes the Regional Plan's land use and transportation strategies. The amendments do not affect the area plan's redevelopment strategy.

**6. Established Residential Areas**  YES  NO  N/A

*Citation* 13.6.5.A.6

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

*Notes* No changes to residential areas are proposed as part of these amendments.

**7. Stream Environment Zones**  YES  NO  N/A

*Citation* 13.6.5.A.7

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

*Notes* No changes are proposed under the amendments.

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

*Citation* 13.6.5.A.8

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

*Notes* No changes are proposed as part of the amendments.

**LOAD REDUCTION PLANS**

**9. Load Reduction Plans**  YES  NO  N/A

*Citation* 13.6.5.B

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

*Notes* No changes are proposed as part of the amendments.

**ADDITIONAL REVIEW STANDARDS FOR TOWN CENTERS AND THE REGIONAL CENTER**

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

*Citation* 13.6.5.C.1

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

*Notes* No changes to building and site design standards are proposed as part of these amendments.

**11. Alternative Transportation**  YES  NO  N/A

*Citation* 13.6.5.C.2

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

*Notes* No changes to alternative transportation are proposed as part of these amendments.

**12. Promoting Pedestrian Activity**  YES  NO  N/A

*Citation* 13.6.5.C.3

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

*Notes* The Design Standards promote pedestrian activity through site design, building design, and transportation facility standards and guidelines. The permissible uses for these areas also promote an active, pedestrian-friendly environment. No changes to pedestrian infrastructure are proposed as part of these amendments.

**13. Redevelopment Capacity**  YES  NO  N/A

*Citation* 13.6.5.C.4

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

*Notes* The TCAP as adopted incorporates the height, density and coverage standards allowed in the Regional Plan to ensure adequate capacity for redevelopment and transfers of developments. No changes for redevelopment capacity are proposed as part of these amendments.

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

*Citation* 13.6.5.C.5

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

*Notes* No changes are proposed as part of these amendments.

**15. Threshold Gain**  YES  NO  N/A

*Citation* 13.6.5.C.6

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

*Notes* See previous responses. All development is required to adhere to the standards of the TCAP which are designed to promote threshold gains including but not limited to scenic, community design, air quality, soils and water quality. No changes to the area plan's threshold gain strategies are proposed under these amendments.

**ADDITIONAL REVIEW STANDARDS FOR THE HIGH-DENSITY TOURIST DISTRICT**

**16. Building and Site Design**  YES  NO  N/A

*Citation* 13.6.5.D.1

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

*Notes* No changes are proposed as part of these amendments.

**17. Alternative Transportation**  YES  NO  N/A

*Citation* 13.6.5.D.2

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

*Notes* No changes are proposed as part of these amendments.

**18. Threshold Gain**  YES  NO  N/A

*Citation* 13.6.5.D.3

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

necessary to achieve Threshold gain, off-site improvements may be additionally required.

Notes No changes are proposed as part of these amendments.

## K. AREA PLAN AMENDMENTS

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

*Citation* 13.6.6

*Requirement* Following approval of an Area Plan, any subsequent amendment to a plan or ordinance contained within the approved Area Plan shall be reviewed by the Advisory Planning Commission and Governing Board for conformity with the requirements of the Regional Plan. Public comment before the Governing Board shall be limited to consideration of issues raised before the Advisory Planning Commission and issues raised by the Governing Board. The Governing Board shall make the same findings as required for the conformity finding of the initial Area Plan, as provided in subsection 13.6.5; however, the scope of the APC and Governing Board's review shall be limited to determining the conformity of the specific amendment only. If the Governing Board finds that the amendment to the Area Plan does not conform to the Regional Plan, including after any changes made in response to TRPA comments, the amendment shall not become part of the approved Area Plan.

Notes The amendment to this area plan is of a narrow focus and has been reviewed by staff for conformity with the Regional Plan. The Governing Board's review will be limited to determining the conformity of the specific amendment.

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

*Citation* 13.6.7.A

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

Notes The proposed amendments were initiated by the City of South Lake Tahoe.

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

*Citation* 13.6.7.B

*Requirement* If TRPA approves an amendment to the Regional Plan that would also require amendment of an Area Plan to maintain conformity, the lead agency shall be given one year to amend the Area Plan to demonstrate conformity with the TRPA amendment. The Governing Board shall make the same findings as required for

the conformity finding of the initial Area Plan, as provided in subsection 13.6.5; however, the scope of the Governing Board’s review shall be limited to determining the conformity of only those amendments made by the lead agency to conform to the TRPA amendment. If the Governing Board finds that the other government fails to demonstrate conformity with the TRPA amendment following the one-year deadline, then the Board shall identify the policies and/or zoning provisions in the Area Plan that are inconsistent and assume lead agency authority to amend those policies and provisions.

Notes The proposed amendments were initiated by the City of South Lake Tahoe.

**L. ADMINISTRATION**

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

*Citation* 13.6.8

*Requirement* By finding that an Area Plan conforms with the Regional Plan pursuant to the requirements of this chapter and upon adoption of an MOU pursuant to Section 13.7, the Area Plan shall serve as the standards and procedures for implementation of the Regional Plan. The standards and procedures within each Area Plan shall be considered and approved individually and shall not set precedent for other Area Plans.

Notes The Governing Board found the area plan to be in conformance with the Regional Plan on November 11, 2013. These amendments will be reviewed by the Governing Board prior to going into effect. The anticipated date of review by the Governing Board is January 26, 2022.

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

*Citation* 13.7

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

Notes A memorandum of understanding delegating permitting authority is already in place. No change is necessary.

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

*Citation* 13.8

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

Notes TRPA has conducted routine monitoring, annual review, and recertification of the TCAP.

**4. Appeal Procedure**

YES  NO  N/A

*Citation* 13.9

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

*Notes*

Final decisions made by the City in accordance with the TCAP/MOU may be appealed to TRPA in accordance with Section 13. 9 of TRPA Code. No change is proposed as part of these amendments.