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Tahoe Regional Planning Agency Area Plan Finding of Conformity Checklist

AREA PLAN INFORMATION

Area Plan Name: Washoe County Tahoe Area Plan
Lead Agency: Washoe County
Submitted to TRPA: January 26, 2021
TRPA File No: N/A

CONFORMITY REVIEW

Review Stage: Final Review - After Local Adoption
Conformity Review Date: April 1, 2021
TRPA Reviewer: Michael Conger

HEARING DATES

Lead Agency Approval: January 26, 2021
APC: TBD – Anticipated May 2021
Governing Board: TBD – Anticipated May 2021
Appeal Deadline: TBD
MOU Approval Deadline: TBD

CHARACTERISTICS

Geographic Area and Description: All of Washoe County within the Tahoe Basin
Land Use Classifications: Mixed Use, Residential, Conservation, Recreation, Tourist, Backcountry, Wilderness
Alternative Development Standards: (1) **Substitute parking standards.** Contained within the Design Standards document. Applies only within the four Mixed-Use and Tourist regulatory zones. Replaces Chapter 34, *Driveway and Parking Standards*.

- (2) **Substitute signage standards.** Contained within the Design Standards document. Applies only within the four Mixed-Use and Tourist regulatory zones. Replaces Chapter 38, *Signs*.
- (3) **Substitute design standards.** Contained within the Design Standards document. Applies only within the four Mixed-Use and Tourist regulatory zones. Replaces Chapter 36, *Design Standards*.
- (4) **A substitute density standard** for nursing/personal care and residential care uses. The standard would allow 40 (rather than 25) persons per acre in Town Centers. Replaces the applicable standard within Subsection 31.3.2, *Table of Maximum Densities*.

Conformity Checklist

| | | TRPA Code Section | Conformity | | |
|--|---|-------------------|------------|----|-----|
| | | | YES | NO | N/A |
| A. Contents of Area Plans | | | | | |
| 1 | General | 13.5.1 | ● | | |
| 2 | Relationship to Other Code Sections | 13.5.2 | ● | | |
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| <i>Building Height</i> | | | | | |
| 1 | Outside of Centers | 13.5.3 | ● | | |
| 2 | Within Town Centers | 13.5.3 | ● | | |
| 3 | Within the Regional Center | 13.5.3 | | | ● |
| 4 | Within the High-Density Tourist District | 13.5.3 | | | ● |
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| 5 | Single-Family Dwellings | 13.5.3 | ● | | |
| 6 | Multiple-Family Dwellings outside of Centers | 13.5.3 | ● | | |
| 7 | Multiple-Family Dwellings within Centers | 13.5.3 | ● | | |
| 8 | Tourist Accommodations | 13.5.3 | ● | | |
| <i>Land Coverage</i> | | | | | |
| 9 | Land Coverage | 13.5.3 | ● | | |
| 10 | Alternative Comprehensive Coverage Management | 13.5.3.B.1 | | | ● |

| | | TRPA Code Section | Conformity | | |
|---|--|-------------------|------------|----|-----|
| | | | YES | NO | N/A |
| <i>Site Design</i> | | | | | |
| 11 | Site Design Standards | 13.5.3 | ● | | |
| <i>Complete Streets</i> | | | | | |
| 12 | Complete Streets | 13.5.3 | ● | | |
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| 2 | Alternative Parking Strategies | 13.5.3.B.2 | | | ● |
| 3 | Areawide Water Quality Treatments and Funding Mechanisms | 13.5.3.B.3 | | | ● |
| 4 | Alternative Transfer Ratios for Development Rights | 13.5.3.B.4 | | | ● |
| D. Development Standards and Guidelines Encouraged in Area Plans | | | | | |
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| 2 | Urban Forestry | 13.5.3.C.2 | | | ● |
| E. Development on Resort Recreation Parcels | | | | | |
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| 2 | Development in Regional Center or Town Centers | 13.5.3.F.1.b | ● | | |
| 3 | Building Heights | 13.5.3.F.2 | ● | | |
| 4 | Building Design | 13.5.3.F.3 | ● | | |
| 5 | Landscaping | 13.5.3.F.4 | ● | | |
| 6 | Lighting | 13.5.3.F.5 | ● | | |
| 7 | Signing – Alternative Standards | 13.5.3.F.6 | ● | | |
| 8 | Signing – General Policies | 13.5.3.F.6 | ● | | |

| | | TRPA Code Section | Conformity | | |
|---|--|-------------------|------------|----|-----|
| | | | YES | NO | N/A |
| H. Modification to Town Center Boundaries | | | | | |
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| 2 | Initial Approval of Area Plan by Lead Agency | 13.6.2 | TBD | | |
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| 4 | Approval of Area Plan by TRPA | 13.6.4 | TBD | | |
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| 5 | Redevelopment | 13.6.5.A.5 | ● | | |
| 6 | Established Residential Areas | 13.6.5.A.6 | ● | | |
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| 12 | Promoting Pedestrian Activity | 13.6.5.C.3 | ● | | |
| 13 | Redevelopment Capacity | 13.6.5.C.4 | ● | | |
| 14 | Coverage Reduction and Stormwater Management | 13.6.5.C.5 | ● | | |
| 15 | Threshold Gain | 13.6.5.C.6 | ● | | |

| | | TRPA Code Section | Conformity | | |
|--|--|-------------------|------------|----|-----|
| | | | YES | NO | N/A |
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| L. Administration | | | | | |
| 1 | Effect of Finding of Conformance of Area Plan | 13.6.8 | TBD | | |
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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 Washoe County Tahoe Area Plan consists of goals, policies, actions, projects, maps, ordinances, and related materials that conform to the Regional Plan. The proposed land use and zoning maps are consistent with Regional Plan Map 1, *Conceptual Regional Land Use Map*. No modifications to Town Center boundaries are proposed.

The Area Plan largely carries through existing policies from the Community Plans and Plan Area Statements. TRPA staff has reviewed proposed policy additions, modifications, consolidations, and deletions and determined that they are consistent with the Regional Plan.

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 will be located in Chapter 110, Article 220 of the Washoe County Code, which is commonly referred to as the “Tahoe Modifiers.” The Tahoe Modifiers are also included in Appendix A of the Area Plan.

As proposed, the Tahoe Modifiers comply with the TRPA Code of Ordinances. Substitute standards are proposed for design, signage, and parking within the Mixed-Use and Tourist regulatory zones and are contained in Appendix B, Design Standards and Guidelines (to be adopted as Article 220.1). An additional substitute standard is proposed to allow increased density for nursing/personal care and residential care uses within a Town Center.

The Tahoe Modifiers refer to the TRPA Code for regulatory language where needed.

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 Section 110.220.50 of the Washoe County Development Code refers to TRPA Chapter 37 for height limitations outside of Town Centers.

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 within Town Centers are established in Section 110.220.35 of the Washoe County Code. The maximum height is 56 feet. Greenhouse gas reduction standards must be met to qualify for the additional height.

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 The Regional Center is not located in Washoe County.

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 The High-Density Tourist District is not located in Washoe County.

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 Consistent with TRPA Code Section 31.3, single family dwelling density in Washoe County is limited to one residence per parcel, plus one accessory residence where allowed. Under TRPA Code Chapter 21, an accessory residence may be developed only on parcels of an acre or more in size. Density limitations for residential regulatory zones are established in Sections 110.220.175 through 335 in the Washoe County Development Code. These standards adhere to TRPA Chapter 21 and 31 standards.

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 Consistent with TRPA Code Section 31.3, multiple-family dwelling density is limited to 15 units per acre outside of the Town Centers. Density limitations for residential regulatory zones are established in Sections 110.220.175 through 335 of the Washoe County Development Code. Outside of Town Centers, multiple family dwellings are only allowed in the following regulatory zones at the listed densities:

- Incline Village Tourist 15 u/ac
- Incline Village 3.....Per subdivision map

- Incline Village 4.....Per subdivision map
- Incline Village Residential.....15 u/ac
- Crystal Bay Condominiums (Special Area)4 u/ac
- Fairway (Special Area)15 u/ac
- Mt. Shadows.....15 u/ac

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 Washoe County Code Section 110.220.35 establishes a minimum density of 15 units per acre and a maximum density of 25 units per acre for residential development within Town Centers.

The Development Code proposes establishing an alternative maximum density standard for residential care and nursing and personal care uses that are focused on memory care. This would allow up to 40 persons per acre, rather than the normal maximum (TRPA Code Chapter 31) of 25 persons per acre.

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 Washoe County Development Code would establish a maximum density for tourist accommodation units of 40 units per acre for hotel/motel units and timeshare units within the Town Centers. This density would apply regardless of how many units have kitchens. Tourist accommodation densities in Town Centers are established in Sections 110.220.135 through 165.

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 Section 110.220.20, Subsection 6 refers to TRPA Code Chapter 30 for land coverage compliance requirements.

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 Washoe County Code Section 110.220.40, Subsection 4, conform with the standards in TRPA Code Section 36.5.

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 Area Plan proposes a comprehensive network of Class I multi-use trail projects and Class II bike lane projects (see Chapter 3). The Design Standards and Guidelines (Appendix B, Chapters 1 and 12) establish road improvement requirements for new development in mixed-use and tourist regulatory zones.

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 Washoe County 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

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

- **Action T-5: *Parking Management Plan*** – The county will work with TRPA and the local transportation management association to develop a parking management plan.
- **Policy T6-4: *Maximum Parking*** – Parking lots in the Crystal Bay Tourist and Incline Village Tourist regulatory zones shall include no more than the minimum number of required parking spaces.
- **Design Standards, Appendix A: *Parking Demand Table*** – Maximum parking is established by multiplying the minimum number by 1.1.

Additionally, TART presently operates fare-free transit in the planning area.

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 Washoe County has chosen not to develop an areawide water quality program. This is an optional component. Each parcel will be responsible for meeting applicable water quality standards with on-site improvements.

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 There are no Stream Restoration Plan Areas within Washoe County.

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 Section 110.220.115 of the Washoe County Development Code requires compliance with the most current Washoe County Urban Bear Strategy and other relevant regulations. The County's bear strategy relies on regulations, education, and outreach through the Washoe County Health District. Incline Village General Improvement District also has regulations that address solid waste disposal.

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 Washoe County has chosen not to develop an urban forestry strategy at this time. This is an optional component. The County does propose to develop an urban forestry strategy in the future (Chapter 4, Action C-5).

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 There are no Resort Recreation designated parcels within Washoe County.

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 Washoe County’s greenhouse gas reduction strategy is outlined in Washoe County Code Section 110.220.415. The strategy includes two elements: development standards and incentives.

First, standards would require that any new public buildings meet an industry-recognized sustainable building construction standard, such as LEED. This standard would also apply to

development seeking CFA allocations outside of a Town Center and projects within the Town Center that seek to qualify for additional height pursuant to Section 110.220.35.

The second element is an incentive program, where the County will waive allocation fees for new developments that voluntarily meet the industry recognized sustainability standards. Additionally, development within Town Centers would need to meet the greenhouse gas reduction requirement in order to qualify for additional height (Section 110.220.35).

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 Washoe County Code Section 110.220.40 establishes areawide design standards. The first two standards are addressed in Subsections 1 and 9, respectively. The third and fourth standards are addressed in Subsections 6 and 8 by referring to TRPA Code Chapter 33 (Grading and Construction) and Chapter 34 (Driveway and Parking Standards). Within the four designated mixed-use and tourist regulatory zones, the Design Standards in Appendix B apply in lieu of Chapter 34.

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 The proposed Area Plan establishes building height standards for the Town Centers in Development Code Section 110.220.35(1) and (2). Additionally, the Design Standards and Guidelines (Appendix B) provide site design, building design, circulation, and parking standards that promote pedestrian activity and preserve natural areas within Town Centers.

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 The Area Plan relies on TRPA Code Chapter 37 to establish height requirements outside of Town Centers. Within Town Centers, height requirements are established in Section 110.220.35(1) and (2). These standards establish a height limit of 56 feet, which is consistent with Table 13.5.3-1. Additionally, they provide for transitional height for properties at the edge of the Town Centers.

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 The first three standards are addressed in Washoe County Code Section 110.220.40, Subsection 9. The last standard is addressed through the Design Standards and Guidelines (Appendix B).

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 These standards are addressed in Washoe County Code Section 110.220.40, Subsection 9.

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 proposed Area Plan refers to TRPA Code Chapter 36 for exterior lighting standards outside of the four designated mixed-use and tourist regulatory zones (Washoe County Code Section 110.220.40, Subsection 8). Within the mixed-use and tourist regulatory zones, the lighting standards in the Design Standards and Guidelines (Appendix B, Chapter 7) would instead apply. These standards are consistent with the requirements in TRPA Code Subparagraph 13.5.3.F.5.

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 Area Plan proposes to include alternative signage standards in the Design Standards document. These alternative standards would apply only within mixed-use and tourist regulatory zones. The standards are largely equivalent with the standards in TRPA Code of Ordinances Chapter 36. Application of the alternative sign standards should help to mitigate scenic impacts and improve aesthetics along scenic roadway units.

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 Substitute signage standards are proposed for mixed-use and tourist areas in the Design Standards (Appendix B, Chapter 7). Outside of these areas, the Washoe County Code refers to TRPA Code of Ordinances Chapter 38 for signage standards (Washoe County Code Section 110.220.40, Subsection 8). Chapter 38 standards exceed the above requirements.

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 Area Plan does 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 Washoe County, a local government, is serving as the lead agency for this Area Plan.

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 Washoe County Planning Commission approved the Area Plan, Development Code, and Regulatory Zones at its February 4, 2020 meeting. The Board of County Commissioners completed their approvals on March 10, 2020 and January 26, 2021.

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 will be scheduled for review by the Advisory Planning Commission upon completion of the local approval process.

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 after local adoption and review by 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 The 23 existing Plan Area Statements and four existing Community Plans covering Washoe County have been carried over as 27 new regulatory zones. The Washoe County Development Code establishes permissible uses, density, and development standards in each of the regulatory zones.

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 largely in alignment with Regional Plan policies.

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 regulatory zones / districts are consistent with the Regional Plan land use map. Each zone corresponds with an established Regional Plan land use category.

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 listed in Chapter 7.

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. Under the Area Plan, the three Town Centers in Washoe County will now be eligible for increased density, coverage, and height. This promotes compact development and aligns with the Regional Plan's land use and transportation strategies. Additionally, the proposal considers addition of new permissible uses to the Incline Village Commercial and Ponderosa Ranch regulatory zones to help broaden the range of uses.

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 The Area Plan largely retains all existing use, density, and development standards for residential regulatory zones.

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 The proposed Area Plan's overall approach is to incentivize redevelopment in existing Town Centers and to carry through existing protections of residential and conservation areas. Existing restrictions in the TRPA Code of Ordinances on development within Stream Environment Zones (SEZs) would continue to apply. The transfer of development rights

program further helps to encourage restoration of development in SEZs and transferring of those rights onto high-capability Town Center lands.

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

Proposed transportation facilities are shown in the Transportation Map at the end of Chapter 3. They are also listed on the project list in Chapter 3. Completion of these projects would result in a comprehensive 9.65-mile trail multi-use network throughout the community. It would also establish mobility hubs at Incline Village (proposed for the old elementary school) and South Incline (near Ponderosa Ranch). Additional mobility hubs would be established at Spooner Summit and Mount Rose to intercept visitors from out of the basin. The plan identifies transit service improvements in alignment with the Transit Master Plan, which largely relies on the mobility hub concept.

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

As proposed, the area plan is consistent with Washoe County's Sediment Load Reduction Plan (SLRP). Chapter 4 of the area plan lists proposed water quality projects. In alignment with the SLRP, these projects focus on catchment areas that are targeted for sediment load reduction. Additionally, the county's program largely focuses on prioritizing installation of BMPs on private parcels.

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

The Design Standards proposed as part of the Area Plan address building and site design in the area's four mixed-use and tourist regulatory zones. The standards largely implement the vision established in the Area Plan for these regulatory zones. The vision is one of mixed-use pedestrian-oriented town centers and creating a regional resort atmosphere at the Crystal Bay Tourist regulatory zone.

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 Please see the discussion in Section J.8, *Alternative Transportation Facilities and Implementation*, above.

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 that apply to the mixed-use and tourist regulatory zones, which include the three Town Centers, 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.

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 Area Plan considers existing, banked, and additional development rights in the Area Plan. Presently, additional Commercial Floor Area (CFA) allocations are only available in the Ponderosa Ranch regulatory zone (8,000 sqft) and outside of Community Plans (2,000 sqft). In order to ensure adequate commodities are available to promote Town Center development, Washoe County proposes to merge the existing five development rights pools into a single countywide pool. This would make Town Centers eligible to use these allocations.

As only 10,000 square feet of additional CFA is available, redevelopment will largely need to rely on other sources for development rights. These can include a combination of the following:

- Reuse of development rights that are already on the site.
- Transfer of development rights from another site, with the potential for bonus rights.
- Conversion of development rights (e.g. converting a TAU into 300 square feet of CFA).

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 The proposed Area Plan includes general policies that promote coverage reduction and stormwater improvements. Additionally, a standard in Washoe County Code Section 110.220.40, Subsection 3, requires coverage reduction as part of any project on sites with over 70 percent existing coverage.

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 The proposed Area Plan's overall strategy of redirecting development towards Town Centers and preserving the character of residential and conservation areas is consistent with the Regional Plan's approach to meeting and maintaining threshold standards. The Regional Plan relies heavily on the development and implementation of area plans in order to incentivize environmentally beneficial redevelopment. As projects redevelop, they will be required to comply with current design and BMP standards. This would result in direct improvements to scenic quality and water quality.

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 The High-Density Tourist Core District is not located in Washoe County.

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 The High-Density Tourist Core District is not located in Washoe County.

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 The High-Density Tourist Core District is not located in Washoe County.

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 Washoe County Tahoe Area Plan is a new Area Plan, rather than an amendment to an existing Area Plan.

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 Area Plan is being reviewed for conformity with the Regional Plan in its current form. Future amendments to the Regional Plan may necessitate modifications to the Area Plan.

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 Area Plan is being reviewed for conformity with the Regional Plan in its current form. Future amendments to the Regional Plan may necessitate modifications to the Area Plan.

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 has not yet found the Area Plan to be in conformance with the Regional Plan.

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 The memorandum of understanding has not yet been developed.

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 Once found to be in conformance with the Regional Plan, TRPA will conduct monitoring, certification, and enforcement of the Area Plan pursuant to Code Section 13.8

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 Appeals are addressed in Washoe County Code Section 110.220.435.