

EXHIBIT A

Bi-State Recommendation

High Density Tourist District: Maximum Height

The group agreed upon the following definition for maximum height in the high density tourist district:

A maximum of 197 feet of building height may be permitted within the high density tourist district, limited to replacement structures, provided, the structures to be demolished and replaced are an existing casino hotel, with existing structures of at least eight stories, or 85 feet of height as measured from the lowest point of natural grade.

Community Character

I. Community Design

The group recommends the following community design standards (reference 13.5.3 D 1.):

Area Plans that include the Regional Center or Town Centers shall address the following design standards:

- a. Existing or planned pedestrian and bicycle facilities shall connect properties within Centers to transit stops and the Regional Bicycle and Pedestrian network.*
- b. Area Plans shall encourage the protection of views of Lake Tahoe.*
- c. Within town and regional centers, building height and density should be varied with some buildings smaller and less dense than others.*
- d. 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.*
- e. 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.*

The group also recommends the following language as an addition to the community design standards (reference the addition of an E. to 13.5.3):

Town Center, Regional Center and High Density Tourist District Boundaries

When Area Plans propose modifications to the boundaries of a Town Center, Regional Center, or High Density Tourist District, the modification shall comply with the following:

- a. Boundaries of centers shall be drawn to include only properties that have been developed. Any undeveloped parcels that are included in Centers shall have at least three sides adjacent to developed parcels.*
- b. Properties included in a Center shall be less than 1/4 mile from existing Commercial and Public Service uses.*
- c. Properties included in a Center shall encourage and facilitate the use of existing or planned transit stops and transit systems.*

The group further recommends that (reference CD2.1B.1) TAUs and affordable housing be deleted; that a footnote (reference Table 13.5.3-1 [2]) be deleted that reads: *"Except Area Plans may identify higher-density areas adjacent to town centers, regional centers, and the High-Density Tourist District and in other areas permitted by the Regional Plan"*; and that a statement be included that *"Community Plans outside of Town Centers shall not be eligible for additional height and density."*

II. Level of Service

The group recommends language (to replace the final bullet in T-10.7) to read:

These vehicle LOS (Level of Service) standards may be exceeded when provisions for multi-modal amenities and/or services (such as transit, bicycling and walking facilities) are adequate to provide mobility for users at a level that is proportional to the project generated traffic in relation to overall traffic conditions on affected roadways.

EXHIBIT B

TRPA Draft Regional Plan and Draft Code of Ordinances Language

Full length documents can be found at the TRPA website:

http://www.trpa.org/documents/rp_update/DEIS/2_Regional_Plan_Goals_&Policies_Tracked.pdf

http://www.trpa.org/documents/rp_update/Code_Update/Phase2/2_Draft_Code_Tracked.pdf

1. Building Height, Density and Community Design

Draft Plan

Community Design Goal #2

GOAL CD-2

REGIONAL BUILDING AND COMMUNITY DESIGN CRITERIA SHALL BE ESTABLISHED TO ENSURE ATTAINMENT OF THE SCENIC THRESHOLDS, MAINTENANCE OF DESIRED COMMUNITY CHARACTER, COMPATIBILITY OF LAND USES, AND COORDINATED PROJECT REVIEW.

The intent of the criteria is that they be regional in nature yet specific enough to ensure that the Agency meets the mandate of specific thresholds and other policy requirements of this pPlan as they relate to site planning. The concept is that a design review document is the focal point for implementing many other pPlan policies relating to transportation, noise, water quality, air quality, scenic and aesthetic considerations, etc.

POLICIES

~~CD-2.14~~ **TO BE FOUND IN CONFORMANCE WITH THE REGIONAL PLAN, AREA PLANS SHALL REQUIRE THAT ALL PROJECTS COMPLY WITH THE FOLLOWING DESIGN REQUIREMENTS. AREA PLANS MAY ALSO INCLUDE REGIONAL DESIGN REVIEW SHALL INCLUDE THE FOLLOWING TO BE USED IN EVALUATING PROJECTS THROUGHOUT THE REGION. THIS REVIEW MAY ENTAIL ADDITIONAL OR SUBSTITUTION REQUIREMENTS OR SPECIAL REQUIREMENTS NOT LISTED BELOW THAT PROMOTE THRESHOLD ATTAINMENT.**

- A. *Site Design:* All new development shall consider site design which includes, at a minimum:
 - 1) Existing natural features to be retained and incorporated into the site design.
 - 2) Building placement and design to be compatible with adjacent properties and consideration of solar exposure, climate, noise, safety, fire protection, and privacy.
 - 3) Site planning to include a drainage, infiltration, and grading plan meeting **BMP water quality** standards.
 - 4) Access, parking, and circulation to be logical, safe, and meet the requirements of the transportation element.

- B. *Building ~~Design~~ **Height, Bulk and Scale**:* Standards shall be adopted to ensure attractive and compatible development. The following shall be considered:

- 1) Outside town centers, building height shall be limited to two stories (24 -42 feet). Within town centers, building height may be allowed up to four stories (56 feet) as part of an Area Plan that has been found in conformance with the Regional Plan. Within regional centers, building height may be allowed up to six stories (95 feet) as part of an Area Plan that has been found in conformance with the Regional Plan. Within the High Density Tourist District, building height may be allowed up to 197 feet as part of an Area Plan that has been found in conformance with the Regional Plan. ~~except that~~ Subject to TRPA approval pursuant to TRPA Code or an approved conforming Area Plan, provisions for additional height requirements ~~may~~ shall be provided for unique situations such as lighting towers, ski towers, buildings within Ski Area Master Plans, steep sites, ~~redevelopment projects and~~ tourist accommodation facilities, affordable housing, and essential public safety facilities.
- 2) 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.
- 3) Buffer requirements ~~should~~ shall be established for noise, snow removal, aesthetic, and environmental purposes.
- 4) The scale of structures should be ~~compatible~~ consistent with existing and planned Land Uses in the area surrounding uses.
- 5) Viewshed should be considered in all new construction. Emphasis should be placed on lake views from major transportation corridors.
- 6) 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.
- 7) Area Plans shall include design standards for building design and form. Within town centers, regional centers and the High Density Tourist District, building design and form standards shall promote pedestrian activity.

C. Landscaping: The following should be considered with respect to this design component of a project:

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

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

- 1) Exterior lighting should be minimized to protect dark sky views, yet adequate to provide for public safety ~~with an emphasis on safety~~ and should be consistent with the architectural design.
- 2) Exterior lighting should utilize cutoff shields that extend below the lighting element to minimize light pollution and stray light.
- 3) Overall levels should be compatible with the neighborhood light level. Emphasis should be placed on a few, well placed, low intensity lights.
- 4) Lights should not blink, flash, or change intensity except for temporary public safety signs.

E. *Signing:*

Area Plans may include alternative sign standards. For Area Plans to be found in conformance with the Regional Plan, the Area Plan must 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.

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

- 1) Off premise signs ~~are~~ should generally be prohibited; way-finding and directional signage may be considered where scenic impacts are minimized and mitigated.
- 2) Signs should be incorporated into building design
- 3) When possible, signs should be consolidated into clusters to avoid clutter
- 4) Signage should be attached to buildings when possible
- 5) 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.

Draft Code

Portions of Code Section 13.5.3 (Development and Community Design Standards for Area Plans)

13.5.3 Development and Community Design Standards for Area Plans

A. Minimum Development Standards

Area Plans shall have development standards that are consistent with those in the table below.

TABLE 33.9.3-1: MINIMUM DEVELOPMENT STANDARDS FOR AREA PLANS

<u>Regional Land Use Districts</u>	<u>Wilderness</u>	<u>Backcountry</u>	<u>Conservation</u>	<u>Recreation</u>	<u>Residential</u>	<u>Mixed-Use</u>	<u>Tourist</u>	<u>Town Center Overlay</u>	<u>Regional Center Overlay</u>	<u>High-Density Tourist District Overlay</u>
<u>Height</u>	N/A	Sec. 37.4				Sec. 37.4	Sec. 37.4	Up to 4 stories (56 ft) max. [1]	Up to 6 stories (95 ft) max. [1]	Up to 197' max. [1]
<u>Density SFD</u>	Sec. 31.3									
<u>Density MFD</u>	N/A	Sec. 31.3			[2] Sec. 31.3		With adoption of an Area Plan: - Residential: 25 units/acre (max.) - Tourist: 40 units/acre (max.)			
<u>Land Coverage</u>	Sec. 30.4 or Alternative Comprehensive Coverage Management System [See 1.1.1.B.1]									
<u>Complete Streets</u>	Sec. 36.5							[3]		
<p>[1] With adoption of an Area Plan, including special provisions to ensure compatibility with adjacent uses and viewshed protection.</p> <p>[2] Except Area Plans may identify higher-density areas adjacent to town centers, regional centers, and the High-Density Tourist District and in other areas permitted by the Regional Plan.</p> <p>[3] Plan for sidewalks, trails, and other pedestrian amenities providing safe and convenient non-motorized circulation within the town center, regional center, High-Density Tourist District, as applicable, and incorporating the Regional Bike and Pedestrian Plan.</p>										

B. Alternative Development Standards and Guidelines Authorized in Area Plans

1. Alternative Comprehensive Coverage Management Systems

Note: Addressed Separately In Issue Sheet #5 (Coverage)

2. Alternative Parking Strategies

Shared or area-wide parking strategies are encouraged in Area Plans 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:

a. Reduction or relaxation of minimum parking standards;

b. Creation of maximum parking standards;

c. Shared parking;

d. In-lieu payment to meet parking requirements;

- e. On-street parking;
- f. Parking along major regional travel routes;
- g. Creation of bicycle parking standards;
- h. Free or discounted transit;
- i. Deeply discounted transit passes for community residents; and
- j. Paid parking management.

3. Area-wide Water Quality Treatments and Funding Mechanisms
Note: Addressed separately in Issue Sheet #8 (Water Management)

4. Alternative Transfer Ratios for Development Rights
Note: Addressed separately in Issue Sheet #2 (Development Allocations and Transfers).

C. Development Standards and Guidelines Encouraged in Area Plans

1. Urban Bear Strategy

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.

2. Urban Forestry

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

3. Development and Subdivision of Tourist, Commercial, and Residential Uses

Note: Addressed separately in Issue Sheet #4 (Recreation Areas and Uses).

D. 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. Site Design

All new development shall consider site design that includes, at a minimum:

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

2. Building Height

- a. Area Plans may allow building heights up to the maximum limits in Table 13.5.3-1 above.
- b. 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.
- c. 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.

3. Building Design

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

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

4. Landscaping

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

- a. Native vegetation should be utilized whenever possible, consistent with Fire Defensible Space Requirements.
- b. Vegetation should be used to screen parking, alleviate long strips of parking space, and accommodate stormwater runoff where feasible.
- c. 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.

5. Lighting

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

- a. 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.
- b. Exterior lighting should utilize cutoff shields that extend below the lighting element to minimize light pollution and stray light.

- c. Overall levels should be compatible with the neighborhood light level. Emphasis should be placed on a few, well-placed, low-intensity lights.
- d. Lights should not blink, flash, or change intensity except for temporary public safety signs.

6. Signing

- a. 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.
- b. In the absence of a conforming Area Plan that addresses sign standards, the following policies apply, along with implementing ordinances:
 - (i) Off-premise signs should generally be prohibited; way-finding and directional signage may be considered where scenic impacts are minimized and mitigated;
 - (ii) Signs should be incorporated into building design;
 - (iii) When possible, signs should be consolidated into clusters to avoid clutter;
 - (iv) Signage should be attached to buildings when possible; and
 - (v) 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.

2. Roadway Levels of Service

Draft Plan (Transportation Policy T-10.7)

T-10.7F *Level of service (LOS) criteria for the Region's highway system and signalized intersections during peak periods shall be:*

- ♦ Level of service "C" on rural recreational/scenic roads.*
- ♦ Level of service "D" on rural developed area roads.*
- ♦ Level of service "D" on urban developed area roads.*
- ♦ Level of service "D" for signalized intersections.*
- ♦ Level of service "E" may be acceptable during peak periods in urban areas, not to exceed four hours per day.*
- ♦ These vehicle LOS standards may be exceeded when provisions for multi-modal amenities and/or services (such as transit, bicycling, and walking facilities) are adequate to provide mobility for users.*

Draft Code (None Referenced)

TRPA Issue Sheet #3 – Community Character

EXHIBIT C

DRAFT Environmental Impact Statement (DEIS) Mitigation Measures

Full length DEIS can be found at the TRPA website: <http://www.trpa.org/default.aspx?tabindex=0&tabid=422>

Mitigation Measure 3.9-1a:

Comply with Specific Findings and Performance Standards for Additional Building Height.

To mitigate for potentially significant scenic impacts resulting from three- or four-story buildings in the 10 Town Centers (Alternative 3) and 12 PTODs (Alternative 4), and from three- to six-story buildings in the Regional Center (Alternative 3), TRPA will apply the applicable TRPA Code of Ordinances, Chapter 37, Height Standards; Section 37.7, Findings for Additional building Height; or equivalent findings established in an Area Plan.

Mitigation Measure 3.9-1b:

Permit Redevelopment of the High Density Tourist District/South Stateline Casino Core Tourist District of Existing Buildings within Existing Visual Prominence.

To mitigate for potentially significant scenic impacts resulting from buildings up to 197 feet in the High Density Tourist District (Alternative 3) and redevelopment of the existing high-rise buildings in the South Stateline Casino Core Tourist District (Alternative 4), TRPA will require that any proposed development in the High Density Tourist District (Alternative 3) or the South Stateline Casino Core Tourist District (Alternative 4) achieve the following performance standard:

- The height and visual mass of any redeveloped existing high-rise structures projecting above the forest canopy shall not increase the visual prominence over baseline conditions as viewed and evaluated from key scenic viewpoints, including, but not limited to, views from the Van Sickle Bi-State Park, scenic roadway units, scenic shoreline units, and public recreation areas. When considering visual prominence, the following factors will be considered: building mass, contrast, location, articulation, color, materials and architectural style; and the quality of landscape features and views that are blocked or revealed.

Mitigation Measure 3.9-1c:

Reduce Ground Floor Height for Stepped Buildings on Slopes

- For Alternative 3, for the purposes of measuring the height of proposed stepped buildings on sloping sites with a cross slope of 10 percent or greater, TRPA will amend the Code of Ordinances, Chapter 37, Height Standards, to require that the maximum height of the ground floor segment not exceed 28 feet.

EXHIBIT D

Comments from Agencies, Organizations and Businesses/Individuals

Full comment letters can be read at the TRPA website, located at: <http://www.trpa.org/RPUEISComments/>

Agencies:

CA_ Department of Transportation
CA_ Department of Justice
CA_ State Agencies
CA_ Tahoe Conservancy
City of South Lake Tahoe
Douglass County
Placer County

Organizations:

Friends of Tahoe Vista
League to Save Lake Tahoe, Friends of the West Shore, Tahoe Area Sierra Club – Joint Comments
North Lake Tahoe – Chamber_CVB_Resort Association
North Tahoe Business Association
North Tahoe Preservation Alliance/ Mountain Area Preservation Foundation
Tahoe City Downtown Association

Businesses:

Edgewood Companies
Edgewood Companies & Heavenly Mountain Resort – Joint Comments
Gary Davis Group
Heavenly Mountain Resort
Kaufman Planning & Consulting
Sustainable Community Advocates

Individuals:

Aaron, D
Anson, C
Backhus, J
Basso, R
Bell, G
Bourland, P
Bradford, M
Brochard, B
Brown, J

Burnham, W
Carswell, B
Carta, C
CC
Coglizer, D
Cosby, L
Crumpton, C
Cushing, M
Dodge, N
Faccinato, R
Festa, J
Filipko, J
Fraser, T
Gearhart, S
Giannini, D
Giese, B
Gimbert, J
Gomes, W
Gorman, M
Grady, K
High, G
Kenna, T
La Mar, R
Leff, A
Meakin, J
Meakin, L
Mullarkey, R
Myers, D
Nan, P
Parrish, V
Perryman, R
Qualls, P
Quashnick, J
Rago, T
Raymond, H
Scheichler, L
Silver, F
Silver, M
Spencer, D

Stakenburg, J
Strachan, L
Threlfall, W
Tompkins, N
Tornese, J
Toschi, S
Walker, R
Waller, E
Warmack, J
Winters, J