

Lake Tahoe Sustainable Communities Program Documents Series #5

Area Plans Framework

Revised September 2014



Lake Tahoe
Sustainable Communities Program

California Strategic Growth Council

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Acknowledgements

Tahoe Metropolitan Planning Organization Governing Board

The Tahoe Metropolitan Planning Organization (TMPO) Governing Board is comprised of the members of the Tahoe Regional Planning Agency (TRPA) Governing Board and one representative of the US Forest Service. The TRPA staff serves both the TMPO and TRPA. The TRPA Governing Board is responsible for adopting the Lake Tahoe Regional Plan and Code of Ordinances. The TMPO Governing Board is responsible for adopting the Regional Transportation Plan and Sustainable Communities Strategy.

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Lake Tahoe Sustainability Collaborative

This citizens group is responsible for sustainability planning recommendations, projects, and programs . More information is available at www.sustainabilitycollaborative.org.

Tahoe Basin Partnership for Sustainable Communities

This group, comprised of representatives from the Tahoe Regional Planning Agency, Tahoe Metropolitan Planning Organization, California Tahoe Conservancy, El Dorado County, Placer County, City of South Lake Tahoe, North Lake Tahoe Resort Association, and Sierra Nevada Alliance, was responsible for preparing the original SGC Round 1 Sustainable Community Planning Grant application and has provided ongoing support for completion of these SGC grant-funded tasks.

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Introduction to the Lake Tahoe Sustainable Communities Program

The need to embrace sustainability in all planning and implementation activities in the Lake Tahoe Region and beyond has been recognized in a number of ways. At the national level, the Department of Housing and Urban Development has created the Sustainable Communities Regional Planning Grant Program and the Department of Interior Bureau of Reclamation has initiated the Truckee River Basin Study that will include adaptive strategies to respond to climate change and other uncertainties. At the state level, California has adopted the Sustainable Communities and Climate Protection Act of 2008 requiring greenhouse gas emission reduction targets for passenger vehicles for 2020 and 2035 for each region covered by a metropolitan planning organization (MPO) and created the Strategic Growth Council, which has awarded grants for sustainable community planning and natural resource conservation. At the Lake Tahoe Region level, the Tahoe Regional Planning Agency (TRPA) has updated the Lake Tahoe Regional Plan to include sustainability policies and mitigation measures, and the Tahoe Metropolitan Planning Organization (TMPO) has adopted a Sustainable Communities Strategy as required by the Sustainable Communities and Climate Protection Act of 2008. At the local level, local governments in the Lake Tahoe Region are in the process of integrating sustainability principles into their local plans.

In the summer of 2010, a partnership of agencies, organizations, and jurisdictions came together as “The Tahoe Basin Partnership for Sustainable Communities” in order to apply for a grant from the Strategic Growth Council. Collectively, the Partnership is supporting execution of the Strategic Growth Council 2011 Sustainable Communities Planning Grant that was officially awarded to the TMPO in August of 2011. The Partnership is comprised of Tahoe Metropolitan Planning Organization, Tahoe Regional Planning Agency, El Dorado County, Placer County, City of South Lake Tahoe, California Tahoe Conservancy, and Sierra Nevada Alliance.

The TRPA, in partnership with other key stakeholders in the Lake Tahoe Region, is a participant in all of these national, state, regional and local efforts. Often they are complementary and of common interest to stakeholders. Hence, the Lake Tahoe Sustainable Communities Program has been created as a Basin-wide program with staff from different agencies and organizations participating in the various efforts. To the extent possible, the products from these efforts will be available through the Lake Tahoe Sustainable Communities Program website and as a series of documents.

Lake Tahoe Sustainable Communities Program Documents Series

This series of documents is organized to generally reflect the tasks associated with the grants received from the California Strategic Growth Council (SGC). The series as currently envisioned includes the following:

- 1. Sustainability Framework and Vision** – This document accompanies the California Tahoe Conservancy *Tahoe Basin Sustainability Planning Guidebook* document (Appendix A) and includes an overview of the Sustainable Communities Program, the framework within which all of the regional and local level plans work, and the vision for sustainability based on input from over 5,000 participants in the regional planning process. The *Tahoe Basin Sustainability Planning Guidebook* was prepared in 2011 and describes how this effort was originally envisioned. The Sustainability Framework and Vision has more detailed and updated language related to the

newly adopted Regional Plan and the framework for Area Plans, input from participants in that process, and the interaction of sustainability components. This serves as the “deliverable” for the SGC Round 1 Sustainable Community Planning Grant Task 1: Roadmap & Organizational Structure.

- 2. Sustainability Action Plan Background** – This document includes the initial greenhouse gas emissions inventory and reduction targets, and climate change adaptation and mitigation strategies. It reflects the adopted Regional Plan, Regional Transportation Plan, and Sustainable Communities Strategy policies, and is the basis for the sustainability (a.k.a., climate change) action plan. This document serves as the “deliverable” for the SGC Round 1 Sustainable Community Planning Grant Task 3: Goals, Objectives, & Strategies.
- 3. Sustainability Action Plan: A Sustainability Action Toolkit for Lake Tahoe** – This includes the revised greenhouse gas emissions inventory and reduction targets, and climate change and adaptation strategies vetted through the Lake Tahoe Sustainability Collaborative and the Tahoe Basin Partnership for Sustainable Communities. This document also includes community level outreach and action strategies. This document serves as the “deliverables” for the SGC Round 1 Sustainable Community Planning Grant Tasks 3.D, 4.A, and 4.D: Lake Tahoe Sustainability Action Plan and Outreach Activities.
- 4. Sustainability Indicators Reporting Plan**– This includes: (1) an assessment of existing Lake Tahoe Region measurement and monitoring efforts, (2) identification of a suite of sustainability indicators, (3) development of a sustainability metrics reporting plan, and (4) initiation of a sustainability dashboard. This measurement and tracking approach is intended to be consistent with and a key element of the larger Lake Tahoe Basin Monitoring, Evaluation, and Reporting Program required by California State Appropriations Bill #3110-0140 in addition to serving as the ‘deliverables’ for SGC Round 1 Task 4.B: Develop Performance Measures, Indicators and Monitoring Program, including a Tracking and Accounting System and SGC Round 2 Task 4.A: Obtain Regional Indicators Data.
- 5. Area Plans Framework** – This document; it includes the framework for Area Plans and initiation of those Area Plans. The framework (i.e., Regional Plan policies and code, conformance review checklist, and model Area Plan contents) serves as the “deliverable” for SGC Round 1 Sustainable Community Planning Grant Task 4, Subtask C: Lake Tahoe Livable Communities Program.
- 6. Area Plans Background** – This includes an assessment of the sustainability and livability measures needed in each planning area and the barriers to local implementation of those sustainability measures. This document serves as the “deliverable” for the SGC Round 1 Sustainable Community Planning Grant Task 2: Situation Assessments.
- 7. Development Commodities Transfer Policies Analysis** – This includes identification and analysis of the potential market effectiveness of proposed transfer of development rights and bonus unit policies considered for inclusion in the Regional Plan. This serves as the “deliverable” for the SGC Round 1 Sustainable Community Planning Grant Task 4, Subtask E: Development Rights Incentives Program.
- 8. Development Commodities Tracking and Exchange System** – This includes the concepts, processes, software requirements, and other system specifications, as well as the results of implementing the development commodities and exchange system. This serves as the “deliverable” for the SGC Round 2 Sustainable Community Planning Grant Task 3: Regional Development Rights Tracking System.

9. **Economic Development Strategy** – This includes analysis of existing and targeted industry clusters and recommendations on the clusters and incentives that will be most effective in creating and maintaining a sustainable economy for the Lake Tahoe Region. Also included is stakeholder outreach resulting in recommendations for implementation of commodities transfer policies. This serves as the “deliverable” for the SGC Round 1 Sustainable Community Planning Grant Task 4, Subtask F: Economic Incentives Strategy.
10. **Lake Tahoe Sustainability Collaborative Strategic Plan** – This document includes the LTSC’s mission, charter, and business plan which provides the strategy for the Lake Tahoe Sustainability Collaborative to continue, on an ongoing basis, to act as an independent entity that “champions” sustainability in the Lake Tahoe Region. This serves as the “deliverables” for the SGC Round 1 Sustainable Community Planning Grant Task 1.B: Establish Lake Tahoe Sustainability Collaborative and SGC Round 2, Task 4.E: Lake Tahoe Sustainability Collaborative Support.
11. **Annual Report** – This is the initial annual report on the Lake Tahoe Sustainable Communities Program and will be included as part of future TRPA annual reports. It will be updated using current sustainability indicators data, and can act as a template for similar sustainability planning reports in other regions. This serves as the “deliverables” for the SGC Round 2 Sustainable Community Planning Grant Tasks 4.B: Implement Regional Data Sharing/Management Program, 4.C: Web-Based Dashboard Implementation and 4.D: Prepare and Publish Final Tahoe Annual Report.
12. **Lake Tahoe Sustainable Communities Program Summary** - Other documents that are an integral part of the sustainability efforts in the Lake Tahoe Region include the Lake Tahoe Regional Plan, Regional Transportation Plan and Sustainable Communities Strategy, and various local government Area Plans. This document provides a summary of these plans, the products described in previous reports in this series, and how they work together within the Sustainability Framework for the Lake Tahoe Region. This serves as the “deliverable” for the SGC Round 2 Sustainable Community Planning Grant Task 2: SB375 Local Planning and Implementation Tool-Kit.

While providing valuable information about the Lake Tahoe Sustainable Communities Program to Lake Tahoe Region stakeholders, this series is also designed to provide a reference for other regions involved in addressing the critical issue of sustainability.

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Area Plan Framework

With the adoption of the Regional Plan and Code of Ordinances a new approach to sub-regional local government plans, Area Plans, has been established in the Lake Tahoe Region. Before Area Plans adopted by local governments in the Lake Tahoe Region can be put into effect, they must clearly demonstrate that they will implement the Regional Plan and Code of Ordinances. To demonstrate that an Area Plan will implement the Regional Plan it must include certain components, including sustainability measures (e.g., bicycle and pedestrian facilities in designated centers). This is achieved through the conformance review process. Further, these Area Plans are subject to annual review and certification (see *Sustainability Framework and Vision* document which is part of the Lake Tahoe Sustainable Communities Document Series for a more detailed discussion of the relationship between the Regional Plan and Area Plans). The specific requirements for Area Plan preparation, adoption, conformance review, monitoring, etc. are listed in Appendix A, TRPA Code of Ordinances Chapter 13: Area Plans. The model Area Plan table of contents and the Area Plan conformance review checklist are presented in the next two sections of this document.

Model Area Plan Contents

There are a number of optional components that an Area Plan can include (e.g., area-wide coverage management, Parking management, etc.). However, there are common elements that an Area Plan should include. These are:

- **Current Conditions** – This element must describe existing environmental conditions, the amount and type of development, modes of transportation and service levels, public facilities and their service areas and capacities, and current implementation activities.
- **Conservation** – This must address water, air, land, cultural, scenic, and other natural resources, as well as attainment of thresholds required by the bi-state compact.
- **Land Use** – The land use element includes development constraints, and the types and amounts of different land uses, including physical development standards.
- **Transportation** – The transportation element must identify the different modes of transportation used in the plan area, the levels of service, and planned changes in facilities and services.
- **Recreation** – Existing and planned parks, trails and other leisure facilities must be included in the recreation element.
- **Public Services and Facilities** – This element must address provision of water, sanitary sewer, fire and police protection, telecommunications, and similar public services, and it must be consistent with the land use element.
- **Implementation** – This must include a link to implementing code, any applicable improvement programs (e.g., local government capital improvements program, the Environmental Improvement Program), and relevant operations and maintenance programs.

The map series that should be included with these elements is:

- **Existing Conditions** – This includes existing land use, land coverage, building footprints, land capability, etc.

- **Conservation** – This includes soils, stream environment zones, floodplains, land capability verifications, viewsheds, etc.
- **Planned Land Use** – This should show both planned land use and required amendments to the existing land use.
- **Existing and Planned Transportation Facilities** – This includes all modes of transportation.
- **Parks and Trails** – This includes existing and planned facilities and, where applicable, service areas.
- **Public Services and Facilities** – This should show existing and proposed water, sanitary sewer, emergency service, telecommunications, and similar services and facilities, including service areas.

Conformance Review Checklist

As each Area Plan is completed it must be found in conformance with the Regional Plan. This conformance review model has been used in many states to ensure that local planning and development review are consistent with and implement the Regional Plan. The exact form may vary from state-to-state, but the concept is the same.

In the Lake Tahoe Region both the Area Plan and any associated code must be found in conformance. Additionally, the local government development review activity is monitored, evaluated, and reported on an annual basis. Any development decision may also be appealed to the TRPA Governing Board. As a result of the annual monitoring, evaluation, and reporting process the local government Area Plan may maintain its certification, may maintain its certification subject to conditions, or have its certification and development review authority revoked. The Lake Tahoe Region has one of the most stringent conformance review processes in the United States.

The initial step in the conformance review process is to evaluate the local government Area Plan and associated code using a conformance review checklist. This checklist approach is used to foster a high degree of predictability and consistency in the conformance review process. The checklist evaluates all Area Plans against each relevant Regional Plan policy. The current version of the checklist is included in Appendix B.

By utilizing this approach local governments must show how they comply with all policies in the Regional Plan, including those designed to achieve sustainability. Moreover, when additional policies are added via an amendment to the Regional Plan, the local governments have a one-year period to amend the Area Plans if necessary to comply with the amendment. This approach ensures that both existing and new sustainability measures in the Regional Plan will be incorporated into and implemented through local Area Plans.

Appendixes

- A. TRPA Code of Ordinances Chapter 13: Area Plans**
- B. Conformance Review Checklist**

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CHAPTER 13: AREA PLANS

13.1. PURPOSE

- 13.1.1. In order to be responsive to the unique circumstances of communities of the region, the Agency finds that there is a mutually beneficial need to provide local, state, federal, and tribal governments with the option to prepare Area Plans, provided such Area Plans conform with and further the goals and policies of the Regional Plan.
- 13.1.2. This chapter defines the required content of Area Plans and establishes that Area Plans may be approved by TRPA if they contain policies and development ordinances that are consistent with and further the goals and policies of the Regional Plan. The development of Area Plans is intended to support the update and consolidation of planning documents in the region.
- 13.1.3. This chapter also establishes a conformity program that enables the Agency to transfer limited development permitting authority to local governments with Conforming Area Plans. Furthermore, this conformity process defines which development activities will not have a substantial effect on the natural resources in the region and may be delegated from TRPA review and approval, subject to appeal provisions. This program will enable TRPA to focus its resources on projects of regional concern, while still maintaining an active and effective oversight role in the implementation of all Area Plans to ensure that Area Plans and activities governed by Area Plans maintain conformity with the Regional Plan.

13.2. APPLICABILITY

All local governments in the region may prepare Area Plans pursuant to this chapter. This includes Carson City, Douglas, El Dorado, Placer, and Washoe counties, and the City of South Lake Tahoe. Any city located in the region that incorporates after the adoption of this Code may also prepare Area Plans pursuant to this chapter. TRPA and state, federal, and tribal governments in the region may prepare Area Plans pursuant to this chapter. Quasi-governmental entities, such as service or utility districts, may not prepare Area Plans pursuant to this chapter.

13.3. RELATIONSHIP TO EXISTING REGULATIONS

- 13.3.1. All plans, policies, and regulations in the Regional Plan and this Code shall remain in effect unless superseded by the provisions of an Area Plan. The extent and nature of the superseded requirements of the TRPA Code shall be identified in the Area Plan.
- 13.3.2. No Area Plan may limit TRPA's responsibility to enforce the Compact and to ensure that approved Area Plans are maintained in full compliance with the Regional Plan.
- 13.3.3. A Conforming Area Plan shall be considered a component of the Regional Plan.

13.4. DEVELOPMENT OF AREA PLANS

13.4.1. Development of Area Plan is Optional

A government may adopt an Area Plan with plans and development ordinances that supersede TRPA plans and ordinances if the Area Plan is found to be in conformance with the Regional Plan, in accordance with the requirements of this chapter. A government may adopt an Area Plan that applies to only a portion of the land area within its jurisdiction. Jurisdictions that do not adopt an Area Plan shall continue to be subject to all plans, policies, and regulations in the Regional Plan and this Code.

13.4.2. Initial Statements of Intent to Develop an Area Plan

All local, state, federal, and tribal governments in the region shall provide TRPA written statements indicating their intent to prepare Area Plans and their anticipated schedule for completion of Area Plans. For TRPA planning purposes, initial statements of intent shall be provided to TRPA no later than December 31, 2013. This shall not preclude the earlier or subsequent development of additional or modified Area Plans, pursuant to this chapter. The TRPA Governing Board shall review the initial statements of intent and develop an action plan for incorporation into the annual TRPA work program by April 30, 2014. The action plan may include the replacement of plan area statements, community plans, and other plans with TRPA-approved Area Plans for properties that other governments do not include in their Area Plans.

13.5. CONTENTS OF AREA PLANS

13.5.1. General

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 subparagraph 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.

13.5.2. Relationship to Other Sections of the Code

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.

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 13.5.3-1: MINIMUM DEVELOPMENT STANDARDS FOR AREA PLANS

Regional Land Use Districts	Wilderness	Backcountry	Conservation	Recreation	Resort Recreation	Residential	Mixed-Use	Tourist	Town Center Overlay	Regional Center Overlay	High-Density Tourist District Overlay
Height [3]	N/A	Sec. 37.4							Up to 4 stories (56 ft) max. [1]	Up to 6 stories (95 ft) max. [1]	Up to 197' max. [2]

TABLE 13.5.3-1: MINIMUM DEVELOPMENT STANDARDS FOR AREA PLANS

Regional Land Use Districts	Wilderness	Backcountry	Conservation	Recreation	Resort Recreation	Residential	Mixed-Use	Tourist	Town Center Overlay	Regional Center Overlay	High-Density Tourist District Overlay
Density SFD	Sec. 31.3										
Density MFD [3]	N/A	Sec. 31.3							With adoption of an Area Plan: - Residential: 25 units/acre (max.) - Tourist: 40 units/acre (max.)		
Land Coverage	Sec. 30.4 or Alternative Comprehensive Coverage Management System [See 13.5.3.B.1]										
Complete Streets	Sec. 36.5								[4]		
<p>[1] With adoption of an Area Plan. To ensure compatibility with adjacent uses and viewshed protection, the findings in Sec. 37.7.16 shall apply.</p> <p>[2] 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. Such structures shall also comply with Sec. 37.7.17.</p> <p>[3] Areas of Community Plans outside of Centers shall not be eligible for the alternative height and density allowances authorized in Area Plans for Centers. Any existing project density approved pursuant to Section 31.4.3 may be retained in an Area Plan.</p> <p>[4] Plan for sidewalks, trails, and other pedestrian amenities providing safe and convenient non-motorized circulation within Centers, 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

An Area Plan may propose a comprehensive coverage management system as an alternative to the parcel-level coverage requirements outlined in subsections 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.

Alternative Comprehensive Management System: Process for Establishing Maximum Coverage

Step 1 – Document coverage information for each parcel in the coverage management area.

- A. Document base allowable land coverage (Sec. 30.4.1).
- B. Document maximum allowable land coverage (Sec. 30.4.2).
- C. Document TRPA verified existing land coverage (Sec. 30.3).
- D. Document total allowable land coverage — greater of B or C.
- E. If a parcel contains Land Capability District 1 or 2, calculate A–D separately for each LCD.

Step 2 – Calculate base allowable coverage and total allowable coverage for the management area.

- A. Calculate base allowable land coverage for management area (total of answer 1A for all parcels).
- B. Calculate base allowable land coverage for Land Capability Districts 1 and 2 (total of answer 1A for districts 1 & 2).
- C. Calculate total allowable land coverage for management area (total of answer 1D for all parcels).
- D. Calculate total allowable land coverage for Land Capability Districts 1 and 2 (total of answer 1D for districts 1 & 2).

Step 3 – Demonstrate that coverage limitations for the management area are consistent with Code requirements (Sec. 13.5.3.B.1).

- A. Base allowable land coverage for the management area shall not exceed answer 2A.
- B. Base allowable land coverage for Land Capability Districts 1 and 2 shall not exceed answer 2B.
- C. Total allowable land coverage for the management area shall be less than answer 2C.
- D. Total allowable land coverage for Land Capability Districts 1 and 2 shall be less than answer 2D.
- E. Total allowable land coverage shall not exceed 70%.
- F. Total allowable land coverage shall 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).

Final Requirement: Coverage Management System shall comply with items A-F.

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

An Area Plan may propose to establish area-wide water quality treatments and funding mechanisms in lieu of certain site-specific BMPs, subject to the following requirements:

- a. Area-wide BMPs shall be shown to achieve equal or greater effectiveness and efficiency at achieving water quality benefits than certain site-specific BMPs. For registered catchments, the water quality benefits of area-wide BMPs shall comply with applicable TMDL requirements. BMPs for unregistered catchments shall be shown to infiltrate the 20 year one hour storm (or address requirements in Code Section 60.4.8 (Special Circumstances));
- b. Plans should be developed in coordination with TRPA and applicable state agencies, consistent with applicable TMDL requirements;
- c. Area-wide BMP project areas shall be identified in Area Plans and shall address both installation and ongoing maintenance;
- d. Strong consideration shall be given to areas connected to surface waters;
- e. Area-wide BMP plans shall consider area-wide and parcel-level BMP requirements as an integrated system; and
- f. Consideration shall be given to properties that have already installed and maintained parcel-level BMPs, and financing components of 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.
- g. 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 that provide equal or greater water quality benefits than parcel level BMPs.

4. Alternative Transfer Ratios for Development Rights

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 environmental gain compared to the TRPA transfer ratios set forth in Chapter 51: *Transfer of Development*.

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 seek to reestablish natural forest conditions in a manner that does not increase the risk of catastrophic wildfire.

D. Development on Resort Recreation Parcels

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:

1. The parcels must become part of an approved Area Plan;
2. Subdivisions shall be limited to "air space condominium" divisions with no lot and block subdivisions allowed;
3. Development shall be transferred from outside the area designated as Resort Recreation; and
4. Transfers shall result in the retirement of existing development.

E. Greenhouse Gas Reduction Strategy

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.

F. 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

a. Development in All Areas

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

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

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

b. Development in Regional Center or Town Center

In addition to the standards in subparagraph 13.5.3.E.1.a, development in a Regional Center or Town Center shall address the following design standards:

- (i) Existing or planned pedestrian and bicycle facilities shall connect properties within Centers to transit stops and the Regional Bicycle and Pedestrian network.
- (ii) Area Plans shall encourage the protection of views of Lake Tahoe.
- (iii) Building height and density should be varied with some buildings smaller and less dense than others.
- (iv) 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.
- (v) 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.

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.

G. Modification to Centers (Town Center, Regional Center and High Density Tourist District Boundary)

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

1. 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.
2. Properties included in a Center shall be less than 1/4 mile from existing Commercial and Public Service uses.
3. Properties included in a Center shall encourage and facilitate the use of existing or planned transit stops and transit systems.

13.6. CONFORMITY REVIEW PROCEDURES FOR AREA PLANS

13.6.1. Initiation of Area Planning Process by Lead Agency

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.

13.6.2. Initial Approval of Area Plan by Lead Agency

A. When TRPA is Not the Lead Agency

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.

B. When TRPA is the Lead Agency

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.

13.6.3. Review by Advisory Planning Commission

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.

13.6.4. Approval of Area Plan by TRPA

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.

13.6.5. 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:

A. General Review Standards for All Area Plans

The submitted Area Plan shall:

1. Identify all zoning designations, allowed land uses, and development standards throughout the plan area;
2. Be consistent with all applicable Regional Plan Policies, including but not limited to the regional growth management system, development allocations and coverage requirements;
3. Demonstrate how the Area Plan is consistent with the Conceptual Regional Land Use Map, including any amendments to the Conceptual Regional Land Use Map that are proposed to be part of the Area Plan in order to more effectively implement the Regional Plan Policies and provide Threshold gain;
4. 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;
5. Promote environmentally beneficial redevelopment and revitalization within Centers;
6. Preserve the character of established residential areas outside of Centers, while seeking opportunities for environmental improvements within residential areas;
7. 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 Centers only if allowed development reduces coverage and enhances natural systems within the Stream Environment Zone; and
8. Identify facilities and implementation measures to enhance pedestrian, bicycling and transit opportunities along with other opportunities to reduce automobile dependency.

B. TRPA Utilization of Load Reduction Plans

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.

C. Additional Review Standards for Area Plans with Town Centers or Regional Center

In addition to the requirements of subparagraphs A and B above, submitted Area Plans that contain Town Centers or the Regional Center shall include policies, ordinances, and other implementation measures to:

1. 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;
2. Promote walking, bicycling, transit use, and shared parking in Town Centers and the Regional Center, 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 the Regional Center, and to other major activity centers;
3. Use standards within Town Centers or the Regional Center addressing the form of development and requiring that projects promote pedestrian activity and transit use;
4. Ensure adequate capacity for redevelopment and transfers of development rights into Town Centers and the Regional Center;
5. Identify an integrated community strategy for coverage reduction and enhanced stormwater management; and
6. 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.

D. Additional Review Standards for Area Plans within the High-Density Tourist District

In addition to the requirements of subparagraphs A, B, and C above, submitted Area Plans that contain the High-Density Tourist District shall include policies, ordinances, and other implementation measures to:

1. Include building and site design standards that substantially enhance the appearance of existing buildings in the High-Density Tourist District;
2. Provide pedestrian, bicycle and transit facilities connecting the High-Density Tourist District with other regional attractions; and
3. Demonstrate that all development activity within the High-Density Tourist District will provide for 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.

13.6.6. Conformity Review for Amendments to Area Plans

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,

CHAPTER 13: AREA PLANS

13.7 Procedures for Adoption of Memorandum of Understanding 13.6.7 Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan

including after any changes made in response to TRPA comments, the amendment shall not become part of the approved Area Plan.

13.6.7. Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan

- A. 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.
- B. 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.

13.6.8. Effect of Finding of Conformance of Area Plan

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.

13.7. PROCEDURES FOR ADOPTION OF MEMORANDUM OF UNDERSTANDING

13.7.1. Memorandum of Understanding (MOU) Required

After TRPA finds that an Area Plan is in conformance with the Regional Plan, TRPA and the lead agency shall enter into a Memorandum of Understanding (MOU) that clearly specifies the extent to which the activities within the Area Plan are delegated or exempt from TRPA review and approval, and describes all procedures and responsibilities to ensure effective implementation of the Area Plan. Concurrent review of the Area Plan and the MOU is encouraged.

13.7.2. Contents of MOU

An MOU for an Area Plan shall contain, at minimum, the following elements:

- A. A comprehensive statement of the type and size of all activities within the Area Plan that are delegated or exempt from TRPA review and approval;
- B. A clear statement defining the projects over which TRPA will retain development review responsibility;
- C. An agreement to make all findings required by the Compact, Regional Plan, Area Plan and Code for project approval and inclusion of special conditions not inconsistent with the Area Plan;
- D. Identification of the types of proposed activities for which TRPA will receive notification pursuant to subsection 13.8.1;

- E. Identification of the type and extent of procedures the lead agency government will use to notify TRPA of proposed local development activities and include TRPA in development review proceedings;
- F. A description of how the Area Plan will be modified to reflect amendments by TRPA to the Regional Plan, as well as assurances to enforce and maintain conformance with the Regional Plan amendments prior to amendment of the Area Plan;
- G. Statement of how the MOU for the Area Plan will relate to any existing MOUs that the lead agency government has with TRPA; and
- H. If necessary, additional clarification of any requirements of this chapter, provided that all such clarifications are consistent with the intent and substance of this chapter and the Regional Plan.

13.7.3. Activities Requiring TRPA Approval

- A. Projects and matters that meet one of the following criteria and that are also identified in subsection 2.2.2 as requiring approval by the Governing Board or Hearings Officer shall not be delegated by TRPA under this chapter:
 1. All development within the High-Density Tourist District;
 2. All development within the Shorezone of Lake Tahoe;
 3. All development within the Conservation District;
 4. All development within the Resort Recreation designation and
 5. All development meeting the criteria in the following table:

TABLE 13.7.3 -1: THRESHOLDS FOR GOVERNING BOARD REVIEW OF PROJECTS IN CENTERS			
(All measurements are new building floor area.)			
	Regional Center	Town Center	Not in Center
Residential	≥ 100,000 sq. ft.	≥ 50,000 sq. ft.	≥ 25,000 sq. ft.
Non-residential	≥ 80,000 sq. ft.	≥ 40,000 sq. ft.	≥ 12,500 sq. ft.

- B. The limits on delegation in Table 13.7.3-1 may be increased or decreased by the TRPA Governing Board. The levels of delegation may be increased or decreased based on the lead agency's ongoing monitoring, reporting, and performance review, whether the lead agency's actions on projects are consistent with the Area Plan, and whether the Area Plan's terms and conditions are met.

13.7.4. Concurrent Review of Area Plan and MOU

By agreement between TRPA and the lead agency, the Area Plan and associated MOU may be reviewed concurrently at a single meeting, or sequentially at separate meetings. In all cases, the Area Plan and the MOU shall receive separate votes from the Governing Board based on the applicable criteria in this chapter. In all cases, the Area Plan shall be approved first, followed by approval of the MOU. Activities that are delegated or exempt from TRPA review shall be prescribed by ordinance immediately following MOU approval.

13.7.5. Deadline for MOU Approval and Suspension

TRPA shall work with the lead agency and make a good-faith effort to finalize the MOU in a timely manner. An MOU between TRPA and the lead agency shall be completed within six months of the Governing Board's finding of conformity of the Area Plan. Reasonable time extensions beyond six months may be approved by TRPA for good-faith cause. An approval of an Area Plan that does not receive MOU approval within the required six-month period, including any approved time extensions, shall be suspended and have no effect for purposes of this Code. Suspended Area Plans may be resubmitted for approval by administrative action if the Area Plan has not been amended since Governing Board approval.

13.8. MONITORING, CERTIFICATION, AND ENFORCEMENT OF AREA PLAN

13.8.1. Notification to TRPA of Proposed Activities Requiring Public Notification in Area Plans

Lead agencies with approved Area Plans shall send to TRPA notice of all proposed activities that require public notification as specified in the MOU, and all applications to amend a policy or ordinance that is part of the Area Plan. The notice shall be sent pursuant to local notification procedures; however, in all cases the notice shall be sent no less than 10 days prior to the hearing in order to provide TRPA with adequate time to review and comment, if desired, on the project.

13.8.2. Monitoring

On at least a quarterly basis, lead agencies with approved Area Plans shall send to TRPA copies of all building permits issued in the Area Plan. At minimum, such building permits shall contain and make clear the necessary development information that TRPA needs to measure compliance with the terms of the Area Plan, such as additional land coverage, commercial floor area, residential units, or tourist accommodation units (TAUs). In addition, TMDL regulatory agencies shall, through the TMDL adaptive management system, provide TRPA annual progress reports and analysis, copies of all MOAs and NPDES permits, and notifications of all breaches or violations of MOAs and NPDES permits.

13.8.3. Annual Review

TRPA shall annually select and review a sample of development permits issued within each Area Plan area in order to certify that the permits are issued in conformance with the Area Plan. The scope of this review is limited to determining the conformity of the sample developments to the Area Plan and shall not include a reconsideration of the conformity of the Area Plan to the Regional Plan. If TRPA determines that certain local development permits were issued in apparent conflict with the Area Plan, it shall notify the lead agency in writing of all specific discrepancies, including recommendations for remedying the discrepancies. The lead agency shall have thirty days to provide comments and suggest corrective actions, if necessary. After review of the comments, if any, from the lead agency, TRPA shall follow one of the procedures below.

13.8.4. Effect of Annual Review; Annual Report

A. Certification

If, based on its review of sample permits, including any responses and remedies already implemented by the lead agency, the Governing Board determines that development has been permitted in conformance with the Area Plan, then it shall certify that the permits are being issued in conformance with the Area Plan.

B. Certification Conditionally Granted

In response to TRPA comments in the annual review, the lead agency may identify corrective actions that are necessary to ensure that permits are being issued in conformance with the Area Plan. The lead agency shall have a maximum of six months to complete the identified corrective actions and provide a written response to TRPA. If TRPA determines that the lead agency has either failed to respond or has failed to respond adequately to the issues identified in the annual review, then TRPA shall take action pursuant to subparagraph C below.

C. Revocation of Part or All of MOU

If the Governing Board determines that development is not being permitted in conformance with an Area Plan, the Board shall revoke all or part of the implementation authority transferred to the lead agency government in the MOU and related ordinances. After this revocation, TRPA shall assume primary permitting responsibility for the activities related to the revoked items in the MOU.

13.8.5. Four-Year Recertification

As part of each four-year evaluation of the Regional Plan under Goals and Policies DP-2.1, TRPA shall review the conformance of each Area Plan with the load reduction plan for registered catchments, or TRPA default standards when there are no registered catchments. TRPA shall use catchment data and all reports to inform the four-year Area Plan recertification.

13.9. APPEALS

13.9.1. Purpose

The intent of the appeal process is to provide a mechanism for projects delegated to lead agencies to be brought before the TRPA Governing Board consistent with requirements of the Compact, eliminate frivolous appeals, deter appellants "laying in wait" by encouraging early and consistent engagement, increase procedural certainty and timeliness irrespective of outcomes, and to minimize project-by-project negotiation before the Governing Board.

13.9.2. Appeal Allowed

Final decisions on projects delegated to a lead agency may be appealed to the TRPA. An appeal may only be filed by an "aggrieved person" as defined in Article VI(j)(3) of the Compact. Decisions by the lead agency under independent local, state, or federal law are not the subject of this appeal process.

13.9.3. Basis of Appeal

The basis for an appeal under this section shall be limited to whether the decision by a lead agency is in accordance with an approved Area Plan and its implementing ordinances consistent with the Regional Plan and Compact.

13.9.4. Exhaustion Required

Appellants who are subject to the exhaustion provision in Compact Article VI (j) (3) shall exhaust all administrative remedies provided by the lead agency prior to appealing a decision to TRPA.

13.9.5. Deadline

An appellant shall file an appeal application to TRPA within 15 calendar days of the final lead agency decision.

13.9.6. Content of Appeal

An application for appeal shall contain the following:

- A. A clearly written statement explaining the grounds for appeal;
- B. Documentation to support the appeal claim; and
- C. Additional documentation may be provided by the applicant or lead agency to augment the record.

13.9.7. Fee

The appellant shall pay a fee of \$1,000 to TRPA for each appeal. A lead agency's fee for its internal appeals of delegated decisions shall not exceed the TRPA fee for appeals.

13.9.8. Stay of Lead Agency Decision

Once an appeal application is received by TRPA, the project approved by the lead agency shall be stayed pending the final outcome of the appeal.

13.9.9. Review of Appeal

A. Staff Recommendation and Hearing

Within 60 days after receipt of an appeal, TRPA staff shall make a recommendation to the Governing Board on the merits of the appeal, including whether the appeal is frivolous as defined in subsections 13.9.2 through 13.9.4. The Governing Board shall consider the recommendation concerning whether the appeal is frivolous in determining whether to proceed to consider the merits of an appeal and if it hears the merits it shall consider the recommendation concerning the merits. A hearing on the appeal shall be scheduled for the first Governing Board meeting after issuance of the staff recommendation.

B. Governing Board Action

- 1. The voting structure for the Governing Board for appeal decisions shall be the same as project votes before the Governing Board as defined in the Compact.
- 2. The Governing Board may take action the first time the appeal is presented to the Board or, after hearing the appeal, continue the action to the next Governing Board meeting.
- 3. If no action is taken by the Governing Board at the initial meeting at which the appeal is presented, the Governing Board shall take action at the next Governing Board meeting.

C. Standard of Review

Appeal review and action by the Governing Board shall be limited to whether the decision by a lead agency is in accordance with an approved Area Plan and its implementing ordinances consistent with the Regional Plan and Compact.

13.9.10. Effect of Decision

Appeals upheld by the Governing Board shall nullify the lead agency decision. If the project applicant desires to continue review of the application by the lead agency, they

CHAPTER 13: AREA PLANS

13.9 Appeals

13.9.10 Effect of Decision

shall re-apply to the lead agency according to the same procedures required for the original application. The Governing Board may deny the appeal thereby affirming the lead agency's decision. The Governing Board may also modify a lead agency's decision on a project to make the decision consistent with the Area Plan. The Governing Board shall limit the use of its authority to modify lead agency decision's in order to minimize the filing of appeals to further negotiate permit conditions.

Area Plan Finding of Conformance Checklist

Area Plan Name:
 Lead Agency:
 Submitted to TRPA:
 TRPA File No:
 Lead Agency Area Plan Approval Date:
 APC Hearing Date:
 Governing Board Hearing Date:
 Appeal Deadline:
 MOU Approval Deadline:
 Geographic Area and Description:
 Land Use Classifications Included in Area Plans:
 Alternative Development Specific Standards:

Contents of Area Plans	Code	Conformance
<p>General</p> <p>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.</p>	13.5.1	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		

<p>Relationship to Other Sections of the Code</p> <p>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.</p>	13.5.2	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		

Development and Community Design Standards for Area Plans		
Area Plans shall have development standards that are consistent with those in Table 13.5.3-1.		
Maximum Building Height	Code	Conformance
Area Plans shall have development standards that are consistent with those in Table 13.5.3-1.		
Outside of Centers building height standards consistent with Code Section 37.4	13.5.3	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		
Within Town Centers up to 4 stories (56 ft.) maximum	13.5.3	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		
Within the Regional Center up to 6 stories (95 ft.) maximum	13.5.3	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		
Within the High-Density Tourist District up to 197 feet maximum	13.5.3	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		
Density	Code	Conformance
Single Family Dwelling consistent with Code Section 31.3	13.5.3	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		
Multiple-Family Dwelling outside of Centers consistent with Code Section 31.3	13.5.3	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Notes:		
Within Centers Multi-Family Dwelling Residential 25 units/acre maximum Tourist (other than bed & breakfast) 40 units/acre maximum	13.5.3	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		
Land Coverage	Code	Conformance
Land coverage consistent with Section 30.4 of the TRPA Code	13.5.3	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		
Alternative Comprehensive Coverage Management System (see below)	13.5.3.B.1	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		
Complete Streets	Code	Conformance
Area Plan conforms to Section 36.5 of the Code of Ordinances.	13.5.3	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		
Within Centers plan for sidewalks, trails, and other pedestrian amenities providing safe and convenient non-motorized circulation within Centers, as applicable, and incorporation the Regional Bike and Pedestrian Plan	13.5.3	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		
Alternative Development Standards and Guidelines Authorized in Area Plans Comprehensive Coverage Management Systems		
	Code	Conformance
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.	13.5.3.B.1	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		
Alternative Parking Strategies	Code	Conformance

<p>Area Plan includes 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.</p> <ul style="list-style-type: none"> ○ 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 	13.5.3.B.2	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
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Notes:

Area-wide Water Quality Treatments and Funding Mechanisms	Code	Conformance
<p>Area Plan includes water quality treatments and funding mechanisms in lieu of certain site-specific BMPs, subject to the following requirements.</p> <ul style="list-style-type: none"> ○ 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 	13.5.3.B.3	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

standards. o 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.		
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Notes:

Alternative Transfer Ratios for Development Rights	Code	Conformance
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.	13.5.3.B.4	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Notes:

Development Standards and Guidelines Encouraged in Area Plans	Code	Conformance
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.	13.5.3.C.1	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Urban Forestry 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.	13.5.3.C.2	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Notes:

Development on Resort Recreation Parcels	Code	Conformance
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<p>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:</p> <ul style="list-style-type: none"> ○ 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. 	13.5.3.D	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
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Notes:

Greenhouse Gas Reduction Strategy	Code	Conformance
<p>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:</p> <ul style="list-style-type: none"> ○ 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. 	13.5.3.E	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

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.

Site Design	Code	Conformance
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<p>Development in All Areas</p> <p>All new development shall consider, at minimum, the following site design standards:</p> <ul style="list-style-type: none"> ○ 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, sage, and meet the requirements of the transportation element. 	13.5.3.F.1.a	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		
<p>Development in Regional Center or Town Center</p> <p>In addition to the standards above, development in Town Centers or the Regional Center shall address the following design standards:</p> <ul style="list-style-type: none"> ○ 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. 	13.5.3.F.1.b	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		
<p>Building Height</p> <ul style="list-style-type: none"> ○ Area Plans may allow building heights up to the 	13.5.3.F.2	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

<p>maximum limits in Table 13.5.3-1 of the Code of Ordinances</p> <ul style="list-style-type: none"> ○ 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:		
<p>Building Design</p> <p>Standards shall be adopted to ensure attractive and compatible development. The following shall be considered:</p> <ul style="list-style-type: none"> ○ 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. 	13.5.3.F.3	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		
<p>Landscaping</p> <p>The following should be considered with respect to this design component of a project:</p> <ul style="list-style-type: none"> ○ 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. 	13.5.3.F.4	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Notes:		
<p>Lighting</p> <p>Lighting increases the operational efficiency of a site. In determining the lighting for a project, the following should be required:</p> <ul style="list-style-type: none"> ○ 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. 	13.5.3.D.5	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		
<p>Signing</p> <p>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.</p>	13.5.3.F.6	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		
<p>Signing</p> <p>In the absence of a Conforming Area Plan that addresses sign standards, the following policies apply, along with implementing ordinances:</p> <ul style="list-style-type: none"> ○ 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 	13.5.3.F.6	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

signs shall be formulated and shall be consistent with the land uses permitted in each district.		
Notes:		
<p>Modification to Centers (Town Center, Regional Center and High Density Tourist District Boundary)</p> <p>When Area Plans propose modifications to the boundaries of a Center, the modification shall comply with the following:</p> <ul style="list-style-type: none"> ○ 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. 	13.5.3.G	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		

Conformity Review Procedures For Area Plans		
<p>Initiation of Area Planning Process by Lead Agency</p> <p>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.</p>	13.6.1	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		
<p>Initial Approval of Area Plan by Lead Agency</p> <p>When TRPA is Not the Lead Agency</p> <p>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</p>	13.6.2	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

<p>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.</p> <p>When TRPA is the Lead Agency 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.</p>								
Notes:								
<p>Review by Advisory Planning Commission 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.</p>	13.6.3	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A						
Notes:								
<p>Approval of Area Plan by TRPA 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.</p>	13.6.4	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A						
Notes:								
<p>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:</p>								
<table border="1"> <thead> <tr> <th data-bbox="175 1793 1019 1833">General Review Standards For All</th> <th data-bbox="1019 1793 1154 1833">Code</th> <th data-bbox="1154 1793 1443 1833">Conformance</th> </tr> </thead> <tbody> <tr> <td colspan="3" data-bbox="175 1833 1443 1875">Area Plans</td> </tr> </tbody> </table>			General Review Standards For All	Code	Conformance	Area Plans		
General Review Standards For All	Code	Conformance						
Area Plans								
The submitted Area Plan shall:								

Identify zoning designations, allowed land uses and development standards throughout the plan area.	13.6.5.A.1	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		
Be consistent with all applicable Regional Plan policies, including but not limited to the regional growth management system, development allocations and coverage requirements.	13.6.5.A.2	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		
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.	13.6.5.A.3	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		
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.	13.6.5.A.4	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		
Promote environmentally beneficial redevelopment and revitalization within town centers, regional centers and the High Density Tourist District.	13.6.5.A.5	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		
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.	13.6.5.A.6	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		
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.	13.6.5.A.7	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Include estimated acres of coverage/ SEZ restoration from transfers and EIP projects in the table below

	Inside Centers*			Outside Centers*		
	SEZ	Other sensitive lands	Non-sensitive lands	SEZ	Other sensitive lands	Non-sensitive lands
A. Max coverage changes from transfers	<i>Insert estimate of coverage reduction from transfers</i>	<i>Insert estimate of coverage reduction from transfers</i>	<i>Insert estimate of max coverage transfers into Center</i>	<i>Insert estimate of coverage reduction from transfers</i>	<i>Insert estimate of coverage reduction from transfers</i>	<i>Insert estimate of coverage reduction from transfers</i>
B. Coverage/disturbed SEZ restoration in EIP projects	<i>Insert estimate of restored SEZ</i>	<i>Insert estimate of coverage removal</i>	<i>Insert estimate of coverage removal</i>	<i>Insert estimate of restored SEZ</i>	<i>Insert estimate of coverage removal</i>	<i>Insert estimate of coverage removal</i>

Notes: *Centers include town centers, regional centers, and high density tourist districts (GIS data: Special Districts). SEZs include 1b capability areas, other sensitive lands include 1a, 1c, 2, and 3 land capability classes, and non-sensitive lands include 4-7 land capability classes pursuant the Sinclair-Bailey Land Capability GIS data layer.

Identify facilities and implementation measures to enhance pedestrian, bicycling and transit opportunities along with other opportunities to reduce automobile dependency.	13.6.5.A.8	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
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Notes:

TRPA Utilization of Load Reduction Plans	Code	Conformance
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.	13.6.5.B	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A

Notes:

Additional Review Standards for Town Centers and the Regional Center	Code	Conformance
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.	13.6.5.C.1	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Notes:

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.	13.6.5.C.2	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
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Notes:		
Use standards within town centers and regional centers addressing the form of development and requiring that projects promote pedestrian activity and transit use.	13.6.5.C.3	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		
Ensure adequate capacity for redevelopment and transfers of development rights into town centers and regional centers.	13.6.5.C.4	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		
Identify an integrated community strategy for coverage reduction and enhanced stormwater management.	13.6.5.C.5	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		
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.	13.6.5.C.6	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		
Additional Review Standards for the High Density Tourist District	Code	Conformance
Include building and site design standards that substantially enhance the appearance of existing buildings in the High Density Tourist District.	13.6.5.D.1	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		
Provide pedestrian, bicycle and transit facilities connecting the High Density Tourist District with other regional attractions.	13.6.5.D.2	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		
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.	13.6.5.D.3	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		
Conformity Review for Amendments to Area Plans	Code	Conformance
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	13.6.6	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

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.		
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Notes:

Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan	Code	Conformance
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.	13.6.7.A	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Notes:

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.	13.6.7.B	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
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Notes:

Effect of Finding of Conformance of Area Plan	Code	Conformance
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.	13.6.8	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Notes:

Procedures for Adoption of Memorandum of	Code	Conformance
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Understanding		
Area Plan is consistent with Procedures for Adoption of Memorandum of Understanding	13.7	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		

Monitoring, Certification, and Enforcement of Area Plan	Code	Conformance
Area Plan includes Notification, Monitoring, Annual Review, and Recertification procedures consistent Code Section 13.8	13.8	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		

Appeals	Code	Conformance
Area Plan Appeal Procedure is consistent with Code Section 13.9	13.9	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Notes:		