

**TAHOE REGIONAL PLANNING AGENCY  
RPU COMMITTEE**

TRPA Offices  
Stateline, NV

November 15, 2011  
November 16, 2011

**REVISED  
MEETING MINUTES**

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Mr. Shute called the meeting to order on November 15, 2011 at 1:01 p.m. and November 16, 2011 at 1:27 p.m.

Members Present: November 15, 2011 and November 16, 2011

Ms. Aldean, Ms. Fortier, Ms. Reedy, Mr. Robinson, Mr. Sevison, Mr. Shute

Members Absent:

Ms. Bresnick

II. PUBLIC INTEREST COMMENTS

None

III. APPROVAL OF AGENDA

Ms. Aldean moved approval.  
Motion carried unanimously.

IV. APPROVAL OF MINUTES & ACTION SHEETS FROM PRIOR MEETING (S)

Ms. Reedy moved approval of September 28 and November 2, 2011 minutes and action sheets.  
Motion carried unanimously.

V. PLANNING MATTERS

Discussion on Land Use Goal-5 and Land Use Policies-5.1 & 5.2

Mr. Stockham gave an introduction to the above Goal and Policies.

Committee Comments & Questions

Ms. Aldean said she does not object to entering into joint agreements, but what are the alternatives? Will TRPA interfere with the Counties' ability to pursue or approve development with potential impacts in the Tahoe Basin? She said local Governments may be concerned with this.

Mr. Stockham said there is no intent for TRPA to be involved outside the Region, unless it is warranted and there is mutual intent by Local Governments.

Mr. Sevison is concerned with TRPA's motive and what they expect to accomplish by commenting on projects outside the Basin.

Ms. Marchetta said we can recommend alternative language for an implementing policy and that Staff has authorization from the Board, before any action.

Ms. Aldean said regarding (Land Use-5.2) the local jurisdictions should not have a problem keeping the Agency informed. She suggested a language change to be more permissive. In the first sentence, change from "shall" to "may."

Mr. Stockham said staff will research the Compact in relation to Policy Land Use-5.2 and provide language consistent with the Compact.

Ms. Aldean said if mandatory action is required by the TRPA Board pursuant to the Compact, we should make any action require Board review and approval.

#### Public Interest Comments & Questions

None

**Ms. Aldean: Moved to approve Land Use Goal-5 and Land Use Policy-5.1 without modifications.**

**Ayes: Ms. Aldean, Ms. Reedy, Mr. Robinson, Mr. Sevison, Mr. Shute**

**Nays: None**

**Abstain: None**

**Absent: Ms. Bresnick, Ms. Fortier**

**Mr. Shute asked to defer action on Land Use Policy-5.2 and directed staff to modify language on the policy that will reflect the Compact and require Board direction.**

#### Discussion on Land Use Policy-4.1

Mr. Stockham said text was amended from suggestions at the last Committee meeting regarding Federal Plans. We also removed some qualifying language for the Town Centers and High District Tourist overlays.

### Committee Comments & Questions

Mr. Shute said “redevelopment” has a connotation of massive urban structures when we are referring to sustainable development. Is there another term for redevelopment, as we need to be consistent?

Mr. Sevison said it appears that redevelopment is an overlay on most of the zoned districts.

Ms. Marchetta said we can note that it is not referring to “R” redevelopment.

Ms. Aldean said she would prefer the word “redevelopment” rather than “redirection.”

Mr. Robinson asked if there is going to be a definition for “R” development.

Mr. Stockham recommended that staff develop working definitions for these terms.

### Public Interest Comments & Questions

None

**Mr. Shute asked to defer voting on Land Use Policy-4.1 and requested staff to develop working definitions of terms.**

### Discussion for Land Use Policy-4.2

### Committee Comments & Questions

Mr. Shute said if an existing Plan Area Statement contradicts a newer provision, how would a decision be made to determine whether there is a conflict?

Mr. Stockham said there is a transition process where the existing plans will stay in place until superseded. There may be new Regional Plan Ordinances adopted at this point that may conflict with provisions of those Plan Area Statements. This language is intended to require what is specified in the new Plan but not require items not incorporated in the new Plan.

Mr. Sevison asked if there is a process to go back and clean things up if necessary.

Mr. Stockham said a transition process is defined in Land Use Policy-4.5.

Mr. Marshall suggested deleting the word “directly” and use “contradict.”

Ms. Aldean asked what staff's intent was. Is there a hierarchy of contradictions?

Mr. Stockham said the intent is that it be a direct contradiction.

Mr. Shute recommended taking out the word "directly."

#### Public Interest Comments & Questions

None

**Mr. Sevison moved to approve Land Use Policy-4.2 with modifications**

**Ayes: Ms. Aldean, Ms. Reedy, Mr. Robinson, Mr. Sevison, Mr. Shute**

**Nays: None**

**Abstain: None**

**Absent: Ms. Bresnick, Ms. Fortier**

#### Discussion on Land Use Policies-4.3 & 4.4

Mr. Stockham gave an introduction to above policies.

#### Committee Comments & Questions

Ms. Aldean suggested on the 4<sup>th</sup> line from the bottom on Land Use-4.4; referring to multiple plans use the following language "if any of these plans contain" as opposed to "contains" provisions.

#### Public Interest Comments & Questions

Ann Nichols, North Tahoe Preservation Alliance would like to see the word changed from stories to height.

Mr. Stockham said the recommendation is not to permit four stories. The option of local government plans is to include heights up to four stories.

Carl Young said the League to Save Lake Tahoe is concerned that there are not enough safe guards in place to achieve Thresholds.

Laurel Ames, Tahoe Area Sierra Club is concerned with height issues.

Mr. Marshall said if local plans are adopted and it contradicts a previously adopted Plan Area Statement or Community Plan, the local plan would be in control and would also need to be in conformance with the Regional Plan.

**Mr. Robinson moved to approve Land Use Policies-4.3 & 4.4 with modifications and remove the word "direct."**

**Ayes: Ms. Aldean, Ms. Reedy, Mr. Robinson, Mr. Sevison, Mr. Shute**  
**Nays: None**  
**Abstain: None**  
**Absent: Ms. Bresnick, Ms. Fortier**

Discussion on Land Use Policy-4.5

Mr. Stockham gave an introduction to the above policy.

Committee Comments & Questions

Mr. Sevison is concerned with having performance dates specified.

Mr. Stockham said the intent is to have a deadline to complete an evaluation but not necessarily a deadline for response to the evaluation.

Ms. Reedy asked what the repercussions are if you miss a deadline.

Mr. Sevison is concerned with imposing sanctions on Local Government.

Mr. Stockham said that staff is proposing deadlines on TRPA, but not recommending any sanctions on local governments.

Ms. Aldean asked there is a process for extending deadlines.

Mr. Stockham suggested that extension language be added to the policy.

Mr. Marshall said that per statutes and codes, TRPA would not lose the authority to take action if the deadline is missed.

Ms. Aldean asked who will approve the "updates and plan consolidations that are prepared in accordance with this policy.

Mr. Stockham said it would be TRPA, in the event local governments do not want to do their plans.

Ms. Aldean asked if there is a certain time proposed for transitioning from Community Plans and Plan Area Statements to local plans.

Mr. Stockham said that staff did not recommend a certain time. There are enough incentives built in that this transition should happen.

Ms. Aldean asked if the addition of the (specific extension language) would be an administrative decision.

Ms. Marchetta said that was correct.

Mr. Shute is concerned that we will have two systems, one for local government and one for TPRA.

Mr. Stockham said all plans have to conform and implement the Regional Plan.

Mr. Shute asked if each local jurisdiction would have only one local plan.

Mr. Stockham said local governments will have discretion on the number of plans.

Mr. Shute suggested a date be established for local governments to notify TRPA of their intentions.

Mr. Robinson asked if there would be a deferral upfront regarding participation.

Mr. Shute said that if the deadline has passed, TRPA would know what jurisdictions' to plan for.

Mr. Stockham suggested that staff provide some policy language.

Mr. Sevison suggested the local jurisdictions have as much advance notice as possible.

Mr. Hester recommended having a deadline for notification, and the local governments could participate at a later date.

Ms. Aldean said it would be more cost effective to know their intentions in advance.

Mr. Stockham said the local jurisdictions would have an indefinite time period for participation.

Ms. Reedy asked if there should be a "required date" to be notified.

Mr. Stockham asked if one year from adoption would be enough time.

**Mr. Shute asked to defer action on Land Use Policy-4.5 and directed staff to revise the policy to call for statements of intent from local governments and development of an action plan based on the statements of intent.**

Public Comments & Questions

None

Discussion on Land Use Policy-4.6

Mr. Stockham gave an introduction to the above policy.

Committee Comments & Questions

Ms. Aldean asked to include additional language “and other Stakeholders and TRPA Staff.”

Public Interest Comments & Questions

Ann Nichols, North Tahoe Preservation Alliance asked if local residences included second homeowners.

Mr. Stockham said they are a residence and a stakeholder.

**Mr. Sevison moved to approve Land Use Policy-4.6 with modifications.**

**Recommended language: Local residence, and other stakeholders and TRPA staff.**

**Ayes: Ms. Aldean, Ms. Fortier, Ms. Reedy, Mr. Robinson, Mr. Sevison, Mr. Shute**

**Nays: None**

**Abstain: None**

**Absent: Ms. Bresnick**

Discussion on Land Use Policy-4.7

Mr. Stockham gave an introduction to the above policy.

Committee Comments & Questions

Ms. Fortier asked if after the approval of a local plan by staff, if they would need Board approval.

Mr. Stockham said the Board would have to make a finding that the Local Plan conforms to Regional Plan.

Mr. Robinson asked if there will be a Conformance Review by the Board before final approval.

Mr. Shute suggested adding language to include “achieving and maintaining the Threshold”.

Mr. Marshall suggested adding language to reference 6.4 & 6.5 of the current Code.

Mr. Stockham suggested a revision to the language on the 5th line down, “are consistent with and further the achievement and maintenance of Thresholds and the Goals & Policies of the Regional Plan.”

Ms. Fortier is concerned that there would be multiple models to adhere to in the Plan.

Ms. Reedy asked if this would be specified in the Ordinances.

Ms. Marchetta said that this is one consistent system not several independent systems.

Mr. Marshall said the local plans will move us towards Threshold attainment, but the overall finding relates to whether the Regional Plan is going to attain and maintain Thresholds.

Mr. Shute said that the local plans must have provisions to help achieve Thresholds.

Ms. Marchetta said the EIP is the single most important strategy in moving toward attainment of Thresholds.

Ms. Reedy asked if the Municipalities would have to distinguish how they tie into the Thresholds.

Mr. Shute said EIP projects could be included in the local plan and show environmental gain.

Mr. Severson asked if the Local Plans are consistent with the Regional Plan, and wouldn't it further Threshold improvement.

Mr. Shute said unless the local plan demonstrates that they are moving towards the Thresholds, how can the Regional Plan make a finding?

Mr. Robinson asked if the local plan would ask for permission for degradation.

Ms. Fortier said Threshold findings are not just about Water Quality degradation.

Ms. Marchetta said that under the Conformance Review, TRPA could make findings that local government plan achieves and maintains Thresholds.



Mr. Stockham said we are providing a more flexible system to achieve Threshold gain.

Public Interest Comments & Questions

None

Mr. Shute said the only addition is to add reference to achieving and maintaining Thresholds as part of the finding which would be fundamental policy.

**Ms. Reedy moved to approve Land Use Policy-4.7 with modifications.**

**Ayes: Ms. Aldean, Ms. Fortier, Ms. Reedy, Mr. Robinson, Mr. Sevison, Mr. Shute**

**Nays: None**

**Abstain: None**

**Absent: Ms. Bresnick**

Discussion on Land Use Policies-4.8, 4.9 & 4.10

Mr. Stockham gave an introduction to the above policy.

Committee Comments & Questions

Mr. Shute asked if there are going to be any performance standards.

Mr. Stockham said the system provides non quantitative outcome requirements and a review point for the Board to make a determination of conformance.

Mr. Sevison is concerned it may be difficult to quantify.

Ms. Marchetta said we are looking at interim provisions until local jurisdictions develop their own plans for TMDL.

Ms. Reedy said science has changed and there is not enough money to do all the measurements necessary.

Mr. Shute is concerned with how this is all going to tie together.

Ms. Fortier is concerned that there are three different plans being developed.

Mr. Stockham said there are two ways TRPA can contribute to the TMDL in the interim.

Mr. Shute suggested adding criteria that specifies that a TMDL plan is required for approving a local plan.

Mr. Stockham suggested adding, “Local plans could be developed and found to conform to the Regional Plan in the interim period.”

Ms. Fortier said the City does not want to be in a position where they cannot do anything until 2014.

Mr. Shute said the local plan could be approved with different criteria until plans are adopted.

Ms. Aldean asked if it is TRPA’s responsibility to withhold incentives if local jurisdiction does not meet the TMDL deadline.

Mr. Stockham said TRPA could revoke any previous permitting authority.

Ms. Reedy said since this is not solidified, it may not be the time to add this.

Mr. Stockham said interim standards would be evaluated when there are TMDL Implementation Plans.

Mr. Sevison suggested deferring action on this.

#### Public Interest Comments & Questions

Ann Nichols, North Tahoe Preservation Alliance suggested height maximums for number three. She is concerned with area boundaries on number six and adequate BMP’s for number nine. Also, asked if number seven is for new development.

Mr. Stockham said number three is not designed to amend project by project. In number six there are no significant changes to Land Use patterns in residential neighborhoods. Number seven addresses paved areas in Town Center Stream Environmental Zones.

#### Committee Comments & Questions

Mr. Shute suggested clarifying language for number seven.

Mr. Sevison suggested including linear projects.

Ms. Aldean suggests adding, “Development may be allowed in disturbed Stream Environment Zones.”

Mr. Stockham suggested staff work on Bike Trail language under the Transportation section.

## Public Interest Comment & Questions

Gary Bohlen is concerned that Tahoe is the guinea pig for the TMDL.

Laurel Ames is concerned with the Stream Environmental Zone language. She suggested in Item two, second line of Land Use Policy-4.9 using the word “respect.” She is also concerned with the TMDL.

Ann Nichols said in item five, she suggested changing the language to “Determine carrying capacity and ensure that there is enough”. She also asked for less focus on “offsite” in Land Use Policy-4.10, Item 4.

Carl Young said the League to Save Lake Tahoe suggests adding achievement and maintenance of Thresholds in headings of Land Use Policy-4.8, 4.9 and 4.10.

Mr. Sevison asked if we are forsaking one Threshold for another.

Ms. Marchetta said our role is to be a Regional Agency.

Mr. Feldman is concerned with a deadline of compliance for the local jurisdiction plan approval. In Land Use Policy-4.8, paragraph four, he suggested changing the language “also recommend enhancements to planned Environmental Improvement Projects or additional Environmental Improvement Projects.”

Mr. McClure is concerned with the conflict between Environmental gain and Threshold gain and also the grandfathered uses of BMP’s.

Ms. Marchetta said do not confuse an EIP project with a TMDL implementation strategy.

## Committee Comments & Questions

Ms. Fortier is concerned with how local jurisdictions will use the limited resources to gain the most for the entire Community.

Mr. Shute said Land Use Policy-4.8, number 4, suggested language is “planned or additional Environmental Improvement Projects.”

Mr. Marshall suggested taking out “planned.”

Mr. Stockham suggested changing from “enhancements” to “modifications.”

Mr. Marshall suggests changing from “enhanced” to “or additional Environmental Improvement Projects”.

Ms. Aldean suggested a modification earlier in the paragraph, “Recognize and support planned, new and enhanced Environmental Improvement Projects”, and in the second sentence remove “planned.”

Mr. Marshall confirmed language revisions in the first and second line, “planned, new or enhanced Environmental Improvement Projects” and also take out “planned” before Environmental Improvement Projects.

Mr. Shute asked about agreement on number 4 language revisions, “provide substantial Threshold gain for out of attainment Thresholds.”

Ms. Aldean said the word is subjective. She is not sure she supports this.

Ms. Reedy said language as written is fine.

Mr. Shute said number 7 suggested revisions, “Development may be allowed in disturbed Stream Environment Zones.”

Mr. Shute said Land Use Policy-4.9, number 2, second line, suggested revisions: “and respect ridgeline and view shed” rather than “consider.”

Mr. Marshall said “Respect” contains a subsistent notion.

Ms. Reedy suggests keeping the word “consider.”

Mr. Marshall said this is a standard that the local government would have to meet.

Ms. Fortier said she agrees with the word “consider.”

Mr. Shute said changes to Land Use Policy-4.8, number 4 are, “in disturbed Stream Environment Zones.”

Ms. Fortier asked for clarification of the BMP standard in Land Use Policy-4.8, number 9.

Ms. Aldean said in the later part of the sentence reads: “or require more stringent BMP practices if deemed necessary”. This takes delegation authority away from Local Jurisdictions.

Mr. Sevison suggested “comply at a minimum” and delete the last part.

Mr. Stockham said the intent is compliance with TRPA Best Management Practices

unless Local Plan proposes a more stringent one.

Ms. Aldean asked if it is a mandate or an election. She suggested removing it.

Mr. Marshall said we are also combining number 2 & 10. Number 2 would read, "be consistent with applicable Regional Plan policies including but not limited to" and number 10 would read, "the growth management system (i.e., development allocations and coverage requirements.)"

Mr. Shute suggested leaving number 2 and delete number 10.

Mr. Marshall said the intent was to be specific on what TRPA was reviewing.

Mr. Shute said that number 2 and 10 are combined.

**Ms. Aldean motion to approve Land Use-4.8 with modifications.**

**Ayes: Ms. Aldean, Ms. Fortier, Ms. Reedy, Mr. Robinson, Mr. Sevison, Mr. Shute**

**Nays: None**

**Abstain: None**

**Absent: Ms. Bresnick**

**Ms. Reedy moved to approve Land Use-4.9 without modifications.**

**Ayes: Ms. Aldean, Ms. Fortier, Ms. Reedy, Mr. Robinson, Mr. Sevison**

**Nays: Mr. Shute**

**Abstain: None**

**Absent: Ms. Bresnick**

**Mr. Shute suggested Land Use-4.9, bullet 2, proposed using "respect" instead of "consider."**

Mr. Shute said number 4 encourages offsite improvements.

Mr. Stockham said this was drafted as an additive requirement.

Ms. Aldean said that offsite improvements may advance the cause as well. She suggested a language revision, "if necessary to achieve Threshold gain offsite improvements may be additionally required."

**Mr. Sevison moved to approve Land Use-4.10 with modifications, "If necessary to achieve Threshold gain offsite improvements maybe additionally required."**

**Ayes: Ms. Aldean, Ms. Fortier, Ms. Reedy, Mr. Robinson, Mr. Sevison, Mr. Shute**

**Nays: None**

**Abstain: None**

**Absent: Ms. Bresnick**

Discussion on Land Use Policy-4.11

Committee Comments & Questions

Mr. Shute commented that there is no uniformity.

Mr. Stockham said the intent is to allow flexibility or Local Governments.

Mr. Shute asked what the role of a TRPA Ordinance is if there has been a conformance determination.

Mr. Stockham said TRPA Ordinances apply unless superseded by local Ordinances.

Mr. Sevison said that the portion of Placer County that is outside of the Basin may fall into this category.

Public Interest Comments & Questions

Ann Nichols suggests adding language, "Achieve and maintain Thresholds."

Committee Comments & Questions

Mr. Stockham said the Regional Plan and aggregate needs to meet the "Achieve and maintain."

Mr. Shute said he does not agree.

Ms. Marchetta suggested writing an overarching policy stating, "these Goals & Policies should be interpreted with the intent of achieving and maintaining Thresholds."

Mr. Shute asked if earlier language is broad enough. He recommended staff provide suggestions at the next meeting.

Mr. Marshall suggested in Land Use Policies-4, "These conformance determinations shall be made consistent with 6.4 & 6.5 of the Code."

Ms. Reedy asked if we have a preamble.

Mr. Stockham said there is introductory language for the Plan.

Ms. Aldean asked if we want to remove from Land Use-4.7.

Mr. Shute said the language should be removed from Land Use-4.7.

**Ms. Aldean moved to remove previously approved language in Land Use-4.7, Committee had a unanimous vote of approval to eliminate earlier modifications and support the policy as originally proposed by staff.**

**Language removed “achieving and maintaining Thresholds and approve as proposed by Staff.”**

**Ayes: Ms. Aldean, Ms. Fortier, Ms. Reedy, Mr. Robinson, Mr. Sevison, Mr. Shute**

**Nays: None**

**Abstain: None**

**Absent: Ms. Bresnick**

Mr. Stockham said staff will provide language for the introductory text.

Mr. Marshall asked if staff should specify that the conformance determinations made by TRPA would be made consistent with the current Code, Section 6.4.

#### Public Comment & Questions

None

**Ms. Aldean moved to approve Land Use-4.11 without modifications.**

**Ayes: Ms. Aldean, Ms. Fortier, Ms. Reedy, Mr. Robinson, Mr. Sevison, Mr. Shute**

**Nays: None**

**Abstain: None**

**Absent: Ms. Bresnick**

#### Discussion on Land Use Policy-4.12

Mr. Stockham gave an introduction to the above policy.

#### Committee Comments & Questions

Mr. Shute asked why “E” and “F” wouldn’t be all activities.

Mr. Stockham said to change both to activities, then A-F would read, “all development.” He said staff will provide definitions.

Ms. Fortier asked what an example of 50,000 square feet is.

Mr. Stockham said it is a numeric breaking point that is used in many jurisdictions.

Mr. Robinson asked if there is a statutory Compact basis for the annual review.

Mr. Stockham said staff feels that another level of scrutiny is appropriate during the transition and may be relaxed when appropriate.

Ms. Aldean (Sub paragraph D) asked if this is a variance process. She also commented on the height limit of buildings outside the Town Centers of two stories.

Mr. Stockham said there are clauses for Tourist establishments to go taller than two stories.

Mr. Sevison asked if we need a variance procedure.

Mr. Marshall said we do not have variance proceedings.

Mr. Stockham said in Community Design, there are provisions for additional heights.

Ms. Aldean said affordable housing needs to be affordable to build.

Ms. Reedy asked if two stories are defined.

Mr. Stockham said there will be more detailed definitions at that point in the plan.

Mr. Shute asked why “stories” and “height” is used.

Mr. Hitchcock said we are planning to establish height as measured in feet.

Mr. Stockham said there will be a story and associated foot requirement.

Ms. Aldean recommends staff review of Plan Area Statements that are not in Town Centers that are receiving bonus units for affordable housing.

Mr. Marshall said two stories is an additive to Tourist Accommodation Units and commercial floor area.

Mr. Stockham said it would be a unique situations that qualify to go above two stories.

Ms. Aldean said she interprets it to be specifically for a Tourist Accommodation projects that are proposing to go higher than two stories.

Mr. Stockham said staff will review wording.

Mr. Shute asked how many projects have had 50,000 of commercial floor area square feet in the last 5-10 years. He said that number may be too high.



Mr. Stockham said approximately less than one half dozen.

Mr. Hitchcock said the 1987 Plan Commercial Square Foot allocation was 800,000.

Mr. Stockham said there does not have to be the same numeric standard for commercial as residential.

Ms. Fortier asked if each Plan has to go through TRPA approval on every level. She is concerned that the City cannot control their commerce centers.

Mr. Stockham said for projects with these criteria would have to go through both steps.

Ms. Marchetta said this identifies what a project of Regional significance is.

Mr. Stockham said it is a conformance review against the Regional Plan.

Mr. Sevison asked if there will there be an appeal process.

Mr. Shute recommends an appeal process.

Ms. Reedy asked if we should be approving things like grocery stores.

Ms. Fortier is concerned about projects going back for further review, even if the local plan is within requirements.

#### Public Interest Comments & Questions

Ann Nichols is concerned that the rules are Basin wide and she is concerned with height requirements.

Sarah Ellis, Nevada Realtors asked if there is a difference between permitting authority and development review.

Gary Bohem asked for clarification between activities and development.

Mr. Stockman said all developments are activities, but not all activities are development. Staff will bring forward more definition at future meetings.

Mr. Feldman gave an example of a project that may or may not be of Regional significance.

Mr. Stockham said with the substantive and procedural safe guards recommended appeals are unnecessary.

Mr. Sevison suggested having Local Jurisdictions give feedback for appeal conditions.

Ms. Marchetta suggested a few Committee members to work with staff on this topic.

Public Interest Comments & Questions

Laurel Ames, Tahoe Area Sierra Club is concerned with variances and the General Plan.

**Mr. Shute asked to defer action on Land Use-4.12.**

Mr. Shute called a recess at 4:55 p.m.

The meeting reconvened on November 16, 2011.

Public Interest Comments & Questions

None

**Ms. Aldean moved to approve a Sub Committee to work with staff on Land Use-4.12.**

**Ayes: Ms. Aldean, Ms. Fortier, Ms. Reedy, Mr. Robinson, Mr. Sevison, Mr. Shute**

**Nays: None**

**Abstain: None**

**Absent: Ms. Bresnick**

Discussion on Regional Center Overlay and Conforming Language Changes

Mr. Stockham gave an introduction to the above.

Committee Comments & Questions

Mr. Marshall said this is an additional overlay.

Ms. Reedy asked if the Subcommittee would take the overlay into consideration.

Mr. Hester said there would be an option to have a different review process for height in the Regional Centers.

Mr. Stockham recommended that height is treated differently in the Regional Center overlay.

Mr. Shute said is a good idea.

Ms. Aldean is concerned with subparagraph D. She said that through the local plan, the residence, etc., could decide what would be applicable. Also, she suggested a maximum that is universally applicable.

Mr. Sevison suggested it would need to be tailored to certain areas.

Ms. Aldean said the decision would be made through the local planning process.

Ms. Reedy said she agrees that the localities should have choices in their local plans.

Ms. Fortier asked what the Threshold is.

Mr. Shute said height would be a sideboard for the different categories.

Mr. Stockham said staff concurs on process, the Regional Center would allow us to establish different maximums for these areas vs. Town Centers.

#### Public Interest Comment & Questions

Ann Nichols, North Tahoe Preservation Alliance said she agrees with the one size fits all.

Laurel Ames, Tahoe Area Sierra Club is concerned with height and the ridgelines.

Nancy McDermid, Douglas County Commissioner said local communities should be able to determine what is appropriate.

Dave McClure, North Tahoe Citizens Action Alliance is concerned with growth concepts in the Basin.

Carl Young said the League to Save Lake Tahoe is concerned with scenic quality, ridgelines and stories.

Lew Feldman said we need to implement environmental redevelopment with environmental gains.

#### Committee Comments & Questions

Ms. Reedy said in Land Use-4.1, Regional Center overlay is what we were originally taking public comment on.

Mr. Shute proposed to move forward with additional Regional Center Overlay and have staff provide recommendations on height.

Mr. Marshall said height will be set when each district is reviewed.

Mr. Shute is concerned with the two story parameter already in “D.”

Mr. Stockham said this only provides an option for treating it differently.

Ms. Marchetta said the Regional Center overlay is in areas of South Shore.

Ms. Fortier said the Subcommittee will determine where TRPA and the local government’s responsibility are.

Ms. Reedy said there was a previous discussion was to define “story”.

Mr. Shute said he will work with staff and the Subcommittee members to set a date to come back with a report.

**Ms. Reedy moved to approve changes in Land Use-4.1 to add the Regional Center overlay language, and corresponding changes in Land Use-4.9. Added “Regional Center” after “Town Center” to applicable sections in Land Use-4.8.**

**Ayes: Ms. Aldean, Ms. Fortier, Ms. Reedy, Mr. Robinson, Mr. Sevison, Mr. Shute**

**Nays: None**

**Abstain: None**

**Absent: Ms. Bresnick**

#### Discussion on Land Use Policy-4.13

Mr. Stockham gave an introduction to the above policy.

#### Committee Comments & Questions

Mr. Sevison suggested the word “consistent” rather than “comply” with TRPA requirements.

Mr. Stockham also suggested “in Conformance with.”

Mr. Shute asked why public agencies are the only reference.

Mr. Stockham said the intent is for TRPA to be involved with local governments during the plan development process.

Ms. Aldean asked if TRPA’s participation would be limited to local governments.

The process should be defined early, in order to encourage public input.

Mr. Stockham said TRPA would participate in public workshops, but local governments would be the lead staff. Also, comments not received during the local planning process may limit a person's ability to affect change.

Mr. Robinson said it appears more useful when plans are being developed for the first time when there are two entities involved.

Mr. Sevison asked how much of the existing plan will be in the adoption of the new plan.

Mr. Stockham said the existing plan would be the starting point for a new plan.

#### Public Interest Comments & Questions

None

**Mr. Sevison moved to approve Land Use-4.13 with modifications. As proposed except for "comply" would be changed to "are in conformance with."**

**Ayes: Ms. Aldean, Ms. Fortier, Ms. Reedy, Mr. Robinson, Mr. Sevison, Mr. Shute**

**Nays: None**

**Abstain: None**

**Absent: Ms. Bresnick**

#### Discussion on Land Use Goal-4

Mr. Stockham gave an introduction to the above goal.

#### Committee Comments & Questions

Ms. Aldean said in the first paragraph, it should be expanded to three overlay districts and include Regional Centers.

Mr. Shute said number three says this amends the applicable Plan Area Statement to recognize tribal ownership.

Mr. Stockham said there will be recommendations for implementation items not directly related to policy language changes.

Ms. Fortier asked if there is a process for local jurisdictions to achieve Threshold attainment.

Ms. Reedy said the language suggests that local entities would need to scientifically prove Thresholds attainment.

Mr. Stockham said that the Consultants are developing tools that will assist local governments to capture the status of Thresholds.

Ms. Reedy said she would like the local government committee to review the tool.

Mr. Sevison asked if the finding would be consistent with the Regional plan.

Mr. Stockham said that the local governments will be provided information on Threshold attainment.

Mr. Hester said the local government committee is working on the funding for the Strategic Growth Council HUD Grant.

Ms. Marchetta said a portion of the Strategic Growth Council grant will assist with the funding to develop baseline information.

Mr. Stockham suggested staff provide further recommendations on bullets 1-3.

Mr. Hester said in bullet 3, local governments would provide annual project information to review baseline changes.

Mr. Robinson asked if there would be an obligation for the locals to update the baseline information.

Mr. Hester said TRPA would have to update the baseline information with what local government gives us. We do not have funding to re-establish a base line every year.

Mr. Sevison asked if there could be a checklist rather than a mini Environmental Impact Review.

Mr. Hester said TRPA would update the baseline information.

Mr. Shute asked if staff wants to provide information at a future meeting on these three bullets.

Ms. Reedy said she is ok with deleting the 3 bullets.

Mr. Hester suggested deleting the first 2 bullets.

Mr. Shute asked why we are deleting number 2.

Mr. Marshall said this is duplicative of the requirements in Land Use-4.8.

Mr. Shute said Code is not in the plan.

Mr. Stockham said more detail would be specified in the Code for the Plan review criteria.

Mr. Hester said number 3 could be addressed in the Memorandum of Understanding or the Code.

Mr. Shute said he is not in favor of shifting to the Memorandum of Understanding.

Ms. Reedy said we could require that it be in a Memorandum of Understanding, as part of reporting requirements for local plans.

Mr. Stockham said staff could provide more detailed Code language and suggested removing the first 2 bullets and providing more detail on the last 2 bullets.

Mr. Shute asked if we take it out will we see it again in Code.

Ms. Aldean said the only item that would come back to us is the third one, unless the local government committee decides to bring it back to the Regional Plan Update Committee.

Ms. Reedy suggested removing 1 & 2 and then forward the balance to the local government committee.

Ms. Aldean said that TRPA will provide local governments a status on Thresholds that in part meets the requirements of bullet 1.

Ms. Fortier said she is concerned with the word “monitoring” in number 3.

Mr. Shute said he is concerned that in number 1 TRPA is not doing it in a formal manner, number 2 not controversial and number 3 & 4 would stay in.

#### Public Interest Comment & Questions

Hilary Roverud, City of South Lake Tahoe is concerned with funding for the local governments, if they are going to be monitoring and reporting baseline information.

Dave McClure, North Tahoe Citizen Action Alliance is concerned with the Threshold data.

Mr. Shute said we should spend our time on the Policies and the Plan.

Ms. Reedy is concerned in writing the plan on some of these details.

Mr. Shute said he would prefer to discuss height, coverage, etc., in the context of policy.

Ms. Aldean asked if there will be a reconciliation based on the alternatives that are selected.

Ms. Marchetta said this was not a good example of implementation measures that need to be in the Code.

Mr. Hitchcock said the Washoe Tribe requested that their land ownership be recognized in the planning policies.

Mr. Shute asked if we need to add Community Plans, Ski Area Plans to the fourth bullet.

Mr. Stockham said bullets 1, 2 & 4 are implementing policy changes; bullet 3 is a separate topic. In bullet 5 we are recommending working with local government staff.

Ms. Reedy made a motion not to approve anything. Height issues should be in future discussions.

Mr. Hester asked for clarification on bullet 5, number 1 & 2 are off the table, number 3 needs discussion with the local government committee and number 4 will continue today.

Mr. Shute asked if after the local government committees made recommendations if it would come back to us.

Ms. Reedy said yes.

Mr. Stockham said under the fifth bullet, the table needs further discussion.

Ms. Aldean suggested that all four bullets under number 5 have input from the local government committee.

Ms. Reedy said her motion is what has been agreed upon and the balance of this would go to the local government committee.

**Mr. Shute confirmed the language for approval of Land Use-4 Implementation Measures (bullets 1-4) with modifications. Number 5 would go to the local government committee and then come back to the Regional Plan Update**



**Committee with a recommendation. Defer action on Implementation Measure Table.**

**Ayes: Ms. Aldean, Ms. Fortier, Ms. Reedy, Mr. Robinson, Mr. Sevison, Mr. Shute**

**Nays: None**

**Abstain: None**

**Absent: Ms. Bresnick**

Discussion on Land Use Table

Mr. Stockham gave an introduction to the above table.

Committee Comments & Questions

Ms. Aldean said mixed use was previously residential and commercial. She asked if the categories are combined, and how does that affect existing height.

Mr. Stockham said the only changes in height requirements would be in the Town Centers, Regional Center overlay, and the High Density Tourist District.

Ms. Alden suggested adding clarifying language under existing residential and commercial.

Mr. Stockham said the only changes in height requirements would be in the Town Centers, Regional Center overlay, and the High Density Tourist Districts.

Ms. Fortier asked how this will work with the proposed height in the Tahoe Valley Plan.

Mr. Hitchcock said we delineated the Tahoe Valley Community Plan as a Town Center.

Mr. Shute suggested the word "feet" for consistency.

Mr. Stockham said 2 stories= 32', 4 stories= 56', 6 stories= 95'.

Ms. Reedy asked for clarifications on density, Multi Family Dwellings, etc.

Mr. Stockham said single family and multiple families (non-urban) density remains as existing. Residential has one provision for local plans to identify transitioning district next to Town Centers.

Mr. Hitchcock said we want to encourage higher density in areas with walkable mixed use districts. The trend with the Tourist Accommodation Units market is moving toward units with kitchens.

Mr. Stockham said on Land Coverage, pedestrian amenities are no longer economically feasible with current design requirements.

Mr. Stockham said for example, if a tower was constructed the environmental gain would offset any impact through the local planning process.

Ms. Reedy said is it correct that if a property went higher, it would take density from another area.

Mr. Stockham said that currently these outdated facilities are not contributing to the Region economically and scenically, etc.

Ms. Aldean said the Compact restricts the expansion of gaming.

Ms. Fortier asked what the logistics would be for a new tower.

Mr. Stockham said there are incentives for transfer of development rights.

Mr. Shute asked if there are any financial studies and if so he would like to see them.

Mr. Stockham said there have been studies completed with public feedback that has been received. He said results will be back early in the New Year.

Ms. Reedy said providing incentives are going in the right direction.

Mr. Stockham staff is recommending blanket coverage at 70% for the Town Centers, Regional Centers and High Density Tourist Districts

Ms. Fortier asked if TRPA has a complete streets plan.

Mr. Stockham said TRPA will outline a complete street plan and allow local governments to determine the detail.

Ms. Marchetta said we are currently updating the Transportation element of this plan.

#### Public Interest Comment & Questions

Ann Nichols asked if Land Use-4.12, Item 1 being changed to “Governing Board approval” She asked for clarification on where the Tourist Town Center overlay is. Also, she asked about special height in the Tourist Districts.

Mr. Stockham said that Land Use-4.12 was delegated to the Subcommittee. The Tourist Town Center overlay is the same as the Town Center. The height overlay district is now in the Regional Center.

Low Feldman said we want to create open space and transition from a gaming economy to a recreation based economy.

Laurel Ames is concerned about the 70% land coverage

Committee Comments & Questions:

Ms. Fortier is concerned with using Baily coverage as being the standard, as coverage itself is not enough to degrade water quality.

Public Interest Comments & Questions

Laurel Ames presented document on above discussion

Committee Comments & Questions:

Mr. Hitchcock said it is to restore 25% in disturbed subdivided lands in urban boundaries, and outside of urban boundaries it is to restore all disturbed SEZ's.

Mr. Stockham said staff has provided the most proactive strategy for improving and achieving the Thresholds.

Mr. Marshall provided the definition for the Soil Conservation Threshold management standard for impervious cover.

Mr. Shute asked if there was a provision to allow coverage of 50% up to 70% in Community Plans.

Mr. Hitchcock said you can transfer coverage above your base allowable, but it has to come from the same hydrological related area. It needs to be consistent with the Thresholds.

Mr. Shute asked if the current coverage transfer provisions bringing coverage into Community Plans are contingent on the hydrologic areas not being impaired and out of compliance with Baily.

Mr. Stockham said they do not.

Ms. Reedy asked what percent of the Basin is covered.

Mr. Hester said Baily has a number of different soil classifications and coverage can be up to or below 30%.

Mr. Marshall said this is part of the Threshold evaluation.

Ms. Reedy asked if we would hit the Baily limit if we were deriving down to the parcel level.

Discussion on Land Use Goal-2

Mr. Stockham gave an introduction to the above goal.

Committee Comments & Questions

None

Public Interest Comments & Questions

None

**Ms. Reedy moved to approve Land Use-2 without modifications.**

**Ayes: Ms. Aldean, Ms. Fortier, Ms. Reedy, Mr. Robinson, Mr. Sevison, Mr. Shute**

**Nays: None**

**Abstain: None**

**Absent: Ms. Bresnick**

Discussion on Land Use Policy-2.1

Mr. Stockham gave an introduction to the above policy.

Committee Comments & Questions

Mr. Shute said on Land Use-2.1 “permitted” has an overbearing connotation.

Mr. Stockham said staff has not recommended any changes to overall growth management system.

Ms. Reedy suggested “total capacity in the Region” and “eliminate population permitted.” Also replace “population” with “capacity.”

Public Interest Comments & Questions:

None

**Ms. Fortier moved to strike all of Land Use-2.1.**

**Ayes: Ms. Aldean, Ms. Fortier, Ms. Reedy, Mr. Robinson, Mr. Sevison, Mr. Shute**

**Nays: None**  
**Abstain: None**  
**Absent: Ms. Bresnick**

Discussion on Land Use-2 Implementation Measure

Mr. Stockham gave an introduction to the above implementation measure.

Committee Comments & Questions

Mr. Shute asked if there are allocations being held by local governments.

Mr. Hitchcock said the local governments have allocations that are currently unused.

Ms. Aldean asked for clarifications on residential bonus units.

Mr. Hitchcock said 245 residential bonus units of the 739 available are reserved for Community Enhancements projects.

Mr. Stockham said the existing units currently held by local jurisdictions could continue to be used. There are just under 200,000 being held by local governments. The 24,768 that TRPA has would be combined with 200,000 for this incentive program.

Mr. Sevison asked if it is up to the local jurisdictions to reallocate those units under this plan.

Mr. Hitchcock said there are no provisions in the current Code for local jurisdictions to reallocate their commercial floor area.

Mr. Shute asked if the square footage for bonus units reversed for Community Enhancement Projects will come out of the existing account.

Mr. Hitchcock said the 158,816 comes from the 222,763 and would be returned to the TRPA pools, if the Community Enhancement Projects are not built.

Mr. Stockham said this would permit local governments to continue with the residential allocation system which is comparable to how it has been done in the past.

**Mr. Stockham said the discussion on Land Use-2 Implementation Measure was for informational purpose only and no action is required by the Committee:**

### Committee Comments & Questions

Mr. Sevison said he would like to have input from the local planning staff's.

### Public Interest Comments & Questions

None

### Discussion on Land Use Policy-2.2

Mr. Stockham gave an introduction to the above policy.

### Committee Comments & Questions

Mr. Shute said it was estimated at 16,000 at that time, but haven't many of those been retired by purchase.

Mr. Hitchcock said staff would provide updated numbers.

Mr. Shute asked if the wording was correct for the sentence "total additional development which may be permitted within the Region..." He also asked what the Land Use element was in the "green" text below.

Mr. Stockham said the Land Use element includes, Land Use, Housing, Community Design, Water and Air Quality, etc.

Ms. Aldean said in Land Use-2.2 it was recommended to take out "all other plans." Is this included because of the local plans that are going to be developed?

Mr. Stockham said it was noted that some are going to be replaced by local plans, and we wanted a word to capture all of those. Also, he said local plans need to be consistent with the Regional Plan.

Ms. Aldean suggested the wording "the Regional Plan adopted by the Agency."

Mr. Shute said in the Tourist Accommodation Unit section, the wording is "limited need for additional units," he asked if the number comes out of the chart.

Mr. Stockham said there is a limited need for additional Tourist Accommodation Units.

Mr. Shute asked if there are any restrictions on Tourist Accommodation Units.

Mr. Stockham said there are many provisions related to Tourist Accommodation Units.

Mr. Shute is concerned that the limitations for additional tourist units are not described in the table.

Mr. Stockham said the limitations on use of those additional units will be spelled out in later policies.

Ms. Fortier asked if the standard has changed for recreational units.

Mr. Hitchcock said staff is not proposing to change the PAOT standard.

Mr. Shute asked for a motion to approve Land Use-2.2 down to just above the note "relocated and amended" to Land Use-4 on page II-3 under Public Service.

Ms. Aldean asked that it would include the removal of "of and all other plans" in the first paragraph, and in the first sentence "commitment by staff to update the approximate number of undeveloped Legal parcels in the Basin." It was also agreed to add the stricken green text on pages II-3 through II-4 as part of the motion.

Mr. Stockham said he would like to handle the red text deletions separately. Also asked if we are leaving the 16,000 that were existing at that time and then add in what is remaining as of this point.

Mr. Sevison suggested adding the total number that has been acquired with public purchase projects.

Mr. Hitchcock said there are approximately 1000 lots that have an IPES score of zero or is SEZ.

#### Public Interest Comments & Questions

None

#### Committee Comments & Questions:

Ms. Fortier asked if the standard has changed for recreational Units.

Mr. Hitchcock said staff is not proposing to change the PAOT standard.

**Ms. Aldean moved to approve Land Use-2.2 with modifications. Need to add current status of Residential development rights from 1987.**

**Ayes: Ms. Aldean, Ms. Fortier, Ms. Reedy, Mr. Robinson, Mr. Sevison, Mr. Shute**

**Nays: None**

**Abstain: None**

**Absent: Ms. Bresnick**

VI. PUBLIC COMMENT  
None

VII. ADJOURNMENT  
Chair Mr. Shute adjourned at 4:51 p.m.

DRAFT