

**\*Note:** Format is “track changes” with black text for unchanged text, green for relocated but unchanged text, blue for new text and red-strikethrough for deletions. Where text has been replaced by or relocated to other sections, that is noted. Implementation measures (other than plan policies) are in boxes under each goal. Any gray text has been supported by the Regional Plan Update Committee, with dates noted.

## *CHAPTER II*

### *LAND USE ELEMENT*

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Article V(c)(1) of the Tahoe Regional Planning Compact calls for a "land use plan for the integrated arrangement and general location and extent of, and the criteria and standards for, the uses of land, water, air, space and other natural resources within the Region, including but not limited to indication or allocation of maximum densities and permitted uses."

In general, the Land Use Element sets forth the fundamental land use philosophies of the Regional Plan, including: the direction of development to the most suitable locations within the Region; maintenance of the environmental, social, physical, and economic well-being of the Region; and coordination of the Regional Plan with local, state, and federal requirements.

The Land Use Element includes the following Subelements: land use, housing, noise, natural hazards, air quality, water quality, and community design.

## **LAND USE**



The Tahoe Regional Planning Compact calls for development of a Regional Plan that establishes a balance, or equilibrium, between the natural environment and the manmade environment. The TRPA has established environmental threshold carrying capacities that define the capacity of the natural environment and set specific environmental performance standards related to land use. The thresholds, however, do not define the maximum populations, densities, permitted uses, or other land use criteria for the manmade environment; this is the function of the Regional Plan.

It is the intent of this subelement to establish land use goals and policies that will ensure the desired equilibrium and attain and maintain the environmental thresholds within a specific time schedule.

*[\\*Note: The RPU Committee unanimously \(7-0\) supported Goal LU-1 and Policies LU-1.1 through LU-1.3 on November 2, 2011.](#)*

### **GOAL LU-1**

#### **RESTORE, MAINTAIN, AND IMPROVE THE QUALITY OF THE LAKE TAHOE REGION FOR THE VISITORS AND RESIDENTS OF THE REGION.**

Lake Tahoe is a unique natural resource in a spectacular natural setting. It is truly one of the natural treasures of the United States. The long-term economic and natural health of the Region depends on the maintenance of this unusual quality. While previous land use planning efforts have concentrated on regulating the quantity of permitted development, this Plan emphasizes an improvement in the quality of development in the Region and in the quality of the natural environment.

### **POLICIES**

#### **LU-1.1. THE PRIMARY FUNCTION OF THE REGION SHALL BE AS A MOUNTAIN RECREATION AREA WITH OUTSTANDING SCENIC AND NATURAL VALUES.**

The economic health of the Region depends on a viable tourist and recreation-oriented environment. It is ~~not~~ the intent of this Regional Plan, among other things, to encourage ~~other economic~~ development that enhances these values, such as industry or non-service commercial facilities, at the expense of outdoor recreation in the Tahoe Region.

#### **~~LU-1.2. THE REGIONAL PLAN GIVES A HIGH PRIORITY TO CORRECTING PAST DEFICIENCIES IN LAND USE. THE PLAN SHALL ENCOURAGE A REDIRECTION STRATEGY FOR SUBSTANTIALLY AND ADVERSELY ALTERED AREAS, WHEREVER FEASIBLE~~REDEVELOPING EXISTING TOWN CENTERS IS A HIGH PRIORITY.**

Many of the Region's environmental problems can be traced to past and existing development which often occurred without recognition of the sensitivity of the area's natural resources.

~~A redirection strategy provides for~~To correct this, environmentally beneficial redevelopment programs as well as for and rehabilitation of identified Town Centers, Regional Centers and the High Density Tourist District is a priority~~developed areas in need of improvement.~~

**LU-1.3. THE PLAN SHALL SEEK TO MAINTAIN A BALANCE BETWEEN ECONOMIC/SOCIAL HEALTH AND THE ENVIRONMENT.**

*\*Note: The RPU Committee unanimously (6-0) supported Goal LU-2 on November 16, 2011.*

## **GOAL LU-2**

**DIRECT THE AMOUNT AND LOCATION OF NEW LAND USES IN CONFORMANCE WITH THE ENVIRONMENTAL THRESHOLD CARRYING CAPACITIES AND THE OTHER GOALS OF THE TAHOE REGIONAL PLANNING COMPACT.**

~~Based on the findings of the Compact, evidence included in the environmental impact statement prepared for this Plan, and public testimony, the Tahoe Region is experiencing resource use problems and deficient environmental controls.~~

## **POLICIES**

*\*Note: The RPU Committee unanimously (6-0) supported the deletion of Policy LU-2.1 on November 16, 2011.*

~~LU-2.1. THE TOTAL POPULATION PERMITTED IN THE REGION AT ONE TIME SHALL BE A FUNCTION OF THE CONSTRAINTS OF THE REGIONAL PLAN AND THE ENVIRONMENTAL THRESHOLD CARRYING CAPACITIES.~~

~~Population growth in the Region will be guided by the limitations on land use set forth in the Plan. This Plan identifies land use, densities, traffic volumes, urban boundaries, and other factors that indirectly determine the population at any given time. All of these factors have been set to ensure compliance with the environmental thresholds.~~

*\*Note: Relocated and amended from LU Goal #2, Policy 5 and unanimously (6-0) supported by the RPU Committee on November 16, 2011.*

**LU-2.2 THE REGIONAL PLAN AREA STATEMENTS, COMMUNITY PLANS, OR OTHER SPECIFIC PLANS ADOPTED BY THE AGENCY SHALL SPECIFY THE TOTAL ADDITIONAL DEVELOPMENT WHICH MAY BE PERMITTED WITHIN THE REGION, NOT TO EXCEED THE LIMITATIONS SET FORTH BELOW. IN A, B, C, D, AND E, BELOW. RECONSTRUCTION AND RELOCATION OF EXISTING DEVELOPMENT ARE NOT CONSIDERED ADDITIONAL DEVELOPMENT. (SEE DEVELOPMENT AND IMPLEMENTATION PRIORITIES SUBELEMENT FOR GROWTH MANAGEMENT AND TRANSFER OF DEVELOPMENT PROVISIONS.)**

The Environmental Impact Statement prepared for this Plan analyzed impacts based on defined development parameters which are integrated into this Plan. It is the intent of this Policy to insure that these parameters/limitations are incorporated, both individually and cumulatively, into the Land Use Element. These limitations shall be expressed in appropriate land use regulations, such as zoning, use limitations, floor area limitations, allocation limits and other such regulations. For the purposes of this Plan, ~~the development~~ regulated development is categorized as residential, tourist accommodation, commercial, recreation, public service, and resource management.

Residential: Each undeveloped legal parcel existing on August 17, 1986 ~~at the time of the adoption of this plan (estimated at approximately 16,000)~~, unless otherwise restricted, has a development right of one residential unit, except where additional development rights are acquired pursuant to Goal #2, of the development and Performance Review

~~and Implementation Scheduling Subelement. priorities, or acquired pursuant to Goal #3, of the development and implementation priorities subelement. The total number of multi-residential additional units permitted shall not exceed 1400 additional units.<sup>§§</sup> (See Goals #2 and #3 of the Development and Implementation Priorities Subelement for more detail.)<sup>§</sup>~~

The status of development rights that existed on August 17, 1986 is outlined in the table below (as of November 30, 2011):

**Note: Statistics will be updated upon adoption of the 2012 Regional Plan Update.**

<b><u>Development Rights Inventory (as of November 30, 2011)</u></b>	
<u>Residences Developed before 1987</u>	<u>37,701</u>
<u>Total Development Rights in 1987</u>	<u>18,688</u>
<u>Development Rights Retired 1987-2011</u>	<u>8,512</u>
<u>Development Rights Developed or Allocated to Jurisdictions 1987-2011</u>	<u>6,085</u>
<b><u>Total Development Rights Remaining</u></b>	<b><u>4,091</u></b>
<u>    Remaining on Buildable Parcels</u>	<u>2,791</u>
<u>    Remaining on Marginal Parcels</u>	<u>765</u>
<u>    Remaining on Unbuildable Parcels</u>	<u>535</u>

~~**Tourist Accommodation:** There is a limited need for additional tourist accommodation units. Based on demonstrated need, projects may be permitted additional units as specified within a community plan or a Local Plan that has been found in conformance with the Regional Plan and as provided for in Goal #3, of the Development and Implementation Priorities the Performance Review and Implementation Subelement. The total number of additional tourist accommodation units shall not exceed 400 units.<sup>§§</sup>. (See Goals #2 and #3 of the Development and Implementation Priorities Subelement for more detail.)~~

~~**Commercial:** The amount of additional commercial development is based on the estimated needs of the region. Commercial development may be permitted as specified in plan area statements, community plans, other specific plans, or a Local Plan that has been found in conformance with the Regional Plan. The total additional gross commercial floor area permitted shall not exceed 800,000 sq. ft., excluding minor expansion, for the first 20 years of this plan. (See Goal #2 of the Development and Implementation Priorities Subelement for more detail.)~~

~~**Recreation:** Additional recreation uses may be permitted only as specified within plan area statements, community plans, or other specific plans, or a Local Plan that has been found in conformance with the Regional Plan. The total capacity of additional outdoor recreational facilities for the region shall not exceed 6,114 persons at one time (PAOTs)~~

for overnight facilities, 6,761 PAOTs for summer day use facilities, and 12,400 PAOTs for winter day use facilities. (See Recreation Element for more detail.)

Public Service: Additional public service development shall be limited to those projects needed to serve the other development permitted by this plan. (See Public Service Element)

Resource Management: Resource Management activities pertaining to the utilization, management, or conservation of natural resources shall be limited to those activities that are consistent with policies of this plan and of other adopted plans.

2. ~~SPECIFIC LAND USE POLICIES SHALL BE IMPLEMENTED THROUGH THE USE OF PLANNING AREA STATEMENTS FOR EACH OF THE PLANNING AREAS IDENTIFIED IN THE MAP INCLUDED IN THIS PLAN (LOCATED INSIDE BACK COVER). AREAS OF SIMILAR USE AND CHARACTER HAVE BEEN MAPPED AND CATEGORIZED WITHIN ONE OR MORE OF THE FOLLOWING FIVE LAND USE CLASSIFICATIONS: CONSERVATION, RECREATION, RESIDENTIAL, COMMERCIAL AND PUBLIC SERVICE, AND TOURIST. THESE LAND USE CLASSIFICATIONS SHALL DICTATE ALLOWABLE LAND USES. MORE DETAILED PLANS, CALLED COMMUNITY PLANS, MAY BE DEVELOPED FOR DESIGNATED COMMERCIAL AREAS. OTHER DETAILED PLANS, SUCH AS THE AIRPORT MASTER PLAN, SKI AREA MASTER PLANS, AND REDEVELOPMENT PLANS, MAY ALSO BE DEVELOPED. THESE DETAILED PLANS MAY COMBINE TWO OR MORE OF THE FIVE LAND USE CLASSIFICATIONS.~~

~~Since the development permitted under this Plan is generally limited to the existing urban boundaries in which uses have already been established, the concept of this land use plan is directed toward regulating in fill and redirection. The intent of this system is to provide flexibility when dealing with existing uses, continuation of acceptable land use patterns, and redirection of unacceptable land use patterns. Implementation ordinances set forth the detailed management criteria and allowed uses for each land use classification.~~

~~Conservation areas are non-urban areas with value as primitive or natural areas, with strong environmental limitations on use, and with a potential for dispersed recreation or low intensity resource management. Conservation areas include (1) public lands already set aside for this purpose, (2) high-hazard lands, stream environment zones, and other fragile areas, without substantial existing improvements, (3) isolated areas which do not contain the necessary infrastructure for development, (4) areas capable of sustaining only passive recreation or non-intensive agriculture, and (5) areas suitable for low-to-moderate resource management.~~

~~Recreation areas are non-urban areas with good potential for developed outdoor recreation, park use, or concentrated recreation. Lands which this Plan identifies as recreation areas include (1) areas of existing private and public recreation use, (2) designated local, state, and federal recreation areas, (3) areas without overriding environmental constraints on resource management or recreational purposes, and (4) areas with unique recreational resources which may service public needs, such as beaches and ski areas.~~

~~Residential areas are urban areas having potential to provide housing for the residents of the Region. In addition, the purpose of this classification is to identify density patterns related to both the physical and manmade characteristics of the land and to allow accessory and non-residential uses that complement the residential neighborhood. These lands include: (1) Areas now developed for residential purposes; (2) areas of moderate-to-good land capability; (3) areas within urban boundaries and serviced by utilities; and (4)~~

~~areas of centralized location in close proximity to commercial services and public facilities.~~

~~Commercial and Public Service areas are urban areas that have been designated to provide commercial and public services to the Region or have the potential to provide future commercial and public services. The purpose of this classification is to concentrate such services for public convenience, separate incompatible uses, and allow other noncommercial uses if they are compatible with the purpose of this classification and other goals of this Plan. These lands include: (1) areas now developed for commercial or public service uses; (2) in the case of public services, lands designated for, or in, public ownership; (3) areas suitable to encourage the concentration of compatible services; (4) areas of good-to-moderate land capability; and (5) areas with adequate public services and transportation linkages.~~

~~Tourist areas are urban areas that have the potential to provide intensive tourist accommodations and services or intensive recreation. This land use classification also includes areas recognized by the Compact as suitable for gaming. These lands include: (1) areas now developed with high concentrations of visitor accommodations and related uses; (2) lands on which gaming is a permitted and recognized use; (3) lands of good-to-moderate land capability; and (4) areas with adequate public services and transportation linkages.~~

~~*\*Note: Replaced by policies in Goal LU-4. The RPU Committee unanimously (6-0) supported the deletion of former Policy 3 and 4 on December 6, 2011.*~~

~~3. THE PLANNING AREA STATEMENTS SHALL ALSO IDENTIFY THE MANAGEMENT THEME FOR EACH PLANNING AREA BY DESIGNATING EACH AREA FOR (1) MAXIMUM REGULATION, (2) DEVELOPMENT WITH MITIGATION, OR (3) REDIRECTION OF DEVELOPMENT. THESE DESIGNATIONS SHALL PROVIDE ADDITIONAL POLICY DIRECTION FOR REGULATING LAND USE.~~

~~The maximum regulation designation applies primarily to conservation areas. Areas with this designation shall be strictly regulated to ensure preservation and enhancement of the existing environment, with little or no additional development of residential, commercial, tourist, recreation, or public service uses.~~

~~The development with mitigation designation is the predominant management theme. Most areas of existing residential or recreational use carry this designation. Areas with this designation can accommodate additional development if the impacts are fully mitigated and the land is capable of withstanding the use. Both on-site and off-site mitigation of environmental impacts from development shall be required.~~

~~The redirection of development designation is designed primarily to improve environmental quality and community character by changing the direction of development or density through relocation of facilities, rehabilitation or restoration of existing structures and uses, and limited new development. The purpose of this designation is to reduce impervious coverage, restore natural environments, improve the efficiency of transportation systems, improve scenic quality, and provide high quality facilities for residents and visitors alike. Local government participation in redevelopment of appropriate areas shall be encouraged.~~

~~4. THE PLANNING AREA STATEMENTS SET FORTH SPECIAL POLICY DIRECTION TO RESPOND TO THE PARTICULAR NEEDS, PROBLEMS, AND FUTURE DEVELOPMENT OF A SPECIFIC AREA. EACH PLANNING AREA STATEMENT MAY VARY IN DETAIL OR SPECIFICITY DEPENDING ON THE NATURE OF THE AREA AND THE DETAIL OR SPECIFICITY OF RELATED LOCAL JURISDICTION PLANS.~~

~~This policy allows the Regional Plan to respond to the individual needs of a particular neighborhood, undeveloped area, or other area. Each planning area statement describes the area, its existing uses and environment, its special problems, its minimum and maximum intensity of uses, density of land use permitted, and policies for allowed, prohibited, non-conforming, and special uses.~~

~~The foregoing requirements shall be depicted on Plan Area Statement Maps, which shall designate areas available for development according to the various land use classifications. Areas depicted on these maps shall reflect a reasonable projection of the amount of land available for the specific uses allowed in that area for the life of the Plan. The Plan Area Statement Maps shall be coordinated with other TRPA maps to permit ready determination of the constraints on development and the location of other relevant information including:~~

- ~~Stream Environment Zones (SEZs)~~
- ~~SEZ Restoration Programs~~
- ~~Capital Improvement Programs~~
- ~~Stream Habitat Quality~~
- ~~Historical Sites~~
- ~~Public Facilities Development Programs~~
- ~~Wildlife Habitat~~
- ~~Special, Sensitive, and Uncommon Plants~~
- ~~Fish Habitat~~
- ~~Transportation Corridors~~
- ~~Special Interest Species Areas~~
- ~~Land Capability~~
- ~~Sending and Receiving Areas for Transfer of Development Rights~~

~~*\*Note: Relocated and amended to Policy LU-2.2. The RPU Committee unanimously (6-0) supported the relocation and modification of former Policy 5 language on December 6, 2011:*~~

~~5. ALL PLAN AREA STATEMENTS, COMMUNITY PLANS, OR OTHER SPECIFIC PLANS ADOPTED BY THE AGENCY SHALL SPECIFY THE TOTAL ADDITIONAL DEVELOPMENT WHICH MAY BE PERMITTED WITHIN THE REGION, NOT TO EXCEED THE LIMITATIONS SET FORTH IN A, B, C, D, AND E, BELOW. RECONSTRUCTION AND RELOCATION OF EXISTING DEVELOPMENT ARE NOT CONSIDERED ADDITIONAL DEVELOPMENT. (SEE DEVELOPMENT AND IMPLEMENTATION PRIORITIES SUBELEMENT FOR GROWTH MANAGEMENT AND TRANSFER OF DEVELOPMENT PROVISIONS.)~~

~~The Environmental Impact Statement prepared for this Plan analyzed impacts based on defined development parameters which are integrated into this Plan. It is the intent of this Policy to insure that these parameters are incorporated, both individually and cumulatively, into the Land Use Element. These limitations shall be expressed in appropriate land use regulations, such as zoning, use limitations, floor area limitations, allocation limits and other such regulations. For the purposes of this Plan, the development regulated is categorized as residential, tourist accommodation, commercial, recreation, public service, and resource management.~~

~~Residential: Each undeveloped legal parcel existing at the time of the adoption of this~~

~~plan (estimated at approximately 16,000), unless otherwise restricted, has a development right of one residential unit, except where additional development rights are acquired pursuant to Goal #2, of the development and implementation priorities, or acquired pursuant to Goal #3, of the development and implementation priorities subelement. The total number of multi-residential additional units permitted shall not exceed 1400 additional units.<sup>§§</sup> (See Goals #2 and #3 of the Development and Implementation Priorities Subelement for more detail.)<sup>§</sup>~~

~~Tourist Accommodation: There is a limited need for additional tourist accommodation units. Based on demonstrated need, projects may be permitted additional units as specified within a community plan and as provided for in Goal #3, of the Development and Implementation Priorities Subelement. The total number of additional tourist accommodation units shall not exceed 400 units.<sup>§§</sup> (See Goals #2 and #3 of the Development and Implementation Priorities Subelement for more detail.)~~

~~Commercial: The amount of additional commercial development is based on the estimated needs of the region. Commercial development may be permitted as specified in plan area statements, community plans, or other specific plans. The total additional gross commercial floor area permitted shall not exceed 800,000 sq. ft., excluding minor expansion, for the first 20 years of this plan. (See Goal #2 of the Development and Implementation Priorities Subelement for more detail.)~~

~~Recreation: Additional recreation uses may be permitted only as specified within plan area statements, community plans or other specific plans. The total capacity of additional outdoor recreational facilities for the region shall not exceed 6,114 persons at one time (PAOTs) for overnight facilities, 6,761 PAOTs for summer day use facilities, and 12,400 PAOTs for winter day use facilities. (See Recreation Element for more detail.)~~

~~Public Service: Additional public service development shall be limited to those projects needed to serve the other development permitted by this plan. (See Public Service Element.)~~

~~***\*Note: Replaced by policies in Goal LU-4. The RPU Committee unanimously (6-0) supported the deletion of former Policy 6 on December 6, 2011:***~~

- ~~**6. IN ORDER TO BE RESPONSIVE TO THE NEEDS AND OPPORTUNITIES OF VARIOUS AREAS WITHIN THE REGION, SPECIFIC COMMUNITY PLANS (CPs) MAY BE DEVELOPED FOR DESIGNATED COMMERCIAL AREAS. COMMUNITY PLANS SHALL GUIDE DEVELOPMENT IN SPECIFIED AREAS FOR AT LEAST THE FIRST TEN YEARS OF THE PLAN AND SHALL BE KEPT CURRENT BY PERIODIC REVIEW. THE TRPA SHALL ACTIVELY ENCOURAGE PROMPT DEVELOPMENT OF COMMUNITY PLANS FOR ALL DESIGNATED AREAS, WITH A GOAL OF COMPLETING THE COMMUNITY PLANS BY DECEMBER 1, 1989. THE AREAS DESIGNATED SHALL BE THOSE WHERE COMMERCIAL USE IS CONCENTRATED OR SHOULD BE CONCENTRATED. THEY SHALL BE AREAS SERVED, OR EASILY SERVED, BY TRANSIT SYSTEMS, WHICH HAVE ADEQUATE HIGHWAY ACCESS, WHICH HAVE, OR CAN HAVE, HOUSING IN THE VICINITY AVAILABLE FOR EMPLOYEES WORKING IN THE AREA, AND WHICH OTHERWISE QUALIFY AS AREAS SUITABLE FOR CONTINUED OR INCREASED LEVELS OF COMMERCIAL**~~

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~~§§ Amended 10/25/06~~

~~§ Amended 4/24/02~~



~~ACTIVITY. SOME AREAS, BECAUSE OF THEIR EXISTING AND PROPOSED DEVELOPMENT PATTERNS, MAY INCORPORATE MORE THAN COMMERCIAL USE CLASSIFICATIONS.~~

~~A. Areas eligible for community plans are shown on the map located inside the back cover.~~

~~B. Plan Area Statement Maps shall show preliminary boundaries for the community plans, as well as the hydrologic boundaries within which certain land coverage transfer programs can occur.~~

~~C. Ordinances shall establish standards that apply to community plans. Some standards may be replaced by specific provisions of adopted community plans if such specific provisions are more appropriate to the situation and provide equal or superior measures to satisfy the environmental thresholds. If none are set in community plans, the regional standards shall apply.~~

~~Standards which may be replaced include:~~

- ~~1. parking requirements;~~
- ~~2. sign rules;~~
- ~~3. snow storage provisions;~~
- ~~4. landscaping requirements, other than erosion control requirements;~~
- ~~5. scenic design standards; and~~
- ~~6. density rules.~~

~~Standards not subject to replacement by community plans include:~~

- ~~1. land coverage; and~~
- ~~2. Best Management Practices.~~

~~D. Ordinances shall establish other requirements to be met by community plans such as:<sup>§</sup>~~

- ~~1. fair share of public recreation facilities;~~
- ~~2. provisions for reducing vehicle miles traveled;~~
- ~~3. targets for reducing existing coverage.~~
- ~~4. Provisions for the allocation of development; and~~
- ~~5. Assurance for the implementation of CP environmental improvement projects.~~

~~E. Components of a community plan shall include:<sup>§</sup>~~

- ~~1. assessment of needs, opportunities, limitations, and existing features;~~
- ~~2. statement of goals and objectives for the area;~~
- ~~3. maps, showing final boundaries, land uses permitted on specific parcels, and other relevant information; and~~
- ~~4. an integrated plan addressing land use, transportation, traffic circulation, parking, public service, housing (including affordable), recreation, allocation procedures, commitments for environmental improvement projects, special features or standards, CP implementation, consistency~~

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~~§-Amended 09/23/98~~

~~with the applicable plan area statements, coordination with monitoring, and other requirements of the Regional Plan.~~

~~F. Community plans shall set forth a schedule showing how development is to be coordinated with public projects, including water quality improvements, transportation improvements, and other remedial projects, so that attainment of the applicable goals and standards is achieved.~~

~~G. The process for developing community plans shall follow the methods outlined below:~~

~~1. In consultation with local governments and the community, the Agency shall set the priorities for development of the community plans.~~

~~2. The process for each CP shall begin as a result of a local government request, or by Agency initiative in recognition of local interest.~~

~~3. In partnership with one another, TRPA, local government, and the community shall assess the feasibility of undertaking the CP process. If the process is found to be feasible, recommendations shall be made concerning plan boundaries, time schedules, applicable standards required to be met, fair share of public recreation facilities, provisions for reducing vehicle miles traveled, targets for reducing existing coverage, preliminary estimates of commercial floor area needs, and environmental documentation requirements.~~

~~4. The Agency shall review and approve, at its discretion, the community planning process proposed pursuant to (3) above. Also, based on the above recommendations, a preliminary allocation for additional commercial floor area from the amount allocated by TRPA to that jurisdiction shall be made. (See Development and Implementation Priorities Subelement Goal #2, Policy 4.)~~

~~5. A planning team, representing TRPA, local government, and the community, shall develop each community plan according to the following process:~~

~~a) assessment of environmental opportunities and limitations;~~

~~b) inventory and needs assessment;~~

~~c) identification of applicable standards and constraints;~~

~~d) development of draft alternative plans;~~

~~e) environmental analysis and documentation (see (9) below); and~~

~~f) selection of recommended alternative.~~

~~To the extent possible, consistent with available resources and community initiative, TRPA shall take a primary, active role in assisting development of community plans. To help ensure that proposed CPs meet all applicable local, state, and TRPA requirements, TRPA shall seek review and comment from all responsible public agencies at appropriate points in the CP planning process. It is the Agency's goal that each proposed community plan, when presented to TRPA for approval, will have addressed the needs and concerns of the community and will be consistent with all applicable local, state, and regional requirements.~~

~~6. Following completion of the above steps, the TRPA Advisory Planning~~

~~Commission shall review the recommendations from the planning team and make a recommendation to the Governing Board.~~

~~7. TRPA must approve a community plan before it can take effect. Prior to such approval, TRPA shall determine compliance with: required standards, allocations of development limitations, and phasing of development with associated programs, such as remedial programs.~~

~~As part of the approval, TRPA shall establish the allocation of additional commercial floor area for the period ending December 31, 1996. TRPA shall make the initial allocation of additional commercial floor area taking into consideration such factors as demonstrated need, the expected ability to achieve or maintain environmental thresholds, the reasonableness of projected time schedules, the degree of certainty for obtaining the needed funds for implementation, compatibility with other CPs and plans, and other relevant factors. The amount initially allocated shall be from the 75 percent portion designated for local jurisdictions for planning purposes. (See Development and Implementation Priorities Subelement, Goal #2, Policy 4.)~~

~~8. As soon as TRPA has reviewed a sufficient number of proposed community plans, to adequately assess the cumulative impacts of development and proposed mitigation, TRPA shall distribute the remainder of the 25 percent of the additional commercial floor area. This distribution shall reward those CPs which best demonstrate the ability to achieve and maintain environmental thresholds, and have a clearly demonstrated need for the additional allocation. TRPA shall retain a sufficient reserve to adequately address the needs of CPs not yet presented for review. However, it is the Agency's goal, acting in partnership with local interests, to achieve completion of CPs by December 31, 1989 in all areas where sufficient local interest and initiative exists to do such planning. Accordingly, TRPA anticipates the allocation of the remaining unallocated floor area by that date, so long as the allocation is supported by local needs assessments.~~

~~9. Before a community plan may be approved, TRPA must certify an environmental impact statement (EIS) for the community plan, except as noted in (10) below. (In California, where the CP is to be adopted as a general plan amendment or a specific plan, a joint EIS/EIR may be utilized.) The EIS may be useful for meeting subsequent environmental documentation requirements for more specific projects consistent with the community plan.~~

~~10. Simpler and more streamlined procedures for CPs with insignificant impacts may be provided for in the implementing ordinances. These procedures may allow preparation of appropriate environmental analysis and documentation other than an EIS. §~~

~~*\*Note: The RPU Committee unanimously (6-0) supported Policy LU-2.3 and 2.4 on December 6, 2011.*~~

~~**LU-2.37.NO NEW DIVISIONS OF LAND SHALL BE PERMITTED WITHIN THE REGION WHICH WOULD CREATE NEW DEVELOPMENT POTENTIAL INCONSISTENT WITH THE GOALS**~~

~~§-Amended 09/23/98~~

~~TRPA – Goals and Policies  
CHAPTER II - LAND USE ELEMENT  
Land Use Subelement~~

**AND POLICIES OF THIS PLAN.**

This policy does not consider the following divisions of land to be inconsistent when the result does not increase the development potential permitted by this Plan:

- A. Division of land for the purposes of conveying a portion thereof to a governmental agency, public entity, or public utility.
- B. Division of land for the purposes of creating cemetery lots.
- C. Division of land ordered by a federal or state court of competent jurisdiction as a result of bona fide, adversary legal proceedings to which the Agency is a party. Any such division of land or approval of any other project or action resulting from such legal proceedings, shall be pursuant to an evaluation of the effect of such division or approval upon the Regional Plan, the environmental thresholds, and other requirements of the Compact. Based on the above evaluation, appropriate adjustments to the Regional Plan shall be made.
- D. A modification to an existing subdivision or a lot line adjustment or lot consolidation, which does not result in any increase in development potential, or in present or potential land coverage or density, and shall not have an adverse impact upon the health, safety, general welfare or environment of the Region.
- E. Conversion of an existing structure, to a stock cooperative, community apartment, condominium, or any other form of divided interest; which conversion does not result in any increase in development potential, or in present or potential land coverage or density, and will not have an adverse impact upon the health, safety, general welfare or environment of the Region.
- F. Redivision, adjustment, or consolidation, of parcels within an existing urban area, as part of a TRPA approved redevelopment plan that does not increase development potential basin-wide.
- G. Division of land through condominiums, community apartments, or stock cooperatives within an existing urban area in conjunction with the approval of a project associated with an approved transfer of development, or otherwise in accordance with the provisions of this Plan. In order to subdivide a project under this provision, the project itself shall be approved prior to the approval of the division and in no case shall the division result in a greater amount, a different location, or a greater rate of development than otherwise permitted by this Plan.

**LU-2.48.** BUILDINGS, WHETHER CONFORMING OR NONCONFORMING, WHICH ARE DAMAGED OR DESTROYED BY FIRE OR OTHER SIMILAR CALAMITY, MAY BE REPAIRED OR REBUILT WITH NO REQUIREMENT FOR REDUCTION IN COVERAGE OR HEIGHT BY WAY OF FEE OR OTHERWISE. THIS POLICY APPLIES ONLY IF THE BUILDING IS RECONSTRUCTED IN SUBSTANTIAL CONFORMANCE WITH THE ORIGINAL STRUCTURE AND, WITH NO INCREASE IN FLOOR AREA, LAND COVERAGE, HEIGHT, OR VOLUME. OTHER PROVISIONS GENERALLY APPLICABLE TO REHABILITATION OR RECONSTRUCTION OF BUILDINGS SHALL APPLY. THIS POLICY IS SUBJECT TO THE NATURAL HAZARDS SUBELEMENT, GOAL #1, POLICY 1. SPECIAL PROVISIONS SHALL APPLY TO BUILDINGS IN THE SHOREZONE, LAKEWARD OF THE HIGHWATER LINE.

**Note:** *The RPU Committee voted unanimously (5-0) to support Land Use Policy LU-2.6 on December 13, 2011.*

**LU-2.59.** STRUCTURES, LEGALLY EXISTING AS OF THE EFFECTIVE DATE OF THIS PLAN, BUT WHICH, BY VIRTUE OF THEIR DESIGN OR LOCATION, ARE PROHIBITED, ARE CONSIDERED NONCONFORMING AND SUBJECT TO THE FOLLOWING POLICIES:

- A. Nonconforming structures may be maintained or repaired. Maintenance and repair shall be defined in implementing ordinances.
- B. Nonconforming structures may not be enlarged, replaced, or rebuilt without the approval of TRPA. Such approval shall [occur through direct TRPA review, through the conformance review process for Local Plans, or through Memoranda of Understanding with local governments and shall](#) be based on criteria set forth in implementing ordinances to ensure that:
  - i. the activity shall not increase the extent of nonconformity; and if the structure is subject to a specific program of removal or modification by TRPA, the activity shall not conflict with that program.

**LU-2.610**. USES, LEGALLY EXISTING AS OF THE EFFECTIVE DATE THIS PLAN, BUT WHICH ARE NOW PROHIBITED, ARE CONSIDERED NONCONFORMING AND SUBJECT TO THE FOLLOWING POLICIES:

- A. Nonconforming uses may continue as they exist except where specifically subject to a program of removal or modification.
- B. Nonconforming uses may not be modified, expanded, or intensified, nor resumed following a significant interruption without the approval of TRPA. Such approval shall [occur through direct TRPA review, through the conformance review process for Local Plans, or through Memoranda of Understanding with local governments and shall](#) be based on criteria set forth in ordinances to ensure that:
  - i. the activity shall not increase the extent of nonconformity.
  - ii. the activity shall not make it more difficult to attain and maintain environmental threshold carrying capacities.
  - iii. the use is otherwise consistent with applicable Plan Area Statements and Community Plans.
- C. Additional rules regarding excess land coverage are set forth in this land use subelement Goal #3, Policy 3.

*[\\*Note: The RPU Committee unanimously \(6-0\) supported Policy LU-2.7 and 2.8 on December 6, 2011.](#)*

**LU-2.711**. USES OF THE BODIES OF WATER WITHIN THE REGION SHALL BE LIMITED TO OUTDOOR WATER-DEPENDENT USES REQUIRED TO SATISFY THE GOALS AND POLICIES OF THIS PLAN.

This policy is intended to promote the use of waters of the Region for water-dependent outdoor recreation and to protect the scenic and natural qualities of such waters. Plan area statements shall detail the specific policies.

**LU-2.812**. RESTORATION AND REHABILITATION SHALL BE A HIGH PRIORITY FOR IMPROVING ENVIRONMENTAL QUALITY AND COMMUNITY CHARACTER OF AREAS DESIGNATED FOR REDIRECTION BUT NOT INCLUDED IN A REDEVELOPMENT PLAN.

The Regional Plan calls for improvement of environmental quality and community character in redirection areas ~~by the private sector~~ through restoration and rehabilitation. Implementation of rehabilitation and restoration strategies shall be by ordinance.

Note: The RPU Committee voted unanimously (5-0) to support the deletion of Land Use policies LU-2.9 and LU-2.16 and to add modified language to LU-2 Implementation Measures on December 13, 2011.

~~LU-2.9~~**13.REDEVELOPMENT SHALL BE ENCOURAGED IN AREAS DESIGNATED FOR RE-DIRECTION TO IMPROVE ENVIRONMENTAL QUALITY AND COMMUNITY CHARACTER.**

~~The Regional Plan calls for improvement of environmental quality and community character through relocation and redevelopment of existing structures and uses in blighted areas. Existing predominantly urbanized areas with high levels of impervious coverage and disturbance may be designated for redevelopment. The purpose of redevelopment is to make more efficient use of existing development, improve environmental quality, improve the efficiency of transportation systems, provide high quality facilities to residents and visitors, improve the economy, and improve the general safety, health and welfare of the people of the Region.~~

~~Local government and private sector participation in redevelopment pursuant to applicable state law shall be encouraged through incentives. While each redevelopment plan may be different, the incentives may include such things as additional height. Such incentives may be achieved by providing expanded scenic corridors, reductions of coverage greater than otherwise required, larger buffers, more open space or landscaped areas, larger reductions in traffic than otherwise required, and similar benefits. To obtain these incentives, a redevelopment plan must be submitted in both conceptual and final form to, and approved by, the TRPA Governing Board. Public agency redevelopment plans shall include all applicable contents required by state law. Redevelopment plans shall demonstrate why incentives are necessary to make the plan economically feasible. Redevelopment plans shall demonstrate progress towards meeting environmental thresholds and achieving the goals of the Regional Plan, and shall result in a net benefit to the social and economic well-being of the Region. Rules for redevelopment plans shall be consistent with the Regional Plan and relevant plan area statements and community plans. Specific criteria for redevelopment plans shall be included in implementing ordinances. This policy should be considered an interim policy subject to revisions based on the findings of the South Lake Tahoe Redevelopment Study Team.~~

\*Note: The RPU Committee unanimously (6-0) supported Policy LU-2.10 on December 6, 2011.

~~LU-2.10~~**14.THE PROVISIONS SET FORTH IN ARTICLE VI (d) THROUGH VI (i) OF THE COMPACT APPLY TO TRPA REGULATION OF STRUCTURES HOUSING GAMING.**

\*Note: The RPU Committee unanimously (6-0) supported Policy LU-2.11 and 2.12 on December 6, 2011.

**GOAL #3**

~~LU-2.11~~**ALL NEW DEVELOPMENT SHALL CONFORM TO THE COEFFICIENTS OF ALLOWABLE LAND COVERAGE IN THE TAHOE BASIN SHALL BE AS SET FORTH IN ACCORDANCE WITH THE LAND CAPABILITY DISTRICT CLASSIFICATION METHODOLOGY AND DISTRICT BASED LAND COVERAGE LIMITATIONS SET FORTH IN "THE LAND CAPABILITY CLASSIFICATION OF THE LAKE TAHOE BASIN, CALIFORNIA-NEVADA, A GUIDE FOR PLANNING, BAILEY, 1974."**

This ~~policy goal calls for policies which~~ limits allowable impervious land coverage associated with new development. These policies set allowable land coverage by applying the recommended Bailey land coverage coefficients to specifically defined and related areas. In some instances, provisions are made to allow additional coverage by transfer. The transfer programs shall operate by a direct offset method. In addition, land capability is one of the basic factors in determining the suitability of lands for development and appropriateness of land uses.

**POLICIES**

**LU-2.12 ALLOWED BASE LAND COVERAGE FOR ALL NEW PROJECTS AND ACTIVITIES SHALL BE CALCULATED BY APPLYING THE BAILEY COEFFICIENTS, AS SHOWN BELOW, TO THE APPLICABLE AREA WITHIN THE PARCEL BOUNDARY, OR AS OTHERWISE SET FORTH IN A, B, AND C OF THIS POLICY.**

LAND CAPABILITY DISTRICT	MAXIMUM ALLOWED LAND COVERAGE
1a	1 percent
1b	1 percent
1c	1 percent
2	1 percent
3	5 percent
4	20 percent
5	25 percent
6	30 percent
7	30 percent

- A. In the case of subdivisions approved by TRPA in conformance with the coefficients coverages assigned to individual lots shall be the allowed base coverage for those lots. A list of such TRPA-approved subdivisions appears in Attachment D.
- B. In the case of existing planned unit developments (PUDs) not in conformance with the coefficients, the coefficients shall apply to the entire project area minus public rights-of-way, and the allowed base coverage shall be apportioned to the individual lots or building sites, and common area facilities. A list of such PUDs appears in Attachment E.
- C. After December 31, 1988, for vacant residential parcels evaluated under the Individual Parcel Evaluation System (IPES), the allowable base land coverage shall be a function of a parcel's combined score under the IPES criteria for relative erosion hazard and runoff potential as correlated with the above coefficients and applied to the designated evaluation area. ~~(See Goal #1, Policy 1 of the Development and Implementation Priorities Subelement.)~~

The method of calculation of allowed land coverages shall be detailed in the implementing ordinances consistent with the above policy.

**Note: The RPU Committee voted (4-1) to support language for combined Land Use Policy LU-13 and LU-14 on December 13, 2011.**

**LU-2.13 THE ALLOWED COVERAGE IN POLICY 4 LU-2.12 MAY BE INCREASED BY TRANSFER OF LAND COVERAGE. ~~WITHIN HYDROLOGICALLY RELATED AREAS~~ UP TO THE LIMITS AS**

SET FORTH IN ~~A, B, C, D, AND F~~ OF THIS POLICY:

SPECIAL PROVISIONS FOR ADDITIONAL COVERAGE, SUCH AS EXCEPTIONALLY LONG DRIVEWAYS, ~~PERVIOUS COVERAGE~~ AND ~~HANDICAPPED ACCESS FOR THE DISABLED~~, MAY ALSO BE ALLOWED. ORDINANCES SHALL SPECIFICALLY LIMIT AND DEFINE THESE PROGRAMS.

~~LU-2.14~~ LAND COVERAGE MAY BE TRANSFERRED THROUGH PROGRAMS THAT ARE FURTHER DESCRIBED IN ~~THE GOAL #3 OF THE~~ (DEVELOPMENT AND IMPLEMENTATION PRIORITIES.) ~~SUBELEMENT.~~

The intent of the land coverage transfer programs is to allow greater flexibility in the placement of land coverage ~~within hydrologically related areas~~. Such programs include the use of land banks, lot consolidation, land coverage restoration programs, and transfer programs based on the calculation of land coverage on non-contiguous parcels ~~located in hydrologically related areas~~. The coverage transfer programs allow for coverage over base coverage to be permitted and still be consistent with the soils threshold and Goal ~~#3~~ LU-2 of this Subelement.

A. Single Family Residential: The maximum land coverage allowed (Base + Transfer) on a parcel through a transfer program shall be as set forth below:

Parcel Size (Square Feet)	Land Coverage
0 - 4,000	Base Land Coverage as Set Forth in Policy <u>LU-2.124</u>

4,001 - 9,000	1,800 sq. ft.
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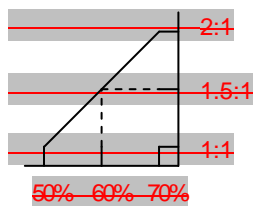
Parcel Size (Square Feet)	Land Coverage
9,001 - 14,000	20 percent
14,001 - 16,000	2,900 sq. ft.
16,001 - 20,000	3,000 sq. ft.
20,001 - 25,000	3,100 sq. ft.
25,001 - 30,000	3,200 sq. ft.
30,001 - 40,000	3,300 sq. ft.
40,001 - 50,000	3,400 sq. ft.
50,001 - 70,000	3,500 sq. ft.
70,001 - 90,000	3,600 sq. ft.
90,001 - 120,000	3,700 sq. ft.
120,001 - 150,000	3,800 sq. ft.
150,001 - 200,000	3,900 sq. ft.
200,001 - 400,000	4,000 sq. ft.

For lots in planned unit developments, the maximum coverage allowed (Base + Transfer) shall be up to 100 percent of the proposed building envelope but shall not exceed 2,500 square feet. Lots in subdivisions with TRPA-approved transfer programs may be permitted the coverage specified by that approval.

B. ~~Commercial~~ Facilities in a Community Plan, Town Center, Regional Center or the High Density Tourist District (Other than Facilities listed in Subsection C-E below): The maximum coverage allowed (Base + Transfer) on ~~an existing undeveloped~~ a parcel through a transfer program, shall be 70 percent of the land



in capability districts 4 - 7, provided the parcel is within an approved community plan, or a Town Center, Regional Center or the High Density Tourist District of a conforming Local Plan. ~~For existing developed parcels, the maximum land coverage allowed is 50 percent coverage~~ Transfers to increase coverage from the base coverage up to 50 percent the maximum coverage allowed, shall be at a ratio of 1:1 ~~for Coverage~~ transfers of coverage from sensitive lands. For transfer of coverage from non-sensitive lands, coverage shall be transferred to increase coverage above 50 percent, shall be at a gradually increasing ratios from 1:1 to 2:1, as further specified in code. ~~with the transfer ratio for all the coverage over 50 percent determined as indicated on the following graph:~~



- C. ~~Tourist Accommodation Facilities,~~ Multi-Residential Facilities of 5 Units or More, Public Service Facilities, and Recreational Facilities in a Community Plan, Town Center, Regional Center or the High Density Tourist District: The maximum coverage (Base + Transfer) allowed on a parcel through a transfer program shall be 50-70 percent of the land in capability districts 4 - 7, provided such parcel is within an approved ~~e~~Community ~~p~~Plan or a Town Center, Regional Center or the High Density Tourist District of a conforming Local Plan. The coverage transfer ratio ~~A~~ to increase coverage from the base coverage to 50-70 percent shall be at a ratio ~~A~~ of 1:1.
- D. Other Multi-Residential Facilities: The maximum coverage (Base + Transfer) allowed on a parcel through a transfer of coverage programs shall be the amounts set forth in Policy A, above.
- E. Linear Public Facilities and Public Health and Safety Facilities: Such public facilities defined by ordinance and whose nature requires special consideration, are limited to transferring the minimum coverage needed to achieve their public purpose.
- F. Public Service Facilities Outside a Community Plan, Town Center, Regional Center or the High Density Tourist District: The maximum coverage (Base + Transfer) allowed on a parcel through a transfer program shall be 50 percent land coverage provided TRPA determines there is a demonstrated need and requirement to locate such a facility outside a ~~e~~Community ~~plans~~Plan, Town Center, Regional Center or the High Density Tourist District ~~area~~ and there is no feasible alternative which would reduce land coverage.
- G. Other Facilities Outside of Community Plans, Town Centers, Regional Centers and the High Density Tourist District, and Facilities Within Community Plans Before the Community Plan is Approved, and facilities outside a Community Plans but within a Town Center, Regional Center, or the High Density Tourist District before Local Government Plans are approved and found in conformance

with the Regional Plan: Other than the exceptions in Subsections A, D, E, and F, the maximum land coverage allowed shall be the base land coverage as set forth in Policy LU-2.11.

H. Notwithstanding subsections A-G above, when existing development is relocated to Town Centers, Regional Centers or the High Density Tourist District and the prior site is restored to a natural condition and retired, non-conforming coverage may be maintained with the relocation as long as the new site is developed in accordance with all other TRPA Policies and Ordinances, including, but not limited to, the installation of BMPs.

I. Conforming Local Plans may include a comprehensive coverage management system as an alternative to the parcel level coverage requirements outlined in subsection A-H above. In order to be found in conformance with the Regional Plan, the comprehensive coverage management system shall reduce coverage overall and reduce coverage in land capability districts 1 and 2 compared to the parcel level limitations in the Regional Plan and Code.

**Note: The RPU Committee unanimously (5-0) supported language for Land Use Policy LU-2.15 on December 15, 2011.**

**LU-32.15. REHABILITATION, RECONSTRUCTION, AND UPGRADING OF THE EXISTING INVENTORY OF STRUCTURES, OR OTHER FORMS OF COVERAGE IN THE TAHOE REGION, ARE HIGH PRIORITIES OF THE REGIONAL PLAN. TO ENCOURAGE REHABILITATION AND UPGRADING OF STRUCTURES, THE FOLLOWING POLICIES SHALL APPLY:**

A. Repair or reconstruction of buildings damaged or destroyed by fire or other calamity subject to ~~Goal #2, Policy 8~~ Policy 2.4 of this subelement is exempt from this policy.

B. Reconstruction, rehabilitation, modification, relocation, or major repair of structures or coverage other than as specified in A above may be allowed, provided such use is allowed under ~~the this~~ land use subelement, ~~Goal #2, Policies 8, 9 and 10~~. For parcels with existing coverage in excess of the Bailey Coefficients, a land coverage mitigation program shall be set by ordinance, which shall provide for the reduction of coverage in an amount proportional to the cost of the repair, reconstruction, relocation, rehabilitation, or modification, and to the extent of excess coverage. To accomplish these reductions, property owners shall have at least the following options:

i. reducing coverage on-site;

ii. reducing coverage off-site ~~in a hydrologically-related area~~;

iii. paying a rehabilitation fee in lieu of on-site or off-site coverage reduction in an amount established by Agency ordinance to help fund a land bank program established to accomplish coverage reductions;

iv. lot consolidation with a contiguous parcel or lot line adjustment to reduce the percentage of excess coverage on the resulting parcels; or

v. any combination of the foregoing options.

C. Existing development in Town Centers, Regional Centers or the High Density Tourist District with excess coverage may earn multi-residential bonus units,

tourist accommodation bonus unit and bonus commercial floor area for removing and retiring excess coverage onsite.

~~CD.~~ Existing coverage may be relocated within a parcel provided it is relocated to areas of equal or superior environmental capability consistent with B above.

~~DE.~~ TRPA shall maintain a rehabilitation fee schedule that is adequate to carry out an effective land coverage banking program, equitably divides the costs to the public and private sectors, and has the minimum possible deterrent effect on the Regional Plan goal of encouraging rehabilitation, reconstruction, and upgrading of the existing inventory of structures. The rehabilitation fee schedule shall be updated annually. ~~In establishing the rehabilitation fee schedule(s) provided for in (3.B.iii), above, the following procedures shall be followed:~~

~~i.~~ ~~A special task force shall be convened to analyze and report on the actual costs and mechanisms involved in establishing and implementing an effective land coverage banking program. The report shall take into account the costs of obtaining and retiring coverage, and shall also consider alternative funding sources or programs to provide supplemental funding for such land coverage banking programs.~~

~~ii.~~ ~~After considering the report in (i), above, the special task force shall recommend, for adoption by TRPA, a rehabilitation fee schedule which will (1) provide a reasonable level of funding for the proposed land banking program taking into account identified alternative sources of funding, (2) not unduly restrict or deter property owners from undertaking projects involving the rehabilitation, reconstruction, major modification, or repair of existing structures, and (3) carries out an effective land coverage reduction program. The recommendation of the task force shall take into account the cost of BMP requirements and the other mitigation fees described in the Development and Implementation Priorities Subelement, Goal #4, Policies 1 and 2. The task force also shall recommend a schedule of activities comprising routine maintenance and repair which should be exempt from rehabilitation fees.~~

~~iii.~~ ~~After considering the recommendations of the special task force, TRPA shall adopt a rehabilitation fee schedule that is adequate to carry out an effective land coverage banking program, equitably divides the costs to the public and private sectors, and has the minimum possible deterrent effect on the Regional Plan goal of encouraging rehabilitation, reconstruction, and upgrading of the existing inventory of structures.~~

~~iv.~~ ~~TRPA may set an interim fee, if necessary, while the task force prepares its recommendations.~~

~~EF.~~ In approving repair, reconstruction, rehabilitation, modification, or relocation of structures or other coverage, the Agency shall also apply other relevant standards, including installation of Best Management practices or compliance with the design review guidelines.

Note: The RPU Committee voted unanimously (5-0) to support the deletion of Land Use policies LU-2.9 and LU-2.16 and to add modified language to LU-2 Implementation Measures on December 13, 2011.

~~LU 42.16 LAND COVERAGE ALLOWED PURSUANT TO REDEVELOPMENT PLANS SHALL BE ESTABLISHED BY TRPA-APPROVED REDEVELOPMENT PLANS. HOWEVER, IN NO CASE SHALL THERE BE A NET INCREASE IN LAND COVERAGE IN THE REDEVELOPMENT PROJECT AREA.~~

Note: The RPU Committee unanimously (5-0) supported language for Land Use Implementation Measures bullets 1, 2, and 4 on December 15, 2011.

LU-2 Implementation Measures for Coverage

- Amend the Code of Ordinances to reflect modifications to coverage requirements within Goal LU-2 and associated policies.
- Amend excess coverage mitigation program to allow the use of in-lieu mitigation fees across Hydrologically Related Area Boundaries if the fees are targeted for removal of coverage from land capability districts 1 and 2.
- Amend the Code of Ordinances to require site-specific land capability mapping through actual field verification for all projects and establish criteria for determining when field verification is not required based on staff's knowledge of the site in question.

Note: The RPU Committee unanimously (5-0) supported language for Land Use Implementation Measures bullets 1, 2, and 4 on December 15, 2011.

- Amend the Code of Ordinances to remove ineffective and burdensome regulations and provide incentives for redevelopment and non-motorized transportation options, including:
  - Allow legally existing and verified soft coverage to be transferred from Stream Environment Zones (land capability district 1b) to Community Plans, Town Centers, Regional Centers and the High Density Tourist District.
  - Exempt "re-locatable coverage" (coverage that is temporary and does not have a permanent foundation) that is 120 square feet or less on high capability lands (districts 3-7) and that does not require a grading permit under the code.
  - Allow a 25% credit for pervious coverage on high capability lands (districts 3-7), subject to design and maintenance requirements to minimize and mitigate impacts.
  - On high capability lands (districts 3-7), allow a 100 percent credit for new pervious decks up to 500 square feet, and a sliding scale of credits from 100 percent to zero percent for new pervious decks between 501 and 1,000 square feet subject to requirements to prohibit existing decks from qualifying for the coverage credit through coverage banking or other mechanisms and subject to design and maintenance requirements to minimize and mitigate impacts.
  - Allow a 100% credit for non-motorized public trails, subject to siting and design requirements that minimize and mitigate the impact of additional coverage.

LU-2 Implementation Measures for Allocations

- Update the Implementation Section of the Regional Plan and the Code of Ordinances to reflect remaining allocations from the 1987 plan and the release of new allocations with the 2012 Regional Plan. Changes should reflect the limitations listed below and Alternative 3 of the following table.
  - New residential allocations shall be distributed at a rate of 130/year using the existing system for residential allocations.
  - Residential Bonus Units shall be held by TRPA and used for development transfer matches and existing Bonus Unit programs.
  - Non-residential allocations remaining from the 1987 Plan that are currently held by Local Governments shall remain with Local Governments.
  - Non-residential allocations remaining from the 1987 Plan that are currently held by TRPA and all new non-residential allocations shall be held by TRPA and distributed for use within conforming Local Plans based on a demonstrated need for additional allocations to support redevelopment and infill development within Town Centers, Regional Centers, the High Density Tourist District and neighborhood centers that are identified in the conforming Local Plans.

**ALLOCATION AND DEVELOPMENT RIGHTS ACCOUNTING**

ALLOCATIONS/ DEVELOPMENT RIGHTS	USED FROM 1987- 2011*	REMAIN- ING FROM 1987 PLAN	ADDITIONAL PROPOSED IN THE REGIONAL PLAN				
			ALT. 1	ALT. 2	ALT. 3	ALT. 4	ALT. 5
<b>Residential Allocations</b>	<b>6475</b>	<b>0</b>	0	2600	2600	4000	5200
<b>Residential Bonus Units</b>	<b>739</b>	<b>661</b>	0	0	600	0	0
<b>Tourist Bonus Units</b>	<b>146</b>	<b>254</b>	0	0	0	200	400
<b>Commercial Floor Area (Total)</b>	<b>575,237</b>	<b>224,763</b>	0	200,000	200,000	400,000	600,000
<i>Placer County</i>	<i>128,623</i>	<i>72,609</i>					
<i>Washoe County</i>	<i>87,906</i>	<i>2,000</i>					
<i>Douglas County</i>	<i>45,300</i>	<i>36,250</i>					
<i>El Dorado County</i>	<i>15,250</i>	<i>36,150</i>					
<i>City of South Lake Tahoe</i>	<i>77,042</i>	<i>52,986</i>					
<i>TRPA Pool</i>	<i>221,116</i>	<i>24,768</i>					

\*Note: 158,816 sq. ft. of Commercial Floor Area, 245 Residential Bonus Units and 90 Tourist Bonus Units have been reserved or allocated to projects (e.g., Community Enhancement Projects) that have not been permitted or permitted but the projects have not been acknowledged.

Note: The RPU Committee voted unanimously (5-0) to support the deletion of Land Use policies LU-2.9 and LU-2.16 and to add modified language to LU-2 Implementation Measures on December 13, 2011

- Delete Chapter 15 of Code (Redevelopment Plans) and amend Code to include Redevelopment Plan allowances within Town Centers, Regional Centers and the High Density Tourist District, along with opportunities for priority processing and/or fee reductions in conjunction with restoration activities.

\*Note: Relocated from LU Goal #4. The Committee unanimously (5-0) supported language for Land Use Goal LU-3 and Land Use Policies LU-3.1 through LU-3.5 on December 15, 2011:

### **GOAL LU-3**

**PROVIDE TO THE GREATEST POSSIBLE EXTENT, WITHIN THE CONSTRAINTS OF THE ENVIRONMENTAL THRESHOLD CARRYING CAPACITIES, A DISTRIBUTION OF LAND USE THAT ENSURES THE SOCIAL, ECONOMIC, AND ENVIRONMENTAL, ~~AND ECONOMIC~~ WELL-BEING OF THE REGION.**

The Tahoe Regional Planning Compact and extensive public testimony call for TRPA, along with other governmental and private entities, to safeguard the well-being of those who live in, work in, or visit the Region.

### **POLICIES**

**LU-3.1. ALL PERSONS SHALL HAVE THE OPPORTUNITY TO UTILIZE AND ENJOY THE REGION'S NATURAL RESOURCES AND AMENITIES.**

**LU-3.2. NO PERSON OR PERSONS SHALL DEVELOP PROPERTY SO AS TO ENDANGER THE PUBLIC HEALTH, SAFETY, AND WELFARE.**

Persons who develop property in the Region must ensure that their development conforms to the Goals and Policies Plan, all TRPA regulations and all applicable local, state, and federal laws pertaining to public health, safety and welfare.

~~**LU-3.3. PROACTIVELY DIRECT DEVELOPMENT AWAY FROM SENSITIVE LANDS AND AREAS THAT ARE FURTHEST FROM NON-RESIDENTIAL SUPPORT SERVICES AND TOWARDS DESIGNATED TOWN CENTERS, REGIONAL CENTERS AND THE HIGH DENSITY TOURIST DISTRICT, WHILE MAINTAINING THE CHARACTER OF DEVELOPMENT IN EXISTING RESIDENTIAL NEIGHBORHOODS.**~~

**LU-3.4. DEVELOPMENT IS PREFERRED IN AND DIRECTED TOWARDS TOWN CENTERS, REGIONAL CENTERS AND THE HIGH DENSITY TOURIST DISTRICT, AS IDENTIFIED ON THE REGIONAL LAND USE MAP. TOWN CENTERS, REGIONAL CENTERS AND THE HIGH DENSITY TOURIST DISTRICT SHALL HAVE THE FOLLOWING CHARACTERISTICS:**

**1) A CONCENTRTATION OF NON-RESIDENTIAL AND MIXED-USE DEVELOPMENT AT A HIGHER INTENSITY THAN EXISTS IN OTHER AREAS OF THE REGION.**

**2) EXISTING OR PLANNED TRANSIT SERVICE.**

**3) HIGHWAY ACCESS.**

**4) INFILL AND REDEVELOPMENT OPPORTUNITIES.**

5) CAPACITY FOR RECEIVING TRANSFERS OF DEVELOPMENT RIGHTS AND RELOCATIONS OF EXISTING DEVELOPMENT.

6) EXISTING OR PLANNED HOUSING IN THE VICINITY.

7) EXISTING OR PLANNED STREET DESIGNS WITH CONTINUOUS SIDEWALKS, PATHS AND OTHER INFRASTRUCTURE THAT PROMOTES WALKING, BICYCLING AND TRANSIT USE SO AS TO ENCOURAGE MOBILITY WITHOUT USE OF PRIVATE VEHICLES.

LU-3.5 EXISTING DEVELOPMENT PATTERNS IN RESIDENTIAL NEIGHBORHOODS OUTSIDE OF TOWN CENTERS, REGIONAL CENTERS AND THE HIGH DENSITY TOURIST DISTRICT AND ENVIRONMENTALLY-SENSITIVE LANDS SHOULD BE MAINTAINED WITH NO SIGNIFICANT CHANGE.

Note: The RPU Committee unanimously (5-0) supported Land Use Policies LU-3.6 through LU-3.8 on December 15, 2011:

LU-3.6 DEVELOPMENT IS DISCOURAGED IN AND DIRECTED AWAY FROM ENVIRONMENTALLY SENSITIVE LANDS AND AREAS FURTHEST FROM NON-RESIDENTIAL SUPPORT SERVICES. THESE AREAS ARE FURTHER DEFINED IN OTHER PLAN POLICIES.

LU-3.7 TRPA SHALL MAINTAIN A POOL OF DEVELOPMENT ALLOCATIONS AND RESIDENTIAL BONUS UNITS TO PROMOTE THE TRANSFER OF DEVELOPMENT RIGHTS FROM SENSITIVE LANDS TO TOWN CENTERS, REGIONAL CENTERS, AND THE HIGH DENSITY TOURIST DISTRICT.

LU-3.8 TRPA SHALL MAINTAIN A POOL OF DEVELOPMENT ALLOCATIONS AND RESIDENTIAL BONUS UNITS TO PROMOTE THE TRANSFER OF DEVELOPMENT RIGHTS FROM OUTLYING RESIDENTIAL AREAS TO TOWN CENTERS, REGIONAL CENTERS AND THE HIGH DENSITY TOURIST DISTRICT.

Note: The RPU Committee unanimously (5-0) supported LU-3 Implementation Measures bullet #1 and transfer table on December 15, 2011.

LU-3 Implementation Measures

- Amend Chapter 13, Plan Area Statements and the Land Use Map to designate certain areas as Town Centers, Regional Centers and designate the four existing casino towers in Stateline as the High Density Tourist District.
- Amend Chapters 21 & 51, Density and Permissible Subdivisions to allow for the subdivision of units in Town Centers, Regional Centers and the High Density Tourist District.
- Amend Chapter 18, Permissible Uses to define mixed-used facilities and permit resorts in recreation areas subject to limitations.
- Amend Chapter 33, 34 and 35 to create bonus allocations and increased transfer ratio matches to encourage the transfer development from sensitive lands and outlying areas to Town Centers, Regional Centers and the High Density Tourist District pursuant to the following table:

**Note: The RPU Committee unanimously (5-0) supported LU-3 Implementation Measures bullet #1 and transfer table on December 15, 2011.**

	<u>Transfer Existing Development (ERU, CFA, TAU) to Town Centers, Regional Centers and/or the High Density Tourist District and restore and retire parcel</u>	<u>Transfer Development Right to Town Centers, Regional Centers and/or the High Density Tourist District and retire parcel</u>
<u>SEZ</u>	<u>1:3</u>	<u>1:1.5</u>
<u>Sensitive Lands (1a, 1c, 2 and 3)</u>	<u>1:2</u>	<u>1:1.25</u>
<u>Non-Sensitive lands (4, 5, 6 and 7)</u>	<u>1:1</u>	<u>1:1</u>
<u>Distance from Town Centers, Regional Centers, the High Density Tourist District and Primary Transit Routes.</u>	<u>Additional transfer ratio based on distance from non-residential support services and transit (only for transfers of Residential Development Rights and Existing Residential Units into Town Centers, Regional Centers and/or the High Density Tourist District</u>	
<u>Less than ¼ Mile or on the Lake-ward side of primary transit routes.</u>	<u>1:1</u>	
<u>¼ Mile to ½ Mile</u>	<u>1:1.25</u>	
<u>½ Mile to 1 Mile</u>	<u>1:1.5</u>	
<u>1 Mile to 1½ Mile</u>	<u>1:1.75</u>	
<u>Greater than 1½ Mile</u>	<u>1:2</u>	

- Amend the Code to revise the definition of a TAU as follows: “A unit, with a bedroom with or without cooking facilities, primarily designed to be rented by the day or week and occupied on a temporary basis.”
- Amend the Code to define a sending TAU to equal 1,200 square feet receiving unit or 1,800 square feet/3-bedroom receiving unit if the units make up less than 20% of a project

**\*Note: Relocated to Goal LU-3:**

#### **GOAL #4**

**PROVIDE TO THE GREATEST POSSIBLE EXTENT, WITHIN THE CONSTRAINTS OF THE ENVIRONMENTAL THRESHOLD CARRYING CAPACITIES, A DISTRIBUTION OF LAND USE THAT ENSURES THE SOCIAL, ENVIRONMENTAL, AND ECONOMIC WELL-BEING OF THE REGION.**



The Tahoe Regional Planning Compact and extensive public testimony call for TRPA, along with other governmental and private entities, to safeguard the well-being of those who live in, work in, or visit the Region.

## **POLICIES**

- ~~1. ALL PERSONS SHALL HAVE THE OPPORTUNITY TO UTILIZE AND ENJOY THE REGION'S NATURAL RESOURCES AND AMENITIES.~~
- ~~2. NO PERSON OR PERSONS SHALL DEVELOP PROPERTY SO AS TO ENDANGER THE PUBLIC HEALTH, SAFETY, AND WELFARE.~~

~~Persons who develop property in the Region must ensure that their development conforms to the Goals and Policies Plan, all TRPA regulations and all applicable local, state, and federal laws pertaining to public health, safety and welfare.~~

~~*\*Note: The RPU Committee unanimously (7-0) supported Goal LU-4 on November 2, 2011.*~~

## **GOAL LU-4**

**REGIONAL PLAN GOALS, POLICIES, AND ORDINANCES SHALL BE IMPLEMENTED USING AN INTEGRATED SYSTEM OF REGIONAL AND LOCAL GOVERNMENT PLANNING.**

## **POLICIES**

~~*\*Note: Relocated and amended from LU Goal #2, Policy 2. The RPU Committee unanimously (6-0) supported Policy LU-4.1 with modifications on December 6, 2011.*~~

~~**LU-4.1 THE REGIONAL PLAN LAND USE MAP IDENTIFIES GROUPINGS OF GENERALIZED LAND USES AND PRIORITY REDEVELOPMENT AREAS IN THE REGION. SPECIFIC LAND USE POLICIES SHALL BE IMPLEMENTED THROUGH THE USE OF PLANNING AREA STATEMENTS FOR EACH OF THE PLANNING AREAS IDENTIFIED IN THIS MAP INCLUDED IN THIS PLAN (LOCATED INSIDE BACK COVER). AREAS OF SIMILAR USE AND CHARACTER HAVE BEEN MAPPED AND CATEGORIZED WITHIN ONE OR MORE OF THE FOLLOWING FIVE SEVEN LAND USE CLASSIFICATIONS: WILDERNESS, BACKCOUNTRY, CONSERVATION, RECREATION, RESIDENTIAL, COMMERCIAL AND PUBLIC SERVICE MIXED-USE, AND TOURIST. THESE LAND USE CLASSIFICATIONS SHALL DICTATE ALLOWABLE LAND USES. EXISTING URBANIZED AREAS ARE IDENTIFIED AS TOWN CENTERS, REGIONAL CENTERS AND THE HIGH DENSITY TOURIST DISTRICT. TOWN CENTERS, REGIONAL CENTERS AND THE HIGH DENSITY TOURIST DISTRICT ARE THE AREAS WHERE SUSTAINABLE REDEVELOPMENT IS ENCOURAGED. MORE DETAILED PLANS, CALLED COMMUNITY PLANS, MAY BE DEVELOPED FOR DESIGNATED COMMERCIAL AREAS. OTHER DETAILED PLANS, SUCH AS THE AIRPORT MASTER PLAN, SKI AREA MASTER PLANS, AND REDEVELOPMENT PLANS, MAY ALSO BE DEVELOPED. THESE DETAILED PLANS MAY COMBINE TWO OR MORE OF THE FIVE LAND USE CLASSIFICATION**~~

~~Since the development permitted under this Plan is generally limited to the existing urban boundaries in which uses have already been established, the concept of this land use plan is directed toward encouraging ~~regulating~~-in-fill and redirection. The intent of this system is to provide flexibility when dealing with existing uses, continuation of acceptable land use patterns, and redirection of unacceptable land use patterns. Implementation ordinances set forth the detailed management criteria and allowed uses for each land use classification.~~

## **Wilderness**

Wilderness Districts are designated and defined by the U.S. Congress as part of the National Wilderness Preservation System. These lands offer outstanding opportunities for solitude and primitive, unconfined recreation experiences, and they contain ecological, geological, and other features of scientific, educational, scenic, and historic value. The wilderness designation is intended to protect and preserve such areas for present and future generations. These lands are managed to prevent the degradation of wilderness character. Natural ecological processes and functions are preserved, and restored where necessary. Permanent improvements and mechanized uses are prohibited. Wilderness District lands within the Tahoe Region include portions of the Desolation, Granite Chief, and Mount Rose Wilderness Areas.

### **Backcountry**

Backcountry Districts are designated and defined by the U.S. Forest Service as part of their Resource Management Plans. These lands are roadless areas including Dardanelles/Meiss, Freel Peak, and Lincoln Creek. On these lands, natural ecological processes are primarily free from human influences. Backcountry areas offer a recreation experience similar to Wilderness, with places for people seeking natural scenery and solitude. Primitive and semi-primitive recreation opportunities include hiking, camping, wildlife viewing, and cross-country skiing, in addition to more developed or mechanized activities not allowed in Wilderness areas (e.g., mountain biking, snowmobiling). Management activities that support administrative and dispersed recreation activities are minimal, but may have a limited influence. Limited roads may be present in some backcountry areas; road reconstruction may be permitted on Backcountry lands where additional restrictions do not apply. Backcountry areas contribute to ecosystem and species diversity and sustainability, serve as habitat for fauna and flora, and offer wildlife corridors. These areas provide a diversity of terrestrial and aquatic habitats, and support species dependent on large, undisturbed areas of land. Backcountry areas are managed to preserve and restore healthy watersheds with clean water and air, and healthy soils. Watershed processes operate in harmony with their setting, providing high quality aquatic habitats.

### **Conservation**

Conservation areas are non-urban areas with value as primitive or natural areas, with strong environmental limitations on use, and with a potential for dispersed recreation or low intensity resource management. Conservation areas include (1) public lands already set aside for this purpose, (2) high-hazard lands, stream environment zones, and other fragile areas, without substantial existing improvements, (3) isolated areas which do not contain the necessary infrastructure for development, (4) areas capable of sustaining only passive recreation or non-intensive agriculture, and (5) areas suitable for low-to-moderate resource management.

### **Recreation**

Recreation areas are non-urban areas with good potential for developed outdoor recreation, park use, or concentrated recreation. Lands which this Plan identifies as recreation areas include (1) areas of existing private and public recreation use, (2) designated local, state, and federal recreation areas, (3) areas without overriding environmental constraints on resource management or recreational purposes, and (4) areas with unique recreational resources which may service public needs, such as beaches and ski areas.

### **Residential**

Residential areas are urban areas having potential to provide housing for the residents of the Region. In addition, the purpose of this classification is to identify density patterns related to both the physical and manmade characteristics of the land and to allow accessory and non-residential uses that complement the residential neighborhood. These lands include: (1) Areas now developed for residential purposes; (2) areas of moderate-to-good land capability; (3) areas within urban boundaries and serviced by utilities; and (4) areas of centralized location in close proximity to commercial services and public facilities.

### **Mixed-Use**

Mixed-use ~~Commercial and Public Service~~ areas are urban areas that have been designated to provide a mix of commercial, ~~and public services~~, and residential uses to the Region or have the potential to provide future commercial, ~~and public services~~ and residential uses. The purpose of this classification is to concentrate ~~such services~~ higher intensity land uses for public convenience, and enhanced sustainability, ~~separate incompatible uses, and allow other noncommercial uses if they are compatible with the purpose of this classification and other goals of this Plan.~~ These lands include: (1) areas now developed for commercial or public service uses; (2) in the case of public services, lands designated for, or in, public ownership; (3) areas suitable to encourage the concentration of compatible services; (4) areas of good-to-moderate land capability; and (5) areas with adequate public services and transportation linkages.

### **Tourist**

Tourist areas are urban areas that have the potential to provide intensive tourist accommodations and services or intensive recreation. This land use classification also includes areas recognized by the Compact as suitable for gaming. These lands include areas that are: ~~(1) areas now developed with high concentrations of visitor accommodations and related uses; (2) lands on which gaming is a permitted and recognized use; (3) lands of good-to-moderate land capability; and (4) areas with adequate public services and transportation linkages.~~

- 1) already developed with high concentrations of visitor services, visitor accommodations, and related uses;
- 2) of good to moderate land capability (land capability districts 4-7);
- 3) with existing excess land coverage; and
- 4) located near commercial services, employment centers, public services and facilities, transit facilities, pedestrian paths, and bicycle connections

### **Town Center Overlay**

Town Centers contain most of the region's non-residential services and have been identified as a significant source of sediments and other contaminants that continue to enter Lake Tahoe. Town Centers are targeted for redevelopment in a manner that improves environmental conditions, creates a more sustainable and less auto-dependent development pattern and provides economic opportunities in the region.

**\*Note: The RPU Committee unanimously (6-0) supported to add Regional Center Overlay language to Policy LU-4.1 on November 16, 2011.**

### **Regional Center Overlay**

The Regional Center area includes a variety of land uses in the core of South Lake Tahoe, including the Gondola and base lodge facilities for Heavenly Ski Area. Development patterns in the Regional Center have been and should continue to be more intensive than Town Centers and less intensive than the High Density Tourist District. Older development within the Regional Center is a significant source of sediment and other water contaminants. The Regional Center is targeted for redevelopment in a manner that improves environmental conditions, creates a more sustainable and less auto-dependent development pattern and provides economic opportunities in the region.

### **High Density Tourist District Overlay**

The High Density Tourist District contains a concentration of hotel/casino towers and is targeted for redevelopment in a manner that improves environmental conditions, creates a more sustainable and less auto-dependent development pattern and provides economic opportunities for local residents. The High Density Tourist District is the appropriate location for the region's highest intensity development.

### Stream Restoration Plan Area

Stream Restoration Plan Areas are Stream Environment Zones along major waterways that have been substantially degraded by prior development. Individual Restoration Plans should be developed for each Stream Restoration Plan Area in coordination with the applicable Local Government and property owners in the Plan area. Restoration Plans may be developed as a component of a Local Plan or as a separate document and should identify feasible opportunities for environmental restoration.

*\*Note: The RPU Committee unanimously (5-0) supported Policy LU-4.2 on November 15, 2011.*

LU-4.2 DETAILED PLAN AREA STATEMENTS HAVE BEEN APPROVED FOR ALL PROPERTIES IN THE REGION. THESE PLAN AREA STATEMENTS WERE ADOPTED IN ACCORDANCE WITH THE 1987 REGIONAL PLAN AND SHALL REMAIN IN EFFECT UNTIL SUPERSEDED BY LOCAL PLANS THAT ARE DEVELOPED IN ACCORDANCE WITH AND FOUND IN CONFORMANCE WITH THIS REGIONAL PLAN. IF ANY PLAN AREA STATEMENT CONTAINS PROVISIONS THAT CONTRADICT NEWER PROVISIONS OF THE REGIONAL PLAN OR DEVELOPMENT CODE, THE NEWER PROVISIONS OF THE REGIONAL PLAN OR DEVELOPMENT CODE SHALL PREVAIL, BUT ONLY TO THE EXTENT THAT SPECIFIC PROVISIONS CONFLICT.

*\*Note: The RPU Committee unanimously (5-0) supported Policy LU-4.3 on November 15, 2011.*

LU-4.3 COMMUNITY PLANS HAVE BEEN APPROVED FOR SOME PROPERTIES IN THE REGION TO REFINE AND SUPERSEDE THE PLAN AREA STATEMENTS. THESE COMMUNITY PLANS WERE ADOPTED IN ACCORDANCE WITH THE 1987 REGIONAL PLAN AND SHALL REMAIN IN EFFECT UNTIL SUPERSEDED BY LOCAL PLANS THAT ARE DEVELOPED IN ACCORDANCE WITH AND FOUND IN CONFORMANCE WITH THIS REGIONAL PLAN. IF ANY COMMUNITY PLAN CONTAINS PROVISIONS THAT CONTRADICT NEWER PROVISIONS OF THE REGIONAL PLAN OR DEVELOPMENT CODE, THE NEWER PROVISIONS OF THE REGIONAL PLAN OR DEVELOPMENT CODE SHALL PREVAIL, BUT ONLY TO THE EXTENT THAT SPECIFIC PROVISIONS CONFLICT.

*\*Note: The RPU Committee unanimously (5-0) supported Policy LU-4.4 on November 15, 2011.*

LU-4.4 OTHER DETAILED PLANS, SUCH AS THE AIRPORT MASTER PLAN, SKI AREA MASTER PLANS, AND REDEVELOPMENT PLANS HAVE ALSO BEEN APPROVED FOR SOME PROPERTIES IN THE REGION TO FURTHER REFINE AND SUPERSEDE THE PLAN AREA STATEMENTS. THESE PLANS WERE ADOPTED IN ACCORDANCE WITH THE 1987 REGIONAL PLAN AND SHALL REMAIN IN EFFECT UNTIL SUPERSEDED BY LOCAL PLANS THAT ARE DEVELOPED IN ACCORDANCE WITH AND FOUND IN CONFORMANCE WITH THIS REGIONAL PLAN. IF ANY OF THESE PLANS CONTAIN PROVISIONS THAT CONTRADICT NEWER PROVISIONS OF THE REGIONAL PLAN OR DEVELOPMENT CODE, THE NEWER PROVISIONS OF THE REGIONAL PLAN OR DEVELOPMENT CODE SHALL PREVAIL, BUT ONLY TO THE EXTENT THAT SPECIFIC PROVISIONS CONFLICT.

*\*Note: The RPU Committee directed staff on November 15, 2011 to modify policy LU-4.5 to call for statements of intent from Local Government and development of an action plan based on statements of intent. Modifications are reflected in proposed text. The RPU Committee unanimously (6-0) supported Policy LU-4.5 on December 6, 2011.*

LU-4.5 TRPA SHALL REQUEST THAT ALL LOCAL GOVERNMENTS IN THE REGION PROVIDE WRITTEN STATEMENTS INDICATING THEIR INTENT TO PREPARE LOCAL PLANS AND

THEIR ANTICIPATED SCHEDULE FOR COMPLETION OF LOCAL PLANS. STATEMENTS OF INTENT SHOULD BE PROVIDED TO TRPA NO LATER THAN DECEMBER 31, 2013. THE TRPA GOVERNING BOARD SHALL EVALUATE THE LOCAL GOVERNMENT STATEMENTS OF INTENT AND DEVELOP AN ACTION PLAN BY APRIL 30, 2014. THE ACTION PLAN MAY INCLUDE UPDATES AND CONSOLIDATIONS OF PLAN AREA STATEMENTS, COMMUNITY PLANS AND OTHER PLANS FOR AREAS THAT ARE NOT INCLUDED IN LOCAL PLANS.

*\*Note: The RPU Committee unanimously (6-0) supported Policy LU-4.6 on November 15, 2011.*

LU-4.6 IN ORDER TO BE RESPONSIVE TO THE UNIQUE NEEDS AND OPPORTUNITIES OF COMMUNITIES OF THE REGION, LOCAL GOVERNMENTS ARE ENCOURAGED TO PREPARE CONFORMING LOCAL PLANS THAT SUPERSEDE EXISTING PLAN AREA STATEMENTS AND COMMUNITY PLANS. LOCAL PLANS SHALL BE PREPARED IN COORDINATION WITH LOCAL RESIDENTS, OTHER STAKEHOLDERS AND TRPA STAFF, AND SHALL BE CONSISTENT WITH THE REGIONAL PLAN.

*\*Note: The RPU Committee unanimously (6-0) supported Policy LU-4.7 on November 15, 2011.*

LU-4.7 AFTER LOCAL GOVERNMENT APPROVAL, LOCAL PLANS SHALL BE REVIEWED BY THE TRPA GOVERNING BOARD AT A PUBLIC HEARING. IN ORDER TO TAKE EFFECT, THE TRPA GOVERNING BOARD SHALL MAKE A FINDING THAT THE LOCAL PLAN, AND ZONING AND DEVELOPMENT CODES WITHIN THE PLAN, ARE CONSISTENT WITH AND FURTHER 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.

*\*Note: The RPU Committee unanimously (6-0) supported Policy LU-4.8 on November 15, 2011.*

LU-4.8 IN ORDER TO BE FOUND IN CONFORMANCE WITH THE REGIONAL PLAN, ALL LOCAL PLANS SHALL INCLUDE POLICIES, ORDINANCES AND OTHER IMPLEMENTATION MEASURES TO:

1. Identify 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. Be consistent with the Regional Land Use Map. Local Plans may also recommend amendments to the Regional Land Use Map as part of an integrated plan to comply with Regional Plan Policies and provide Threshold gain.

***Note: Staff recommended changes:***

Either ~~B~~be consistent with the Regional Land Use Map or ~~Local Plans may also~~ recommend amendments to the Regional Land Use Map as part of an integrated plan to comply with Regional Plan Policies and provide Threshold gain.

4. Recognize and support planned, new, or enhanced Environmental Improvement Projects. Local 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 Town

Centers, Regional Centers and the High Density Tourist District.

6. 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.
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 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.
8. Identify facilities and implementation measures to enhance pedestrian, bicycling and transit opportunities along with other opportunities to reduce automobile dependency.

***\*Note: The RPU Committee (5-1) supported Policy LU-4.9 on November 15, 2011 and unanimously (6-0) supported to add Regional Center Overlay language on November 16, 2011.***

**LU-4.9 IN ORDER TO BE FOUND IN CONFORMANCE WITH THE REGIONAL PLAN, ALL LOCAL PLANS THAT INCLUDE TOWN CENTERS OR REGIONAL CENTERS SHALL INCLUDE POLICIES, ORDINANCES AND OTHER IMPLEMENTATION MEASURES TO:**

1. Address all requirements of Policy LU-4.8
2. 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.
3. 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.
4. Use standards within Town Centers and Regional Centers addressing the form of development and requiring that projects promote pedestrian activity and transit use.
5. Ensure adequate capacity for redevelopment and transfers of development rights into Town Centers and Regional Centers.
6. Identify an integrated community strategy for coverage reduction and enhanced stormwater management.
7. Demonstrate that all development activity within Town Centers and Regional Centers will provide Threshold gain, including but not limited to measurable improvements in water quality.

***\*Note: The RPU Committee unanimously (6-0) supported Policy LU-4.10 on November 15, 2011.***

**LU-4.10 IN ORDER TO BE FOUND IN CONFORMANCE WITH THE REGIONAL PLAN, LOCAL PLANS THAT INCLUDE THE HIGH DENSITY TOURIST DISTRICT SHALL INCLUDE POLICIES, ORDINANCES AND OTHER IMPLEMENTATION MEASURES TO:**

1. Address all requirements of Policies LU-4.8 and LU-4.9.
2. Include building and site design standards that substantially enhance the appearance of existing buildings in the High Density Tourist District.
3. Provide pedestrian, bicycle and transit facilities connecting the High Density Tourist District with other regional attractions.

4. Demonstrate that all development activity within the High Density Tourist District will provide 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.

***\*Note: The RPU Committee unanimously (6-0) supported Policy LU-4.11 on November 15, 2011.***

**LU-4.11 LOCAL GOVERNMENTS MAY ADOPT DEVELOPMENT ORDINANCES THAT SUPERSEDE TRPA ORDINANCES IF THE LOCAL PLAN AND ASSOCIATED ORDINANCES ARE FOUND IN CONFORMANCE WITH THE REGIONAL PLAN, AND MEET THE INTENT OF TRPA ORDINANCES.**

***\*Note: The RPU Committee deferred action on Policy LU-4.12 and directed staff to work through modified language with the Local Government Committee and return with a recommendation for the RPU Committee. The RPU Committee (4-1) supported Policy LU-4.12 on December 15, 2011.***

**LU-4.12 ONCE A LOCAL PLAN, AND ZONING AND DEVELOPMENT CODES WITHIN THE PLAN, HAVE BEEN FOUND IN CONFORMANCE WITH THE REGIONAL PLAN, LOCAL GOVERNMENTS MAY ASSUME DEVELOPMENT REVIEW AUTHORITY BY MEMORANDA OF UNDERSTANDING WITH TRPA, SUBJECT TO THE FOLLOWING LIMITATIONS:**

1. The TRPA Governing Board shall annually review sample of permits issued within each Local Plan, and shall certify that the Local Plans are being implemented in Conformance with the Regional Plan. If the TRPA Governing Board finds that development that has been permitted within a Local Plan does not comply with the conforming Local Plan, TRPA may retract delegation of certain permitting authority and implement the conforming Local Plan.
2. Approval of projects within Local Plans shall require TRPA review and approval if the project includes any of the following criteria:
  - a. All development within the High Density Tourist District;
  - b. All development within the Shorezone of Lake Tahoe;
  - c. All development within the Conservation District.
  - d. All development meeting criteria on the following table:

	<u>Regional Center</u>	<u>Town Center</u>	<u>Not in Center</u>
<u>Residential</u>	<u>200,000 sq. ft.</u>	<u>100,000 sq. ft.</u>	<u>50,000 sq. ft.</u>
<u>Non-Residential</u>	<u>100,000 sq. ft.</u>	<u>50,000 sq. ft.</u>	<u>25,000 sq. ft.</u>

3. All of the local governments ongoing TRPA development monitoring and reporting requirements are met.

***\*Note: The RPU Committee unanimously (6-0) supported Policy LU-4.13 on November 15 and 16, 2011.***

**LU-4.13 TRPA SHALL TAKE AN ACTIVE ROLE IN ASSISTING WITH THE DEVELOPMENT OF CONFORMING LOCAL PLANS TO HELP ENSURE THAT LOCAL PLANS ARE IN**

CONFORMANCE WITH TRPA REQUIREMENTS. LOCAL GOVERNMENTS SHALL ALSO SEEK REVIEW AND COMMENT FROM ALL PUBLIC AGENCIES WITH JURISDICTIONAL AUTHORITY AT APPROPRIATE POINTS IN THE PLANNING PROCESS TO ENSURE THAT REQUIREMENTS OF OTHER PUBLIC AGENCIES ARE ADDRESSED. THIS POLICY IS INTENDED TO ENSURE THAT EACH LOCAL PLAN, AND ZONING AND DEVELOPMENT CODES WITHIN THE PLAN, WHEN PRESENTED TO TRPA FOR CONFORMANCE REVIEW AND APPROVAL, WILL HAVE ADDRESSED THE NEEDS AND CONCERNS OF THE COMMUNITY AND WILL BE CONSISTENT WITH ALL APPLICABLE LOCAL, STATE, AND REGIONAL PLAN REQUIREMENTS.

#### LU-4 Implementation Measures

*\*Note: The RPU Committee unanimously (6-0) supported LU-4 Implementation Measures 1-4 on November 16, 2011.*

- Amend Chapter 12, 13, 14, the Plan Area Statements and the Land Use Map to incorporate the following seven major land use classifications (Wilderness, Backcountry, Conservation, Recreation, Residential, Mixed-Use and Tourist) and three overlay districts (Town Centers, Regional Centers and the High Density Tourist District).
- Amend the Development Code to reflect the Local Planning process outlined in Goal LU-4.
- Amend the appropriate Plan Area Statement to recognize Tribal ownership of parcels located on the East Shore of Lake Tahoe.
- Amend the Code to state that the Code, Plan Area Statements, and other adopted plans as amended by the Regional Plan update will remain in effect until superseded by local government plans.

*\*Note: The RPU Committee directed staff on November 16, 2011 to work on LU-4 Implementation Measure 5 (sub-items 1-3) with the Local Government Committee, then bring recommendations back to the RPU Committee. The RPU Committee unanimously (5-0) supported remaining LU-4 Implementation Measures on December 15, 2011.*

- Amend the Development Code to establish monitoring reviewing and reporting standards for Local Plans as follows:
  - Monitor – Local governments transfer basic information as part of building permit process
  - Review – TRPA staff check a sample of development projects approved by local governments using similar process to that used for existing MOU. The sample will be determined in each MOU.
  - Report – TRPA staff prepare an annual report on monitoring and review results
- Require that Local Plans include development standards that are consistent with criteria in the attached table:



LAND USE CLASSIFICATIONS AND DESIGNATIONS

Regional Parameters	Wilderness	Backcountry	Conservation	Recreation	Residential	Mixed-Use	Town Center	Regional Center	Tourist	High Density Tourist District
Height	NA	Existing	Existing	Existing	Existing	Existing for each use type	Up to 4 stories (56 ft) max with adoption of a Local Plan	Up to 6 stories (95 ft) max with adoption of a Local Plan	Existing including Special Height District	Up to 197' max with adoption of a Local Plan
Density SFD	NA	Existing (1 unit per parcel unless greater than 1 acre)								
Density MFD	NA	Existing	Existing	Existing	Existing except Local Plans may identify higher density areas adjacent to Town Centers, Regional Centers and the HDTD, and in other areas permitted by the Regional Plan	Existing except Local Plans may identify higher density areas adjacent to Town Centers, Regional Centers and the HDTD, and in other areas permitted by the Regional Plan	Residential and TAUs with more than 10% of units with kitchens up to 25 units/ac, Tourist up to 40 units/ac (less than 10% of units with kitchens) with adoption of a Local Plan.	Residential and TAUs with more than 10% of units with kitchens up to 25 units/ac, Tourist up to 40 units/ac (less than 10% of units with kitchens) with adoption of a Local Plan.	Existing except Local Plans may identify higher density areas adjacent to Town Centers, Regional Centers and the HDTD, and in other areas permitted by the Regional Plan	Residential and TAUs with more than 10% of units with kitchens up to 25 units/ac, Tourist up to 40 units/ac (less than 10% of units with kitchens) with adoption of a Local Plan.
Land Coverage	Existing	Existing	Existing	Existing	Existing	Existing and a maximum of 70% in districts with an adopted community plan.	Maximum of 70%.	Maximum of 70%.	Maximum of 70%.	Maximum of 70%.
Complete Streets	Existing	Existing	Existing	Existing	Existing	Existing	Plan for sidewalks, trails, and other pedestrian amenities providing safe and convenient non-motorized circulation within the Town Center and incorporating the Regional Bike and Pedestrian Plan.	Plan for sidewalks, trails, and other pedestrian amenities providing safe and convenient non-motorized circulation within the Regional Center and incorporating the Regional Bike and Pedestrian Plan	Existing	Plan for sidewalks, trails, and other pedestrian amenities providing safe and convenient non-motorized circulation within the High Density Tourist District and incorporating the Regional Bike and Pedestrian Plan

*\*Note: The RPU Committee unanimously (5-0) supported Goal LU-5 and Policy LU-5.1 on November 15, 2011.*

## **GOAL LU-5**

### **COORDINATE THE REGULATION OF LAND USES WITHIN THE REGION WITH THE LAND USES SURROUNDING THE REGION.**

To minimize the impacts on one another, the Tahoe Region and its surrounding communities should attempt to coordinate land use planning decisions. This goal is especially pertinent with respect to major land use decisions immediately adjacent to the Region which may have significant impacts on the Region and affect the ability of TRPA to attain environmental thresholds.

#### **POLICIES**

##### **LU-5.1 THE REGIONAL PLAN SHALL ATTEMPT TO MITIGATE ADVERSE IMPACTS GENERATED BY THE PLAN WITHIN THE REGION, AND NOT EXPORT THE IMPACTS TO SURROUNDING AREAS.**

Where project approvals or other proposed actions by TRPA would adversely impact surrounding areas, TRPA shall consult with the affected jurisdictions. While the Agency will attempt to ensure that adverse impacts are mitigated within the Region, there may be situations where the adverse impacts on surrounding areas are outweighed by the environmental harm that would result from absorbing all impacts within the Region. In that regard, state laws in California and Nevada require the export of virtually all wastewaters and solid wastes from the Region.

*\*Note: The RPU Committee directed staff on November 15, 2011 to modify Policy LU-5.2 to more accurately reflect the Compact and require Board direction initiating cooperative planning efforts. Modifications are reflected in proposed text. The RPU Committee unanimously supported Policy LU-5.2 on December 6, 2011.*

##### **LU-5.2 WHERE NECESSARY FOR THE REALIZATION OF THE REGIONAL PLAN, THE AGENCY MAY ENGAGE IN COLLABORATIVE PLANNING WITH LOCAL GOVERNMENTAL JURISDICTIONS LOCATED OUTSIDE THE REGION, BUT CONTIGUOUS TO ITS BOUNDARIES. THE TRPA GOVERNING BOARD SHALL INITIATE ALL COLLABORATIVE PLANNING EFFORTS THAT ARE AUTHORIZED BY THIS POLICY.**

~~**THE AGENCY SHALL DEVELOP JOINT REVIEW AGREEMENTS WITH PUBLIC ENTITIES ADJOINING THE REGION TO CONSIDER ACTS OF DEVELOPMENT OR IMPACTS OF DEVELOPMENT THAT CROSS JURISDICTIONAL BOUNDARIES.**~~

~~As authorized in the Compact, TRPA will develop such joint agreements with Placer County, El Dorado County, Washoe County, City and County of Carson City, Douglas County, and appropriate state and federal agencies to ensure that land use decisions of those entities that have a significant impact on the Tahoe Region are reviewed by the Agency.~~

## HOUSING



The purpose of this Subelement is to assess the housing needs of the Region and to make provisions for adequate housing. The Compact does not specifically mandate this Subelement nor do the environmental thresholds address this topic. However, the states of Nevada and California both require housing to be addressed as part of a general plan. It is the intent of this Subelement to address housing issues on a regional basis with local plans handling the specifics of implementation.

### GOAL HS-1

**PROMOTE HOUSING OPPORTUNITIES FOR FULL-TIME AND SEASONAL RESIDENTS AS WELL AS WORKERS EMPLOYED WITHIN THE BASIN TO THE EXTENT POSSIBLE, AFFORDABLE HOUSING WILL BE PROVIDED IN SUITABLE LOCATIONS FOR THE RESIDENTS OF THE REGION.**

### POLICIES

**HS-1.1. SPECIAL INCENTIVES, SUCH AS BONUS DEVELOPMENT UNITS, WILL BE GIVEN TO PROMOTE AFFORDABLE OR GOVERNMENT-ASSISTED HOUSING FOR LOWER INCOME HOUSEHOLDS (80 PERCENT OF RESPECTIVE COUNTY'S MEDIAN INCOME) AND FOR VERY LOW INCOME HOUSEHOLDS (50 PERCENT OF RESPECTIVE COUNTY'S MEDIAN INCOME). EACH COUNTY'S MEDIAN INCOME WILL BE DETERMINED ACCORDING TO THE INCOME LIMITS PUBLISHED ANNUALLY BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.**

~~The 1980 census data indicate that approximately 95 percent of the region's lower income households were paying more than the recommended costs for rental housing. There is a need to reverse the current trend of higher cost housing and to provide needed affordable housing.~~

**HS-1.2. LOCAL GOVERNMENTS WILL BE ENCOURAGED TO ASSUME THEIR "FAIR SHARE" OF THE RESPONSIBILITY TO PROVIDE LOWER AND VERY LOW INCOME HOUSING.**

~~Current data indicate the City of South Lake Tahoe and Placer County are assuming more than their share of the responsibility as detailed in the Regional Plan EIS.~~

**HS-1.3. FACILITIES SHALL BE DESIGNED AND OCCUPIED IN ACCORDANCE WITH LOCAL, REGIONAL, STATE, AND FEDERAL STANDARDS FOR THE ASSISTANCE OF HOUSEHOLDS WITH LOW AND VERY LOW INCOMES. SUCH HOUSING UNITS SHALL BE MADE AVAILABLE FOR RENTAL OR SALE AT A COST TO SUCH PERSONS THAT WOULD NOT EXCEED THE RECOMMENDED STATE AND FEDERAL STANDARDS.**

**HS-1.4. AFFORDABLE OR GOVERNMENT ASSISTED HOUSING FOR LOWER INCOME HOUSEHOLDS SHOULD BE LOCATED IN CLOSE PROXIMITY TO EMPLOYMENT CENTERS, GOVERNMENT SERVICES, AND TRANSIT FACILITIES. SUCH HOUSING MUST BE COMPATIBLE WITH THE SCALE AND DENSITY OF THE SURROUNDING NEIGHBORHOOD.**

## GOAL HS-2<sup>§</sup>

TO THE EXTENT FEASIBLE, WITHOUT COMPROMISING THE GROWTH MANAGEMENT PROVISIONS OF THE REGIONAL PLAN, THE ATTAINMENT OF THRESHOLD GOALS, AND AFFORDABLE HOUSING INCENTIVE PROGRAMS, MODERATE INCOME HOUSING WILL BE ENCOURAGED IN SUITABLE LOCATIONS FOR THE RESIDENTS OF THE REGION.

### POLICIES

HS-2.1. SPECIAL INCENTIVES, SUCH AS BONUS DEVELOPMENT UNITS, WILL BE MADE AVAILABLE TO PROMOTE HOUSING FOR MODERATE INCOME HOUSEHOLDS (120 PERCENT OF RESPECTIVE COUNTY'S MEDIAN INCOME). SUCH INCENTIVES SHALL BE MADE AVAILABLE WITHIN JURISDICTIONS THAT DEVELOP HOUSING PROGRAMS THAT ARE SUBSTANTIALLY CONSISTENT WITH AND COMPLEMENTARY TO THE REGIONAL PLAN.

HS-2.2. RESIDENTIAL UNITS DEVELOPED USING MODERATE INCOME HOUSING INCENTIVES SHALL BE USED TO PROVIDE HOUSING FOR FULL-TIME RESIDENTS OF THE TAHOE BASIN. SUCH UNITS SHALL NOT BE USED FOR VACATION RENTAL PURPOSES.

HS-2.3. RESIDENTIAL UNITS DEVELOPED USING MODERATE INCOME HOUSING INCENTIVES SHALL REMAIN PERMANENTLY WITHIN THE PROGRAM.

## GOAL HS-3

REGULARLY EVALUATE HOUSING NEEDS IN THE BASIN AND UPDATE POLICIES AND ORDINANCES IF NECESSARY ACHIEVE REGIONAL HOUSING GOALS.

### POLICIES

HS-3.1. TRPA SHOULD COORDINATE WITH LOCAL GOVERNMENTS AND OTHER ORGANIZATIONS TO DEVELOP A REGIONAL HOUSING NEEDS ASSESSMENT BY DECEMBER 31, 2013 AND AT LEAST EVERY FIVE YEARS THEREAFTER. THE HOUSING NEEDS ASSESSMENT SHOULD EVALUATE PROGRESS TOWARDS ADOPTED HOUSING GOALS AND RECOMMENDED POLICY AND ORDINANCE CHANGES IF NECESSARY TO ACHIEVE HOUSING GOALS.

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<sup>§</sup> Amended 4/28/04

## **COMMUNITY DESIGN**



The purpose of this Subelement is to implement the TRPA regional design criteria as they apply to the built environment. The Governing Board policy applicable to community design is derived from environmental threshold carrying capacities for scenic resources:

### **POLICY STATEMENT**

**It shall be the policy of the TRPA Governing Board in development of the Regional Plan, in cooperation with local jurisdictions, to insure the height, bulk, texture, form, materials, colors, lighting, signing and other design elements of new, remodeled and redeveloped buildings be compatible with the natural, scenic, and recreational values of the Region.**

This Subelement sets forth policies for new developments or existing developments in need of remodeling or redevelopment. Some aspects of development can be brought to total conformance within a certain period of time, such as a five year program to bring all signs into conformance with adopted standards. Others may require more time or extensive redevelopment or rehabilitation to correct past deficiencies.

### **GOAL CD-1**

**INSURE PRESERVATION AND ENHANCEMENT OF THE NATURAL FEATURES AND QUALITIES OF THE REGION, PROVIDE PUBLIC ACCESS TO SCENIC VIEWS, AND ENHANCE THE QUALITY OF THE BUILT ENVIRONMENT.**

~~Based on findings in the Compact and evidence presented in the environmental threshold carrying capacity study, both the natural scenic qualities of the Region and the man-made environment have suffered degradation in the past decades. It is important that both the natural environment and the built environment be brought into compliance with the established thresholds, including the thresholds and policies found in the Scenic Subelement.~~

### **POLICIES**

**CD-1.1. THE SCENIC QUALITY RATINGS ESTABLISHED BY THE ENVIRONMENTAL THRESHOLDS SHALL BE MAINTAINED OR IMPROVED.**

Implementation of regional design review requirements will be required to ensure compliance with this policy.

**CD-1.2 RESTORATION PROGRAMS BASED ON INCENTIVES WILL BE IMPLEMENTED IN THOSE AREAS DESIGNATED IN NEED OF SCENIC RESTORATION TO ACHIEVE THE RECOMMENDED RATING.**

### **GOAL CD-2**

**REGIONAL BUILDING AND COMMUNITY DESIGN CRITERIA SHALL BE ESTABLISHED TO ENSURE ATTAINMENT OF THE SCENIC THRESHOLDS,**

## MAINTENANCE OF DESIRED COMMUNITY CHARACTER, COMPATIBILITY OF LAND USES, AND COORDINATED PROJECT REVIEW.

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

### POLICIES

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

- A. Site Design: All new development shall consider site design which includes, at a minimum:
- 1) Existing natural features to be retained and incorporated into the site design.
  - 2) Building placement and design to be compatible with adjacent properties and consideration of solar exposure, climate, noise, safety, fire protection, and privacy.
  - 3) Site planning to include a drainage, infiltration, and grading plan meeting BMP standards.
  - 4) Access, parking, and circulation to be logical, safe, and meet the requirements of the transportation element.
- B. Building Design ~~Height, Bulk and Scale~~: Standards shall be adopted to ensure attractive and compatible development. The following shall be considered:
- 1) Outside Town Centers, bBuilding height shall be limited to two stories. Within Town Centers, building height may be allowed up to four stories (56 feet) as part of a Local Plan that has been found in conformance with the Regional Plan. Within Regional Centers, building height may be allowed up to six stories (95 feet) as part of a Local Plan that has been found in conformance with the Regional Plan. Within the High Density Tourist District, building height may be allowed up to 197 feet as part of a Local Plan that has been found in conformance with the Regional Plan. except that pProvisions for additional height requirements may shall be provided for unique situations such as lighting towers, ski towers, steep sites, redevelopment projects and tourist accommodation facilities.
  - 2) Building height limits shall be established to ensure that buildings do not project above the forest canopy, ridge lines, or otherwise

detract from the viewshed.

- 3) Buffer requirements shall be established for noise, snow removal, aesthetic, and environmental purposes.
- 4) The scale of structures should be consistent with surrounding uses.
- 5) Viewshed should be considered in all new construction. Emphasis should be placed on lake views from major transportation corridors.
- 6) Local Plans that allow buildings over two stories in height shall include provisions for transitional height limits or other buffer areas adjacent to areas not allowing buildings over two stories in height.
- 7) Local Plans shall include design standards for building design and form. Within Town Centers, Regional Centers and the High Density Tourist District, building design and form standards shall promote pedestrian activity.

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

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

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

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

E. Signing: In determining sign design, the following should be considered:

- 1) Off premise signs are prohibited.
- 2) Signs should be incorporated into building design.
- 3) When possible, signs should be consolidated into clusters to avoid clutter.
- 4) Signage should be attached to buildings when possible.
- 5) Standards for height, lighting, and square footage for on premise

signs shall be formulated and shall be consistent with the land uses permitted in each district.

CD-2 Implementation Measures:

- Amend Chapter 22 to permit additional height within ~~Transect Districts designated as~~ Town Centers, Regional Centers and the High Density Tourist ~~Special District, and Neighborhood General.~~
- Amend Chapter 22 to redefine how height is measured on steep slopes to promote the stair-stepping of structures
- Amend Chapter 30 to adopt lighting standards requiring low intensity lights and and cutoff shields to minimize light pollution and stray light.
- Amend Community Design Ordinances as necessary to reflect that regional design standards are required to be implemented in Local Plans.
- Amend Chapter 30 to require all landscape plans to be consistent with local and state defensible-space standards, and where feasible to accommodate stormwater runoff.

~~2.~~

~~*\*Note: Topic addressed under Goal LU-4*~~

~~LOCAL JURISDICTIONS ARE ENCOURAGED TO ADOPT DESIGN GUIDELINES CONSISTENT WITH THE REGIONAL PLAN.~~

~~The Agency will consider local design review guidelines when preparing the regional design review guidelines. Also, the Agency will encourage local governments to adopt design guidelines consistent with the Agency guidelines.~~