

# Regional Plan Implementation Roles

TRPA Local Government Committee  
October 27, 2011



# Presentation Overview

- TRPA Compact
- Planning and Project Review Processes
- Potential Roles in Processes
- Recommendations
- Next Steps

# TRPA Compact

- Environmental Carrying Capacity Thresholds
- Regional Plan to Achieve/Maintain Thresholds
- Code to Implement Regional Plan
- Review Projects to Meet Plan and Code Requirements

# TRPA Compact

- To implement the Compact, Regional Plan and Code TRPA has established 14 “Planning and Project Review Processes” or functions
- TRPA now has the following “Roles” in these 14 “Processes”
  - Lead Agency
  - Implementation
  - Monitoring & Reporting

# TRPA Compact

LEAD AGENCY AND RELATED ROLES	PLANNING AND PROJECT REVIEW PROCESSES													
	1. Regional Plan	2. Environmental Improvement Program	3. Local Plans	4. Local Zoning	5. Local Code	6. Development Projects	7. TRPA General	8. TRPA Site Development	9. TRPA Growth Management	10. TRPA Shorezone	11. TRPA Grading & Construction	12. TRPA Resource Management	13. TRPA Water Quality	14. TRPA Air Quality
Lead Agency	TRPA	TRPA	TRPA	TRPA	TRPA	TRPA	TRPA	TRPA	TRPA	TRPA	TRPA	TRPA	TRPA	TRPA
Implementation	TRPA	TRPA	TRPA	TRPA	TRPA	TRPA Local	TRPA	TRPA	TRPA	TRPA	TRPA	TRPA	TRPA	TRPA
Monitoring & Reporting	TRPA	TRPA	TRPA	TRPA	TRPA	TRPA	TRPA	TRPA	TRPA	TRPA	TRPA	TRPA	TRPA	TRPA

# Planning and Project Review Processes

- Tahoe Regional Plan
  - Regional plan prepared for the Lake Tahoe Basin as required by the bi-state compact
- Environmental Improvement Projects
  - Projects to improve the environment in the Lake Tahoe Basin which are administered through the Tahoe Regional Planning Agency

# Planning and Project Review Processes

- Local Planning
  - Plans for areas within City or County jurisdiction consistent with Regional Plan and Code
- Local Zoning Process
  - Zoning district maps consistent with Local Government Plan and Regional Plan and Code

# Planning and Project Review Processes

- Local Development Code Process
  - Regulations for use and development in each zoning district consistent with the Local Government Plan and Regional Plan and Code
- Development Projects
  - Private developments and public infrastructure
- TRPA General Processes
  - Exempt activities
  - Temporary uses



# Planning and Project Review Processes

- TRPA Site Development Processes
  - Land coverage
  - Density
  - Height
  - Noise
  - Driveway and parking
  - Best management practices
  - Signs
  - Basic services

# Planning and Project Review Processes

- TRPA Site Development Processes (cont.)
  - Natural hazards
  - Historic resources
  - Design standards
- TRPA Growth Management Processes
  - Transfer of development
  - Bonus unit incentives
  - Individual parcel evaluation system
  - Tracking, accounting, and banking

# Planning and Project Review Processes

- TRPA Shorezone Processes
  - Accessory structures in shorezone and lakezone
  - Shorezone tolerance districts and standards
  - Lakeward of high water development standards
  - Backshore development standards
  - Mitigation fees
- TRPA Grading and Construction Processes
  - Grading standards
  - Vegetation protection during construction

# Planning and Project Review Processes

- TRPA Resource Management Processes
  - Tree removal
  - Prescribed burning
  - Livestock grazing
  - Vegetation protection and management
  - Sensitive and uncommon plant protection and fire hazard mitigation
  - Revegetation
  - Wildlife resources

# Planning and Project Review Processes

- TRPA Resource Management Processes (cont.)
  - Fish resources
- TRPA Water Quality Processes
  - Water quality control
  - Water quality mitigation
  - Source water protection
- TRPA Air Quality Processes
  - Air quality control

# Planning and Project Review Processes

- TRPA Air Quality Processes (cont.)
  - Certification of private transportation services
  - Traffic and air quality mitigation program

# Potential Roles in Processes

- Remove duplication
- Change the system
  - Fewer resources
  - Need to maintain quality
- Refocus TRPA at regional level
- Best practices from other agencies

# Potential Roles in Processes

- Lead Agency
- Conformance Review
- Project of Regional Significance Review
- Review & Comment
- Outsource
- Monitoring & Reporting



# Potential Roles in Processes

- Conformance Review
  - Concepts
    - City and County plans and ordinances reviewed for conformance with Regional and/or State Plans
    - Subsequent amendments to plans and codes reviewed for conformance
    - Depending on type of review, can be at policy board or staff level with appeal
    - Total review of City and County plans and ordinances when Regional Plan updated or at predetermined interval

# Potential Roles in Processes

- Conformance Review
  - Concepts (cont.)
    - Local government plans and code not in effect until conformance
    - Development must be consistent with plan and code
    - State may provide funding for compliance or withhold funding for non-compliance

# Potential Roles in Processes

- Conformance Review
  - Nevada Models
    - Truckee Meadows Regional Planning Agency - “affected entities” in Reno, Sparks, and unincorporated Washoe County (except Tahoe Basin and Tribal Lands), local land use and zoning must be consistent within 1 year after every 5 year Regional Plan update, and all development actions must be consistent with local land use and zoning (NRS 278.026-029)
    - Southern Nevada Regional Planning Coalition - “public entities” in incorporated and unincorporated Clark County (NRS 278.02507-02598)

# Potential Roles in Processes

- Conformance Review
  - California Model
    - California Coastal Commission – Local governments prepare a local coastal program that includes a land use plan, which may be part of the general plan, as well as zoning maps and ordinances. The Coastal Commission reviews these using Coastal Act policies and certifies them before they become effective. They must be reviewed at least once every five years (Coastal Zone Management Act)

# Potential Roles in Processes

- Conformance Review
  - Other State Models
    - Oregon – city and county plans must be in conformance with State goals and policies, land use and zoning must be consistent with plan within 1 year, development must be consistent, State can withhold revenues if not in conformance (Land Conservation Act)
    - Washington – cities and counties must develop plans consistent with State goals, local development regulations must be consistent with plans, State can withhold infrastructure funds and revenues if not in conformance (Growth Management Act)

# Potential Roles in Processes

- Conformance Review
  - Other State Models (cont.)
    - Georgia – Regional agencies review local plans for consistency with State strategy, local zoning must be consistent with state standards, localities must prepare consistent capital improvement programs, additional funding when plans accepted (Georgia Planning Act)
    - Maryland – State legislation identifies areas where local governments must direct growth and where they must limit growth, State appropriates funding to local governments based on compliance with legislation (Smart Growth Initiatives)

# Potential Roles in Processes

- Project of Regional Significance Review
  - Regional Review Based on Land Use, Zoning, Project Type and/or Size
  - Land Use Concept
    - All projects with certain land uses must be reviewed at the regional level (e.g., projects within areas designated on Regional Land Use map as mixed use or tourist district would be reviewed by staff with appeal process to Hearing Officer, APC and/or GB)

# Potential Roles in Processes

- Project of Regional Significance Review
  - Project Type and/or Size Concept
    - All projects that meet one or more type of impact or size thresholds must be reviewed at the regional level (e.g., projects within 300 feet of the shoreline would be reviewed for scenic impacts by staff with appeal process to Hearing Officer, APC and/or GB)



# Potential Roles in Processes

- Project of Regional Significance Review
  - San Francisco Bay Conservation and Development Commission Example (McAteer-Petris Act)
    - Filling;
    - Dredging;
    - Shoreline projects;
    - Suisun Marsh projects;
    - Other select projects; and
    - Federal projects

# Potential Roles in Processes

- Project of Regional Significance Review
  - Truckee Meadows Regional Plan Example (NRS 278.026)
    - Will result in loss or significant degradation of designated historic, archeological, paleontological, cultural or scenic resource;
    - Will result in the creation of significant new geothermal or mining operations;
    - Will have a significant effect on natural resources, public services, public facilities, including, without limitation, schools, or the adopted regional form; or

# Potential Roles in Processes

- Project of Regional Significance Review
  - Truckee Meadows Regional Plan Example (cont.)
    - Will require an amendment to a master plan, a change in zoning, a special use permit, a tentative map or other approval which will have an effect of increasing:
      - Employment by not less than 938 employees
      - Housing by not less than 625 units
      - Hotel accommodations by not less than 625 rooms
      - Sewage by not less than 187,500 gallons per day
      - Water usage by not less than 625 acre feet per year
      - Traffic by not less than an average of 6,250 trips daily

# Potential Roles in Processes

- Regional Review and Comment as Part of Local Project Review Process
  - Concepts
    - Predetermined size or types of projects are referred by local government to regional or state agency for review and comments
    - Local government may include referral requirement in code or other instrument (e.g., intergovernmental or joint powers agreement)
    - Local government may include standards from regional or state agency in code

# Potential Roles in Processes

- Regional Review and Comment as Part of Local Project Review Process
  - Concepts (cont.)
    - Compliance with comments and/or standards may be required community for project approval
  - Models
    - Review and conditions from state agencies (e.g., Caltrans, NDOT)
    - Review and conditions from regional agencies (e.g., health district, transportation commission, water authority, flood management district)

# Potential Roles in Processes

- Outsourcing
  - Concepts
    - A public entity may process project permits on behalf of another public entity
    - A public entity may fund staff positions from other public entities to process project permits as part of a “one stop” permit process
    - A public entity may pay for a private party to perform all or part of a process

# Potential Roles in Processes

- Outsourcing
  - Models
    - Special district or local government processes permits on behalf of regional agency (e.g., IVGID processes infrastructure permits on behalf of TRPA, 5 counties on Washington and Oregon sides of Columbia River process permits for the Columbia River Commission)
    - Jurisdictions with building permit enterprise funds fund fire plans examiners to review building permits as part of “one stop” permit processes ( e.g., Washoe County, City of Reno)

# Potential Roles in Processes

- Outsourcing
  - Models (cont.)
    - Jurisdictions pay for private parties to process planning cases and permits (e.g., TRPA provides option for applicants to pay TRPA to engage private parties to process permits, perform site assessments, etc.)



# Potential Roles in Processes

- Tracking, Monitoring & Reporting
  - Concept
    - Projects, various rights (e.g., development, coverage, water, etc.) and transfers of those rights tracked so available capacity and limitations can be reported
  - Models
    - Systems that track available resources as they are transferred and allocated by multiple entities (e.g., Nevada State Engineer water rights, Truckee Meadows Water Authority will serve commitments, etc.)

# Recommendations

PLANNING AND PROJECT REVIEW PROCESSES														
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Conformance Review			TRPA	TRPA	TRPA									
Project of Regional Significance Review						TRPA								
Review & Comment														
Outsource							Local	Local		State, Local	Local	US	States	States
Monitoring & Reporting	TRPA													

# Next Steps

- Working with Local, State and Federal partners prepare detailed implementation program for each of the 14 planning and permitting processes
  - Criteria and process for role transfer
  - TRPA and local plan and code changes
  - Application procedures and training
  - TRPA monitoring, auditing and reporting
  - Staffing and fee schedules

# Next Steps (cont.)

- Schedule for Detailed Recommendations
  - December 2011
    - Local Plans, Zoning and Code (3-6)
  - January 2012
    - Outsourcing TRPA permit processing to local governments (7,8, part of 10, 11)
  - February 2012
    - Outsourcing TRPA resource management, air quality and water quality to States and Federal Government (12-14)



# Questions and Discussion