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MEMORANDUM

Date: June 19, 2013
To: TRPA Regional Plan Implementation Committee
From: TRPA Staff
Subject: Review of Douglas County South Shore Area Plan (SSAP), Memorandum of Understanding for Permitting Activities and Supporting Documents

Requested Action: The Regional Plan Implementation Committee is asked to make a recommendation that will be carried forward to the Advisory Planning Commission and Governing Board regarding conformance of the Douglas County South Shore Area Plan with the requirements of Chapter 13 of the TRPA Code of Ordinances and adoption of the Area Plan as part of the Lake Tahoe Regional Plan.

Staff Recommendation: Staff recommends that the committee review the following documents:

1. Douglas County Master Plan, Chapter 2, Land Use Element – Tahoe Planning Area
2. Douglas County Official Zoning Map
3. Douglas County Development Code, Chapter 20.703, Tahoe Area Plan Regulations
4. South Shore Design Standards and Guidelines
5. Memorandum of Understanding for Permitting Activities
6. TRPA Regional Plan Conformance Checklist
7. TRPA Initial Environmental Checklist

Based on discussion, deliberation and public comment, make a recommendation to the Governing Board that the Douglas County Area Plan conforms with the requirements of Chapter 13 of the TRPA Code of Ordinances and should be adopted as part of the Lake Tahoe Regional Plan.

Project Description/Background: The SSAP includes properties along Highway 50 and State Route 207 from the California-Nevada Stateline to the lower Kingsbury area. The SSAP will replace the Stateline and Kingsbury Community Plans and portions of Plan Area Statements 070A (Edgewood) and 080 (Kingsbury Drainage). The SSAP has been developed to be consistent with the Goals and Policies of the recently adopted Lake Tahoe Regional Plan and meet the provisions of Chapter 13, *Area Plans*, in the TRPA

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REGIONAL PLAN IMPLEMENTATION COMMITTEE
AGENDA ITEM NO. 3

Code of Ordinances. Overall, the objective of the SSAP is to encourage the environmental redevelopment of the built environment and transform the area into a resort recreation destination.

The SSAP documents provided for review are:

- 1) Douglas County Master Plan, Chapter 2, Land Use Element – Tahoe Planning Area
- 2) Douglas County Official Zoning Map
- 3) Douglas County Development Code, Chapter 20.703, Tahoe Area Plan Regulations
- 4) South Shore Design Standards and Guidelines
- 5) Memorandum of Understanding for Permitting Activities
- 6) TRPA Regional Plan Conformance Checklist
- 7) TRPA Initial Environmental Checklist

Since one of the main objectives of the recently adopted Lake Tahoe Regional Plan is to transition more permitting to local governments, the documents that were developed for the Area Plan will ultimately be incorporated into the County's existing planning documents, including the Master Plan, Development Code, and Design Criteria and Improvement Standards Manual. It will also become part of the Regional Plan and Code that applies to this area of the Region.

Process to Develop the South Shore Area Plan: The following is an overview of the process and timeline to complete the SSAP:

February 16, 2012 - In anticipation of the adoption of the TRPA Regional Plan, the Board of Commissioners directed the Community Development Department to initiate work on an Area Plan for the properties in Douglas County evaluated in the South Shore Vision Plan, which is a plan that focuses on the environmental redevelopment of the built environment along Highway 50 from Kahle Drive in Douglas County to Ski Run in the City of South Lake Tahoe, and coordinate planning efforts with the City of South Lake Tahoe.

December 12, 2012 – The TRPA Governing Board adopted an updated Regional Plan and an update to the TRPA Code of Ordinances to create consistency with the Regional Plan.

December 20, 2012 – Douglas County, City of South Lake Tahoe, and TRPA staff met to initiate development of coordinated Area Plans for the South Shore.

January 2013 - Community Development Department and TRPA staff began meeting weekly to prepare SSAP documents and coordinate efforts with the City of South Lake Tahoe. The County also entered into a contract with Design Workshop to develop the South Shore Design Standards and Guidelines.

February 2013 – The County began posting draft documents associated with the South Shore Area Plan on the Douglas County website to gather public input. The County also entered into a contract with Ascent Environmental, Inc. to perform an environmental review of the Area Plan consistent with Chapter 3 of the TRPA Code.

March 2013 - Douglas County and TRPA conducted two public workshops to obtain public input on the draft documents and started meeting with individuals and various organizations regarding the plan.

April 9 and May 14, 2013 - The Planning Commission held public hearings to review and take public comment on the SSAP documents and voted to recommend approval of the SSAP documents to the Board of Commissioners.

May 16, 2013 – The Board of Commissioners held a public hearing to review and take public comment on the SSAP documents and voted to continue the Master Plan Amendment to the June 20, 2013 meeting and introduce the ordinances for the Zoning Map Amendment and Tahoe Area Plan Regulations.

June 20, 2013 – The Board of Commissioners is scheduled to review all of the SSAP documents and take final action on the Master Plan Amendment. The Board will also receive and consider the environmental documentation prepared by Ascent, but under Nevada Revised Statutes they will not certify the document or make findings related to it.

June 26, 2012 – TRPA Regional Plan Implementation Committee hearing to review SSAP.

July 10, 2013 – Advisory Planning Commission hearing to make recommendation to Governing Board on adoption of the SSAP.

July 24, 2013 – Governing Board hearing to consider adoption of SSAP.

Overview of South Shore Area Plan Documents: The following includes an overview of the documents developed to implement the SSAP:

1. Douglas County Master Plan, Chapter 2, Land Use Element – Tahoe Planning Area

The Master Plan, or Comprehensive Plan, is required by Nevada Revised Statutes (Section 278.150) for the purpose of providing long-term guidance on the development of cities, counties, and regions in Nevada. A Master Plan presents information on existing conditions, highlights current and future issues, and recommends goals, policies, and actions to address identified issues related to Land Use, Housing, Transportation, and other Master Plan Elements.

In 2012, the Board of Commissioners adopted the 15-year update of the Douglas County, Nevada, Master Plan (2011). Volume I of the 2011 Master Plan contains 11 different Elements. Volume II includes the Douglas County Profile Chapter as well as detailed information on existing conditions. The Master Plan is reviewed on an annual basis and updated every five years. The Master Plan is located on the Douglas County webpage at <http://douglascountynv.gov/index.aspx?NID=211>. Since the Master Plan was recently updated, the only Element that needs to be updated to implement the SSAP is Chapter 2, Land Use Element.

Update of CHAPTER 2: Land Use Element

The Land Use Element is the principal Element in the Douglas County Master Plan. This Element currently includes five Regional Plans, including the Douglas County Tahoe Regional Plan, and Future Land Use Maps. In 2012, the Douglas County Tahoe Regional Plan was updated to include information on existing conditions, highlight current and future issues, and provide new goals, policies, and actions to address identified issues. The Douglas County Tahoe Regional Plan Future Land Use Map currently reflects the Community Plans for Stateline, Kingsbury, and Round Hill and the 30 Plan Area Statements adopted by the TRPA and Douglas County to implement the 1987 Regional Plan.

In order to reflect the adoption of the 2012 TRPA Regional Plan, implement the SSAP, and provide a framework for moving forward with the future Area Plan for the entire Tahoe Planning Area, Chapter 2, Land Use Element, Tahoe Regional Plan in the Douglas County Master Plan is proposed to be amended to replace it with the new Tahoe Planning Area section to: 1) adopt the Lake Tahoe Regional Plan Goals and Policies by reference; 2) provide an overview of environmental and socioeconomic conditions; 3) provide discussion on the SSAP, as well as new goals, policies and actions to implement

the SSAP; 4) include new land use districts, based on the land use districts defined in the Regional Plan and depicted on Map 1, Conceptual Regional Land Use Map; and 5) update the Future Land Use Map to depict new land use districts for properties within the SSAP.

The following Elements of the Douglas County Master Plan *are not* proposed to be updated, but include important information on Tahoe that will guide future planning decisions:

CHAPTER 4: Housing Element

This Element provides an overview of current housing inventory and various housing issues in Douglas County, as well as specific actions to address housing needs in Tahoe. A separate Master Plan Population and Housing Technical Report for Douglas County, Nevada, was also prepared that provides information on Tahoe housing issues. This information will be useful to both Douglas County and TRPA in developing the Regional Housing Needs Assessment that the TRPA has initiated.

CHAPTER 5: Transportation Element

This Element includes information on, and adopts by reference, the Lake Tahoe Regional Transportation Plan and Lake Tahoe Bicycle and Pedestrian Plan, as well as other transportation documents that guide transportation planning in the County. It also provides an overview of issues related to providing and funding transportation projects, as well as an overview of current projects such as the Nevada Stateline-to-Stateline Bikeway (Tahoe Lakeview Trail) and South Shore Revitalization Project (Loop Road).

CHAPTER 9: Economic Development Element

This Element includes discussion on the Economic Vitality Strategy and Action Plan (Tahoe Revitalization) and Lake Tahoe Basin Plan for Prosperity. This Element includes a number of recommendations for addressing economic issues and promoting economic vitality in the Tahoe Planning Area.

CHAPTER 12: Public Services and Facilities Element

This Element includes information on public services and facilities, including public safety, libraries, schools, solid waste, and water and wastewater. It includes descriptions of public service and facility providers within the Tahoe Planning Area, as well as maps showing the location of public facilities and service areas.

2. Douglas County Official Zoning Map

The Official Douglas County Zoning Map is proposed to be updated to include new zoning districts for parcels within the SSAP, consistent with the new future land use districts proposed to be adopted in the Master Plan. The new zoning districts are defined in the proposed Chapter 20.703, *Tahoe Area Plan Regulations*.

3. Douglas County Development Code Chapter 20.703, Tahoe Area Plan Regulations

In order to establish the necessary ordinances (“implementing ordinances”) for the SSAP, the Community Development Department, in coordination with the Douglas County District Attorney’s Office and TRPA staff, developed Chapter 20.703, *Tahoe Area Plan Regulations*, using the following approach:

- 1) Reviewed the TRPA Code of Ordinances, Chapter 13, *Area Plans*, and addressed the requirements of each applicable section;
- 2) Developed new zoning districts to implement an Area Plan in Douglas County;
- 3) Prepared development standards and identified allowable uses within the SSAP; and
- 4) Reviewed the TRPA Code of Ordinances and identified the sections of code that Douglas County will enforce once an MOU is in place, and has included those provisions, in many cases by reference, in the Tahoe Area Plan Regulations.

4. South Shore Design Standards and Guidelines

In order to build upon the concepts developed in the South Shore Vision Plan, meet the Community Design Standards requirements in Chapter 13, *Area Plans*, of the TRPA Code of Ordinances, and help bring the SSAP into attainment with TRPA’s Scenic Threshold, Douglas County hired Design Workshop to develop Design Standards and Guidelines for the South Shore Area Plan. The proposed South Shore Design Standards and Guidelines will become the new Division 7, South Shore Design Standards and Guidelines, of Part I of the Douglas County Design Criteria and Improvement Standards (DCDCIS) manual. The South Shore Design Standards and Guidelines will replace the existing design standards and guidelines in effect for the Stateline and Kingsbury Community Plans, “1993 Design Standards & Guidelines for the Round Hill, Stateline, and Kingsbury Community Plans.” Staff is not proposing to repeal the 1993 Design Standards and Guidelines at this time because they will remain in effect for the Round Hill Community Plan.

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REGIONAL PLAN IMPLEMENTATION COMMITTEE
AGENDA ITEM NO. 3

5. Memorandum of Understanding for Permitting Activities

Douglas County and TRPA have developed an MOU that will allow for Douglas County to take on additional permitting responsibility within the SSAP, subject to the limitations established in the Regional Plan and consistent with the provisions of Section 13.7 of the TRPA Code of Ordinances, which requires TRPA to retain review of projects within the High Density Tourist District (existing Stateline Community Plan) and Resort Recreation District (Edgewood Mountain Parcels) shown on Map 1, Conceptual Regional Land Use Map, of the Regional Plan, as well as the Shorezone of Lake Tahoe. This means that the only areas where the County will take on review of projects is the Edgewood Golf Course site (the location of the recently approved Edgewood Lodge and Golf Course Improvement Project), and the Mixed-Use/Town Center (lower Kingsbury area). The County's review will also be limited by the building size limitations established in Table 13.7.3-1 in the TRPA Code of Ordinances. It should also be noted that the County has proposed to take on residential permitting responsibilities throughout the Douglas County Tahoe Planning Area, similar to the residential permitting delegation that has been in place with other jurisdictions for years.

6. TRPA Regional Plan Conformance Checklist

TRPA Regional Plan Conformance Checklist is used to determine if Area Plans are in compliance with the Regional Plan. It lists applicable TRPA Code requirements and provides a space to identify how the Area plan conforms to those requirements.

7. Environmental Documentation

In late 2012, Douglas County and TRPA staff began discussions on the SSAP and the type of environmental documentation that would be necessary for an Area Plan. The TRPA Code of Ordinances, Chapter 3, *Environmental Documentation*, provides the code provisions regarding environmental documentation. The SSAP was specifically developed to be compatible with the Regional Plan and not propose changes in addition to those analyzed in the Regional Plan Environmental Impact Statement (EIS). Therefore, an Initial Environmental Checklist (IEC) is the appropriate level of environmental review. TRPA staff recommended that Douglas County hire a consultant with experience preparing environmental documents consistent with TRPA requirements.

In February 2013, Ascent Environmental, Inc., the firm that prepared the EIS for the Regional Plan and Regional Transportation Plan was hired by Douglas County to prepare

the environmental document. Ascent Environmental, Inc. began working with Douglas County and TRPA staff to ensure that: 1) the SSAP is consistent with the Regional Plan and what was analyzed in the EIS prepared for the Regional Plan; and 2) policies or “environmental safeguards” in the Community Plans and Plan Area Statements were carried over into the SSAP.

Contact Information: If you have any questions, please contact John Hester, Planning Director at jhester@trpa.org or 775-589-5219 or Paul Nielsen, Current Planning Manager at pnielsen@trpa.org or 775-589-5249.

Attachments: (provided digitally)

Attachment A: Douglas County Master Plan, Chapter 2, Land Use Element – Tahoe Planning Area

Attachment B: Douglas County Official Zoning Map

Attachment C: Douglas County Development Code, Chapter 20.703, Tahoe Area Plan Regulations

Attachment D: South Shore Design Standards and Guidelines

Attachment E: Memoranda of Understanding for Permitting Activities

Attachment F: TRPA Regional Plan Conformance Checklist

Attachment G: TRPA Initial Environmental Checklist