

Chapter 14

COMMUNITY PLANS

Chapter Contents

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14.0 Purpose: This chapter sets forth the provisions for development and adoption of community plans pursuant to the Goals and Policies and as provided for in plan area statements.

14.1 Applicability: Community plans may be developed for areas designated in the Goals and Policies. Following adoption of a community plan, all projects within the community plan boundaries shall be consistent with the provisions of the community plan, as well as all applicable provisions of this Code. Approval of a community plan is not approval of any project included in the community plan.

14.2 Establishment Of Community Plans: Community plans, upon adoption, shall be established on the TRPA Plan Overlay Maps and in the document entitled Regional Plan for the Lake Tahoe Basin, Special Plans. The goal of TRPA is to have all community plans completed by December 1, 1989.

14.3 Eligible Areas: Areas eligible for community plans are designated on the map referred to in the Goals and Policies, Land Use Subelement, Land Use Element Goal #2, Policy 6.1. Preliminary boundaries for those areas are shown on plan area maps. The preliminary boundaries may be adjusted as part of the community plan process. A community plan area may consist of more than one part, provided each part, distinctly enclosed within its own boundary, complies with the requirements of this section. Any adjustment of boundaries, including the establishment of parts, shall be subject to TRPA making the following findings at the time of adoption:[§]

14.3.A Use Considerations: The area within the boundaries is an area where commercial, tourist, and related uses are concentrated or where commercial, tourist, or affordable residential uses should be concentrated; is served or easily served by transit systems; which has adequate highway access; which has or can have housing in the vicinity available for employees working in the area; and which otherwise qualifies as an area suitable for continued or increased levels of commercial activity. In areas where existing and proposed development

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patterns are found to support affordable housing, the community plan shall limit the applicable community plan incentives to uses classified as deed restricted affordable housing or employee housing with the employment base nexus identified within close proximity to the proposed employee housing .[§]

- 14.3.B Traffic Considerations: The nature and intensity of uses proposed for the area within the boundaries is demonstrably consistent with the achievement of VMT reduction policies and level of service goals for street and highway traffic established for the plan area.
- 14.3.C Concentration: The area within the boundaries will encourage concentration of commercial development, discourage the maintenance or exacerbation of strip commercial development and shall not allow isolated areas of commercial or tourist accommodations unrelated to the central commercial area.
- 14.3.D Size: The area within the boundaries is a size consistent with the needs for additional commercial development established by the needs assessment which evaluated the entire area of the community plan, taking into account the needs and opportunities of the Region taken altogether.
- 14.4 Incentives: Areas within the boundaries of designated community plans and after adoption of those community plans are eligible for incentives as set forth in Chapters 20, 24, 30, 33, 35, 93 and elsewhere in this chapter.
- 14.5 Relationship To Other Documents: The relationship of community plans to the Goals and Policies, plan area statements and Code are as follows:
 - 14.5.A Goals And Policies: Community plans are subject to the Goals and Policies.
 - 14.5.B Plan Area Statements: Community plans replace the plan area statements for the areas within the community plan boundaries, but shall be required to retain certain features of the plan area statements as set forth in this chapter.
 - 14.5.C Code Of Ordinances: All standards of the Code shall apply to the community plans, except that the community plan may establish standards that provide equal or superior measures to achieve environmental thresholds. Only the standards listed below may be replaced:
 - (1) Density of Use (Chapter 21).
 - (2) Noise (Chapter 23).
 - (3) Driveway and Parking (Chapter 24).
 - (4) Outdoor Advertising (Chapter 26).

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- (5) Historic Resource Protection (Chapter 29).
- (6) Design (Chapter 30).

14.6 Community Plan Process: In consultation with local governments and the community, TRPA shall set priorities for development of community plans. Community plans shall be prepared and adopted as follows:

14.6.A Initiation Of Process: The process to develop a community plan may be initiated as follows:

- (1) Local government or TRPA, in recognition of local interest, or in accordance with a work program for the development of community plans, may initiate the planning process. The community plan may be considered in the context of a larger study area that includes other related plan areas.
- (2) A planning team shall be formed by the initiating entity. The team shall represent a wide range of community interests and shall include the executive director of the TRPA, or his designee, and a representative of the local government within whose jurisdiction the community plan area is located. The planning team shall appoint a planning staff.
- (3) The planning team shall be reviewed and, if appropriate, approved by the local government and TRPA prior to commencement of the planning process. With this approval, the local government or TRPA shall assign staff and resources to complete an initial assessment. It is intended that TRPA, local government, and the community work in partnership throughout the community planning process.
- (4) The initial assessment shall include a survey of existing conditions, an initial needs and opportunities study, a survey of applicable standards and constraints, and a determination of community goals and objectives. TRPA shall seek review and comment from all responsible public agencies at appropriate points in the community planning process. From this information the preliminary plan shall be developed.

14.6.B Approval Of Preliminary Plan And Work Program: Upon completion of the initial assessment, the planning team shall develop a preliminary plan and work program.

- (1) The preliminary plan shall include proposed plan boundaries, estimations of additional commercial floor area and tourist accommodation unit requirements, public recreation objectives, vehicle trip reduction targets, land coverage reduction targets, and other threshold related targets, consistent with this Code, new standards to be included in the plan, the level of environmental documentation required, and other detail on the scope and scale of the proposed plan. It also shall include a theme for the community plan, such as the following:

- (a) Major retail and services.
 - (b) Major tourist accommodation, retail, and services.
 - (c) Industrial, storage, and services.
 - (d) Local-serving retail, services and storage.
 - (e) Local and minor recreation area serving retail and services.
 - (f) Minor tourist accommodation.
- (2) Appendix "A" to Chapter 14, incorporated herein by this reference, provides guidelines for mixes of uses that may be appropriate for the themes listed above.
 - (3) After consultation with responsible public agencies, a work program shall be included with the preliminary plan and shall indicate time schedules for individual work elements, staffing requirements, and funding sources.
 - (4) The preliminary plan and work plan shall be presented to the TRPA and local government.
 - (5) TRPA and local government shall consider the recommendations of the planning team and approve, deny, or modify the preliminary plan and work program.
 - (6) Based on the preliminary plan, TRPA shall make a preliminary allocation to that community plan for additional commercial floor area from the amount allocated by TRPA to that jurisdiction.

14.6.C Community Plan Preparation: Upon approval of the preliminary plan and work program or approval of an alternative process pursuant to Subsection 14.6.E, the planning team or staff shall carry out its work as follows.[§]

- (1) Refine the goals for the community plan;
- (2) Complete the assessment of environmental opportunities and limitations. This includes the establishment of baseline information about the location, amount, and condition of all threshold-related elements applicable to the community plan. This also shall include, at a minimum:
 - (a) Stream environment zones.
 - (b) Fish habitat.
 - (c) Coverage (hard, soft, and potential).
 - (d) Scenic resources.

[§] Amended 7/22/98

- (e) Traffic level of service.
 - (f) Vehicle miles travelled.
 - (g) Outdoor recreation facilities.
 - (h) Tributary and littoral water quality.
 - (i) Air quality.
 - (j) Visibility.
 - (k) Noise.
- (3) Refine the inventory and needs assessment. This includes determining the following:
- (a) The amount and land capability of vacant land.
 - (b) The amount, type, and condition of the inventory of commercial floor area, housing, public service facilities (including transportation facilities) and recreational facilities.
 - (c) The type and amount of commercial, housing, public services, and recreational facilities needed to meet the community goals, with priorities for each.
 - (d) A description of environmental improvement projects needed in the area to meet environmental thresholds.
- (4) Identify the applicable ordinance standards, constraints, and direction from federal, state, local, and TRPA sources.
- (5) Develop a draft plan which addresses the following:
- (a) Description.
 - (b) Planning statement.
 - (c) Planning considerations.
 - (d) Special designations.
 - (e) Plan boundaries.
 - (f) Land use element with uses and locations addressed in the following categories:
 - (i) Existing and new uses appropriate and compatible, to be designated allowed uses.
 - (ii) Existing and new uses appropriate under some circumstances or in some limited amount, to be designated special uses.

- (iii) Existing uses which are inappropriate or incompatible, to be designated nonconforming.
- (g) Appropriate findings, in addition to those in Chapter 18, that would be required for approving special uses.
- (h) Transportation provisions including traffic circulation; routes; pedestrian and bicycle routes; and any transit modes, routes, and stops.
- (i) Parking provisions.
- (j) Public service provisions including snow removal and storage.
- (k) Housing provisions.
- (l) Recreation, open space and public access provisions.
- (m) Special features or policies including setbacks and height restrictions.
- (n) Special standards pursuant to Subsection 14.5.C
- (o) Provisions for the allocation of commercial floor area, tourist accommodation, outdoor recreation allocations, and multi-residential units. §
- (p) Relationship to plan area statements, including those nearby and affected by the community plan.
- (q) Monitoring provisions.
- (r) Implementation schedule showing how development is to be coordinated with environmental improvement projects, including transportation and water quality improvements. At least one major Community Plan environmental improvement project must be completed or an irrevocable commitment made to such a project relying on the incentives of the Community Plan. For the purposes of this Chapter, an “irrevocable commitment” shall mean both an irrevocable commitment to fund, as that defined in Chapter 15, Subsection 15.2.F, and receipt of all project approvals required under Subparagraph 15.10.G(3). §
- (s) The manner in which the targets and requirements set forth in the preliminary plan are to be achieved (see 14.6.B(1)) including location of proposed projects.
- (t) Mitigation measures.

§ Amended 09/23/98

- (u) Manner in which the goals established in 14.6.C(1) are to be achieved.
 - (v) Other relevant provisions which may include applicable state or local planning provisions.
- (6) Prepare environmental documents, with appropriate circulation for public review.
 - (7) Recommend preferred alternative to TRPA and local government.

14.6.D Approval Of The Community Plan: The final plan shall contain all the elements set forth in 14.6.C(5) and shall be approved as follows:

- (1) Upon receipt of a recommended final plan from the planning team or staff, the TRPA Advisory Planning Commission (APC) shall review the proposed final plan and make recommendations to the TRPA Governing Board. The APC shall obtain and consider the recommendations and comments of the local government and other responsible public agencies. The review, to the extent possible, shall be coordinated with the processes of local government.
- (2) The Governing Board shall consider the proposed final plan as a Regional Plan amendment and either approve, deny or modify the community plan, based on all applicable factors, including consistency with the Goals and Policies, the Code, the attainment of the targets and requirements of 14.6.B(1) and consideration of comments of responsible public agencies. The Governing Board also shall determine the effect, if any, on other plan areas considered in the study, but not included within the community plan boundaries. (See 14.6.A(1)) The Governing Board may consider appropriate amendments to those plan areas pursuant to Chapter 13.
- (3) The Governing Board shall establish the initial allocation of additional commercial floor area for the planning period, pursuant to Chapter 33.
- (4) The Governing Board shall allocate the appropriate amount of tourist accommodation units for the planning period, pursuant to Chapter 33.
- (5) The Governing Board shall allocate the appropriate outdoor recreation units, pursuant to Chapter 33.

14.6.E If TRPA finds that an alternate process to Subsections 14.6.A and 14.6.B would better facilitate the planning process while still meeting the objectives of this chapter, a modified process may be approved provided community input is included as a component of the modified process. [§]

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- 14.7 Maintenance And Modification Of Community Plans: Adopted community plans shall be reviewed by TRPA at five year intervals to determine conformance with approved schedules of development and adequacy of programs, standards, mitigation and monitoring. TRPA may defer approval of projects within community plans, if the review indicates approved goals, targets, and requirements are not being achieved. Community plans may be modified as a result of such reviews as deemed appropriate by TRPA to achieve environmental thresholds or to otherwise improve the community plans. The procedure for modification shall be consistent with this chapter.

Chapter 14

APPENDIX A

MAJOR RETAIL AND SERVICES

I. RESIDENTIAL

- Employee housing
- Multi-family dwelling
- Multi-person dwelling
- Nursing and personal care
- Residential care
- Single-family dwelling

II. TOURIST ACCOMMODATION

- Bed and breakfast facilities
- Hotels, motels, and other transient dwelling units
- Time sharing (hotel/motel design)
- Time sharing (residential design)

III. COMMERCIAL

A. Retail

- Auto, mobile home and vehicle dealers
- Building materials and hardware
- Eating and drinking places
- Food and beverage retail sales
- Furniture, home furnishings and equipment
- General merchandise stores
- Mail order and vending
- Nursery
- Outdoor retail sales (S)

B. Entertainment

- Amusements and recreation services
- Outdoor amusements (S)
- Privately owned assembly and entertainment

C. Services

- Animal husbandry services (S)
- Auto repair and service (S)
- Broadcasting studios
- Business support services
- Contract construction services (S)
- Financial services
- Health care services plants (S)
- Personal services
- Professional offices
- Repair services
- Sales lots (S)

Schools - business and vocational
Schools - pre-schools (S)
Secondary storage

D. Light Industrial

Printing and publishing (S)

E. Wholesale/Storage

Storage yards (S)
Vehicle and freight terminals (S)
Vehicle storage and parking (S)
Warehousing (S)
Wholesale and distribution (S)

IV. PUBLIC SERVICE

A. General

Churches
Cultural facilities
Day care centers (S)
Government offices
Hospitals (S)
Local assembly and entertainment
Local post office
Local public health and safety facilities
Membership organizations
Public utility centers (S)
Publicly owned assembly and entertainment (S)
Regional public health and safety facilities (S)
Schools - college
Social service organizations

B. Linear Public Facilities

Pipelines and power transmission (S)
Transit stations and terminals (S)
Transmission and receiving facilities
Transportation routes (S)

V. RECREATION

A. Urban Recreation

Day use areas
Participant sports facilities
Sport assembly (S)

B. Developed Outdoor Recreation

Beach recreation
Marinas (S)
Outdoor recreation concessions
Recreational vehicle parks (S)
Visitor information center

VI. RESOURCE MANAGEMENT

A. Watershed Improvements

- Erosion control
- Runoff control
- Stream environment zone restoration

MAJOR TOURIST ACCOMMODATION, RETAIL, AND SERVICES

I. RESIDENTIAL

- Employee housing
- Multi-family dwelling
- Multi-person dwelling
- Nursing and personal care
- Residential care
- Single-family dwelling

II. TOURIST ACCOMMODATION

- Bed and breakfast facilities
- Time sharing (hotel/motel design)
- Time sharing (residential design)
- Hotels, motels, and other transient units

III. COMMERCIAL

A. Retail

- Auto, mobile home and vehicle dealers (S)
- General merchandise stores
- Mail order and vending
- Building materials and hardware (S)
- Nursery
- Outdoor retail sales (S)
- Eating and drinking places
- Service stations
- Food and beverage sales
- Furniture, home furnishings and equipment

B. Entertainment

- Amusements and recreation services
- Privately owned assembly and entertainment
- Gaming – nonrestrictive (Nevada)
- Outdoor amusements (S)

C. Services

- Auto repair and services (S)
- Personal services
- Professional offices
- Broadcasting studios
- Repair services
- Business support services
- Sales lots (S)
- Contract construction services (S)

Schools - business and vocational
Financial services
Schools - pre-schools (S)
Health care services
Secondary storage

D. Light Industrial

Printing and publishing (S)

E. Wholesale/Storage

Vehicle storage and storage (S)

IV. PUBLIC SERVICE

A. General

Churches
Membership organizations
Cultural facilities
Publicly owned assembly and entertainment (S)
Day care centers (S)
Government offices
Public utility centers (S)
Hospitals (S)
Regional public health and safety facilities (S)
Local assembly and entertainment
Schools - college
Local post office
Social service organizations
Local public health and safety facilities

B. Linear Public Facilities

Pipelines and power transmission (S)
Transportation routes (S)
Transmission and receiving facilities (S)
Transit stations and terminals (S)

V. RECREATION

A. Urban Recreation

Day use areas
Sports assembly (S)
Participant sports facilities

B. Developed Outdoor Recreation

Beach recreation
Marinas (S)
Outdoor recreation concessions
Recreational vehicle parks (S)

VI. RESOURCE MANAGEMENT

- A. Watershed Improvements
 - Erosion control
 - Stream environment zone restoration
 - Runoff control

INDUSTRIAL, STORAGE, AND SERVICES

III. COMMERCIAL

- A. Retail
 - Auto, mobile home and vehicle dealers
 - General merchandise stores
 - Mail order and vending
 - Building materials and Hardware
 - Nursery
 - Outdoor retail sales (S)
 - Eating and drinking places
 - Service stations
 - Food and beverage retail sales
 - Furniture, home furnishings and equipment

- B. Services
 - Animal husbandry services
 - Personal services
 - Auto repair and service
 - Professional offices
 - Broadcasting studios
 - Repair services
 - Business support services
 - Sales lots (S)
 - Contract construction Services
 - Schools - business and vocational
 - Financial services
 - Secondary storage
 - Laundries and dry cleaning plants

- C. Light Industrial
 - Batch plants (S)
 - Printing and publishing
 - Food and kindred products
 - Recycling and scrap (S)
 - Fuel and ice dealers
 - Small scale manufacturing
 - Industrial services

- D. Wholesale/Storage
 - Storage yards
 - Warehousing

Vehicle and freight terminals
Wholesale and distribution
Vehicle storage and parking

IV. PUBLIC SERVICE

A. General

Collection stations (S)
Public utility centers
Government offices
Regional public health and safety facilities
Local post office
Local public health and safety facilities

B. Linear Public Facilities

Pipelines and power transmissions (S)
Transportation routes
Transmission and receiving facilities (S)
Transit stations and terminals (S)

V. RESOURCE MANAGEMENT

A. Watershed Improvement

Erosion control
Stream environment zone restoration
Runoff control

LOCAL SERVING RETAIL, SERVICES, AND STORAGE

I. RESIDENTIAL

Employee housing (S)
Nursing and personal care (S)
Multi-family dwelling (S)
Residential care (S)
Multi-person dwelling (S)
Single-family dwelling

II. TOURIST ACCOMMODATION

Bed and breakfast facilities
Time sharing (hotel/motel design) (S)
Time sharing (residential design) (S)
Hotels, motels, and other transient units (S)

III. COMMERCIAL

A. Retail

Building materials and hardware (S)
General merchandise stores
Nursery (S)
Eating and drinking places
Outdoor retail sales (S)

Food and beverage retail sales
Service stations (S)
Furniture, home furnishings and equipment (S)

- B. Services
 - Auto repair and service (S)
 - Repair shops (S)
 - Schools - pre-schools
 - Professional offices (S)
 - Secondary storage

IV. PUBLIC SERVICE

- A. General
 - Churches (S)
 - Local public health and safety facilities (S)
 - Cultural facilities (S)
 - Day care centers
 - Membership organizations (S)
 - Government offices (S)
 - Public utility centers (S)
 - Local post office
 - Schools - kindergarten through secondary (S)
- B. Linear Public Facilities
 - Pipelines and power transmission (S)
 - Transportation routes (S)
 - Transmission and receiving facilities (S)
 - Transit stations and terminals (S)

V. RECREATION

- A. Urban Recreation
 - Day use areas (S)
 - Participant sports facilities (S)
- B. Developed Outdoor Recreation
 - Beach recreation (S)
 - Outdoor recreation concessions (S)

VI. RESOURCE MANAGEMENT

- A. Watershed Improvements
 - Erosion control
 - Stream environment zone restoration
 - Runoff control

LOCAL AND MINOR RECREATION AREA SERVING RETAIL AND SERVICES COMMUNITY PLANNING AREAS

I. RESIDENTIAL

- Employee housing (S)
- Nursing and personal care (S)
- Multi-family dwelling (S)
- Residential care (S)
- Multi-person dwelling (S)
- Single-family dwelling

II. TOURIST ACCOMMODATION

- Bed and breakfast facilities
- Time sharing (hotel/motel design) (S)
- Hotels, motels, and other transient units (S)
- Time sharing (residential design) (S)

III. COMMERCIAL

A. Retail

- Building materials and hardware (S)
- General merchandise stores
- Nursery (S)
- Eating and drinking places
- Outdoor retail sales (S)
- Food and beverage retail sales
- Service stations (S)
- Furniture, home furnishings and equipment (S)

B. Entertainment

- Amusements and recreation services (S)
- Outdoor amusements (S)
- Privately owned assembly and entertainment (S)

C. Services

- Auto repair and service (S)
- Repair shops (S)
- Schools - pre-schools
- Personal services (S)
- Secondary storage
- Professional offices (S)

IV. PUBLIC SERVICE

A. General

- Churches (S)
- Local public health and safety facilities (S)
- Cultural facilities (S)
- Day care centers
- Membership organizations (S)
- Government offices (S)
- Public utility centers (S)

Local post office
Schools - kindergarten through secondary (S)

B. Linear Public Facilities

Pipelines and power transmission (S)
Transportation routes (S)
Transmission and receiving facilities (S)
Transit stations and terminals (S)

V. RECREATION

A. Urban Recreation

Day use areas (S)
Participant sports facilities (S)

B. Developed Outdoor Recreation

Beach recreation (S)
Outdoor recreation concessions (S)

VI. RESOURCE MANAGEMENT

A. Watershed Improvements

Erosion control
Stream environment zone restoration
Runoff control

MINOR TOURIST ACCOMMODATION

I. RESIDENTIAL

Employee housing
Nursing and personal care
Multi-family dwelling
Residential care
Multi-person dwelling
Single-family dwelling

II. TOURIST ACCOMMODATION

Bed and breakfast facilities
Time sharing (hotel/motel design)
Hotels, motels, and other transient units
Time sharing (residential design)

III. COMMERCIAL

A. Retail

Eating and drinking places
Service stations (S)
Food and beverage retail sales

B. Entertainment

Amusements and recreation services

Outdoor amusements (S)
Privately owned assembly and entertainment (S)

C. Services

Broadcasting studios
Schools - business and vocational
Personal services
Professional offices (S)
Secondary storage

IV. PUBLIC SERVICE

A. General

Churches
Membership organizations
Cultural facilities
Public utility centers
Day care centers (S)
Regional public health and safety facilities (S)
Government offices (S)
Local post office
Schools - college (S)
Local public health and safety facilities
Social services organizations

B. Linear Public Facilities

Pipelines and power transmission (S)
Transportation routes (S)
Transmission and receiving facilities (S)
Transit stations and terminals (S)

V. RECREATION

A. Urban Recreation

Day use areas (S)
Participant sports facilities (S)

B. Developed Outdoor Recreation

Beach recreation (S)
Outdoor recreation concessions (S)

VI. RESOURCE MANAGEMENT

A. Watershed Improvements

Erosion control
Stream environment zone restoration
Runoff control