TRPA
APC
PACKETS

MARCH
1996
TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION
NOTICE OF MEETING

NOTICE IS HEREBY GIVEN that the Advisory Planning Commission of the Tahoe Regional Planning Agency will conduct its regular meeting at 8:30 a.m. on Wednesday, March 13, 1996, at the Horizon Casino Resort, U.S. Highway 50, Stateline, Nevada. The agenda for the meeting is attached hereto and made a part of this notice.

March 4, 1996

By: James W. Baetge
Executive Director

This agenda has been posted at the TRPA office and at the following post offices: Zephyr Cove and Stateline, Nevada, and Tahoe Valley and Al Tahoe, California. The agenda has also been posted at the North Tahoe Conference Center in Kings Beach, the Incline Village GID office, and the North Lake Tahoe Chamber of Commerce.
All items on this agenda are action items unless otherwise noted.

AGENDA

I. CALL TO ORDER AND DETERMINATION OF QUORUM

II. APPROVAL OF AGENDA

III. PUBLIC INTEREST COMMENTS (No Action)

Any member of the public wishing to address the Advisory Planning Commission on an agenda item not listed as a Public Hearing or a Planning Matter item, or on any other issue, may do so at this time. However, public comment on Public Hearing and Planning Matter items will be taken at the time those agenda items are heard.

NOTE: THE ADVISORY PLANNING COMMISSION IS PROHIBITED BY LAW FROM TAKING IMMEDIATE ACTION ON, OR DISCUSSING ISSUES RAISED BY THE PUBLIC THAT ARE NOT LISTED ON THIS AGENDA.

IV. DISPOSITION OF MINUTES

V. PUBLIC HEARING AND RECOMMENDATION TO THE GOVERNING BOARD

A. Draft EIS for the Lake Tahoe Shorezone Development Cumulative Impact Analysis

B. Amendment of Chapter 22, Height Standards, to Add Provisions Regarding Additions to Existing Buildings Which Are Non-Conforming to Table A

C. Amendment of PAS Boundary Between PAS 110, South "Y" (Commercial/Public Service) and PAS 114, Bonanza (Residential), to Relocate El Dorado County APN 32-151-01 from PAS 114 to PAS 110

D. Amendment of PAS 041, Incline Village #3 (Residential), to Permit Multiple Family Dwellings as a Permissible Use on Certain Parcels on Which the Use is Presently Not Permitted

E. Amendment of PAS 045, Incline Village Commercial (Commercial/Public Service), to Revise Special Policies #5 and #6 to Allow Single Family Dwellings as a Permissible Use When They Are Part of a Mixed Use Development and When Affordable Housing Units are Provided as a Part of the Project; Relocate 10 Residential Bonus Units from PAS 044, Fairway (Residential), to PAS 045

-1-
F. Amendment of PAS 048, Incline Village Tourist (Tourist), to Delete the Existing Special Designations Which Limit the Transfer of Development Right receiving area designation for multi-residential units and the Residential Bonus Unit Incentive Program to Special Area #1; to Reallocate 20 Residential Bonus Units from PAS 044, Fairway (Residential), to PAS 048

G. Amendment of PAS 100, Truckee Marsh (Conservation), to Add Stream Environment Zone Restoration as a Permissible Use

H. Amendment of Chapter 21, Density, Relative to the Kitchen Unit Limitation for Timeshares

VI. PLANNING MATTERS

A. Scoping of the Environmental Assessment for the 1996 Threshold Evaluation Report

VII. REPORTS

A. Executive Director
B. Legal Counsel
C. APC Members

VIII. ADJOURNMENT
MEMORANDUM

March 1, 1996

To: TRPA Advisory Planning Commission
From: TRPA Staff
Subject: Draft EIS for the Lake Tahoe Shorezone Development Cumulative Impact Analysis

This item is an ongoing issue that is placed on the APC agenda each month throughout the comment period. For Commissioners' information, the Governing Board has extended the comment period to June 1, 1996.

If you have any comments or questions on this agenda item, please call Colleen Shade at (702) 588-4547.

JH:jf 3/1/96

AGENDA ITEM V.A.

Planning for the Protection of our Lake and Land
MEMORANDUM

March 5, 1996

To: TRPA Advisory Planning Commission
From: TRPA Staff
Subject: Amendment of Chapter 22, Height Standards, to Add Provisions Regarding Additions to Existing Buildings Which Are Non-Conforming to Table A

This item will be presented at the APC meeting for possible recommendation to the Governing Board. The proposed Code amendment and related recommendation will be distributed at the meeting.
MEMORANDUM

March 5, 1996

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of PAS Boundary Between PAS 110, South "Y" (Commercial/Public Service) and PAS 114, Bonanza (Residential), to Relocate El Dorado County APN 32-151-01 from PAS 114 to PAS 110

This agenda item is being continued at the request of the applicant.
MEMORANDUM

March 1, 1996

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of Plan Area Statement 041, Incline Village #3 (Residential), to Permit Multiple Family Dwellings as a Permissible Use on Certain Parcels on Which the Use is Presently Not Permitted

Proposed Action: The owners of a 7.2 acre vacant parcel of land located in Plan Area 041 Incline Village Unit #3 (Residential) propose to amend the Plan Area Statement to permit Multiple Family Dwellings as a Permissible Use on their parcel at a maximum density of 4 units/acre. The proposal involves amending the Plan Area Statement List of Permissible Uses and the Table of Maximum Densities. This would be done by creating a new Special Area and related special designations and policies for site development. Refer to Exhibit A, Plan Area Statement 041.

The applicants stated purpose for the amendment is to permit development of 24 market rate single family homes. The existing plan area statement would permit development of one single family dwelling and one secondary residence (e.g., guest house). The secondary residence would require transfer of an additional unit of development.

Because the amendment would add multiple family dwellings to a parcel which presently does not allowed, Chapter 13 of the TRPA Code of Ordinances requires TRPA to make specific findings prior to approval that the site is suitable for transit-oriented development (TOD). The findings are presented below in the Chapter 13 Findings section and form the basis for the recommended conditions of approval.

Staff Recommendation: Staff recommends that the Advisory Planning Commission recommend approval of the proposed amendment, as conditioned, to the Governing Board.

Background: The subject vacant land is shown in Exhibit B, Vicinity Map. It has frontage along Village Boulevard in Incline Village near the Country Club Drive intersection. It is a mix of land capability classes, including Classes 1b (stream environment zone, SEZ)), 1c, 2, 4 and 6. The site is mostly classes 4 and 6. Third Creek runs along the eastern portion of the site and includes a 35 foot wide SEZ setback on both sides. Part of the riparian
Memorandum to Advisory Planning Commission
Amendment of Plan Area Statement 041
Page 2

corridor associated with the creek is disturbed and is in need of restoration. A highly disturbed borrow material pit (capability class 1c) is on the property and is approximately 6 acres. TRPA has formally verified approximately one acre of existing land coverage in the SEZ portion of the site.

In the 1960's, the site was originally dedicated to Washoe County by the developer of Incline Village for use as an elementary school. The school was not built and in 1995 the Washoe County School District auctioned the parcel off to the highest bidder. Potential bidders who contacted TRPA were provided with the allowed land uses in effect at the time (i.e., one single family plus one secondary residence) and reminded that the Plan Area Statement did not allow multiple family uses on the site.

Surrounding Land Uses. Existing land uses in the vicinity of the site include a mixture of residential types, primarily single family dwellings with some duplexes, and four-plexes. Two larger condominium projects are located across Village Boulevard from the site. They are located in Plan Area 044, Fairway (Residential), in which multiple family dwellings are a permissible use. The Incline Village Executive (par 3 layout) golf course is located north of the site. The approved density of Incline Village Unit #3 is four units/acre while the actual density is 620 units on 226 acres of land or slightly more than two per acre. Refer to Exhibit C, Existing Land Uses.

The site is not a part of the Incline Village Unit #3 subdivision and, therefore, is not permitted to have multiple family dwellings on it. Unit #3 included the four-plex residential units surrounding the Incline Village Executive Golf Course. The golf course lands were used in the Unit #3 density calculation and involve a transfer of development density from the golf course to the four-plex parcels. Refer to Plan Area Statement 041 Planning Consideration #1 and Special Policy #3 which address the density transfer. Unit #3 was approved by Washoe County prior to the formation of TRPA.

Washoe County Zoning and Land Use Designations. The proposed amendment is not consistent with existing Washoe County planning and zoning designations. Existing Washoe County zoning for the parcel is E-1, 1st Estate Residential. The zone generally permits single family residential uses to be developed at a minimum 15,000 square foot minimum lot size (slightly less than 3 units/acre density). The existing County land use designation is Public/Semi-Public Facilities. This would permit a school and similar facilities, however, no residential uses are permitted by the designation. Amendments would have to be approved by the County for the project to move forward. All Washoe County zoning is scheduled to sunset later this year so the Land Use designation will become the only method of determining allowable land uses.

Discussion: From a land use planning standpoint the proposed build out of the site will look and function like a new residential subdivision with a single family dwelling layout. It would have its own road network and individual parcels, including some amount of common open space. It would not look or function like surrounding land uses, neither individual single family homes or individual parcels nor a true multiple family project with a condominium dwelling layout.
While technically not a lot and block subdivision because of the proposed method of common open space ownership, the proposed site plan clearly resembles the layout of lot and block subdivisions which the Regional Plan Goals and Policies discourage, and the Code of Ordinances prohibits. A true multiple family site plan would include attached or clustered multi-storied buildings, higher densities, no individual building envelopes, common parking, paths between all activities and buildings on the site, commonly landscaped open space, areawide runoff and erosion controls and on-site recreational amenities.

TRPA has previously approved projects with similar layouts but at greater densities, particularly in Incline Village. Part of the problem rests with TRPA's definition of multiple family dwelling (more than one residential unit per parcel regardless of site layout or function), and the lack of a specific residential condominium definition. If the definitions were more responsive to condominium situations and to the function and layout of multiple family dwellings and projects, this amendment and the resulting project would not be able to be approved as proposed. Staff recommends that the staff and APC review the situation in a workshop forum at an upcoming meeting with the intention of developing equitable Regional Plan amendments which address the existing shortcomings associated with the Plan.

**Findings:** Prior to amending the plan area boundary, TRPA must make the following findings.

### Chapter 13 Findings

1. **Finding:** The amendment is substantially consistent with the plan area designation criteria in subsection 13.5.B and 13.5.C of the TRPA Code Of Ordinances.

   **Rationale:** Subsection 13.5.B is the Plan Area Major Land Use Classification and Management Designations. The Plan Area Land Use Classification is Residential. This is consistent with the proposed use. Further, residential areas should be developed on moderate-high capability lands, have access to services and include areas now developed for residential uses. The proposed action would be consistent with all the items.

   The Management Strategy for Plan Area 041 is "Development with Mitigation". Areas with this designation can accommodate additional development if the impacts are fully mitigated and the land is capable of withstanding the use. Both onsite and offsite mitigation of environmental impacts from development shall be required. Additional development which may be approved on the site must demonstrate that all impacts are fully mitigated. Installation and maintenance of on-site BMPs, including Stream Environment Zone restoration, will be required as a condition of developing the parcel. Additional
development impacts include placement of additional land coverage and generation of additional vehicle trips. Both items will be required to be mitigated through on-site measures and payment, where required, of regional mitigation fees.

Subsection 13.5.C addresses Plan Area Special Designations. Plan Area 041 Special Designations include a Transfer of Development Right Receiving Area for Multi-Residential Units and the MULTI RESIDENTIAL BONUS UNIT INCENTIVE PROGRAM. The designations are only for the parcels in Unit #3 which are part of the density transfer program involving the golf course. Also, because this amendment must result in no additional VMT generated by the site (discussed below), neither of these designations would apply, nor be allowed to be used on the site. This will be clarified through a notation in Plan Area 041 that the Special Designations may not be used in the newly-created Special Area #1. Further discussion is provided below in the Chapter 6 Findings.

3. Finding:

If the amendment is to add multiple-family as a permissible use to a plan area or for one or more parcels, the plan area or affected parcel must be found suitable for transit-oriented development (TOD). Factors in determining suitability for TOD may include, but are not limited to, areas that have transit and neighborhood services within 10 minute walks, good pedestrian and bike connections, opportunities for residential infill (at densities greater than 8 units per acre) or infill with mixed uses, and adequate public facilities.

Rationale: As proposed, the affected parcel is not suitable for transit-oriented development (TOD) for the following reasons: it does not have neighborhood services within a ten minute walk (it is too far from downtown Incline Village); there is nothing in the surrounding neighborhood for pedestrian and bike connections to serve, there are no opportunities for residential infill at densities of 8 units/acre or more or for infill with mixed uses (i.e., commercial/public service), and there are no public or community services in the neighborhood other than an executive golf course to which people do not walk or bicycle. The only development in the vicinity with a density greater than 8 units/acre is the Glenrock Townhouse development across Village Boulevard. It has an estimated density of 10 units/acre. There is an existing transit stop near the site on either side of Village Boulevard.
To attempt to make the finding, the staff and the applicant have included the following items in the proposal. The applicant agrees to install and maintain a separate pedestrian walkway system which connects all individual uses on the site and provides access to the common open space and other facilities. The walkways will be constructed based on Washoe County standards and shall be maintained year round. The applicant agrees to provide shelters at the two existing transit stops in the vicinity of the parcel. The design of the shelters will be consistent with the design of transit shelters in Incline Village. The applicant agrees to install a Class I bicycle trail along the parcel's Village Boulevard frontage (approximately 680 feet). It will likely be located on the Village Boulevard public right-of-way in front of the parcel. The segment of bicycle trail is within Washoe County's List of Priority Bicycle Trails. It will be required to be built to Washoe County standards.

Chapter 6 Findings

1. Finding: The project is consistent with, and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Plan Area Statements and Maps, the Code, and other TRPA plans and programs.

Rationale: The proposed amendment is consistent with the Plan Area Statements because the ultimate use of the parcel is residential and it is located in a residential plan area. Further, the project will not adversely affect implementation of the Regional Plan because the applicant has included Stream Environment Zone restoration as part of the proposed action.

To maintain the present Level Of Service at nearby street intersections which will be affected by the project, only one point of access to the street network shall be permitted from the project. This requirement is based on the results of the traffic study submitted by the applicant and on the Transportation Element of the Regional Plan Goals and Policies. If required by the local fire protection agency, the site plan may include an emergency access which may be used by emergency vehicles, however, it shall not be used as a regular point of access to the site.

Based on incorporating the VMT maintenance measures into the approval which are shown below in Finding ¶2, the proposed amendment is consistent with, and will not adversely affect implementation of the Regional Plan and related elements.
2. Finding: The project will not cause the environmental thresholds to be exceeded.

Rationale: The applicant has submitted a traffic study as required by the Code of Ordinances. It predicts that the site will generate an additional 1,132 Vehicle Miles of Travel when developed. This worsens the existing nonattainment status of the VMT threshold. The land use which was assigned to the site in the overall VMT modelling for the Region is one single family dwelling and not multiple family dwellings. To make the finding that the project will not cause the environmental thresholds to be exceeded, the following VMT threshold maintenance measures must be included in the proposed amendment:

The applicant must transfer all existing residential units of use to the site with the exception of the one otherwise permitted by the current Plan Area Statement. The average distance from downtown Incline Village (Plan Area 045 boundaries) of the units to be transferred to the site must be equal to or greater than the distance of the site from downtown Incline Village. This will ensure that the average trip length by units on the site will be less than or equal to the average trip length of the transferred units. The parcel is not eligible to use the Multi-Residential Bonus Unit Program as this would add units of use to the site which were not considered as part of the overall VMT modelling.

3. Finding: Wherever federal, state, and local air and water quality standards applicable to the Region, whichever are stricter, must be attained and maintained pursuant to Article 1 of the Compact, the project meets or exceeds such standards.

Rationale: See findings 1 and 2 above.

4. Finding: The Regional Plan and all its elements, as implemented through the Code, Rules, and other TRPA plans and programs, as amended, achieves and maintains the thresholds.

Rationale: See findings 1 and 2 above.

Environmental Documentation: Staff has prepared an Initial Environmental Checklist (IEC) for the proposed project. Staff proposes a Finding of No Significant Effect (FONSE) based on the Chapter 13 findings shown above and on the following:

1. No additional development would be permitted by the amendment than is otherwise permissible under the Regional Plan; and
2. The amendment as conditioned includes VMT threshold maintenance and other related transportation elements (e.g., provision of bicycle trail, intersection Level Of Service maintenance) which must be incorporated into the proposed amendment.

3. The applicant has included in the proposal restoration of approximately one acre of the disturbed Third Creek Stream Environment Zones.

Staff will begin this item with a brief presentation. Please contact Andrew Strain at (702) 588-4547 if you have any questions or comments regarding this item.
041 -- INCLINE VILLAGE #3

PLAN DESIGNATION:

Land Use Classification
RESIDENTIAL

Management Strategy
MITIGATION

Special Designation
TDR RECEIVING AREA FOR:

1. Multi-Residential Units

2. Existing Development (Special Area #1 Only)

MULTI-RESIDENTIAL INCENTIVE PROGRAM

DESCRIPTION:

Location: This area is located west of the Mt. Rose Highway in the general vicinity of the executive golf course. It can be found on TRPA maps G-2, G-3, H-2 and H-3.

Existing Uses: Existing uses include low density residential, multiple units, the executive golf course and Community College. The area is 70 percent built out.

Existing Environment: The area's land capability is 55 percent moderate hazard and 40 percent SEZ. The land coverage is 25 percent plus an additional 20 percent disturbed.

PLANNING STATEMENT: This area should continue to serve as a residential, maintaining the existing character of the neighborhood.

PLANNING CONSIDERATIONS:

1. For Incline Village Unit #3 Subdivision, the golf course was included in density calculations to allow multiple units on a number of lots.

2. The stream environment zone in this area has been substantially altered by road placement, golf course placement and residential development.

3. Fertilizer use on the golf course adjacent to a stream environment zone can increase nitrogen loads to the lake.

4. There are two partial barriers to fish migration on the north west tributary of Third Creek.

5. The future use of the school site on Village Street is uncertain.

6. Scenic Roadway Unit 23 is within this Plan Area.

SPECIAL POLICIES:

1. Stream zone and fishery restoration should be encouraged.

2. Recognize as appropriate uses the existing golf course, college and mobile home development, and
encourage the expansion of college facilities as needed.

3. The lots in Incline Village Unit #3 designated as eligible for multi-density under the approved subdivision map shall be eligible for such density with TDR.

4. **Multiple family dwellings which may be developed in Special Area #1 shall only utilize transfer of existing residential development regardless of whether they are ultimately converted to single family dwellings through subdivision of existing development.**

**PERMISSIBLE USES:** Pursuant to Chapter 18 PERMISSIBLE USES and if applicable, Chapter 51 PERMISSIBLE USES AND ACCESSORY STRUCTURES IN THE SHOREZONE AND LAKEZONE, the following primary uses may be permitted within all or a portion of the Plan Area. The list indicates if the use is allowed (A) or must be considered under the provisions for a special use (S). Existing uses not listed shall be considered nonconforming uses within this Plan Area. The establishment of new uses not listed shall be prohibited within this Plan Area.

**General List:** The following list of permissible uses is applicable throughout the Plan Area (except as noted for Special Area #1):

<table>
<thead>
<tr>
<th>Category</th>
<th>Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>Single family dwelling (A), multiple family dwellings (A) only on the lots in Incline Village Unit #3 that are designated as eligible for multiple density on the approved subdivision maps and mobile home dwellings (A) only on properties identified by the county for such use.</td>
</tr>
<tr>
<td>Public Service</td>
<td>Local public health and safety facilities (S), transit stations and terminals (S), pipelines and power transmission (S), transmission and receiving facilities (S), transportation routes (S), public utility centers (S), churches (S), schools - college (A), local post offices (S), and day care centers/pre-schools (S).</td>
</tr>
<tr>
<td>Recreation</td>
<td>Participant sports facilities (S), day use areas (A), riding and hiking trails (A), outdoor recreation concessions (A), and golf courses (A).</td>
</tr>
</tbody>
</table>

**Resource Management**

Reforestation (A), sanitation salvage cut (A), special cut (A), thinning (A), early successional stage vegetation management (A), structural and nonstructural fish/wildlife habitat management (A), fire detection and suppression (A), fuels treatment/management (A), insect and disease suppression (A), sensitive and uncommon plant management (A), erosion control (A), SEZ restoration (A), and run-off control (A).

**Special Area #1:** The following list of permissible uses is applicable in Special Area #1:

<table>
<thead>
<tr>
<th>Category</th>
<th>Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>Multiple family dwellings (S), single family dwelling (A), and employee housing (A).</td>
</tr>
<tr>
<td>Public Service</td>
<td>Same as General List.</td>
</tr>
<tr>
<td>Recreation</td>
<td>Same as General List.</td>
</tr>
<tr>
<td>Resource Management</td>
<td>Same as General List.</td>
</tr>
</tbody>
</table>
MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Multiple Family Dwellings</td>
<td>In accordance with Special Policy #3 for this Plan</td>
</tr>
<tr>
<td></td>
<td>Area, <strong>except as noted for Special Area #1</strong></td>
</tr>
<tr>
<td></td>
<td>4 units per acre in Special Area #1 only</td>
</tr>
<tr>
<td>Mobile home dwellings</td>
<td>8 units per acre</td>
</tr>
</tbody>
</table>

RESIDENTIAL BONUS UNITS: Pursuant to Chapter 35, the maximum number of residential bonus units which may be permitted for this Plan Area is 25 units.

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 55 CNEL.

ADDITIONAL DEVELOPED OUTDOOR RECREATION: The following are the targets and limits for additional developed outdoor recreation facilities specified in Chapter 13 to be located within this Plan Area. Specific projects and their timing are addressed in the TRPA Five-Year Recreation Program pursuant to Chapter 33 Allocation of Development. The following additional capacities allowed are measured in persons at one time:

- **SUMMER DAY USES 0 PAOT**
- **WINTER DAY USE 0 PAOT**
- **OVERNIGHT USES 0 PAOT**

IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan for this area shall be implemented. The improvements include, but are not limited to, the following:

1. Improvements required by **Volume IV of the Surface Water Management Plan** as shown on Figure VIII-1 through 18 of **Volume I of the 200 Water Quality Plan**.
2. The highway and transit improvements indicated in the Transportation Element of the Regional Goals and Policies Plan.
3. Stream zone restoration as indicated in **Volume III of the Water Quality Management Plan**, the **Stream Environment Zone Restoration Program**. (To be completed.)
AMENDMENT OF PLAN AREA STATEMENT 041
INCLINE VILLAGE #3
VICINITY MAP

PAS 041

Subject Parcel
129-500-08

PAS 043

PAS 038

PAS 044
EXISTING LAND USES

Scale 1" = 400'

Key:
1  Single Family Residence
2  Duplex
3  Triplex
4  4-Plex
V  Vacant
FS  Forest Service
March 2, 1996

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of Plan Area Statement 045, Incline Village Commercial (Commercial/Public Service), to Revise Special Policies #5 and #6 to allow Single Family Dwellings as a permissible Use When They are Part of a Mixed Use Development and When Affordable Housing Units are Provided as a Part of the Project; Reallocate 10 Residential Bonus Units from PAS 044, Fairway (Residential), to PAS 045.

Proposed Action: The applicant is proposing an amendment to Plan Area Statements 045 and 044 in Incline Village for the purpose of developing a "detached" 6-unit condominium complex, restricting two of the units to affordable (refer to Exhibits A and B for Plan Area Statements). The application requests the reallocation of 10 Residential Bonus Units from PAS 044, Fairway, to PAS 045, Incline Village Commercial, and the following revisions to Special Policies #5 and #6 of PAS 045:

#5, Single-family dwellings shall only be allowed in the plan area when they are part of a mixed use development and when they consist of attached units which share common walls, and when 25 percent of the project is in affordable housing.

#6, Residential bonus units may only be used for the construction of residential units when they are part of vertically-oriented mixed use, or if 25 percent of the residential units in the project are developed as affordable housing. Vertically-oriented mixed use refers to a building type that provides two or more of the major land use classifications listed in the Regional Plan, one of which must be commercial use, such as ground floor retail, with residential above.

Staff Recommendation: Staff recommends that the APC recommend approval to the Governing Board of staff’s recommendation rather than the applicant’s proposal. Staff’s recommendation includes the reallocation of 10 residential Bonus Units from PAS 044 to PAS 045, and amending the language in Special Planning for the Protection of our Lake and Land
Policies #5 and #6 by adding a provision that allows single family dwellings in PAS 045 when they are part of a mixed-use, or when 25 percent of the proposed project is in affordable housing. However, staff is not in support of revising the language to omit the requirement of, "attached units which share common walls." (See Exhibit A for staff's recommended plan area language).

Background: The applicant's stated purpose for the amendments is to develop a 6-unit detached condominium project which would include two affordable housing units on APN 132-231-14. Currently, based upon a very recent (October 1995) amendment of PAS 045, single-family dwellings are allowed as a permissible use only when they are part of a mixed use and consist of attached units which share common walls (condominium). The rationale for adding Single Family Dwellings as a permissible use to this Plan Area was the potential ability to decrease trips when the Single Family Dwellings are attached (see page 3 for further discussion).

The applicant's parcel, which is approximately 0.65 acres, is vacant. The parcel is mapped Land Capability Class 6, subject to verification. The following is a list of the adjacent land uses:

North: With the exception of two vacant parcels (proposed for residential), all the properties to the north are commercial retail/offices.

West: All the parcels are commercial retail/offices.

South: All the parcels are multi-family condominiums, with the exception of the bowling alley.

East: The parcels are public service (Incline Middle School).

See Exhibit B for map of surrounding land uses.

Current Washoe County zoning on the subject parcel has changed from C2 (Retail/Wholesale) to a "Special Plan Area" designation, which means that permissible uses will be consistent with the community plan.

Discussion: In evaluating proposed plan area amendments, staff uses a three-step procedure. The first step is to determine whether a mistake was made in mapping the original plan area boundaries and assigning permissible uses to the area. The second step is to determine whether something has changed in terms of character at this location or pattern of land use to warrant amending the list of permissible uses. The third step is to determine whether the amendment to the Plan Area would change land use patterns such that attainment and maintenance of environmental thresholds is improved or enhanced.
Staff recommends, based on the above three-step procedure, to add the incentive for affordable housing to this plan area. However, there have been no changes in land use patterns, nor will omitting the existing "attached" unit language improve TRPA’s ability to attain or maintain thresholds. PAS 045 in a Community Plan Area. The Draft Final Community Plan designates PAS 045 as a Preferred Affordable Housing Area (PAHA) and has special policies for use of Multi-Residential Bonus Units.

The purpose for establishing community plan areas is to concentrate commercial uses in a core area thus reducing Vehicle Miles Traveled (VMT). In October 1995, the TRPA Governing Board adopted Special Policies #5 and #6 to allow single family dwellings as a mixed use with commercial uses in Plan Area 045 as a way to further this goal by allowing another residential use, though limited, into this area which has the potential to further reduce VMT through Transit Oriented Development. By locating trip producers (residential, tourist units) close to trip attractions (commercial, public service, recreation uses), VMTs will be reduced.

For example, multiple-family dwellings are currently a permissible use in PAS 045. Based on TRPA’s trip table, apartments generate 6.47 trips per dwelling unit compared to 5.86 trips per occupied dwelling unit for condominiums. Detached single family dwellings generate 10.00 trips per unit. By adding attached single family dwellings (condominiums) as a permissible use in this Plan Area it will generate less trips than the existing permissible residential uses.

TRPA staff also recommends that 10 bonus units be transferred from PAS 044, Fairway to PAS 045. The Draft Final of the Incline Village Commercial Community Plan has designated 045 as a Preferred Affordable Housing Area. PAS 044 seems a logical area to reallocate Residential Bonus Units from because it is not currently designated a Preferred Affordable Housing Area, nor is it in the Draft Final of the Community Plan. Although PAS 045 is a community plan area in which commercial development is to be focused, allowing for limited mixed (commercial/residential) uses and affordable housing will incrementally contribute to attaining and maintaining environmental thresholds at this particular site, and in fact, has the potential to decrease trips and reduce VMTs.

The following is a list of findings that must be made for all plan area amendments.

Findings: Prior to amending the plan area statement, TRPA must make the following findings.

Chapter 6 Findings

1. Finding: The project will not cause the environmental thresholds to be exceeded.
Amendment of Plan Area 045, Incline Village Commercial (Commercial/Public Service); and Plan Area 044, Fairway

Page 4

Rationale: Staff’s proposed PAS amendment will not cause the environmental thresholds to be exceeded. Any project that is proposed as a result of this amendment will be required to meet land coverage requirements, scenic quality standards, and water quality standards. In addition, the staff recommended PAS amendments have the potential to provide the opportunity to decrease vehicle trips and vehicle miles traveled by providing new residential uses closer to commercial uses, decreasing the need for longer vehicle trips, and providing the opportunity for non-vehicular trips.

2. Finding: Wherever federal, state, and local air and water quality standards applicable to the Region, whichever are stricter, must be attained and maintained pursuant to Article V(d) of the Compact, the project meets or exceeds such standards.

Rationale: The proposed amendment itself will have no negative effects on air or water quality. Any project that is proposed as a consequence of this plan area amendment will be required to analyze traffic and trip increases based on the type and extent of project. Any project proposed based on this amendment would also be required to comply with all Code standards as they pertain to water quality, including impact mitigation. Therefore, amending Plan Area Statement 045 by adding the new special use and reducing the PAS 044 bonus units by ten will have no negative impact on federal, state, and local air or water quality standards. Potentially, the ability to attain and maintain air quality standards will be enhanced by using the mixed use concept and bringing trip origination uses closer to trip generating uses.

3. Finding: That the Regional Plan, as amended, achieves and maintains the thresholds.

Rationale: See Findings 1 and 2 above.

Chapter 13 Findings

1. Finding: The amendment is substantially consistent with the plan area designation criteria in Subsections 13.5.B (Land Use) and 13.5.C (Special Designations).

Rationale: The land use designation for PAS 045 is Commercial/Public Service. Adding attached single family dwellings as a permissible use when in conjunction with a mixed use or an affordable housing project is consistent with the Plan Area and current surrounding mixed uses. PAS 045 is a community plan area. The proposed amendment is a form of Transit

/cs
03/02/952

AGENDA ITEM NO. V.E.
Oriented Development standard, which the draft community plan advocates. PAS 045 is also designated as a Transfer Development Right receiving area for multi-residential units. This is consistent with Transit Oriented Development standards.

Environmental Documentation: Based on the above analysis and the completion of an initial environmental checklist (IEC), staff proposes a finding of no significant effect (FONSE). This type of mixed use, attached single family dwellings/commercial, is consistent with the existing surrounding uses. Potentially VMT will be reduced by requiring single family dwellings to be attached and part of a mixed-use or affordable housing project.

Staff will begin this item with a brief presentation. If you have any questions or comments regarding this agenda item, please contact Coleen Shade at (702) 588-4547.
045 -- INCLINE VILLAGE COMMERCIAL

PLAN DESIGNATION:

Land Use Classification        COMMERCIAL/PUBLIC SERVICE
Management Strategy            MITIGATION
Special Designation            PRELIMINARY COMMUNITY PLAN AREA
TDR RECEIVING AREA FOR:
1. Multi-Residential Units
2. Existing Development

SCENIC RESTORATION AREA
MULTI-RESIDENTIAL INCENTIVE PROGRAM

DESCRIPTION:

Location: This is a split planning area encompassing the commercial areas in the center of Incline. The Village Center Area is on the west side; the Village/Highway 28 area is on the east. This area is located on the TRPA maps G-3 and H-3.

Existing Uses: The west area has a small shopping center, an elementary school and miscellaneous commercial uses. The east area includes the high school, the intermediate school, several small shopping centers, offices and service industry uses. The area is 75 percent built out.

Existing Environment: The lands are 20 percent SEZ and the rest are classified low hazard. The land coverage is 50 percent plus an additional 15 percent disturbed.

PLANNING STATEMENT: These two areas should continue to serve the commercial and other service needs of the Incline area.

PLANNING CONSIDERATIONS:

1. This area is identified as a scenic problem area.
2. Public input has indicated a possible need for some mini-parks in the central Incline area.
3. This would be a suitable location for a major transit facility.
4. Scenic Roadway Unit 22 is within this Plan Area and is targeted for scenic restoration as required by the scenic threshold.
5. State Route 28 within this Plan Area is proposed to be expanded to four lanes as part of the second phase set forth under Goal #1, Policy #1 of the Regional Highway System Subelement of the Goals and Policies Plan.
SPECIAL POLICIES:

1. Plan Areas 045, 046, 048, and portions of 044 shall be considered as part of the core area for the Incline Village Community Plan.

2. Passive recreational uses (parks) should be considered in the Community Plan for this area.

3. Assess the possibility of locating a major transit facility in this area.

4. Special siting considerations and use limitations shall apply along Highway 28 (Special Area #1). Industrial uses, wholesale/storage uses and similar uses should be located outside this area.

5. Single-family dwellings shall only be allowed in the plan area when they are part of a mixed use development or 25% of the project is in affordable housing and when they consist of attached units which share common walls.

6. Residential bonus units may only be used for the construction of residential units when they are part of a vertically-oriented mixed use or when 25% of the project is in affordable housing. Vertically-oriented mixed use refers to a building type that provides two or more of the major land use classifications listed in the Regional Plan, one of which must be a commercial use, such as ground floor retail, with residential above.

PERMISSIBLE USES: Pursuant to Chapter 18 PERMISSIBLE USES and if applicable, Chapter 51 PERMISSIBLE USES AND ACCESSORY STRUCTURES IN THE SHOREZONE AND LAKEZONE, the following primary uses may be permitted within all or a portion of the Plan Area. The list indicates if the use is allowed (A) or must be considered under the provisions for a special use (S). Existing uses not listed shall be considered nonconforming uses within this Plan Area. The establishment of new uses not listed shall be prohibited within this Plan Area.

General List: The following list of permissible uses is applicable throughout the Plan Area.

Residential
- Single-family dwellings (S), employee housing (A), multiple family dwelling (S), multi-person dwelling (S), nursing and personal care (S), and residential care (S).

Tourist Accommodation
- Bed and breakfast facilities (A), hotel, motels, and other transient dwelling units (A), timeshare (hotel/motel design) (A), and timeshare (residential design) (S).

Commercial
- Auto, mobile home and vehicle dealers (A), building materials and hardware (A), eating and drinking places (A), food and beverage retail sales (A), furniture, home furnishings and equipment (A), general merchandise stores (A), mail order and vending (A), nursery (A), outdoor retail sales (S), service stations (A), amusements and recreation services (S), privately owned assembly and entertainment (S), outdoor amusements (S), animal husbandry services (A), auto repair and service (S), broadcasting studios (A), business support services (A), contract construction services (A), financial services (A), laundries and dry cleaning plant (A), personal services (A), professional offices (A), repair services (A), sales lots (S), schools - business and vocational (A), secondary storage (S), food and kindred products (S), fuel and ice dealers (S), industrial services (S), printing and publishing (A), small scale manufacturing (S), storage yards (S), vehicle and freight terminals (S), vehicle storage and parking (S), warehousing (S), and wholesale and distribution (S).
Public Service

Churches (A), collection stations (S), regional public health and safety facilities (S), health care services (S), cultural facilities (A), day care centers/pre-schools (S), government offices (A), hospitals (A), local assembly and entertainment (A), local post office (A), local public health and safety facilities (A), membership organizations (A), publicly owned assembly and entertainment (S), pipelines and power transmission (S), schools - kindergarten through secondary (A), and social service organizations (A), transit stations and terminals (S), transportation routes (S), and transmission and receiving facilities (S).

Recreation

Day use areas (A), participant sports facilities (A), outdoor recreation concessions (S), riding and hiking trails (S), and visitor information center (S).

Resource Management

Reforestation (A), sanitation salvage cut (A), thinning (A), tree farms (A), early successional stage vegetation management (A), nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (A), structural wildlife habitat management (A), fire detection and suppression (A), fuels treatment (A), insect and disease suppression (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A), and SEZ restoration (A).

Special Area #1: The following list of permissible uses is applicable in Special Area #1.

Residential

Multiple family dwelling (A), nursing and personal care (A), employee housing (A), and residential care (A).

Tourist Accommodation

Same as General List.

Commercial

Auto, mobile home and vehicle dealers (S), building materials and hardware (S), eating and drinking places (A), food and beverage retail sales (A), furniture, home furnishings and equipment (A), general merchandise stores (A), mail order and vending (A), nursery (A), outdoor retail sales (S), service stations (A), amusements and recreation services (S), privately owned assembly and entertainment (S), animal husbandry services (S), broadcasting studios (A), financial services (A), health care services (A), personal services (A), professional offices (A), repair services (S), schools - business and vocational (A), secondary storage (S), printing and publishing (S), small scale manufacturing (S), and vehicle storage and parking (S).

Public Service

Churches (A), cultural facilities (A), day care centers/pre-schools (S), government offices (A), hospitals (S), local assembly and entertainment (A), local post office (A), local public health and safety facilities (A), membership organizations (A), publicly owned assembly and entertainment (S), regional public health and safety facilities (S), social service organizations (A), pipelines and power transmission (S), transit stations and terminals (S), transportation routes (S), and transmission and receiving facilities (S).
**MAXIMUM DENSITIES:** Pursuant to Chapter 21 DENSITY, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Multiple Family Dwelling</td>
<td>15 units per acre</td>
</tr>
<tr>
<td>Multi-person Dwelling</td>
<td>25 people per acre</td>
</tr>
<tr>
<td>Nursing and Personal Care</td>
<td>25 people per acre</td>
</tr>
<tr>
<td>Residential Care</td>
<td>25 people per acre</td>
</tr>
<tr>
<td>Employee Housing</td>
<td>As per limitations above</td>
</tr>
<tr>
<td>Tourist Accommodation</td>
<td></td>
</tr>
<tr>
<td>Bed and Breakfast</td>
<td>5 units per site</td>
</tr>
<tr>
<td>Hotel, Motel and other Transient Units</td>
<td></td>
</tr>
<tr>
<td>- with less than 10% of units with kitchens</td>
<td>40 units per acre</td>
</tr>
<tr>
<td>- with 10% or more units with kitchens</td>
<td>15 units per acre</td>
</tr>
<tr>
<td>Timeshare</td>
<td>As per the limitations set forth in this table</td>
</tr>
</tbody>
</table>

**RESIDENTIAL BONUS UNITS:** Pursuant to Chapter 35, the maximum number of residential bonus units which may be permitted for this Plan Area is **4920** units.

**MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL:** The maximum community noise equivalent level for this Plan Area is 60 CNEL. The maximum community noise equivalent level for the Highway 28 corridor is 60 CNEL.

**ADDITIONAL DEVELOPED OUTDOOR RECREATION:** The following are the targets and limits for additional developed outdoor recreation facilities specified in Chapter 13 to be located within this Plan Area. Specific projects and their timing are addressed in the TRPA Five-Year Recreation Program pursuant to Chapter 33 Allocation of Development. The following additional capacities allowed are measured in persons at one time:

- SUMMER DAY USES **0 PAOT**
- WINTER DAY USE **0 PAOT**
- OVERNIGHT USES **0 PAOT**

**IMPROVEMENT PROGRAMS:** The capital improvement and other improvement programs required by the Regional Goals and Policies Plan for this area shall be implemented. The improvements include, but are not limited to, the following:

1. Improvements required by Volume IV of the Water Quality Management Plan.

2. The highway and transit improvements indicated in the Transportation Element of the Regional Goals and Policies Plan.

4. The scenic restoration and landscaping improvements indicated in the Scenic Quality Implementation Program for the Highway 28 corridor. (To be completed.)
PLAN DESIGNATION:

Land Use Classification       RESIDENTIAL
Management Strategy           MITIGATION
Special Designation           TDR RECEIVING AREA FOR:

1. Multi-Residential Units (SA #1 only)
2. Existing development

MULTI-RESIDENTIAL INCENTIVE PROGRAM
(Special Area #1 only)

DESCRIPTION:

Location: This area is the golf course area located between Highway 28, Village Boulevard and Country Club Drive. It is located on TRPA maps H-2 and H-3.

Existing Uses: The primary use is mixed residential including a large golf course. This area is 70 percent built out.

Existing Environment: The land capability in this area is 70 percent low hazard with 30 percent SEZ. The land coverage is 15 percent plus an additional 15 percent disturbed.

PLANNING STATEMENT: This area should continue as residential, with secondary uses being recreation and tourist.

PLANNING CONSIDERATIONS:

1. The stream environment zone (Third Creek) has been substantially altered by road placement, single family unit development, and golf course construction.
2. Over use of fertilizer on the golf course is of concern.
3. The road crossing at Tahoe Boulevard poses a partial barrier to fish migration on the northwest tributary of Third Creek.
4. There are diversions on Incline Creek and on the northwest tributary for golf course ponds.
5. The crossing at Village Boulevard and the northwest tributary of Incline Creek is a barrier to upstream migration of fish.
6. Scenic Roadway Unit 22 borders this Plan Area.
7. State Route 28 within this Plan Area is proposed to be expanded to four lanes as part of the second phase set forth under Goal #1, Policy #1 of the Regional Highway System Subelement of the Goals and Policies Plan.
SPECIAL POLICIES:

1. Stream zone and fishery restoration should be encouraged.

2. Special Area #1 along Northwood and the golf course should be considered for inclusion in a Community Plan for Incline.

3. Multi-residential units permitted in Special Area #1 may be converted to residential timeshare uses. The conversion of such units shall not be counted under the tourist accommodation allocation limitations if they were originally counted under the residential allocation limitations.

4. The development of commercial facilities on vacant parcels in Special Area #1 shall be limited to the parcels abutting Northwood.

PERMISSIBLE USES: Pursuant to Chapter 18 PERMISSIBLE USES and if applicable, Chapter 51 PERMISSIBLE USES AND ACCESSORY STRUCTURES IN THE SHOREZONE AND LAKEZONE, the following primary uses may be permitted within all or a portion of the Plan Area. The list indicates if the use is allowed (A) or must be considered under the provisions for a special use (S). Existing uses not listed shall be considered nonconforming uses within this Plan Area. The establishment of new uses not listed shall be prohibited within this Plan Area.

**General List:** The following list of permissible uses is applicable throughout the Plan Area (except as noted for special area #1).

**Residential**

- Single family dwelling (A).

**Public Service**

- Churches (S), cultural facilities (S), local public health and safety facilities (S), public utility centers (S), pipelines and power transmission (S), transit stations and terminals (S), transmission and receiving facilities (S), transportation routes (S), publicly owned assembly and entertainment (S), and day care centers/pre-schools (S).

**Recreation**

- Cross country skiing courses (A), day use areas (S), and golf courses (A).

**Resource Management**

- Reforestation (A), sanitation salvage cut (A), thinning (A), and tree farms (A), early successional stage vegetation management (A), nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (A), and structural wildlife habitat management (A), fire detection and suppression (A), fuels treatment (A), insect and disease suppression (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), and SEZ restoration (A), runoff control (A), and SEZ restoration (A).

**Special Area #1:** The following list of permissible uses is applicable in Special Area #1.

All the uses listed on the General List plus the following additions:

**Residential**

- Employee housing (A), multiple family dwellings (A), nursing and personal care (A), and residential care (A).

**Tourist Accommodation**

- Hotel, motels, and other transient dwelling units (S), timesharing (hotel/motel design) (S), and timesharing (residential design) (S).
Commercial

Eating and drinking places (S), food and beverage retail sales (S), general merchandise stores (S), nursery (S), amusements and recreation services (S), financial services (S), health care services (S), personal services (S), and professional offices (S).

Public Service

Government offices (S), membership organizations (S), public assembly and entertainment facilities (S), schools - kindergarten through secondary (S), and social service organizations (S).

Recreation

Participant sports facilities (S) and sport assembly (S).

Resource Management

Same as General List.

**MAXIMUM DENSITIES:** Pursuant to Chapter 21 DENSITY, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

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<tbody>
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<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Multiple Family Dwellings</td>
<td>15 units per acre</td>
</tr>
<tr>
<td>Residential Care</td>
<td>25 persons per acre</td>
</tr>
<tr>
<td>Nursing and Personal Care</td>
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<td>Timeshare</td>
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</table>

**RESIDENTIAL BONUS UNITS:** Pursuant to Chapter 35, the maximum number of residential bonus units which may be permitted for this Plan Area is 80-50 units.

**MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL:** The maximum community noise equivalent level for this Plan Area, including the Highway 28 corridor, is 55 CNEL.

**ADDITIONAL DEVELOPED OUTDOOR RECREATION:** The following are the targets and limits for additional developed outdoor recreation facilities specified in Chapter 13 to be located within this Plan Area. Specific projects and their timing are addressed in the TRPA Five-Year Recreation Program pursuant to Chapter 33 Allocation of Development. The following additional capacities allowed are measured in persons at one time:

SUMMER DAY USES 0 PAOT  WINTER DAY USE 0 PAOT  OVERNIGHT USES 0 PAOT
**IMPROVEMENT PROGRAMS:** The capital improvement and other improvement programs required by the Regional Goals and Policies Plan for this area shall be implemented. The improvements include, but are not limited to, the following:

1. Improvements required by Volume IV of the Water Quality Management Plan.

2. The highway and transit improvements indicated in the Transportation Element of the Regional Goals and Policies Plan.

March 2, 1996

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of Plan Area Statement 048, Incline Village Tourist (Tourist), to Delete the Existing Special Designations Which Limit the Transfer of Development Rights Receiving Area Designation for Multi-Residential Units and the Residential Bonus Unit Incentive Program to Special Area #1; to Reallocate 20 Residential Bonus Units from PAS 044, Fairway (Residential), to PAS 048

Proposed Action: In order to construct a detached 33-unit condominium complex utilizing transferred development rights and bonus units on Washoe County APNs 127-030-23 and 24, the applicant proposes to revise the Special Designations in PAS 048 by omitting the Special Area #1 requirement for Transfer of Development Rights receiving area and the Multi-Residential Incentive Program. In addition, the applicant proposes to amend the maximum number of Residential Bonus Units in PAS 044, Fairway, and PAS 048, Incline Village Tourist, by reallocating 20 bonus units from PAS 044 to PAS 048.

Staff Recommendation: Staff recommends approval of the amendments based upon the required findings attached to this staff summary. However, dialogue should be initiated for the purpose of discussing the Regional Plan's intended purpose for the Residential Bonus Unit program and its current use. In addition, this proposal has the potential to "eat" into affordable housing headroom in the Incline Village area. PAS 048 is a designated Preferred Affordable Housing Area (PAHA). Special Policy #3 states that this Plan Area is a preferred site for affordable housing for employees of businesses located in this plan area (See Susan Scholley's attached memos to APC dated February and May 1993).

Background: The applicant proposes to revise the Special Designations in PAS 048 and reallocate 20 residential bonus units from PAS 044 to 048. The purpose for this amendment is to allow the applicant to construct a 33 unit detached condominium project, thus developing single family residences with multi-residential bonus units.
Currently, single family dwellings are a permissible use throughout PAS 048. PAS 048 is a Transfer of Development Right (TDR) area for existing development and, in Special Area #1 only, multi-residential units. In addition, the Multi-Residential Incentive Program (residential bonus units) is currently only applicable within Special Area #1.

Multi-residential bonus units may be approved for use only on parcels located in plan areas or community plans designated as eligible for the Multi-Residential Incentive Program and comply with the number of residential bonus units assigned to the particular plan area. Pursuant to Chapter 13, a maximum of 1,600 multi-residential bonus units are assigned to plan areas throughout the Region.

The applicant, Tennis Club Estates, Inc., proposes to utilize the remaining existing residential units from Bitterbrush. Under Chapter 35 the applicant could earn up to 150 bonus unit points which would be awarded as the existing residential units are retired. The applicant proposes to combine them with the remaining 189 bonus unit points still being held for future reassignment from Country Club Villas. This would create a total sum of 339 bonus unit points. Using a multiplier of .67 as required in Code subsection 35.2.C(3) (Post-1987 Projects proposing subdivision of units), the total number of bonus units proposed to be transferred in is 22. A total of 90 bonus units were reserved in PAS 048 (Special Area #1). However, 80 of the bonus units have been used or are being reserved for the Sierra Nevada College dorms. Currently there are only 10 bonus units remaining in PAS 048. With the additional 20 allocated residential bonus units, there will be a total of 30 residential bonus units available in 048. However, it should be noted that the applicant is only transferring in 22.71 residential bonus units.

Therefore, the applicant’s project proposal has three main issues that need to be resolved: 1) the applicant needs the ability to transfer in existing development and associated bonus units to APNs 127-030-23 and 24 which are outside Special Area #1; 2) the applicant has a greater number of bonus units than the remaining number of bonus units allocated to this plan area; and 3) the applicant requests the reallocation of 20 residential bonus units from PAS 044 to PAS 048.

To resolve the first issue, the applicant requests that TRPA revise the Special Designation language that limits the transfer of development rights for multi-residential units and the Multi-Residential Incentive Program to Special Area #1 (please refer to Exhibit A for plan area statement revisions). This can be accomplished by removing "(Special Area #1)" which is found in two places on page 1 of PAS 048.

The second issue, additional residential bonus units required, can be combined and resolved with the third issue, reallocation of 20 bonus units from PAS 044. PAS 044 was originally assigned 90 residential bonus units. Currently there are 67 residential bonus units left.
Revising the PAS 048 to remove the restrictions of Special Area #1 and increase the number of residential bonus units allowed are both in conformance with the current draft of the community plan for this area.

The applicant’s proposal is consistent with current adjacent land uses which are as follows:

North: The Visitor’s Center (public) and the Lakeside Tennis Complex
West: Both parcels are public service (IVGID Recreation Center and Incline Middle School)
South: The parcel is public Service (IVGID Incline Park and Recreation Center)
East: The parcels are high density multi-family condominiums, with the exception of the commercial office/restaurant and tennis complex

There are only four vacant parcels, not owned by Nevada State Lands, remaining in PAS 048. Two of the parcels are proposed in the application for the 33-unit condominium complex. The remaining two are preliminarily earmarked for multiple-family residential and commercial/professional offices.

According to the applicant, Washoe County has changed the zoning in this area from C2 (Retail/Wholesale), to a "Special Plan Area" designation, which means that permissible uses will be consistent with the Community Plan.

APNs 127-030-23 and 24 were included as potential development in the original VMT estimate of 1.9 million. This calculation did not take into consideration reduced vehicle trips attributable to persons able to walk to the nearby middle school, adjacent recreational, and commercial facilities in the vicinity of the subject APNs. Additionally, no reduction was taken to reflect the fact that 33 households in a medium density multi-family setting reduces the impacts that would result from 33 single family residences in a low density residential neighborhood.

Discussion: In evaluating proposed plan area amendments, staff uses a three-step procedure. The first step is to determine whether a mistake was made in mapping the original plan area boundaries and assigning permissible uses to the area. The second step is to determine whether something has changed in terms of character at this location or pattern of land use to warrant amending the plan area. The third step is to determine whether the amendment to the Plan Area would change land use patterns such that attainment and maintenance of environmental thresholds is improved or enhanced.

Staff is of the opinion that the requested amendments can be supported by both the second and third steps above. With the preparation and pending adoption of community plan in this area that supports these amendments and the near build-out of Special Area #1 land use patterns have changed. Though indirectly, reallocating additional residential bonus units and allowing them to go anywhere in PAS 048 will assist TRPA attain and maintain thresholds by finally retiring the Bitterbrush remaining existing development and transferring them to APNs 127-030-23 and 24.
Another point that may be brought up for discussion is the reallocation of residential bonus units from PAS 044 to other plan areas. PAS 044 has not been designated as a preferred plan area for affordable housing. So at this time, the reallocation of bonus units out of PAS 044 is not an issue.

The following is a list of findings that must be made for all plan area amendments. In addition, there are findings that must be made when a plan area eligible for community plan area designation is affected.

**Findings:** Prior to amending the plan area statement, TRPA must make the following findings.

**Chapter 6 Findings**

1. **Finding:** The project will not cause the environmental thresholds to be exceeded.

   **Rationale:** The requested proposed PAS amendment will not cause the environmental thresholds to be exceeded. Any project that is proposed as a result of this amendment will be required to meet land coverage requirements, scenic quality standards, and water quality standards. In addition, the staff recommended PAS amendments have the potential to provide the opportunity to decrease vehicle trips and vehicle miles traveled by providing new residential uses closer to commercial uses, decreasing the need for longer vehicle trips, and providing the opportunity for non-vehicular trips. The reallocated residential bonus units and expanded Multi-Residential Incentive Program area facilitates the final transfer of existing development rights from the Bitterbrush development.

2. **Finding:** Wherever federal, state, and local air and water quality standards applicable to the Region, whichever are stricter, must be attained and maintained pursuant to Article V(d) of the Compact, the project meets or exceeds such standards.

   **Rationale:** The proposed amendment itself will have no negative effects on air or water quality. Any project that is proposed as a consequence of this plan area amendment will be required to analyze traffic and trip increases based on the type and extent of project. Any project proposed based on this amendment would also be required to comply with all Code standards as they pertain to water quality, including impact mitigation. Therefore, amending Plan Area Statement 048 by revising the Special Designation language and reallocating twenty residential bonus units will have no negative impact on federal, state, and local air or water quality standards.
3. **Finding:** That the Regional Plan, as amended, achieves and maintains the thresholds.

**Rationale:** See Findings 1 and 2 above.

**Chapter 13 Findings**

1. **Finding:** The amendment is substantially consistent with the plan area designation criteria in Subsections 13.5.B (Land Use) and 13.5.C (special designations).

**Rationale:** The land use designation for PAS 048 is Tourist. The proposed condominium project is consistent with current surrounding existing land uses. PAS 048 is a community plan area. The proposed amendment is consistent with the draft community plan.

**Environmental Documentation:** Based on the above analysis and the completion of an initial environmental checklist (IEC), staff proposes a Finding of No Significant Effect (FONSE). This plan area amendment is in keeping with and is consistent with the existing surrounding land uses.

Staff will begin this item with a brief presentation. If you have any questions or comments regarding this agenda item, please contact Coleen Shade at (702) 588-4547.
February 11, 1993

To: TRPA Governing Board

From: Susan E. Scholley, Special Projects Attorney

Re: Amendment of Chapter 43 Relating to Multi-Residential Bonus Units and Allocations

PROPOSED ACTION: The proposed action is to reconsider Chapter 43 as it relates to multi-residential bonus units and allocations. The provision adopted at the January Board meeting reads:

"(1) Multi-residential projects which received development rights under Section 35.2 after January 1, 1993 or multi-residential allocations under Subsection 33.2.C, shall not be permitted to subdivide or convert the multi-residential use.

RECOMMENDATION: Staff recommends that the Board conduct a public hearing on the issue of subdividing (or not subdividing) projects which received multi-residential bonus units or multi-residential allocations. Staff does not recommend any amendments to the ordinance.

BACKGROUND: Chapter 35, Bonus Unit Incentive Program, implements several policies from the 1986 Goals and Policies. Excerpts from the Land Use and Implementation Elements of the 1986 Goals and Policies are attached as Exhibit A. In summary, the 1600 additional multi-residential units are artificially created residential development rights. When the 1986 Plan was adopted there was a recognition of the difficulty of acquiring and retiring vacant parcels to assemble development rights for projects. Therefore, a pool of residential development rights was created (hence the term "bonus unit"). The bonus units are distributed based on a scoring system which rewards retirement of parcels and implementation of mitigation programs and favors affordable and employee housing projects.

Chapter 35 spells out the scoring system to be used in assigning bonus units. Section 35.2 is attached as Exhibit B. The Plan Area Statements designate which plan areas are eligible to receive bonus units and how many. A sample plan area statement is attached as Exhibit C and the applicable sections are marked in the margin.

Subsection 33.2.C of Chapter 33 states that TRPA may set-aside some portion of the annual allocations for use with the bonus units for multi-residential projects. There are no regional plan policies relating to this code provision. To date TRPA has never reserved any portion of the annual...
allocations for multi-residential development. Several counties have designated a portion of the allocations as multi-residential but the county designation would not affect the allocations' status under Chapter 43.

**DISCUSSION:** Attached as Exhibit D is a memorandum from Gregg Lien presenting the arguments in favor of allowing projects built with multi-residential bonus units or multi-residential allocations to subdivide into single family units.

In the workshops held on the subdivision ordinances, the restriction on the subdivision of projects receiving multi-residential bonus units was controversial. Staff's position is that the restriction is intended to protect the titled purpose of the multi-residential bonus units, which was to provide development rights for multi-residential projects. Assuming that a mix of residential uses is desirable (e.g., single family and multi-family), it is important to reserve the bonus units for multi-family uses and to not permit them to be used to build condominiums and other single family projects.

Gregg Lien also now argues that multi-residential allocations reserved by the Governing Board should not be restricted from subdividing. Staff opposes that amendment on the same bases as the bonus units. There is not a lack of condominiums or single family residences in the Region. There is a lack of multi-residential units and rental stock. There is also a lack of low cost housing. Making multi-residential bonus units and allocations available for new single family development will only exacerbate these problems.

Lien's arguments that only subdivided units are profitable may well be true but there was not any "agreement" in the regional plan to create bonus units to make condominium development more profitable. Property owners who wish to build multiple densities on their property may use bonus units. Subdividing multiple densities was not guaranteed in the 1984 or 1986 regional plan and was in fact prohibited by the Compact in 1980 while the regional plan was being developed.

Gregg Lien's argues that certain areas of Incline Village are only appropriate for townhouse condominiums and that the assignment of bonus units to those plan areas shows that townhouse condominiums are the "only conceivable" use of the bonus units. That is not true. The multiple density parcels are not currently subdivided and are permitted multiple density using bonus units. If they want to subdivide the units then they can do so by transferring in development rights from vacant parcels or existing development. The 1972 TRPA and County zoning are irrelevant. Many things have changed since then including allocations, density, coverage, and height.

The Granlibakken example is a poor one since Granlibakken is already considered subdivided and the first seven units already approved (in 1989) without the need for development right transfers. The assignment of bonus units to that plan area was not necessary.

**ACTION REQUESTED:** Based on the public hearing and discussion on this item,
the Governing Board should direct staff to bring back specific amendments for action next month or should direct staff to leave the ordinance as adopted. If the Board wishes to act on the proposed amendment in February, then staff will prepare the necessary findings and ordinance.
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

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.

A. 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, POLICY 2, OF THE DEVELOPMENT AND IMPLEMENTATION PRIORITIES, OR ACQUIRED PURSUANT TO GOAL #3, POLICY 2, OF THE DEVELOPMENT AND IMPLEMENTATION PRIORITIES SUBELEMENT. THE NUMBER OF ADDITIONAL MULTI-RESIDENTIAL UNITS FOR IDENTIFIED AREAS SHALL BE SPECIFIED BY PLAN AREA STATEMENTS, COMMUNITY PLANS, OR OTHER SPECIFIC PLANS. THE TOTAL NUMBER OF MULTI-RESIDENTIAL ADDITIONAL UNITS PERMITTED SHALL NOT EXCEED 1600 ADDITIONAL UNITS FOR THE 20-YEAR LIFE OF THIS PLAN. (SEE GOALS #2 AND #3 OF THE DEVELOPMENT AND IMPLEMENTATION PRIORITIES SUBELEMENT FOR MORE DETAIL.)
5. Prior Approvals (4-7) -- are allocations which shall be assigned to properties located in land capability districts 4 - 7 which received a TRPA conditional approval for a single-family residence prior to August 27, 1983, but which did not receive a TRPA permit before May 1, 1984.

D. California jurisdictions shall be authorized to issue all the 1983 allocations when notified by TRPA. As applications are processed and permits issued by TRPA, conditions shall be imposed so that no more than 50 percent of the allocations issued are authorized to start construction in those jurisdictions in either of the first two years.

E. Nevada jurisdictions shall be authorized to issue all the case-by-case allocations when notified by TRPA. As permits are issued by TRPA, conditions shall be imposed so that no more than one-third of the permits issued are to be authorized to start construction in those jurisdictions in either of the first two years.

F. A total of 1,600 additional multi-residential units shall be available for the 20 year life of this Plan as bonus units in conjunction with transfer of development rights or other Agency incentive programs designed to attain the goals and objectives of this Plan. Except for affordable housing as defined in the Housing Subelement, these multi-density residential units shall be included in the allocation limitations above (see Land Use Subelement, Goal #2, Policy 5).

G. Unused allocations may be added to a jurisdiction's successive years allocations, through 1991. A residential development policy beyond year 1991 shall be considered at an appropriate time in the future.

3. A MAXIMUM OF 200 ADDITIONAL TOURIST ACCOMMODATION UNITS MAY BE PERMITTED DURING THE FIRST TEN YEARS OF THE PLAN.

(See Goal #3, Policy 2 of the Development and Implementations Priorities Subelement.)

4. A MAXIMUM OF 400,000 SQUARE FEET OF ADDITIONAL GROSS COMMERCIAL FLOOR AREA MAY BE PERMITTED DURING THE FIRST TEN YEARS OF THE PLAN. DEVELOPMENT OF ADDITIONAL COMMERCIAL FLOOR AREA SHALL BE ALLOCATED AS FOLLOWS:

Commercial development poses a particularly difficult problem in terms of demands on transportation systems. Controlling the rate of new commercial development will minimize these impacts and provide an opportunity for transportation systems to keep pace.

A. THE AMOUNT OF ADDITIONAL COMMERCIAL FLOOR AREA ALLOWED WITHIN A COMMUNITY PLAN FOR THE FIRST TEN YEARS OF THE REGIONAL PLAN SHALL BE 360,000 SQUARE FEET. SEVENTY-FIVE PERCENT OF THAT AMOUNT SHALL BE DISTRIBUTED TO LOCAL JURISDICTIONS BY ORDINANCE BASED ON RECOMMENDATIONS OF APC AND THE LOCAL JURISDICTIONS, CONSIDERING SUCH FACTORS AS AVAILABLE WATER AND SEWAGE DISPOSAL SERVICE, THE INVENTORY OF POTENTIALLY DEVELOPABLE PROPERTIES, AND ANTICIPATED NEEDS. TRPA SHALL THEN FURTHER ALLOCATE THOSE AMOUNTS TO COMMUNITY PLANS AS PART OF THE COMMUNITY PLANNING PROCESS. (SEE GOAL #2, POLICY 6, OF THE LAND USE SUBELEMENT.)
Amended 4/23/92,
Goal #2, Policy 8

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GOAL #3
ENCOURAGE CONSOLIDATION OF DEVELOPMENT THROUGH SEPARATE TRANSFER OF DEVELOPMENT RIGHTS AND TRANSFER OF LAND COVERAGE PROGRAMS.

POLICIES

1. TRANSFERS OF RESIDENTIAL DEVELOPMENT RIGHTS TO PARCELS IN AREAS DESIGNATED AS RECEIVING AREAS IN PLAN AREA STATEMENTS MAY BE PERMITTED. THE NUMBER OF DEVELOPMENT RIGHTS THAT MAY BE TRANSFERRED IS LIMITED TO ONE UNIT FOR UNDEVELOPED PARCELS, OR TO THE NUMBER OF RESIDENTIAL UNITS EXISTING ON A DEVELOPED PARCEL.

A. RESIDENTIAL DEVELOPMENT RIGHTS MAY BE TRANSFERRED WITH APPROVAL OF TRPA. RESIDENTIAL DEVELOPMENT RIGHTS TRANSFERRED FROM UNDEVELOPED PARCELS MAY ONLY BE EXERCISED ON A RECEIVING PARCEL, UPON RECEIVING A RESIDENTIAL ALLOCATION IN ACCORDANCE WITH THE PROVISIONS REGARDING THOSE ALLOCATIONS.

B. AS PROVIDED IN GOAL #2 OF THIS SUBELEMENT AND GOAL #2 OF THE LAND USE SUBELEMENT, UP TO 1,600 BONUS UNITS MAY BE GRANTED TO PARCELS FOR MULTI-RESIDENTIAL UNITS IN CONJUNCTION WITH TRANSFER OF DEVELOPMENT RIGHTS FROM OTHER PARCELS OR OTHER AGENCY INCENTIVE PROGRAMS. ORDINANCES SHALL ESTABLISH DETAILED PROVISIONS WHICH SHALL PROVIDE FOR BONUSES OF VARYING AMOUNTS IN RELATION TO A RIGHT TRANSFERRED OR IMPLEMENTATION OF AN AGENCY INCENTIVE PROGRAM, DEPENDING ON THE PUBLIC BENEFITS BEING PROVIDED BY THE PROJECT. MORE BONUSES SHALL BE GRANTED FOR PROJECTS WITHIN COMMUNITY PLANS THAN FOR THOSE OUTSIDE CPs. OTHER BENEFITS TO CONSIDER SHALL INCLUDE THE EXTENT OF COVERAGE PLANNED, TRANSPORTATION IMPROVEMENTS, WATER QUALITY IMPROVEMENTS, AND SCENIC IMPROVEMENTS. MORE BONUSES SHALL BE GRANTED FOR PROJECTS DESIGNED TO HOUSE LOCAL RESIDENTS AT MEDIAN INCOME OR BELOW.
May 3, 1993

To: TRPA Advisory Planning Commission

From: Susan E. Scholley, Special Projects Attorney

Subject: Amendment of Chapter 35, Bonus Unit Incentive Program, and Chapter 43, Subdivision Standards, Relative to Multi-Residential Bonus Units and Allocations

PROPOSED ACTION: The proposed action is to amend Chapter 43 to permit a limited number of multi-residential bonus units to be subdivided over the next four years and to make a related amendment to Chapter 35 which changes the number of points needed for bonus units if the residential project is to be subdivided and is not low cost housing.

STAFF RECOMMENDATION: Staff recommends the proposed action with the caveat that the number of multi-residential bonus units available for subdivision for the next four years be limited to 200 units.

PROPOSED AMENDMENTS: The proposed amendments are as follows:

Chapter 43 amendments:

43.4.C Multi-residential Bonus Units and Allocations: Multi-residential projects which received development rights ("bonus units") under Section 35.2 after January 1, 1993, or multi-residential allocations under Subsection 33.2.C, shall not be permitted to subdivide or convert the multi-residential units except as follows:

(1) Affordable housing projects using multi-residential bonus units may be permitted to subdivide subject to the restrictions in Subsection 43.4.D below. Multi-residential bonus units assigned to affordable housing projects shall be exempt from the limitations in subparagraph (2) below.

(2) For the period ending December 31, 1996, no more than 200 multi-residential bonus units shall be approved for subdivision. Bonus units shall be deemed used and counted against this limitation at the time of subdivision approval. The number of multi-residential bonus units eligible for subdivision after December 31, 1996, if any, shall be reviewed in conjunction with the proposed 1997-2001 residential allocations.
43.4.D Affordable Housing: Subdivision of affordable housing projects, where the units were exempt from the residential allocation system, may be permitted provided TRPA finds that the resultant use qualifies as affordable housing, and appropriate deed restrictions or other covenants running with the land are recorded to document the restriction of units to affordable housing.

43.4.E Low Cost Housing: Subdivision of low cost housing projects, as defined in Subsection 41.2.P and subject to the limitation in subparagraph 43.4.C(2) above, may be permitted provided TRPA finds that the resultant use qualifies as low cost housing and appropriate deed restrictions or other covenants running with the land are recorded to document the restriction of units to low cost housing.

Chapter 35 amendments

35.2.C Determination of the Number of Bonus Units:

(1) ... 
(2) ... 
(3) Post-1987 Projects Proposing Subdivision of Units: In order to subdivide a post-1987 multi-residential project which does not meet the standards for low cost housing as defined in Subsection 41.2.P, the score received pursuant to Subsection 35.2.D shall be multiplied by a factor of .67.

BACKGROUND: The APC made recommendations on the new ordinances for subdividing post-1987 projects in January of 1993. At that time staff recommended, and the APC concurred, that projects using multi-residential bonus units should not be permitted to subdivide. At the Governing Board hearing, the Board adopted the proposed ordinances as recommended by the staff and APC but agreed to reconsider the prohibition on subdividing multi-residential bonus units.

At the February hearing, the Board did not amend the ordinances but directed staff to present information regarding the need for multi-residential housing and the current housing situation. Further, the Board was divided regarding the appropriateness of a limited exemption.

Because the staff is recommending amendments to Chapter 43 (and related amendments to Chapter 35), the matter has been brought back to the APC for its input and recommendation.

DISCUSSION: Based on the testimony at the Board hearings and discussions with the attorney for the Tahoe-Sierra Preservation Council, staff is prepared to recommend a limited and short-term exception from the current prohibition on subdividing multi-residential units. The change in staff's recommendation is based on the limited number of multi-residential bonus units made available for subdivision, which is 200 out of the total of 1600. The new recommendation is also based on the exemption being limited to four years so that TRPA can reassess the need and situation in four years as part of the
next five-year review and allocation table.

Also, the recommended amendments completely exempt affordable housing units from the limitations on subdivision. Subdivision of affordable housing units, provided they remain affordable, is consistent with the intent of the plan and ordinances to provide affordable housing for rent or sale. Finally, the amendment to Chapter 35 increases the number of points a project must earn for bonus units which are to be subdivided and which do not qualify as low-cost housing. Currently ten points are currently required for each bonus unit. The proposed multiplier of .67 would translate into a requirement of 15 points for each bonus unit.

Although staff hoped to reach a negotiated compromise with the Preservation Council on this issue, the Council does not concur in the limitation of 200 bonus units for the next four years. Initially they had proposed a total exemption of 400 units over the next fifteen years and they continue to advocate a larger exemption. Their research found that the number of units in Incline Village which were in areas already substantially subdivided and mapped for multiple units under the Incline Village Master Plan is approximately 260.

Given these numbers and the limited number of allocations in each jurisdiction, TRPA staff continues to recommend a "go slow" approach to exempting multi-residential bonus units from the prohibition on subdividing. The recommended number of 200 represents 17% of the total allocations for the next four years and 77% of the Incline Village parcels which the Preservation Council identified as the problem.

The 1983 EIS on the Regional Plan and the more current TBAG study found a lack of low-cost housing in the Region. The Preservation Council does not dispute the existence of the problem. Staff believes that the provision of the four year period and the recommended 200 units represent an appropriate compromise. Furthermore, committing more units up front will limit the discretion of the Agency in the future should it be able to, or wish to, take a more aggressive approach toward housing problems.

If there are any questions regarding this item, please contact Susan Scholley at (702) 588-4547.
048 -- INCLINE VILLAGE TOURIST

PLAN DESIGNATION:
Land Use Classification
TOURIST
Management Strategy
MITIGATION
Special Designation
PRELIMINARY COMMUNITY PLAN AREA
TDR RECEIVING AREA FOR:
1. Existing Development
2. Multi-Residential Units (Special Area #1 only)
PREFERRED AFFORDABLE HOUSING AREA
MULTI-RESIDENTIAL INCENTIVE PROGRAM
(Special Area #1)

DESCRIPTION:

Location: This area is located east of the commercial area around the Hyatt Hotel and is found on TRPA maps H-3 and H-4.

Existing Uses: The area contains some condominiums, a resort and racquet club, some retail commercial use, a hotel casino, and an LVGID beach and recreation area. There are large tracts of undeveloped land. The area is 65 percent built out.

Existing Environment: The area is 60 percent low hazard and 40 percent SEZ. This area has the ability to provide extra SEZ treatment functions. The shorezone tolerance district is 7. The land coverage is 30 percent plus an additional ten percent disturbed.

PLANNING STATEMENT: This area should continue to provide a mixture of resort recreation services and accommodations for the region.

PLANNING CONSIDERATIONS:

1. There is limited public access to the beach and boat ramp.
2. No boat fueling facilities exist in this area.
3. There is a possible site for SEZ treatment facilities.
4. Both Third and Incline Creeks provide migratory fish habitats and the lake habitat is tentatively designated for habitat restoration. Road culverts act as barriers to upstream migration.
5. Scenic Roadway Unit 22 and Scenic Shorezone Unit 23 are within this Plan Area. The entire roadway unit is targeted for restoration as required by the scenic threshold, however, this portion of the roadway unit has been identified as having acceptable quality.
6. State Route 28 within this Plan Area is proposed to be expanded to four lanes as part of the second phase set forth under Goal #1, Policy #1 of the Regional Highway System Subelement of the Goals and Policies Plan.

**SPECIAL POLICIES:**

1. Expansion of public recreation opportunities in the shorezone should be considered where lawful and feasible.

2. Plan Areas 045, 046, 048, and portions of 044 shall be considered as part of the core area for the Incline Village Community Plan.

3. This area is a preferred site for affordable housing for employees of businesses located in this Plan Area.

4. Placement of facilities lakeward of high water should avoid impacts to upstream migration of spawning fishes.

5. Expansion of residential uses should be limited to the Highway 28/ Country Club Boulevard area. (Special Area #1)

6. Multiple family units permitted in Special Area #1 may be converted to timeshare (residential design). The conversion of such units shall not be counted under the tourist allocation limitations if they were originally counted under the residential allocation limitations.

**PERMISSIBLE USES:** Pursuant to Chapter 18 PERMISSIBLE USES and if applicable, Chapter 51 PERMISSIBLE USES AND ACCESSORY STRUCTURES IN THE SHOREZONE AND LAKEZONE, the following primary uses may be permitted within all or a portion of the Plan Area. The list indicates if the use is allowed (A) or must be considered under the provisions for a special use (S). Existing uses not listed shall be considered nonconforming uses within this Plan Area. The establishment of new uses not listed shall be prohibited within this Plan Area.

**General List:** The following list of permissible uses is applicable throughout the Plan Area (except as noted for special area #1).

**Residential**

- Multiple family dwelling (S) and single family dwelling (S), and multi-person dwellings (S).

**Tourist Accommodation**

- Bed and breakfast facilities (A), hotel, motels, and other transient dwelling units (A), timeshare (hotel/motel design) (S), and timeshare (residential design) (S).

**Commercial**

- Auto, mobile home and vehicle dealers (S), building materials and hardware (S), eating and drinking places (A), food and beverage retail sales (A), furniture, home furnishings and equipment (A), general merchandise stores (A), mail order and vending (A), nursery (S), outdoor retail sales (S), service stations (A), amusements and recreation services (S), gaming-nonrestricted (A), privately owned assembly and entertainment (S), outdoor amusements (S), animal husbandry services (S), broadcasting studios (A), business support services (A), contract construction services (S), financial services (A), health care services (A), personal services (A), professional offices (A), repair services (A), schools - business and vocational (S), secondary storage (S), small scale manufacturing (S), and vehicle storage and parking (S).
Public Service

Cemeteries (S), churches (A), cultural facilities (S), day care centers/pre-schools (A), government offices (A), local assembly and entertainment (A), local post office (A), local public health and safety facilities (A), membership organizations (A), publicly owned assembly and entertainment (S), regional public health and safety facilities (S), schools - kindergarten through secondary (S), social service organizations (A), pipelines and power transmission (S), transit stations and terminals (S), transportation routes (S), and transmission and receiving facilities (S), and schools-college (S).

Recreation

Day use areas (A), recreation center (S), participant sports facilities (A), sport assembly (S), beach recreation (A), boat launching facilities (S), cross country skiing courses (A), outdoor recreation concessions (A), marinas (S), riding and hiking trails (S), rural sports (S), snowmobile courses (S), and visitor information center (S).

Resource Management

Reforestation (A), sanitation salvage cut (A), thinning (A), and tree farms (A), early successional stage vegetation management (A), nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (A), structural wildlife habitat management (A), fire detection and suppression (A), fuels treatment (A), insect and disease suppression (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A), and SEZ restoration (A).

Special Area #1: The following list of permissible uses is applicable in Special Area #1.

Residential

Employee housing (S), multiple family dwelling (A), nursing and personal care (A), employee housing (A), residential care (A), and single family dwelling (A), and multi-person dwelling (S).

Tourist Accommodation

Same as General List.

Commercial

Eating and drinking places (A), food and beverage retail sales (A), professional offices (A), personal services (A), nursery (A), general merchandise store (S), amusements and recreation services (S), privately owned assembly and entertainment (S), financial services (A), and health care services (A).

Public Service

Same as General List.

Recreation

Same as General List.

Resource Management

Same as General List.

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.
Tolerance District 7

Primary Uses

Water oriented outdoor recreation concessions (A), beach recreation (A), water borne transit (A), tour boat operations (A), safety and navigation facilities (A), marinas (S), and boat launching facilities (S).

Accessory Structure

Buoys (A), piers (A), fences (S), boat ramps Structures(A), breakwaters or jetties (S), shoreline protective structures (S), and water intake lines (A).

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

USE

MAXIMUM DENSITY

Residential

Single Family Dwelling
1 unit per parcel

Multiple Family Dwelling
15 units per acre

Nursing and Personal Care
25 people per acre

Residential Care
25 people per acre

Employee Housing
15 units per acre

Multi-Person Dwelling
25 people per acre

Tourist Accommodation

Bed and Breakfast
5 units per site

Hotel, Motel and other Transient Units

-with less than 10% of units with kitchens
40 units per acre

-with 10% or more units with kitchens
15 units per acre

Timeshare

As per the limitations set forth in this table

RESIDENTIAL BONUS UNITS: Pursuant to Chapter 35, the maximum number of residential bonus units which may be permitted for this Special Area #1 is 90 units.

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 55 CNEL. The maximum community noise equivalent level for the Highway 28 corridor is 55 CNEL.
**ADDITIONAL DEVELOPED OUTDOOR RECREATION:** The following are the targets and limits for additional developed outdoor recreation facilities specified in Chapter 13 to be located within this Plan Area. Specific projects and their timing are addressed in the TRPA Five-Year Recreation Program pursuant to Chapter 33 Allocation of Development. The following additional capacities allowed are measured in persons at one time:

- **SUMMER DAY USES 0 PAOT**
- **WINTER DAY USES 0 PAOT**
- **OVERNIGHT USES 0 PAOT**

**IMPROVEMENT PROGRAMS:** The capital improvement and other improvement programs required by the Regional Goals and Policies Plan for this area shall be implemented. The improvements include, but are not limited to, the following:

1. Improvements required by Volume IV of the Water Quality Management Plan.

2. The highway and transit improvements indicated in the Transportation Element of the Regional Goals and Policies Plan.

044 -- FAIRWAY

PLAN DESIGNATION:

Land Use Classification
RESIDENTIAL

Management Strategy
MITIGATION

Special Designation
TDR RECEIVING AREA FOR:

1. Multi-Residential Units (SA #1 only)
2. Existing development

MULTI-RESIDENTIAL INCENTIVE PROGRAM
(Special Area #1 only)

DESCRIPTION:

Location: This area is the golf course area located between Highway 28, Village Boulevard and Country Club Drive. It is located on TRPA maps H-2 and H-3.

Existing Uses: The primary use is mixed residential including a large golf course. This area is 70 percent built out.

Existing Environment: The land capability in this area is 70 percent low hazard with 30 percent SEZ. The land coverage is 15 percent plus an additional 15 percent disturbed.

PLANNING STATEMENT: This area should continue as residential, with secondary uses being recreation and tourist.

PLANNING CONSIDERATIONS:

1. The stream environment zone (Third Creek) has been substantially altered by road placement, single family unit development, and golf course construction.
2. Over use of fertilizer on the golf course is of concern.
3. The road crossing at Tahoe Boulevard poses a partial barrier to fish migration on the northwest tributary of Third Creek.
4. There are diversions on Incline Creek and on the northwest tributary for golf course ponds.
5. The crossing at Village Boulevard and the northwest tributary of Incline Creek is a barrier to upstream migration of fish.
6. Scenic Roadway Unit 22 borders this Plan Area.
7. State Route 28 within this Plan Area is proposed to be expanded to four lanes as part of the second phase set forth under Goal #1, Policy #1 of the Regional Highway System Subelement of the Goals and Policies Plan.
SPECIAL POLICIES:

1. Stream zone and fishery restoration should be encouraged.

2. Special Area #1 along Northwood and the golf course should be considered for inclusion in a Community Plan for Incline.

3. Multi-residential units permitted in Special Area #1 may be converted to residential timeshare uses. The conversion of such units shall not be counted under the tourist accommodation allocation limitations if they were originally counted under the residential allocation limitations.

4. The development of commercial facilities on vacant parcels in Special Area #1 shall be limited to the parcels abutting Northwood.

PERMISSIBLE USES: Pursuant to Chapter 18 PERMISSIBLE USES and if applicable, Chapter 51 PERMISSIBLE USES AND ACCESSORY STRUCTURES IN THE SHOREZONE AND LAKEZONE, the following primary uses may be permitted within all or a portion of the Plan Area. The list indicates if the use is allowed (A) or must be considered under the provisions for a special use (S). Existing uses not listed shall be considered nonconforming uses within this Plan Area. The establishment of new uses not listed shall be prohibited within this Plan Area.

**General List:** The following list of permissible uses is applicable throughout the Plan Area (except as noted for special area #1).

- **Residential**
  - Single family dwelling (A).

- **Public Service**
  - Churches (S), cultural facilities (S), local public health and safety facilities (S), public utility centers (S), pipelines and power transmission (S), transit stations and terminals (S), transmission and receiving facilities (S), transportation routes (S), publicly owned assembly and entertainment (S), and day care centers/pre-schools (S).

- **Recreation**
  - Cross country skiing courses (A), day use areas (S), and golf courses (A).

- **Resource Management**
  - Reforestation (A), sanitation salvage cut (A), thinning (A), and tree farms (A), early successional stage vegetation management (A), nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (A), and structural wildlife habitat management (A), fire detection and suppression (A), fuels treatment (A), insect and disease suppression (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), and SEZ restoration (A), run-off control (A), and SEZ restoration (A).

**Special Area #1:** The following list of permissible uses is applicable in Special Area #1.

All the uses listed on the General List plus the following additions:

- **Residential**
  - Employee housing (A), multiple family dwellings (A), nursing and personal care (A), and residential care (A).

- **Tourist Accommodation**
  - Hotel, motels, and other transient dwelling units (S), timesharing (hotel/motel design) (S), and timesharing (residential design) (S).
<table>
<thead>
<tr>
<th>Commercial</th>
<th>Eating and drinking places (S), food and beverage retail sales (S), general merchandise stores (S), nursery (S), amusement and recreation services (S), financial services (S), health care services (S), personal services (S), and professional offices (S).</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Service</td>
<td>Government offices (S), membership organizations (S), public assembly and entertainment facilities (S), schools - kindergarten through secondary (S), and social service organizations (S).</td>
</tr>
<tr>
<td>Recreation</td>
<td>Participant sports facilities (S) and sport assembly (S).</td>
</tr>
<tr>
<td>Resource Management</td>
<td>Same as General List.</td>
</tr>
</tbody>
</table>

**MAXIMUM DENSITIES:** Pursuant to Chapter 21 DENSITY, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM DENSITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>Single Family Dwelling</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Multiple Family Dwellings</td>
<td>15 units per acre</td>
</tr>
<tr>
<td>Residential Care</td>
<td>25 persons per acre</td>
</tr>
<tr>
<td>Nursing and Personal Care</td>
<td>25 persons per acre</td>
</tr>
<tr>
<td>Tourist Accommodation</td>
<td></td>
</tr>
<tr>
<td>Hotel, Motel and Other Transient Units</td>
<td></td>
</tr>
<tr>
<td>- with less than 10% of units with kitchens</td>
<td>40 units per acre</td>
</tr>
<tr>
<td>- with 10% or more units with kitchens</td>
<td>15 units per acre</td>
</tr>
<tr>
<td>Timeshare</td>
<td>As per the limitations set forth in this table</td>
</tr>
</tbody>
</table>

**RESIDENTIAL BONUS UNITS:** Pursuant to Chapter 35, the maximum number of residential bonus units which may be permitted for this Plan Area is 80 50 units.

**MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL:** The maximum community noise equivalent level for this Plan Area, including the Highway 28 corridor, is 55 CNEL.

**ADDITIONAL DEVELOPED OUTDOOR RECREATION:** The following are the targets and limits for additional developed outdoor recreation facilities specified in Chapter 13 to be located within this Plan Area. Specific projects and their timing are addressed in the TRPA Five-Year Recreation Program pursuant to Chapter 33 Allocation of Development. The following additional capacities allowed are measured in persons at one time:

**SUMMER DAY USES 0 PAOT**    **WINTER DAY USE 0 PAOT**    **OVERNIGHT USES 0 PAOT**
**IMPROVEMENT PROGRAMS**: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan for this area shall be implemented. The improvements include, but are not limited to, the following:

1. Improvements required by Volume IV of the Water Quality Management Plan.

2. The highway and transit improvements indicated in the Transportation Element of the Regional Goals and Policies Plan.

048 -- INCLINE VILLAGE TOURIST

PLAN DESIGNATION:

- Land Use Classification: TOURIST
- Management Strategy: MITIGATION
- Special Designation: PRELIMINARY COMMUNITY PLAN AREA
- TDR RECEIVING AREA FOR:
  1. Existing Development
  2. Multi-Residential Units (Special Area #1 only)

PREFERRED AFFORDABLE HOUSING AREA
MULI-RESIDENTIAL INCENTIVE PROGRAM
(Special Area #1)

DESCRIPTION:

Location: This area is located east of the commercial area around the Hyatt Hotel and is found on TRPA maps H-3 and H-4.

Existing Uses: The area contains some condominiums, a resort and racquet club, some retail commercial use, a hotel casino, and an IVGID beach and recreation area. There are large tracts of undeveloped land. The area is 65 percent built out.

Existing Environment: The area is 60 percent low hazard and 40 percent SEZ. This area has the ability to provide extra SEZ treatment functions. The shorezone tolerance district is 7. The land coverage is 30 percent plus an additional ten percent disturbed.

PLANNING STATEMENT: This area should continue to provide a mixture of resort recreation services and accommodations for the region.

PLANNING CONSIDERATIONS:

1. There is limited public access to the beach and boat ramp.
2. No boat fueling facilities exist in this area.
3. There is a possible site for SEZ treatment facilities.
4. Both Third and Incline Creeks provide migratory fish habitats and the lake habitat is tentatively designated for habitat restoration. Road culverts act as barriers to upstream migration.
5. Scenic Roadway Unit 22 and Scenic Shorezone Unit 23 are within this Plan Area. The entire roadway unit is targeted for restoration as required by the scenic threshold, however, this portion of the roadway unit has been identified as having acceptable quality.
6. State Route 28 within this Plan Area is proposed to be expanded to four lanes as part of the second phase set forth under Goal #1, Policy #1 of the Regional Highway System Subelement of the Goals and Policies Plan.

SPECIAL POLICIES:

1. Expansion of public recreation opportunities in the shorezone should be considered where lawful and feasible.

2. Plan Areas 045, 046, 048, and portions of 044 shall be considered as part of the core area for the Incline Village Community Plan.

3. This area is a preferred site for affordable housing for employees of businesses located in this Plan Area.

4. Placement of facilities lakeward of high water should avoid impacts to upstream migration of spawning fishes.

5. Expansion of residential uses should be limited to the Highway 28/ Country Club Boulevard area. (Special Area #1)

6. Multiple family units permitted in Special Area #1 may be converted to timeshare (residential design). The conversion of such units shall not be counted under the tourist allocation limitations if they were originally counted under the residential allocation limitations.

PERMISSIBLE USES: Pursuant to Chapter 18 PERMISSIBLE USES and if applicable, Chapter 51 PERMISSIBLE USES AND ACCESSORY STRUCTURES IN THE SHOREZONE AND LAKEZONE, the following primary uses may be permitted within all or a portion of the Plan Area. The list indicates if the use is allowed (A) or must be considered under the provisions for a special use (S). Existing uses not listed shall be considered nonconforming uses within this Plan Area. The establishment of new uses not listed shall be prohibited within this Plan Area.

General List: The following list of permissible uses is applicable throughout the Plan Area (except as noted for special area #1).

Residential

- Multiple family dwelling (S) and single family dwelling (S), and multi-person dwellings (S).

Tourist Accommodation

- Bed and breakfast facilities (A), hotel, motels, and other transient dwelling units (A), timeshare (hotel/motel design) (S), and timeshare (residential design) (S).

Commercial

- Auto, mobile home and vehicle dealers (S), building materials and hardware (S), eating and drinking places (A), food and beverage retail sales (A), furniture, home furnishings and equipment (A), general merchandise stores (A), mail order and vending (A), nursery (S), outdoor retail sales (S), service stations (A), amusement and recreation services (S), gaming-nonrestricted (A), privately owned assembly and entertainment (S), outdoor amusements (S), animal husbandry services (S), broadcasting studios (A), business support services (A), contract construction services (S), financial services (A), health care services (A), personal services (A), professional offices (A), repair services (A), schools - business and vocational (S), secondary storage (S), small scale manufacturing (S), and vehicle storage and parking (S).
Public Service

Cemeteries (S), churches (A), cultural facilities (S), day care centers/pre-schools (A), government offices (A), local assembly and entertainment (A), local post office (A), local public health and safety facilities (A), membership organizations (A), publicly owned assembly and entertainment (S), regional public health and safety facilities (S), schools - kindergarten through secondary (S), social service organizations (A), pipelines and power transmission (S), transit stations and terminals (S), transportation routes (S), and transmission and receiving facilities (S), and schools-college (S).

Recreation

Day use areas (A), recreation center (S), participant sports facilities (A), sport assembly (S), beach recreation (A), boat launching facilities (S), cross country skiing courses (A), outdoor recreation concessions (A), marinas (S), riding and hiking trails (S), rural sports (S), snowmobile courses (S), and visitor information center (S).

Resource Management

Reforestation (A), sanitation salvage cut (A), thinning (A), and tree farms (A), early successional stage vegetation management (A), nonstructural fish habitat management (A), nonstructural wildlife habitat management (A), structural fish habitat management (A), structural wildlife habitat management (A), fire detection and suppression (A), fuels treatment (A), insect and disease suppression (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A), and SEZ restoration (A).

Special Area #1: The following list of permissible uses is applicable in Special Area #1.

Residential

Employee housing (S), multiple family dwelling (A), nursing and personal care (A), employee housing (A), residential care (A), and single family dwelling (A), and multi-person dwelling (S).

Tourist Accommodation

Same as General List.

Commercial

Eating and drinking places (A), food and beverage retail sales (A), professional offices (A), personal services (A), nursery (A), general merchandise store (S), amusements and recreation services (S), privately owned assembly and entertainment (S), financial services (A), and health care services (A).

Public Service

Same as General List.

Recreation

Same as General List.

Resource Management

Same as General List.

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoined littoral parcel.
**Tolerance District 7**

**Primary Uses**
Water oriented outdoor recreation concessions (A), beach recreation (A), water borne transit (A), tour boat operations (A), safety and navigation facilities (A), marinas (S), and boat launching facilities (S).

**Accessory Structure**
Buoys (A), piers (A), fences (S), boat ramps Structures(A), breakwaters or jetties (S), shoreline protective structures (S), and water intake lines (A).

**MAXIMUM DENSITIES**: Pursuant to Chapter 21 DENSITY, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

<table>
<thead>
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<tr>
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</tr>
<tr>
<td>Residential Care</td>
<td>25 people per acre</td>
</tr>
<tr>
<td>Employee Housing</td>
<td>15 units per acre</td>
</tr>
<tr>
<td>Multi-Person Dwelling</td>
<td>25 people per acre</td>
</tr>
<tr>
<td><strong>Tourist Accommodation</strong></td>
<td></td>
</tr>
<tr>
<td>Bed and Breakfast</td>
<td>5 units per site</td>
</tr>
<tr>
<td>Hotel, Motel and other Transient Units</td>
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</tr>
<tr>
<td>-with less than 10% of units with kitchens</td>
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<tr>
<td>Timeshare</td>
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</tr>
</tbody>
</table>

**RESIDENTIAL BONUS UNITS**: Pursuant to Chapter 35, the maximum number of residential bonus units which may be permitted for this Special Area #1 is 90. 110 units.

**MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL**: The maximum community noise equivalent level for this Plan Area is 55 CNEL. The maximum community noise equivalent level for the Highway 28 corridor is 55 CNEL.
ADDITIONAL DEVELOPED OUTDOOR RECREATION: The following are the targets and limits for additional developed outdoor recreation facilities specified in Chapter 13 to be located within this Plan Area. Specific projects and their timing are addressed in the TRPA Five-Year Recreation Program pursuant to Chapter 33 Allocation of Development. The following additional capacities allowed are measured in persons at one time:

SUMMER DAY USES 0 PAOT  WINTER DAY USES 0 PAOT  OVERNIGHT USES 0 PAOT

IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan for this area shall be implemented. The improvements include, but are not limited to, the following:

1. Improvements required by Volume IV of the Water Quality Management Plan.

2. The highway and transit improvements indicated in the Transportation Element of the Regional Goals and Policies Plan.

MEMORANDUM

February 26, 1996

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of Plan Area Statement 100, Truckee Marsh (Conservation) to Add Stream Environment Zone Restoration as a Permissible Use

Proposed Action: Staff proposes to amend Plan Area Statement 100, Truckee Marsh, to add SEZ Restoration as a Permissible Use. Please see Attachment A for proposed language changes.

Staff Recommendation: Staff recommends that the APC recommend approval of the PAS amendment to the Governing Board.

Background: The California Tahoe Conservancy (CTC) is in the process of preparing the plans for a major stream environment zone restoration project called Cove East, targeted for the Truckee Marsh. The Truckee Marsh is predominantly located in PAS 100 (See Attachments B and C). During the early planning process, the CTC notified TRPA that SEZ Restoration is not a permissible use. In order for the CTC to follow through with the Cove East Project, the PAS 100 use list will have to be amended to allow SEZ Restoration as a permissible use.

This is a staff-initiated plan area amendment developed in cooperation with the CTC.

Discussion: In evaluating proposed plan area amendments, staff uses a three-step procedure. The first step is to determine whether a mistake was made in assigning permissible uses to the area. The second step is to determine whether something has changed in terms of character at this location or pattern of land use to warrant amending the list of permissible uses. The third step is to determine whether the amendment to the Plan Area would change land use patterns such that attainment and maintenance of environmental thresholds is improved or enhanced.

Staff recommends, based on the above three-step approach, to amend the permissible use list. Upon review of PAS 100, staff has determined that an omission was made in the original plan area statement during the drafting phase. SEZ Restoration should have been included on the list of permissible uses. It was inadvertently omitted from the list.
Memorandum to Advisory Planning Commission
Amendment of PAS 100, Truckee Marsh
Page 2

PAS 100 was created to encompass the stream environment zone adjoining Upper Truckee River from Lake Tahoe to a point just below the airport and along Trout Creek north of Pioneer Trail (see Attachments B and C).

The land classification for PAS 100 is conservation and the area is classified as an SEZ. Marsh and deciduous riparian vegetation are the predominant vegetation. Such vegetation present in PAS 100 includes alder and willows which indicate the presence of an SEZ. Over 30 percent of the land area of the Lake Tahoe Basin is drained by the Truckee River, which runs through PAS 100. The Planning Statement of PAS 100 calls for this area to be managed primarily for its natural values including those management practices which contribute to the quality of fish and wildlife habitats, support dispersed recreation, and maintain the nutrient catchment capacity of the stream environment zone.

Special Policies 1 through 4 of PAS 100 call for SEZ and wildlife habitat restoration in the Truckee Marsh (such as the Cove East project). In order to proceed with any SEZ restoration such as Cove Rast, the permissible use list will have to be amended. The project involves restoration of degraded wetland and river corridor at the mouth of the Upper Truckee River for water quality and wildlife enhancement purposes and construction of recreation improvement. The river channel and surrounding riparian corridor were substantially altered through construction activities approximately 30 years ago. This disturbance resulted in significant loss of wildlife and fisheries habitat and degradation of water quality.

Restoration will include reclamation of over 40 acres of the Upper Truckee River wetland and reconstruction of over 3,000 feet of the Upper Truckee River for wildlife habitat and water quality improvements. Recreation improvements could substantially increase public access to an expansive 1,400 foot beach along Lake Tahoe’s South Shore.

This project has the potential to be the most comprehensive and significant wetland restoration and water quality improvement project ever undertaken at Lake Tahoe.

Findings: Prior to amending the plan area statement, TRPA must make the following findings.

Chapter 6 Findings

1. Finding: The project will not cause the environmental thresholds to be exceeded.

Rationale: The proposed PAS amendment will not cause the environmental threshold to be exceed. Any project that is proposed as a result of this amendment will be required to meet all land coverage, scenic quality and water quality standards. In fact, the amended plan area statement will provide the opportunity to work towards meeting TRPA’s SEZ Restoration Threshold by restoring sensitive wetlands in the Region. This will enhance SEZ Threshold attainment.
Memorandum to Advisory Planning Commission
Amendment of PAS 100, Truckee Marsh
Page 3

2. Finding: Wherever federal, state and local air and water quality standards applicable for the Region, whichever are stricter, must be attained and maintained pursuant to Article V(d) of the Compact, the project meets or exceeds such standards.

Rationale: The proposed amendment itself will have no negative effects on air or water quality. Providing SEZ Restoration as a permissible use in PAS 100 will allow for restoration projects that will enhance water quality. Any project that is proposed as a consequence of this plan area statement will be required to comply with all aspects of the TRPA Code of Ordinances. Potentially, the ability to attain and maintain water quality standards will be enhanced by allowing SEZ restoration projects in this plan area.

3. Finding: The Regional Plan and all of its elements, as implemented through the Code, Rules and other TRPA plans and programs, as amend and maintains the thresholds.

Rationale: See Findings 1 and 2 above.

4. Finding: The Regional Plan, as amended, achieves and maintains the thresholds.

Rationale: See Findings 1 and 2 above.

Chapter 13 Findings

1. Finding: The amendment is substantially consistent with the plan area designation criteria in subsection 13.5.B (Land Use) and 13.5.C (Special Designations).

Rationale: The land use designation for PAS 100 is Conservation and Special Policies of PAS 100 call for stream zone restoration in various locations of the PAS. The management of the PAS calls for maintaining the natural values of the plan area statement. Amendment of the permissible use list to add SEZ Restoration will help achieve the policies state in Plan Area Statement 100.

Based on the above analysis and the completion of an Initial Environmental Checklist (IEC), staff proposes a finding of No Significant Effect (FONSE). The amendment to the plan area statement is administrative in nature and does not constitute a project approval. All projects will still have to comply with all aspects of the Regional Plan. Furthermore, the amendment will help TRPA work towards meeting its SEZ Restoration Threshold.

Staff will begin this item with a brief presentation. If you have any questions or comments regarding this agenda item, please contact John Hitchcock at (702) 588-4547.
100 -- TRUCKEE MARSH

PLAN DESIGNATION:

Land Use Classification
CONSERVATION

Management Strategy
MAXIMUM REGULATION

Special Designation
NONE

DESCRIPTION:

Location: This is the stream environment zone adjoining the Upper Truckee River from Lake Tahoe to a point just below the airport and along Trout Creek north of Pioneer Trail. The boundaries of this area are depicted on Agency maps G-17, G-18 and G-19.

Existing Uses: This area has limited use due to poor drainage. Recreational uses include rafting, bird watching, cross country skiing, hiking, fishing, and some sunbathing along the shoreline of Lake Tahoe. Grazing of livestock occurs in the meadow areas. The Tahoe Keys Property Owners' Association holds a long term lease/purchase option on 2.206 acres of land, used as a maintenance and storage facility, south of Venice Drive East.

Existing Environment: This area is classified as SEZ. Marsh and deciduous riparian vegetation dominate the vegetative composition. Excellent habitat exists for a wide variety of different wildlife species. Bald eagles use the area in the fall and winter months. Habitats for Rorippa subumbellata are found on the beach. The shorezone tolerance district is 1.

PLANNING STATEMENT: This area should be managed primarily for its natural values including those management practices which contribute to the quality of fish and wildlife habitats, support dispersed recreation, and maintain the nutrient catchment capacity of the stream environment zone.

PLANNING CONSIDERATIONS:

1. Commercial and residential uses infringe upon the stream environment zone.
2. Highway crossings over the Upper Truckee River and Trout Creek restrict the natural functioning capacity of the SEZ.
3. Important wildlife habitat adjoins the airport.
4. Parking problems are created by people wishing to raft on the Upper Truckee River.
5. Dogs from nearby residential areas harass wildlife.
6. Fish habitat in the Upper Truckee River and Trout Creek has been degraded by sediment deposition.
7. Many fishes from the lake migrate up the streams to spawn.
8. There are localized problems of bank slumping and erosion.
9. Access to Barton Beach is extremely limited.
10. Cold Creek is diverted to create Lake Christopher.

11. This area is impacted by the airport transportation corridor.

12. Cattle are occasionally released into the meadow areas when the meadows are saturated with water.

13. Approximately 150 acres adjacent to the Tahoe Keys may be transferred to public ownership pursuant to a litigation settlement.

14. The future status of a Caltrans right-of-way through this area is uncertain.

15. The Agency Wildlife Map identifies waterfowl habitat in the area, and the USFS has identified this area as bald eagle habitat.

SPECIAL POLICIES:

1. Stream zones should be restored where Highway 50 crosses the Upper Truckee River and Trout Creek.

2. Stream environment zones should be restored in the vicinity of the crossings of Trout Creek at Highway 50 and at Black Bart Road.

3. Banks along both creeks should be stabilized.

4. Instream habitat should be improved through artificial creation of deep pools and removal of obstructions.

5. The Upper Truckee Marsh should be buffered from other, more intensive land use areas.

6. Final determination by the city on the long term use and maintenance of Lake Christopher should include consideration of SEZ restoration and relocation of Cold Creek to its original channel.

7. Grazing of livestock should be conditional upon the use of acceptable management practices.

8. The diversion structure used to irrigate the Upper Truckee Meadow south of Highway 50 should be eliminated.

9. Wildlife habitat improvement projects, to include waterfowl nesting platforms, should be undertaken for the Upper Truckee Marsh.

10. New roadway alignments through stream environment zones are to be discouraged.

11. No new uses should be approved that would degrade the high scenic quality of Shoreline Unit No. 33 or contribute to the further degradation of Roadway Unit No. 35.

12. Developed facilities adjacent to the view corridors along Highway 50 at the Upper Truckee River and Trout Creek shall be addressed in the South Y Community Plan to improve the scenic quality rating of these areas.

13. The Upper Truckee River should be designated as a catch and release fishery.

14. This is a high priority area for land coverage removal.
PERMISSIBLE USES: Pursuant to Chapter 18 PERMISSIBLE USES and if applicable, Chapter 51 PERMISSIBLE USES AND ACCESSORY STRUCTURES IN THE SHOREZONE AND LAKEZONE, the following primary uses may be permitted within all or a portion of the Plan Area. The list indicates if the use is allowed (A) or must be considered under the provisions for a special use (S). Existing uses not listed shall be considered nonconforming uses within this Plan Area. The establishment of new uses not listed shall be prohibited within this Plan Area.

General List: The following list of permissible uses is applicable throughout the Plan Area.

Public Service
Transportation routes (S), pipeline and power transmission (S), and public utility centers (S).

Recreation
Riding and hiking trails (S) and cross country skiing courses (S).

Resource Management
Sanitation salvage cut (S), early successional stage vegetation management (S), nonstructural fish habitat management (S), nonstructural wildlife habitat management (A), structural fish habitat management (S), structural wildlife habitat management (S), farm/ranch accessory structure (S), grazing (S), range pasture management (S), range improvement (S), fire detection and suppression (A), fuels treatment (S), insect and disease suppression (A), sensitive plant management (S), uncommon plant community management (S), erosion control (S), runoff control (S), and special cuts (S), and SEZ restoration (S).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance District 1

Primary Uses
Safety and navigation facilities (A).

Accessory Structures
Fences (S) and shoreline protective structures (S).

MAXIMUM DENSITIES: Pursuant to Chapter 21 DENSITY, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive program, special use determinations, allocation limitations and general site development standards.

USE
MAXIMUM DENSITY

There are no Plan Area maximum allowable densities.

RESIDENTIAL BONUS UNITS: Pursuant to Chapter 35, the maximum number of residential bonus units which may be permitted for this Plan Area is 0 units.

MAXIMUM COMMUNITY NOISE EQUIVALENT LEVEL: The maximum community noise equivalent level for this Plan Area is 50 CNEL, except a noise standard of 60 CNEL shall apply to areas within approved flight paths. The maximum community noise equivalent level for the Highway 50 corridor is 65 CNEL.
ADDITIONAL DEVELOPED OUTDOOR RECREATION: The following are the targets and limits for additional developed outdoor recreation facilities specified in Chapter 13 to be located within this Plan Area. Specific projects and their timing are addressed in the TRPA Five-Year Recreation Program pursuant to Chapter 33 Allocation of Development. The following additional capacities allowed are measured in persons at one time:

SUMMER DAY USES 0 PAOT  WINTER DAY USE 0 PAOT  OVERNIGHT USES 0 PAOT

IMPROVEMENT PROGRAMS: The capital improvement and other improvement programs required by the Regional Goals and Policies Plan for this area shall be implemented. The improvements include, but are not limited to, the following:

1. Improvements required by Volume IV of the *Surface Water Management Plan* as shown on Figure VIII-1 through 18 of Volume I of the 208 Water Quality Management Plan.

2. The highway and transit improvements indicated in the Transportation Element of the Regional Goals and Policies Plan.

3. Stream zone restoration as indicated in Volume III of the *Water Quality Management Plan*, the *Stream Environment Zone Restoration Program*. *(To be completed.)*

4. The scenic restoration and landscaping improvements indicated in the *Scenic Quality Implementation Program* for the Highway 50 corridor. *(To be completed.)*
March 6, 1996

To: TRPA Advisory Planning Commission

From: TRPA Staff

Subject: Amendment of Chapter 21, Density, Relative to the Kitchen Unit Limitation for Timeshare Development

Proposed Action: The APC shall hold a public hearing and, based on its outcome, make a recommendation to the Governing Board to adopt the proposed Code amendment.

Staff Recommendation: TRPA staff recommends that the APC make a recommendation for adoption of the proposed amendment to the Governing Board.

Proposed Amendment: The proposed Code amendment requires the following amendments to Chapter 21 of the Code of Ordinances:

Subsection 21.3.C would be amended as follows with added language underlined:

21.3 Table of Maximum Densities: Except where a plan area statement, community plan, master plan, redevelopment plan, or specific plan sets a more restrictive standard, no person shall create a density that exceeds the limits set forth in the following table, or as provided in Subsection 21.3.B:

<table>
<thead>
<tr>
<th>Use</th>
<th>Maximum Density</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Single-family dwelling (parcels less than 1 acre)</td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>B. Single-family dwelling (parcels 1 acre or larger) secondary residence</td>
<td>2 units per parcel, provided one unit is an authorized secondary residence</td>
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<td>C. Summer home</td>
<td>1 unit per parcel or lease site</td>
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JH:rd
3/6/96

AGENDA ITEM V.H.

Planning for the Protection of our Lake and Land
D. Multi-family dwelling  15 units per acre
E. Mobile-home dwelling  8 units per acre
F. Multi-person dwelling, nursing and personal care, and residential care  15 persons per acre

Tourist Accommodations
A. Bed and breakfast  10 units per acre
B. All other
   1. if less than 10% of the units have kitchens  40 units per acre
   2. if 10% or more of the units have kitchens  15 units per acre

Recreational Uses
A. Developed campgrounds  8 sites per acre
B. Recreation vehicle parks  10 sites per acre
C. Group facilities  25 persons per acre

21.3.A Conversion Factors: For residential uses, 2.5 persons shall be equivalent to one residential unit. For recreational uses, four persons shall be equivalent to one recreation site.

21.3.B Affordable Housing: Affordable housing projects may be permitted to increase the density permitted in the table or the applicable plan area statement, community plan, master plan, redevelopment plan, or specific plan, whichever is less, by 25 percent, provided TRPA finds that:

(1) the project, at the increased density, satisfies a demonstrated need for additional affordable housing; and
(2) the additional density is consistent with the surrounding area.
21.3.C. Timeshare (Residential Design): Timeshare projects (residential design) located in adopted community plans may be permitted to increase the density permitted in the community plan by a factor of 2, and if located in a TRPA redevelopment plan area by a factor of 2.5, if TRPA makes the following findings:

(1) the findings in Subsection 18.1.B.
(2) the project is providing transit service for its patrons directly or by contract with a transit provider.
(3) the project is providing the pedestrian and access amenities required in the community plan or redevelopment plan for its project area and adjacent right-of-ways, or
(4) if the project is nonconforming to land coverage, the land coverage will be reduced to 75 percent or, if applicable, the Chapter 15 land coverage reduction requirements.

Background: The TRPA Code of Ordinances has a connection between allowed density and the percentage of tourist accommodation units containing kitchens. Specifically, the allowed density for tourist accommodation units with less than 10% of the units having kitchens is 40 units per acre. If more than 10% of the units have kitchens, the allowed density is reduced to 15 units per acre.

The basis for the density difference was that traditional hotel rooms (300 s.f.) could achieve higher density than residential units (600 - 1,000 s.f.) within the same height, bulk, and coverage limits. Also, traditionally TRPA has given tourist units more height, coverage, and less parking per unit requirements. A major concern was that as hotels become obsolete they are converted to long-term rentals or residential use at a density higher than is permitted by the Code and, equally important, good design.

Because there is a trend in the lodging industry to provide kitchens or kitchenettes with timeshares, TRPA has been requested to consider permitting kitchens in timeshare units. TRPA now permits kitchenettes in all rooms of hotel/motel design units. Full kitchen units are limited to residential design (condo-type units) at 15 units per acre.

If additional density can be added to timeshare projects without increasing the impacts e.g., parking, trips, coverage, scenic, etc., and there are safeguards that prevent the conversion of the project to long-term residential use without TRPA review, then staff has concluded that this Code amendment would not have an impact. Findings have been added to the proposed amendment to mitigate these impacts.
Memo to the Advisory Planning Commission
Amendment of Chapter 21
Page 4

Summary of Proposed Amendment: The proposed amendment will allow an increased density for residential design timeshare projects within adopted community plans. Projects proposing to include greater than 10 percent of the units with kitchens must be considered as a special use, provide landscaping, and will be subject to conditions related to parking and transit service.

Environmental Documentation: Because of the nature of this amendment, and because of Code required mitigation of traffic and other impacts, staff recommends a finding of no significant environmental effect. Land use impacts will be addressed by special use findings.

Findings: The required Chapter 6 findings and rationales are as follows:

1. Finding: The project is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, plan area statements and maps, the Code and other TRPA plans and programs.

   Rationale: The proposed allowance of kitchens in the timeshare units, as conditioned, is not anticipated to have any effect on the intensity of use or to generate additional demand for parking or transportation capacity. The market data related to sales and use of timeshare units indicates that the availability of kitchens will reduce vehicle trips as occupants of timeshare units with kitchens are generally less likely to go out to eat all meals. With the provision of transit facilities associated with projects in the area, the higher permitted density will also likely generate better transit, ridership, and reduced use of individual automobiles.

2. Finding: The project will not cause the environmental thresholds to be exceeded.

   Rationale: The proposed amendment only affects land use and does not affect environmental thresholds and related standards.

3. Finding: Wherever federal, state, and local air and water quality standards applicable for the Region, whichever are strictest, must be attained and maintained pursuant to Article V(d) of the Compact, the project meets or exceeds such standards.

   Rationale: Due to the nature of the amendments, air and water quality standards are not affected.
4. Finding: The Regional Plan and all of its elements, as implemented through the Code, Rules and other TRPA plans and programs, as amended, achieves and maintains the thresholds.

Rationale: See above findings.

Ordinance 87-8 Findings: Section 2.40 of Ordinance 87-8 requires the following findings prior to Code amendments. The proposed amendment provides for an equal or better means of attainment or maintenance of the thresholds. The required findings and their rationales are:

1. The amendments are consistent with the Compact and with attainment or maintenance of the thresholds.

Rationale: For the reasons stated in Findings 1 and 2 above, the proposed amendment is consistent with attainment or maintenance of the thresholds. All timeshare development must comply with conditions listed in 21.3.C.

2. One of the following findings:

a. There is a demonstrated conflict between provisions of the Regional Plan package, and the conflict threatens to preclude attainment or maintenance of thresholds; or

b. The provision to be amended has been shown through experience to be counter-productive or ineffective and the amendment is designed to correct the demonstrated problem and is an equal or better means of implementing the Regional Plan package and complying with the Compact; or

c. Legal constraints, such as court orders, decisions or Compact amendments, require amendment of the Goals and Policies or Code; or

d. Technical or scientific information demonstrates the need for modification of a provision of the Goals and Policies or Code; or

e. The provision to be amended has been shown, through experience and time, to be counter-productive to or ineffective in attainment or maintenance of the thresholds; or

f. Implementation of the provision sought to be amended has been demonstrated to be impracticable or impossible because of one or more of the following reasons:

(1) The cost of implementation outweighs the environmental gain to be achieved;
(2) Implementation will result in unacceptable impacts on public health and safety; or

(3) Fiscal support for implementation is insufficient and such insufficiency is expected to be a long-term problem.

Staff proposes to make Finding d for the following reasons:

Rationale and Evidence: As noted in the previous findings, the availability of kitchens within residential timeshare units should not adversely effect the attainment of thresholds. Since a comparable development without kitchens is now a permitted use, the installation of kitchens into the project would have little impact on the exterior appearance or number of vehicle trips.

If you have any questions regarding this agenda item please contact John Hoole at (702) 588-4547.
March 1, 1996

To: Advisory Planning Commission

From: TRPA Staff


Proposed Action: APC is requested to review and comment on the scoping process and the range of alternatives for an environmental assessment (EA) for the 1996 Threshold Evaluation Report.

1. Scoping Process: TRPA staff is proposing to have scoping sessions at the APC and Governing Board meetings in March. After these sessions, staff will hold a more technical session at the TRPA offices in early April.

2. Range of Alternatives: Attachment A has a description of four the alternatives that staff is planning to consider in the EA. It is staff's plan to work with the local planners, TCORP, TTREC, and possibly the local government committee of the Governing Board to further refine these alternatives and projections.

Background: The TRPA is required by Chapter 32 of the Code to evaluate its progress in attaining thresholds every five years. This year the 1996 Threshold Evaluation Report is due. Attachment B is a schedule for the upcoming evaluation. In this report, TRPA evaluates progress on threshold indicators and makes recommendations for compliance measures (e.g., Code amendments, new programs, improvement projects, etc.) to assure threshold attainment.

Because the recommendations may have environmental impacts, TRPA is required to prepare an environmental document. An environmental assessment was prepared for the 1991 Threshold Evaluation. Staff has assumed that an EA would be prepared for 1996 Threshold Evaluation since no major changes are being considered at this time and the range of alternatives is within previous adopted plans and EISs. The anticipated focus of the Evaluation will be on the Environmental Improvement Project (EIP) list and its implementation.
However, there are other TRPA actions schedule for the fall of 1996 that will relate to 96 Threshold Evaluation such as the setting of commercial, tourist accommodation, and residential allocations for the next five to ten years, the update of the Regional Transportation Plan/Air Quality Plan, and the community plan updates. These other actions will be coordinated with the 96 Threshold Evaluation EA and may be even considered as part of the proposed action in the EA.

If you have any questions or comments regarding this agenda item, please contact Gabby Barrett at (702) 588-4547.
96 THRESHOLD EVALUATION ALTERNATIVES/PROJECTIONS

The following alternative’s growth scenarios will be used for the 96 Evaluation and related plan amendments. These alternatives and projections will be included in the EA for the 96 Evaluation, RTP/AQP update, the Community Plan updates, and other related documents.

EA ALTERNATIVES

#1 No Growth -- No additional development.

#2 No Action By TRPA On Future Allocations -- No residential, tourist, or commercial allocations for 1997-2006 or 2007-2016.


#4 Maximum Development -- 1987-1996 allocations do not expire and a like amount will be added for 1997-2006 and 2007-2016.

KEY DATES for the Alternatives are as follows:

1982 -- Base year for Thresholds
1987 -- Plan adoption
1991 -- 91 Evaluation - first five year review
1995 -- Base Year for EA and Evaluation data collection
1996 -- 96 Evaluation - second five year review
2001 -- Third five year review/five year project list/projections
2006 -- 1987 Plan threshold attainment evaluation date
2016 -- Projection development/population/impacts (mirror 1997-2006)

PROJECTIONS for the future dates will be based on the calibrated Tranplan model estimates. Shorezone EIS projections will be coordinated with the Tranplan projections.

Calibration: Census, land use, 1991 Tranplan, TRPA database, and other information will be used to establish a 1995 base year.

Growth Projections: Additional land use projection will be based on allocations and best estimates of where they will be distributed. Best estimates will come from adopted plans, CIP programs, and planners.

External growth projections, vacancy rate changes, household size changes, etc., will be based on linear projections, economic projections, and other studies where available.
Alternative 1 - No Growth

Additional development stops as of December 31, 1995.

1. Regional Plan: No changes in Goals and Policies, Code, RTP/AQP, 208 Plan, etc.

2. Growth Projections:

Allocations: Additional units of use would be limited to that approved before December 31, 1996. Starting January 1, 1997 there are no allocations. Public service and recreation not regulated by units of use would be not be permitted except for health and safety and threshold attainment.

Coverage/Disturbance: Starting January 1, 1997 there would be no additional coverage or disturbance except for threshold attainment related CIP projects.

Other Growth: Starting January 1, 1997 there would be an increase of 1 percent/yr. in occupancy in all occupied units, an increase of 1 percent/yr. in day use (external trips)

3. Improvement Projects: CIP projects for threshold attainment scheduled in adopted TRPA plans would be implemented at the same pace as 1990 to 1995. Buy out programs would continue on the 1990-95 pace.

4. Reconstruction, Relocation, & Maintenance: Existing rules would apply.

Note: The 1988 208 Plan EIS had a No Growth Alternative and the 1991 RTP/AQP had a No Growth Alternative.
Alternative 2 - No Action by TRPA on Future Allocations

There would be no additional development dependent on TRPA Governing Board adoption of 1997-2006 allocations.

1. Regional Plan: No changes in Goals and Policies, Code, RTP/AQP, 208 Plan, etc.

2. Growth Projections:

Allocations: Additional allocations of units of use for residential, tourist, and commercial would be limited to that approved before December 31, 1996. Starting January 1, 1997 there are no allocations for these uses. Recreation and public service uses would not be affected. Key growth factors are:

- no new residential - affordable only, 10% of 1600 res. bonus units for affordable only
- no tourist bonus - for next 10-20 years
- no commercial sq. ft. - next 10-20 years
- recreation and public service growth projections reviewed by local agencies
- PROTs/20 years
  6,761 summer day use
  12,400 winter day use
  6,114 overnight

Coverage/Disturbance: Starting January 1, 1997 there would be no additional coverage or disturbance estimated for future residential, tourist and commercial allocations. There would be additional coverage for projects not requiring these allocations.

Other Growth: Starting January 1, 1997, there would be an increase of 1 percent/yr. in occupancy in all tourist and residential units, an increase of 1 percent/yr. in day use (external trips)

3. Improvement Projects: CIP projects scheduled in adopted TRPA plans would be implemented at the same pace as 1990 to 1995. Buy out programs would continue on the 1990-95 pace.

4. Reconstruction, Relocation, Transfer, & Maintenance: Existing rules would apply.

Note: The 1988 208 Plan EIS had a No Growth Alternative and the 1991 RTP/AQP had a No Growth Alternative.
Alternative 3 - Continue Existing Allocation Rates

The development allocation rates would be continued for the next twenty years, however there would be no roll over of unused allocations.

1. Regional Plan: No changes in Goals and Policies, Code, RTP/AQP, 208 Plan, etc. except to set out the allocations for the next ten years.

2. Growth Projections:

Allocations: Additional allocations of units of use for residential, tourist, and commercial would be limited to that adopted in the current Plan. A repeat of residential tourist and commercial would be used for projection purposes for 2007 to 2016. The distribution would match the 1987-1996 distribution. Recreation and public service uses would be as per schedules. Key growth factors are:

- Growth projections reviewed by local planners
- 300 residential/yr - for next ten years
- 1600 residential bonus units
- 200 tourist bonus units/10 yr.
- 400,000 sq. ft. commercial/10 yr
- Recreation and public service growth projections reviewed by local agencies
- PAOTs/20 years
  - 5,761 summer day use
  - 12,400 winter day use
  - 6,114 overnight

Coverage/Disturbance: Starting January 1, 1997 there would be an assumption that the maximum additional coverage will be used for all projects on vacant parcels and developed parcels coverage would remain the same.

Other Growth: Starting January 1, 1997 there would be an increase of 1 percent/yr. in occupancy in all tourist and residential units, an increase of 1 percent/yr. in day use (external trips)

3. Improvement Projects: CIP projects scheduled in adopted TRPA plans would be implemented at the same pace as 1990 to 1995. Buy out programs would continue on the 1990-95 pace.

4. Reconstruction, Relocation, Transfers, and Maintenance: Existing rules would apply.

Note: The 1988 208 Plan EIS had a Proposed Alternative and the 1991 RTP/AQP had a Preferred Alternative that projected these growth rates out to 2007 but assumed all allocations are used.
Alternative 4 - Maximum Development

The development allocation rates would be continued for the next twenty years and there would be a roll over of unused allocations.

1. Regional Plan: No changes in Goals and Policies, Code, RTP/AQP, 208 Plan, etc. except to set out the allocations for the next ten years and stop the expiration of the 1987-1997 allocations.

2. Growth Projections:
   
   **Allocations:** Additional allocations of units of use for residential, tourist, and commercial would be limited to that adopted in the current Plan. A repeat of residential tourist and commercial would be used for projection purposes for 2007 to 2016. The distribution would match the 1987-1996 distribution. Recreation and public service uses would be as per schedules. Key growth factors are:

   - Growth projections reviewed by local planners
   - 300 residential/yr - for next ten years
     plus 100% unused allocations
   - 1600 residential bonus units (no roll over)
   - 200 tourist bonus units/10 yr.
     plus 200 unused units
   - 400,000 sq. ft. commercial/10 yr
     plus 300,000? sq. ft. of unused allocations
   - Recreation and public service growth projections reviewed by local agencies
   - PAOTs/20 years
     6,761 summer day use
     12,400 winter day use
     6,114 overnight

**Coverage/Disturbance:** Starting January 1, 1997 there would be an assumption that the maximum additional coverage will be used for all projects on vacant parcels and developed parcels coverage would remain the same.

**Other Growth:** Starting January 1, 1997 there would be an increase of 1 percent/yr. in occupancy in all tourist and residential units, an increase of 1 percent/yr. in day use (external trips)

3. Improvement Projects: CIP projects scheduled in adopted TRPA plans would be implemented at the same pace as 1990 to 1995. Buy out programs would continue on the 90-95 pace.

4. Reconstruction, Relocation, Transfer, & Maintenance: Existing rules would apply.

**Note:** The 1988 208 Plan EIS had a Proposed Alternative and the 1991 RTP/AQP had a Preferred Alternative that projected the use of all allocations and projected these growth rates out to 2007.
### 1996 SUMMARY EVALUATION PROGRAM

**2/7/96**

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