3.2  LAND USE

3.2.1  INTRODUCTION

Land use planning is used to direct the amount, type, and location of land use and land coverage; balance land uses with consideration of the social, environmental, and economic well-being of the Region; and coordinate regional land uses with land uses in surrounding areas. It is the centerpiece of this Regional Plan Update.

This section describes existing land uses and land use patterns in the Region; identifies the federal, state, and local regulations and policies governing land use; and describes the land use planning structure and approach currently used by TRPA and the local jurisdictions in the Region. It identifies significance criteria for land use impacts, and it assesses the environmental effects of the proposed goals, policies, and implementation measures of each alternative with respect to the land use patterns, permissible land uses, planning systems, land coverage, and development potential each is designed to achieve.

3.2.2  REGULATORY BACKGROUND

The Lake Tahoe Region includes two states, five counties (Placer and El Dorado counties in California and Washoe County, Carson City, and Douglas County in Nevada), and one incorporated city (City of South Lake Tahoe in California). The Region also includes substantial federal land and lands owned and managed by the states of California and Nevada. The bi-state Tahoe Regional Planning Agency (TRPA) maintains an overarching regulatory authority in accordance with the Tahoe Regional Planning Compact. A brief description of the TRPA, federal, state, and local regulatory framework and primary land use planning guidance documents is provided below.

TAHOE REGIONAL PLANNING AGENCY

ENVIRONMENTAL THRESHOLD CARRYING CAPACITIES

TRPA has established environmental threshold carrying capacities (thresholds) and indicators for nine resource areas: water quality, air quality, scenic resources, soil conservation, fish habitat, vegetation, wildlife habitat, noise, and recreation. TRPA thresholds are minimum standards of environmental quality targets to be achieved in the Tahoe Region. Every 5 years, TRPA evaluates the attainment status of all TRPA thresholds. The latest Threshold Evaluation was completed in April 2012 (TRPA 2012).

No threshold applies specifically to land use, and the adopted thresholds do not define the maximum populations, densities, permitted uses, and other land use criteria for the Region; however, the thresholds do set performance criteria that influence land use planning considerations such as coverage, restoration-based incentives, and allocations. As mandated by the Compact, the Regional Plan and implementing ordinances are to achieve and maintain environmental threshold carrying capacities while providing opportunities for orderly growth and development consistent with such capacities.

REGIONAL PLAN

Land use regulation by TRPA is guided by its Regional Plan and implementing ordinances. In accordance with the Compact, the Regional Plan is intended to establish a balance, or equilibrium, between the natural environment and the built environment. The 1987 Regional Plan focused on growth control and on regulating development practices that degrade the natural and built environments. These growth control and environmental best
practices, implemented through the development allocation system, environmental threshold carrying capacities, and Code provisions, are now standard practice within the Region. The focus of the Regional Plan Update is now shifting toward “environmental redevelopment” to replace older, environmentally degrading developments with more sustainable development and restored landscapes.

Goals and Policies
The foundation of the Regional Plan, the Goals and Policies are statements of policy to guide decision making as it affects the Region’s resources and environmental thresholds, and they are intended to provide opportunities for orderly growth and development consistent with those thresholds. The Goals and Policies are addressed in six major elements: land use, transportation, conservation, recreation, public services and facilities, and implementation. The Land Use Subelement of the Regional Plan addresses policies pertaining to growth and development of the Lake Tahoe Region. It is intended to direct the amount, type, and location of land uses and land coverage; balance land uses with the social, environmental, and economic wellbeing of the Region; and coordinate regional land uses with land uses in surrounding areas.

The Regional Plan Update is the subject of this EIS and five alternatives are currently under review (as described in Chapter 2, Regional Plan Update Alternatives). As such, the discussion below of the existing land use regulatory framework is reflective of the existing 1987 Regional Plan, and therefore of Alternative 1, No Project.

Plan Area Statements
Plan Area Statements (PASs) provide detailed guides for planning within discrete areas of the Region. Each PAS assigns a single land use classification and one of the following three management strategies (as defined in Code Section 11.6) to specific Plan Areas:

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

Development with Mitigation: The development with mitigation designation is the predominant management strategy. Most areas of existing residential or recreational use carry this designation. Areas with this designation can accommodate additional development if the impacts are fully mitigated and the land is capable of withstanding the use. Both onsite and offsite mitigation of environmental impacts from development shall be required.

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

Some PASs are designated as Community Plan areas, receiving areas for transfer of development rights, or areas targeted for scenic restoration or affordable housing provisions. Additionally, PASs provide planning considerations, special policies, maximum densities for residential and tourist accommodation uses, community noise equivalent levels, allowable and special uses, and the permissible amount of additional recreation capacity.

Community Plans
The 1987 Regional Plan designated 22 areas as eligible to be defined by Community Plans. As of January 2012, 16 Community Plan areas have adopted plans that were prepared and adopted collaboratively by TRPA and the local jurisdiction. These plans supersede the PASs within the Community Plan areas and are designed to be more
responsive to the needs and opportunities of the communities. The original intent of the Community Plans was to concentrate commercial uses to reduce the negative effects of “strip” development and to provide incentives to renovate, revitalize, and remove blighted commercial development. Community Plan areas are made up of one or more PlanAreas and contain commercial, tourist, and public service land uses. Community Plans describe a land use vision, development and coverage incentives, and environmental targets.

**Master Plans and Specific Plans**

TRPA Goals and Policies permit the adoption of area-wide Specific Plans and project-oriented Master Plans to augment PASs or Community Plans. Through more detailed planning, they ensure that projects and activities are consistent with the Goals and Policies, the PASs or adopted Community Plans, and the Code. In addition, they allow for phasing of development, systematic environmental and project review, and implementation of environmental control measures. Certain land use areas (e.g., airports, ski areas, and marinas) are required to prepare Master Plans if expansion is proposed. TRPA has eight adopted Master Plans: Tahoe Keys Marina, Tahoe City Marina, Ski Run Marina, Elks Point Marina, Heavenly Ski Resort, Diamond Peak Ski Resort, Lake Tahoe Community College, Bijou Community Park, and Homewood Mountain Resort.

**FEDERAL**

The U.S. Forest Service (USFS), Lake Tahoe Basin Management Unit (LTBMU) manages more than 75 percent of lands within the Tahoe Region. Land management is guided by the LTBMU Forest Plan (USFS 1988), as amended by the Sierra Nevada Forest Plan Amendment (USFS 2004). The Forest Plan sets the groundwork for how the resources of the national forest are managed. The plan translates national laws, policies, and regulations into guidance for activities that occur on the National Forest System lands. On March 19, 2010, a Notice of Intent to revise the LTBMU Forest Plan was published in the Federal Register, and the Draft EIS on the revised plan is expected in spring 2012. The LTBMU Forest Plan revision will be guided by the 2000 National Forest Management Act Planning Rule principles, which include:

- Conducting restoration and conservation to address ecosystem resilience
- Proactively addressing climate change
- Maintaining and restoring watershed health and protecting and enhancing water resources
- Providing for diversity of species and wildlife habitat
- Fostering sustainable National Forest Service lands and their contribution to vibrant rural economies
- Conducting effective and pro-active collaboration with the public
- Considering the relationship between National Forest Service land and neighboring lands
- Using the latest planning science and principles to achieve the best decision possible (USFS 2010)

**STATE**

**CALIFORNIA DEPARTMENT OF PARKS AND RECREATION**

The California Department of Parks and Recreation (DPR) defines its mission as “to provide for the health, inspiration, and education of the people of California by helping to preserve the state’s extraordinary biological diversity, protecting its most valued natural and cultural resources, and providing opportunities for high-quality recreational experiences based on those resources.” DPR manages the California State Park System, including Emerald Bay, D.L. Bliss, and Sugar Pine Point State Parks in the Tahoe Region. Long-range development and management of each state park is directed by a general plan, which provides broad policy and program guidance. Each California state park must have an approved general plan before any major park facilities can be developed.
NEVADA DIVISION OF STATE PARKS

The Nevada Division of State Parks manages the Lake Tahoe-Nevada State Park. The Lake Tahoe-Nevada State Park Master Development Plan with Resource Analysis (also called the General Management Plan) describes the basic principles for the use, preservation, and operation of Lake Tahoe-Nevada State Park. The goal of the plan is to provide a long-range management and development strategy based on current visitation, needs, and conditions, as well as projections for future use and needs. The plan describes operational, resource management, and facility development guidance for Sand Harbor Management Area, Cave Rock Management Area, Spooner Lake/Backcountry Management Area, and Van Sickle Bi-State Park Management Area. The plan is currently being updated.

CALIFORNIA TAHOE CONSERVANCY

The California Tahoe Conservancy (CTC) is a California state agency, created in 1984, with a mission to preserve, protect, restore, enhance and sustain the unique and significant natural resources and recreational opportunities of the Lake Tahoe Region (California Government Code Title 7.42 Sections 66905 to 66908.3). CTC’s jurisdiction extends throughout the California side of the Lake Tahoe Region, as defined in California Government Code Section 66905.5. CTC has the power to acquire, hold, and manage property in the Tahoe Region. Since 1984, CTC has acquired more than 4,800 parcels of land, comprising more than 6,500 acres, for the purposes of protecting the natural environment and promoting public recreation and Lake access. CTC manages and implements restoration and other projects on these lands. CTC has also provided approximately 170 grants to local governments and non-profit organizations for erosion control, public recreation and access, land acquisition, and other projects. Since 1997, CTC’s programmatic efforts have been focused on California’s commitment to the implementation of the Environmental Improvement Program (EIP) for the Tahoe Region and to address declining resource values at Lake Tahoe.

NEVADA DIVISION OF STATE LANDS

The Nevada Division of State Lands (NDSL) provides land and land use planning services to the State and its agencies. One of the division’s four program areas is the Nevada Tahoe Resource Team (NTRT), an interagency team coordinated by NDSL and dedicated to preserving and enhancing the natural environment in the Lake Tahoe Basin. NTRT is responsible for implementing Nevada’s share of the EIP and is coordinating and implementing a wide range of projects designed to improve water quality, control erosion, restore natural watercourses, improve forest health and wildlife habitat, and provide recreational opportunities. Through the excess coverage mitigation program, the agency has acquired and retired about 500 parcels of sensitive land, which are managed for the purposes of protecting Lake Tahoe and its watershed. Management goals include clean water, healthy forests, the reduction of excess fire fuels and hazardous forest conditions, good wildlife habitat, and reasonable public access. NDSL also maintains the public trust on the Nevada side for submerged land below an elevation of 6,223 feet Lake Tahoe datum.

LOCAL

Lands within the Tahoe Region fall within the boundaries of five counties and one city. Planning documents for local governments include:

- City of South Lake Tahoe General Plan
- El Dorado County General Plan
- Placer County General Plan
- Washoe County Master Plan
- Carson City Master Plan
- Douglas County Master Plan
The Compact also allows local jurisdictions to develop, adopt, and implement regulations so long as they are consistent with the Regional Plan or address issues not covered in the Regional Plan (Compact Article VI(a)). These local regulations must be consistent with all aspects of the Regional Plan, including requirements that they do not preclude the attainment or maintenance of thresholds. Summaries of these local government plans and a discussion of their consistency with the Regional Plan are provided below in Impact 3.2-3.

### 3.2.3 AFFECTED ENVIRONMENT

The Lake Tahoe Region is situated between the main crest of the Sierra Nevada and the Carson Range, bisected by the California-Nevada state line. The Region covers approximately 325,000 acres, of which 123,000 acres is Lake Tahoe itself. The total land area of approximately 202,000 acres consists primarily of steeply sloping mountains, with peaks ranging in elevation from approximately 8,000 to 11,000 feet above sea level. Because land in the Region is mostly mountainous with slopes greater than 20 percent, development has generally been limited to the relatively flatter areas surrounding the lake shore and an alluvial plain extending south from the lake. The remaining lands are generally held in public ownership, with the majority of these being administered by LTBMU.

### EXISTING LAND USES

Land in the Tahoe Region is assigned to one of five classifications: Conservation, Recreation, Residential, Commercial and Public Service, and Tourist, as described below and illustrated in Exhibit 2-4. The PASs and Community Plans supplement these land use designations with detailed planning guides for discrete areas of the Region. Total acreage by land use classification is shown in Table 3.2-1.

<table>
<thead>
<tr>
<th>Table 3.2-1. Land Use Classification by Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Use Classification</td>
</tr>
<tr>
<td>-------------------------</td>
</tr>
<tr>
<td>Conservation</td>
</tr>
<tr>
<td>Recreation</td>
</tr>
<tr>
<td>Residential</td>
</tr>
<tr>
<td>Commercial and Public Service</td>
</tr>
<tr>
<td>Tourist</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>

Source: Data provided by TRPA in 2011
Note: Total acreage includes all water bodies except Lake Tahoe

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

Recreation areas are non-urban areas with a high potential for developed outdoor recreation, park use, or concentrated recreation. Lands that are identified as recreation areas include areas of existing private and public recreation use; designated local, state, and federal recreation areas; areas without overriding environmental constraints on resource management or recreational purposes; and areas with unique recreational resources that may serve public needs, such as beaches and ski areas.
Residential areas are urban areas that have a potential to provide housing for the residents of the Region. The purpose of this classification is to identify density patterns related to both the physical and built characteristics of the land and to allow accessory and non-residential uses that complement the residential neighborhood. These lands include areas now developed for residential purposes; areas of moderate-to-good land capability; areas within urban boundaries and served by utilities; and areas of centralized location in close proximity to commercial services and public facilities.

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

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

Within the developed portion of the Region (residential, commercial and public service, and tourist), the majority of land is zoned for residential uses and is primarily built out with detached single-family residences. Approximately 47,392 residential units exist within the Tahoe Region, of which approximately 2,034 units were built within the last 10 years. Approximately 4,700 vacant parcels remain in the Tahoe Region, the majority of which are located within residentially zoned lands. Commercial and tourist-related land uses make up a small portion of the developed areas around the lake and are concentrated along the major transportation routes (US 50, SR 28, and SR 89). Many of the commercial structures and establishments were built during the 1950s and 1960s and have contributed to a strip development land use pattern.

EXISTING LAND COVERAGE

As described in Chapter 2, Regional Plan Update Alternatives, and Section 3.7, Geology, Soils, Land Capability, and Coverage, coverage is defined as a human-built structure or other impervious surface that prevents normal precipitation from directly reaching the surface of the land underlying the structure and precludes the growth of native vegetation, thereby precluding or slowing the natural infiltration of water into the soil and other soil functions. Research has established the connection between impervious surfaces and water quality in that coverage reduces the natural ability of the land to absorb water, which results in a greater proportion of precipitation flowing over the surface of the landscape, scouring sediment as it travels and carrying accumulated pollutants into receiving waters. TRPA manages and controls coverage as a fundamental water quality protection measure.

To determine the level of coverage that would be appropriate in the Region, TRPA adopted the Bailey Land Classification system (Bailey 1974). The system assigns land capability districts (LCDs) based on soil characteristics and slope. The LCDs reflect the amount of coverage the site can support without experiencing soil or water quality degradation. The LCDs range from 1 to 7, with 1 being the most environmentally sensitive and 7 having the highest capability for supporting development. Under this system, TRPA allows coverage of 1, 5, 20, 25, or 30 percent of a parcel with impervious surfaces depending on its environmental sensitivity as defined by the Bailey classification system. Where land was found to be influenced by a stream or high groundwater, it was assigned to LCD 1b (i.e., SEZ). The LCD boundaries identified in the Bailey report represent the starting point for determining a
site’s actual land capability. Site-specific land capability verifications are performed using field verifications in combination with the best available information, such as recent soil survey data.

With the exception of the Individual Parcel Evaluation System (IPES) described below, the Bailey Land Classification system largely prohibits new development on sensitive lands (in LCDs 1–3) and restricts the amount of coverage that can be placed on lands in LCDs 4–7. The Code allows for the transfer of development rights from parcels in sensitive LCDs to other, less sensitive areas. In this way, development can be diverted from the most sensitive areas and property owners can still realize value from their land, even if the land capability system substantially restricts allowable coverage on a parcel. Land capability and coverage are discussed in detail in Section 3.7, Geology, Soils, Land Capability, and Coverage.

IPES was developed and implemented to address the inability to construct new single-family dwellings on sensitive lands (LCDs 1–3). IPES was created through a consensus process and applies to all new single-family residential development from May 27, 1987, onward. The ability to develop on sensitive lands (what would be the equivalent of Bailey LCDs 1–3) is based on the determination that the local jurisdiction has met numerous other environmental criteria (e.g., the retirement of a specified percentage of sensitive parcels and installation of water quality improvements) that, in the aggregate, provide sufficient environmental improvements to offset adverse impacts. IPES further differs from Bailey in that it examines a host of site-specific soil and parcel development criteria and can result in allowable coverage ranging from 1 to 30 percent. Although allowable coverage under IPES may differ from Bailey at the individual parcel level, the additional environmental improvements required of the local jurisdiction are intended to achieve the equivalent of Bailey when considered in the aggregate and would, therefore, meet coverage threshold criteria.

Please refer to Section 3.7, Geology, Soils, Land Capability, and Coverage for detailed information related to Region-wide coverage.

EXISTING DEVELOPMENT AND LAND USE PATTERN

In the early part of the 20th century, development around Lake Tahoe consisted of a few scattered vacation homes. The post-World War II building boom, the establishment of the gaming industry through construction and expansion of casinos on the Nevada side of the Lake, and the completion of interstate highway links to support the 1960 Winter Olympics in Squaw Valley resulted in a dramatic increase in development in the Region. This building boom and the resultant concern for environmental values led to the adoption of the Tahoe Regional Planning Compact in 1969 and the formation of the TRPA. Amendment of the Compact in 1980 and adoption of the first Regional Plan in 1987 led to the establishment of existing regulations and growth controls. The combination of pre-TRPA development and the subsequent regulations and growth control have led to the land use pattern seen today.

To allow the agency the opportunity to prepare an initial Regional Plan that would meet the mandate of the Compact, it was “necessary to halt temporarily works of development in the region which might otherwise absorb the capability of the region for further development or direct it out of harmony with the ultimate plan” (Compact, Article VI[c]). TRPA then embarked on a process to establish environmental threshold carrying capacities, identify baseline conditions with regard to development, determine appropriate levels of new development over the period of the Regional Plan, and develop processes and procedures for allocating that development.

Thresholds were adopted by TRPA on August 26, 1982, and a Regional Plan for their achievement was developed. An EIS was prepared and certified, and the Regional Plan was adopted in April 1984. Litigation ensued, and a consensus-building process was convened with stakeholders to resolve issues of controversy. A comprehensive set of amendments was prepared and evaluated in a supplemental EIS. The approved alternative
provided for moderate growth and set initial allocations for residential, commercial, and tourist-related development in the 1987 Regional Plan. Since that time, allocations have been awarded to projects and jurisdictions in accordance with TRPA rules (Chapter 50, Code of Ordinances), transfers of development and development rights have been approved, new development has occurred, and substantial redevelopment projects have also been constructed. Table 3.2-2 identifies the status of existing development in the Region.

<table>
<thead>
<tr>
<th>Table 3.2-2. Status of Existing Development Rights</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-1986 Development</td>
</tr>
<tr>
<td>----------------------</td>
</tr>
<tr>
<td>Residential Units</td>
</tr>
<tr>
<td>CFA (square feet)</td>
</tr>
<tr>
<td>TAUs</td>
</tr>
</tbody>
</table>

Notes: CFA = commercial floor area; TAUs = tourist accommodation units
Source: Data provided by TRPA in 2011

The 1987 Regional Plan established allocations for various types of development (residential, tourist accommodation, commercial, and recreation). Allocations are used as a growth management tool to ensure that development is consistent with progress toward meeting environmental thresholds. Residential allocations are awarded to local jurisdictions annually based on the performance of each jurisdiction in implementing environmental improvement projects, monitoring of project permit conditions, and increasing transit operations. Commercial floor area (CFA) is allocated on a 5-year cycle tied to the threshold evaluation, and the amount allocated to local jurisdictions is based on the performance of each in achieving environmental threshold targets. TAUs are awarded in two ways: (1) through the Special Project Program when matched by a transfer of existing units from sensitive lands, or (2) from the Community Plan pool by implementing specific mitigation measures and matched by a transfer of an existing unit.

Some allocations are reserved for the Community Enhancement Program (CEP) projects which, by definition, are projects that produce substantial environmental, social, and economic benefits through mixed-use development on existing disturbed and/or underutilized sites. The CEP was initiated in 2007 as a competitive program designed to encourage projects that are best able to demonstrate the desires of the community and produce environmental improvements that benefit the built and natural environments. The CEP builds upon Special Projects criteria (Code of Ordinances, Chapter 50) and incorporates elements of the regional vision obtained through the Placed-Based planning process. It provides a framework and a process to identify and facilitate projects that help to demonstrate the success of regional planning principles, accelerate attainment of environmental thresholds, and achieve community revitalization with local and regional benefits.

Of the original nine CEP proposals, seven projects are still in the program; Boulder Bay Mixed Use Resort was approved by the TRPA Governing Board on April 28, 2011, Homewood Mountain Resort was approved by the TRPA Governing Board on December 14, 2011, and the Domus Housing Now project is under construction. The following provides an overview of existing allocations within the Tahoe Region:

- **Residential.** The current program for distributing and allocating residential development is an interim system that began on January 1, 2007. Under this system, a maximum of 294 allocations are available to be distributed each year. Chapter 50 of the Code describes the methods for distributing allocations, including total allocations that can be distributed to each jurisdiction annually. However, as of January 2012, all residential allocations have been distributed.

- **Residential Bonus Units.** Residential bonus units are used as an incentive for the construction of affordable-income (affordable to a family earning no more than 80 percent of the county median family income) and moderate-income housing but can also be used for market rate units if those projects meet criteria for environmental improvements. Each bonus unit allocation relieves the developer of the need to obtain a
development right but not an allocation. Allocations are still required, with the exception of deed-restricted affordable-income units, which are exempt from this requirement. Bonus unit allocations are distributed by TRPA to the various jurisdictions based on need and a point system related to project criteria. At present, 874 unused bonus units remain from the 1987 Regional Plan (Table 3.2-3).

<table>
<thead>
<tr>
<th>Community Plan or Community Enhancement Program (CEP) Project</th>
<th>Number of Bonus Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tahoe City Community Plan</td>
<td>20</td>
</tr>
<tr>
<td>Tahoe Vista Community Plan</td>
<td>20</td>
</tr>
<tr>
<td>North Stateline Community Plan</td>
<td>50</td>
</tr>
<tr>
<td>Incline Village Commercial Community Plan</td>
<td>14</td>
</tr>
<tr>
<td>Incline Village Tourist Community Plan</td>
<td>19</td>
</tr>
<tr>
<td>Ponderosa Ranch Community Plan</td>
<td>50</td>
</tr>
<tr>
<td>Kingsbury Community Plan</td>
<td>67</td>
</tr>
<tr>
<td>Stateline/Ski Run Community Plan</td>
<td>89</td>
</tr>
<tr>
<td>Bijou/Al Tahoe Community Plan</td>
<td>20</td>
</tr>
<tr>
<td>BB, LLC CEP Assigned</td>
<td>10</td>
</tr>
<tr>
<td>Homewood CEP Assigned*</td>
<td>12</td>
</tr>
<tr>
<td>Tahoe Valley CEP Assigned</td>
<td>69</td>
</tr>
<tr>
<td>Boulder Bay CEP*</td>
<td>24</td>
</tr>
<tr>
<td>Ferrari Family Resort CEP</td>
<td>25</td>
</tr>
<tr>
<td>Foothill Motel CEP</td>
<td>4</td>
</tr>
<tr>
<td>Unallocated</td>
<td>381</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>874</strong></td>
</tr>
</tbody>
</table>

* Boulder Bay CEP was approved by the TRPA Governing Board on April 28, 2011, and Homewood CEP was approved by the TRPA Governing Board on December 14, 2011.
Source: Data provided by TRPA in 2011

**Commercial Floor Area (CFA).** The 1987 Regional Plan authorized 800,000 square feet of CFA to be distributed to the local jurisdictions for allocation within Community Plan areas. Code Chapter 50 sets forth the methods of distributing CFA, including total allocations that can be distributed to each jurisdiction. At present, 383,600 square feet of the original 800,000 square feet of CFA remain unallocated (Table 3.2-4).

<table>
<thead>
<tr>
<th>Source</th>
<th>Commercial Floor Area (square feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Plans</td>
<td>200,000</td>
</tr>
<tr>
<td>Special Projects (CEP) *</td>
<td>183,600</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>383,600</strong></td>
</tr>
</tbody>
</table>

Notes: CEP = Community Enhancement Program
* Approximately 158,800 square feet are reserved for CEP projects and the remaining 24,800 square feet are currently not allocated or reserved.
Source: Data provided by TRPA in 2009

**Tourist Accommodation Units (TAUs).** Tourist accommodation facilities can be expanded through the use of TAUs. The 1987 Regional Plan established a pool of 400 TAUs for use in tourist accommodation projects.
Code Chapter 50 sets forth the methods for distributing allocations, including total allocations that can be distributed to each jurisdiction. Under the interim allocation system adopted in 2007, the use of any remaining TAUs is limited to special projects that meet specific criteria, including the transfer of TAUs from sensitive lands. The interim system also allows TAUs to be allocated to Community Plan areas that include tourist accommodation facilities as an allowable use. At present, 342 TAUs remain, of which 90 have been reserved for CEP projects (Table 3.2-5). Like the CFA reserved for these projects, the TAUs expire upon adoption of an updated Regional Plan if the CEP project has not obtained a project approval.

<p>| Table 3.2-5. Tourist Accommodation Units Remaining in the 1987 Regional Plan |</p>
<table>
<thead>
<tr>
<th>Location</th>
<th>Units</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Approved Tourist Accommodation Unit Projects</strong></td>
<td></td>
</tr>
<tr>
<td>Boulder Bay Community Enhancement Project</td>
<td>40</td>
</tr>
<tr>
<td>Homewood Community Enhancement Project</td>
<td>50</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>121</strong></td>
</tr>
<tr>
<td><strong>Unallocated Tourist Accommodation Units</strong></td>
<td></td>
</tr>
<tr>
<td>Tahoe City Community Plan</td>
<td>25</td>
</tr>
<tr>
<td>North Stateline Community Plan</td>
<td>45</td>
</tr>
<tr>
<td>Stateline Community Plan (Casino Core)</td>
<td>25</td>
</tr>
<tr>
<td>Stateline/Ski Run Community Plan</td>
<td>25</td>
</tr>
<tr>
<td>Meyers Community Plan</td>
<td>10</td>
</tr>
<tr>
<td>Unassigned to Community Plans</td>
<td>40</td>
</tr>
<tr>
<td>TRPA Pool</td>
<td>82</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>342</strong></td>
</tr>
</tbody>
</table>

Notes: This table shows TAUs that have been allocated to specific Community Plans, and those yet to be assigned (unassigned to Community Plans and TRPA pool).
Source: Data provided by TRPA in 2012

Public Service Facilities. Public Service Facilities include water systems, liquid and solid waste services, and education and public safety institutions. Although these facilities are exempt from CFA requirements, they are subject to the land coverage system. The amount and distribution of additional facilities has not been capped, but a finding of need must be made for development of new facilities and expansion of existing facilities.

3.2.4 ENVIRONMENTAL CONSEQUENCES AND RECOMMENDED MITIGATION MEASURES

METHODS AND ASSUMPTIONS

The following analysis assesses the environmental effects of the proposed goals, policies, and implementation measures of each Regional Plan Update alternative with respect to the land use patterns, permissible land uses, planning systems, land coverage, and development each has the potential to achieve. This analysis is based on review of existing land use documents, policies, ordinances, and other regulations (see Section 3.2.2, Regulatory Background).

The following impact discussions relate to direct land use impacts (changes to the urban form and consistency of land use plans and policies) resulting from the proposed Regional Plan Update alternatives. The proposed land
use plans and resultant urban forms provide the foundation for future development and redevelopment, which may result in secondary environmental effects, such as effects to water quality, air quality, noise, scenic resources, biological resources, and others. These secondary effects are discussed in detail in the respective sections of this EIS.

SIGNIFICANCE CRITERIA

No environmental threshold applies specifically to land use and the adopted thresholds do not define the land use criteria for the Region. However, the thresholds do set performance criteria that influence land use planning considerations such as coverage, restoration-based incentives, and allocations. As mandated by the Compact, the Regional Plan and implementing ordinances are intended to achieve and maintain environmental threshold carrying capacities, while providing opportunities for orderly growth and development consistent with such capacities.

Implementation of the Regional Plan Update would have a significant adverse effect on land use if it would:

- result in a development pattern (type and intensity of land use) that would be incompatible with established land uses;
- induce substantial growth in an area (see Section 5.5, Growth-Inducing Impacts), either directly (e.g., by proposing new residential development) or indirectly (e.g., through extension of infrastructure, removing obstacles to development, or by setting a precedent for additional growth); or
- conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Tahoe Region, adopted for the purpose of avoiding or mitigating an environmental effect.

IMPACT ANALYSIS AND MITIGATION MEASURES

**Impact 3.2-1 Development Pattern and Land Use Compatibility.** The five Regional Plan Update alternatives each propose land use planning strategies to guide how the existing land use pattern would evolve. To varying degrees, all five alternatives would retain the established growth management system (i.e., authorization of limited numbers of allocations); continue the existing land use pattern (concentration of development in defined community centers); and allow for or encourage transfer of existing and potential development to appropriate areas. All alternatives would result in continuation of generally the same land use pattern, but with varying levels of development and degrees of concentration and location.

Areas designated for residential, commercial, and tourist uses would remain the same under all alternatives; no new land use types would be introduced such that incompatible land uses would be placed in proximity to each other. (Changes in land use classification from conservation to recreation are evaluated in Impact 3.2-2 below.) No changes are proposed to industrial zoning that could result in incompatibility with adjacent uses. Plan Area Statements, Community Plans, and Master Plans describe allowable uses, provide detailed guides for planning in specific areas of the Region, and were developed in part to ensure appropriate and compatible land uses, and these would remain in effect until superseded by Area Plans (Alternative 3) or other plan updates, which would, in turn, undergo environmental review prior to adoption. In addition, the project approval process from which the development pattern evolves is established by the Goals and Policies, the Code, and other TRPA, federal, state, and local regulations that ensure that the residential, commercial, tourist, recreation, and conservation uses allowed by the 1987 Regional Plan and carried forward in this Regional Plan Update are compatible with one another.

Alternatives 2, 3, and 4 include new policies and programs that would encourage new development and redevelopment within community centers (e.g., Town Centers, Development...
Transfer Zones [DTZs], Pedestrian- and Transit-Oriented Development [PTODs]) and removal of development outside these areas. Over time, a greater percentage of development would be located in community centers, with improved access to services and reduced automobile dependency. Because Alternatives 3 and 4 would allow greater density and increased building height within community centers, the intensification of use within the existing urban areas would be greater than under Alternative 2.

Alternatives 1 and 5 would continue existing land use policies. As a result, areas designated for residential, tourist, and commercial areas would remain the same, no new land uses would be introduced, no adverse impacts relative to development pattern and land use compatibility would result, and this impact would be less than significant. Because Alternatives 2, 3, and 4 include provisions to concentrate development in community centers which would result in greater opportunity for alternative transportation, reduced VMT, reduced air pollutant emissions, increased preservation and restoration of open space, and other benefits, this impact would be beneficial for these alternatives.

The purpose of the Regional Plan Update is, in accordance with the Compact, to make adjustments to the goals, policies, and implementation measures of the Regional Plan that reflect current conditions and that will accelerate attainment and maintenance of environmental thresholds. The five Regional Plan Update alternatives retain many of the policies and provisions of the existing plan and focus revisions on those parts of the Regional Plan that are urgent, dated, or in need of change to create a comprehensive blueprint for the sustainable future of the Tahoe Region. Most importantly, the revised land use policies take into consideration the current status of the environmental thresholds and measures to accelerate their attainment and maintenance.

The existing Regional Plan and EIP have been effective in removing and/or transferring development from sensitive lands into urban areas to create compact nodes of development. Since 1987, construction of tourist accommodation facilities and commercial facilities has been generally limited to the 16 adopted Community Plan areas. Restoration projects, purchase and conservation of sensitive parcels, and incentivized development (through the marketable rights programs) have contributed to improvements on more than 739 acres of wetlands and 13,000 acres of wildlife habitat, acquisition and/or restoration of more than 3,090 acres of sensitive lands, and a variety of other projects that have contributed to attainment and maintenance of environmental thresholds (TRPA 2009).

All five proposed Regional Plan Update alternatives would continue the basic existing land use pattern (shown in Exhibit 2-4) of concentrating development in Community Plan areas and removing development from sensitive lands in an effort to continue to realize environmental improvements and attain environmental thresholds. All proposed alternatives would result in the consolidation and concentration of compatible commercial and tourist uses in designated areas and removal or relocation of development from areas outside of Community Plan areas. However, each alternative represents different approaches to, and/or combinations of, land use planning framework, development potential, and environmental regulations and incentives.

Therefore, the alternatives offer different amounts of development, different incentives for consolidation of development in the urban areas, and different resultant land use patterns. The effects of each proposed alternative on the overall development pattern and land use compatibility in the Region are described below.

**ALTERNATIVE 1: NO PROJECT**

Alternative 1 would maintain the land use planning system of the existing Regional Plan, consisting of PASs, Community Plans, and other master plans and specific plans to define zoning, management strategies, and allowable land uses. This land use regulatory framework is described in additional detail in Section 2.3, Structure of the Regional Plan, and Section 3.2.2, Regulatory Background.
Land Use Classifications
Alternative 1 would retain the existing land classification system, which includes five land use classifications: conservation, recreation, residential, commercial and public service, and tourist. These land use classifications are described in more detail under “Existing Land Uses” in Section 3.2.3, Affected Environment.

Land Use Planning Approach
The land use plan of Alternative 1 (the no-project alternative) is the existing land use plan, as illustrated in Exhibit 2-4. As shown, most of the land in the Tahoe Region is designated as conservation or recreation. The residential, commercial/public service, and tourist classifications are concentrated along the lakefront and transportation corridors (US 50, SR 89, SR 28, SR 267, SR 431, and SR 207). The largest community centers, containing residential, commercial/public service, and tourist land uses, are located on the South Shore (City of South Lake Tahoe and Stateline). On the North Shore, smaller community centers are Tahoe City, Kings Beach, and Incline Village.

The PASs for each of the 181 Plan Areas in the Region provide a description of desired land uses of each area, similar to zoning districts in other communities. Each PAS identifies a single land use designation and management strategy, and describes planning considerations, maximum densities, and special uses for that Plan Area.

There are currently 16 adopted Community Plans for specific areas of the Region and one Redevelopment Plan within the City of South Lake Tahoe, which were collaboratively prepared and adopted by both TRPA and the local jurisdiction in which each is located. The Community Plans supersede and replace the PASs within the Community Plan area while Redevelopment Plans must be within and consistent with an adopted Community Plan. The Community Plan and Redevelopment Plan areas were established and the plans prepared to concentrate commercial uses, reduce the negative effects of “strip” development, and provide incentives to renovate, revitalize, and remove blighted commercial development. Summaries of the 16 adopted Community Plans are provided below.

Placer County

Tahoe City Community Plan (February 1994)
The Tahoe City Community Plan envisions Tahoe City as a regional commercial node and tourist area. Tahoe City, located on the northwest shore of Lake Tahoe around the intersection of SR 89 and SR 28, has historically served as the gateway to North Lake Tahoe. Previously a resort for lengthy summer vacations, Tahoe City and its surrounding environs have developed into a popular weekend, year-round residential area and day-use recreation area, resulting in increased traffic congestion and parking problems and threats to many of the natural resources of the area. A fundamental premise of this Community Plan is that Tahoe City should continue as a major commercial, cultural, recreational, and tourist center. Toward this goal, the policies aim to stimulate the rehabilitation of the existing community and create a high-quality destination resort community of limited scale, which would still retain the character of the existing community.

Carnelian Bay Community Plan (April 1996)
The Carnelian Bay Community Plan envisions Carnelian Bay as a neighborhood commercial and regional recreation area. The Carnelian Bay Community Plan is generally defined geographically as the area bounded by Garwoods Restaurant on the west, Ruby Avenue on the north, Bay Street on the east, and Lake Tahoe on the south. The area represents a mix of commercial uses with residential development and public park/open space areas. Approximately 50 percent of the Community Plan area is classified as SEZ, with Carnelian Creek as a primary surface water body. Community Plan policies provide incentives to maintain and expand (in a limited fashion) businesses on SR 28, improve recreation areas and facilities, increase Lake access, implement a trail system, improve SR 28 right-of-way, provide additional parking, restore SEZ areas, implement best management practices (BMPs), and implement scenic improvements.
**Land Use**

**Tahoe Regional Planning Agency**

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**Tahoe Vista Community Plan (April 1996)**

The Tahoe Vista Community Plan envisions Tahoe Vista as a regional commercial node and tourist area. Tahoe Vista is defined as the area extending from the vicinity of the motel district at the western boundary to the marina area at the eastern boundary, and generally fronting on SR 28. The area extends north along National Avenue and south to the Lake. The land use patterns in the area are widely varied, although the predominant theme of businesses is tourist-related, with numerous motels, restaurants, and tourist-oriented retail shops along SR 28. The area along National Avenue is industrial in nature. A fundamental premise of this Community Plan is that Tahoe Vista should continue as a regional tourist and recreation center with some industrial and commercial uses. To accomplish this goal, policies encourage diversification of recreational and commercial attractions to create the high-quality development expected in a destination resort community. The plan seeks to retain the character of the existing community.

**Kings Beach Community Plan (April 1996)**

The Kings Beach Community Plan envisions Kings Beach as a regional commercial node and tourist area. The area defined as Kings Beach extends from the vicinity of the Safeway Market at the western boundary to the area of Chipmunk Street at the eastern boundary, and generally fronting on SR 28. The area is generally bounded on the north by Rainbow Avenue and on the south by Lake Tahoe. The land use patterns in this area are widely varied, although the predominant theme of business is tourist-related, with numerous motels, restaurants, and tourist-oriented retail shops. Kings Beach has historically been one of the primary commercial and recreational centers of the Tahoe Region and is expected to continue as such. However, as one of the oldest communities in the Region, it would benefit from rehabilitation and revitalization. The Community Plan goals call for redevelopment to be compatible with the scenic, recreation, and community values of Kings Beach; to reduce dependency on the automobile while improving the movement of people, goods, and services; to upgrade public services and facilities; to maintain a balance between economic health and the environment; and to preserve and enhance the recreation experience of Kings Beach.

**Kings Beach Industrial Community Plan (April 1996)**

The Kings Beach Industrial Community Plan guides the transformation of the Kings Beach Industrial area into a more organized, better managed, more aesthetically pleasing, and more efficient “industrial park” type of community. The Kings Beach Industrial area is located at the northern end of Kings Beach proper and is defined geographically as the block of parcels bounded by Speckled Avenue to the north, Cutthroat Avenue to the south, Secline Street to the west, and a few parcels east of Coon Street to the east. This represents the most sizeable area in the north shore that has been zoned for industrial and general commercial use, and it has developed predominantly in that manner. However, interspersed with industrial uses are some residential uses consisting largely of older structures. The Community Plan contemplates continuation of the area as an industrial and service-related community. However, it places increased emphasis on implementation of measures to provide the needed visual screening and/or buffering to make needed service-oriented commercial activities more harmonious with neighboring properties and more environmentally responsive. Because much of this community is already developed, the Community Plan provides for the retrofit of certain properties with screening and/or buffering requirements.

**Washoe County**

**North Stateline Community Plan (April 1996)**

The North Stateline Community Plan is a guide for maintaining the North Stateline area as a gaming (Nevada side) and tourist area, with an emphasis on rehabilitation of existing development. The North Stateline Community Plan area is located both in Nevada and California on the north shore of Lake Tahoe in the area known as Crystal Bay. It is the western entrance to Washoe County and Nevada portions of the Tahoe region and the eastern entrance to Placer County and California portions of the Tahoe Region. This Community Plan area is approximately 90 percent built out. It contains four operating casinos, with accessory hotel/motel and commercial uses. Single-family homes surround the commercial uses, with little buffering. Therefore, this plan
concentrates on North Stateline as a tourist destination area, emphasizing the re-creation of a complete resort while minimizing impacts to residents. The Community Plan envisions little change to the existing land use pattern, but envisions the addition of uses that enhance the tourist destination resort theme with an emphasis on families. The plan calls for more emphasis on the outdoors and human-scale design, more priority to pedestrians, and improvements to help create a sense of place unique to North Stateline.

Incline Village Tourist Community Plan (April 1996)
The overall vision for Incline Village/Crystal Bay is strengthening the residential nature of the community and creating a more complete tourist destination area while achieving a balance between the residential and tourist aspects of the community. The Incline Village Tourist Community Plan Area is located between SR 28 and the shoreline of Lake Tahoe, along Country Club Boulevard. The Incline Village Tourist Community Plan area strives to create an atmosphere of relaxation, openness, and recreation. The Community Plan calls for bicycle trails and pedestrian paths throughout the area, and for connections to other areas and uses, such as with the village core, golf courses and surrounding residential neighborhoods, and by paths and transit systems.

Incline Village Commercial Community Plan (April 1996)
The Incline Village Commercial Community Plan Area is located between Northwood and Southwood Boulevards and along SR 28. The vision for the Incline Village Commercial area is a traditional downtown (village core) that is people-friendly, interesting, and aesthetically pleasing. The plan calls for architecture, design, and transportation improvements that unify the downtown and help create a sense of place. High-density residential uses surrounding the commercial area, including affordable housing, are also proposed as an integral part of the town center. Commercial and government services, typical of a traditional downtown, should be located in this area. The plan encourages businesses that provide goods and services presently unavailable to residents to locate here. The plan also calls for more of a pedestrian, rather than automobile, orientation. Intriguing pedestrian corridors would be developed to link stores, restaurants, and offices along SR 28 in Incline Village’s downtown. Walkways and bicycle paths are emphasized to connect shopping areas to each other and to recreation, residential, and tourist accommodation uses.

Ponderosa Ranch Commercial Community Plan (April 1996)
The Ponderosa Ranch Community Plan area is located at the east entrance to Incline Village. It includes the Ponderosa Ranch, the industrial/commercial businesses along SR 28 immediately north of the Ponderosa Ranch, and the Incline Village General Improvement District maintenance and sewer treatment facilities. The plan’s specific vision for the Ponderosa Ranch area is to create a beautiful entry to Incline Village with an attractive historical “era of the old west” theme park. In the long term, the plan envisions the commercial businesses north of the Ponderosa Ranch reoriented into an industrial business park with an internal road system, landscaping, and only one or two entrances onto SR 28. For the short term, the plan envisions the front yards of the industrial/commercial businesses being landscaped, buffering views of pavement and autos from SR 28 views. Bicycle paths along both sides of the highway should be added, connecting this area to other areas of Incline Village.

Douglas County

Roundhill Community Plan (November 1993)
The Roundhill Community Plan envisions Round Hill as a neighborhood commercial node and tourist area. Round Hill is primarily a neighborhood shopping area with some small ancillary professional offices. It is surrounded by year-round and recreational residences and several hundred acres of undeveloped land managed by USFS. A fundamental premise of this Community Plan is that Round Hill should continue as a local-serving retail commercial node and tourist center. To accomplish this goal, policies stimulate the rehabilitation of the existing commercial to the high quality expected in a destination resort community. The plan retains the character of the existing community.
Kingsbury Community Plan (November 1993)
The Kingsbury Community Plan envisions Kingsbury as a regional commercial node and tourist area. Kingsbury Grade can be divided into two sub-areas: (1) along US 50, and (2) along Kingsbury Grade. The US 50 sub-area currently has a mix of smaller casinos (Lakeside Inn and Casino), small office and retail uses, and the Douglas County Administrative Building. The sub-area along Kingsbury Grade is made up of light industrial, service, and warehousing uses. A fundamental premise of this Community Plan is that Kingsbury should continue as a regional commercial area. To accomplish this goal, policies encourage diversification of recreational and commercial attractions to create the high-quality development expected in a destination resort community. The plan retains the character of the existing community.

Stateline Community Plan (November 1993)
The Stateline Community Plan envisions Stateline and surrounding lands as a major destination resort. Stateline is the casino core area of South Lake Tahoe and a primary visitor attraction of the Lake. The demands of the casino visitor industry also contribute to the viability and markets of many businesses within and beyond the Stateline Community Plan area. A fundamental premise of this Community Plan is that Stateline should continue as a regional tourist and gaming center. To accomplish this goal, policies encourage diversification of recreational and commercial attractions to create the high-quality development expected in a destination resort community.

City of South Lake Tahoe

South Tahoe Redevelopment Demonstration Plan (March 1989)
The Redevelopment Plan area generally extends from Stateline Avenue to Herbert Avenue along US 50, as well as either side of Ski Run Boulevard from the Ski Run Marina to Paradise Avenue and is completely located within the boundaries of the Stateline/Ski Run Community Plan. Land use patterns in this area are widely varied, although the predominant theme of businesses is tourist-related, with numerous motels, restaurants, and tourist-oriented retail shops along US 50. A fundamental premise of the South Tahoe Redevelopment Demonstration Plan was aimed at stimulating private investment in South Lake Tahoe through public improvements that enhances the environmental and visual setting of the City and through economic and regulatory incentive assistance programs available to property owners through the redevelopment and planning process. To accomplish this goal, tax increment financing was used to encourage concentration of resort and commercial facilities in the redevelopment plan area to create the high-quality development expected in a destination resort community.

Stateline/Ski Run Community Plan (March 1994)
The Stateline/Ski Run Community Plan envisions the Stateline/Ski Run area as a regional commercial node and tourist area. The Stateline/Ski Run Community Plan area generally extends from Stateline Avenue to Fairway Avenue along US 50, as well as either side of Ski Run Boulevard just past Pioneer Trail. Land use patterns in this area are widely varied, although the predominant theme of businesses is tourist-related, with numerous motels, restaurants, and tourist-oriented retail shops along US 50. A fundamental premise of this Community Plan is that Stateline/Ski Run should continue as a regional tourist and recreation center. To accomplish this goal, policies encourage diversification of recreational and commercial attractions to create the high-quality development expected in a destination resort community.

Bijou/Al Tahoe Community Plan (October 1995)
The Bijou/Al Tahoe Community Plan envisions the Bijou/Al Tahoe area as a regional commercial node and tourist area. The Bijou/Al Tahoe Community Plan area generally extends from Fairway Avenue along US 50, just west of Al Tahoe Boulevard, and between Johnson Boulevard and US 50, including property on Al Tahoe Boulevard terminating at the west boundary of Bijou Park and at the east boundary of Lake Tahoe Community College. Land use patterns in this area are widely varied, although the predominant theme of businesses is retail oriented, including restaurants and a sizable area devoted to public service uses. A fundamental premise of this Community Plan is that Bijou/Al Tahoe should serve as a family-oriented and recreation center, as well as the
Town Center for the local community. To accomplish this goal, policies encourage diversification of recreational and commercial attractions to create the high-quality development expected in a family-oriented resort area. Public service-oriented uses should be further concentrated in this area to enhance the Town Center concept.

**South “Y” Industrial Tract Community Plan (March 2003)**
The South “Y” Industrial Tract Community Plan envisions the South “Y” Industrial Tract as the only designated Preferred Industrial Area for Lake Tahoe’s South Shore. The South “Y” Industrial Tract Community Plan area is located about 1 mile southwest of the South Tahoe “Y,” east of Lake Tahoe Boulevard. It generally includes all properties south of D Street between Industrial Avenue and Lake Tahoe Boulevard, including all properties accessed from Shop Street and Industrial Avenue. The Industrial Tract is the largest area within South Lake Tahoe that is used for industrial and general commercial uses. Uses within the area are entirely industrial, commercial, or public service. A fundamental premise of this Community Plan is that industrial uses are consistent with existing developments in, and appropriate for, this area.

**El Dorado County**

**Meyers Community Plan (October 1993)**
The Meyers Community Plan guides the enhancement of the identity and image of Meyers as both a community center and a gateway to Lake Tahoe. The Meyers Community Plan area is roughly 155 acres in size, approximately 50 of which are located in the Meyers Industrial Tract south of the US 50/SR 89 intersection in the Upper Lake Valley. The remaining 105 acres are generally devoted to commercial retail, public service, and light industrial uses. Meyers contains several federal, state, and local public service land uses and serves as a hub for public services in unincorporated El Dorado County. This Community Plan area includes all lands within PAS 125, Meyers Commercial. Unlike other communities in the Tahoe Region, which are located along the Lake’s shore, Meyers is separated from intense commercialization. It retains its own character while providing a variety of land uses. The Community Plan proposes changes to the existing strip commercial land use pattern together with aggressive implementation of a Community Design Program for all uses. The plan advocates several actions to reduce the visual and physical domination of the US 50 corridor. The plan recommends environmental improvement projects to improve and enhance water quality, SEZ restoration, visual and scenic quality, transit service, and pedestrian/bicycle facilities. In addition, a new Meyers Town Council was created to guide the plan’s implementation.

**Transferable Development Rights and Allocations**
Alternative 1 would authorize no additional development rights or allocations beyond those authorized by the 1987 Regional Plan. As shown in Table 3.2-6, unused allocations from the 1987 Regional Plan include 383,600 square feet of CFA; 342 TAUs; 86 residential allocations; and 874 residential bonus units.

<table>
<thead>
<tr>
<th>Table 3.2-6: New Development Potential under Alternative 1</th>
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<tbody>
<tr>
<td><strong>Existing Development</strong></td>
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<tr>
<td>--------------------------</td>
</tr>
<tr>
<td>Residential Units&lt;sup&gt;2&lt;/sup&gt;</td>
</tr>
<tr>
<td>CFA (square feet)</td>
</tr>
<tr>
<td>TAUs</td>
</tr>
</tbody>
</table>

Notes: CFA = commercial floor area; TAUs = tourist accommodation units
<sup>1</sup>Remaining allocations refer to those not yet built, even if already allocated to local jurisdictions or projects and remaining residential bonus units.
<sup>2</sup>Includes both residential allocations and residential bonus units.
<sup>3</sup>Total residential units include construction of remaining bonus units.
<sup>5</sup>Remaining CFA consists of 24,800 square feet within the Special Projects Program, 200,000 square feet that have been allocated to local jurisdictions and 185,816 assigned to Community Enhancement Projects.

Source: Data provided by TRPA in 2012
In addition to the unused development rights remaining from the 1987 Plan, all legally existing development, including approximately 6.5 million square feet of CFA and 12,399 TAUs, would be available for transfer, subject to existing transfer requirements.

**Residential Units**

The 1987 Regional Plan created Region-wide limits on the amount of development (residential, commercial, tourist) that could be permitted. Based on specific criteria, individual parcels in the Region were granted residential development rights, and a system of residential allocations (essentially, authorization to pursue exercising of development rights) was developed to manage the amount and rate of residential development. Under the 1987 Plan, residential allocations were awarded annually to local jurisdictions based on their successful implementation of EIP projects, compliance with BMP retrofit requirements, monitoring of project permit conditions to ensure local jurisdictions are enforcing compliance measures, and increases in transit operations. As shown in Table 3.2-6, 960 residential allocations (including residential bonus units) remain from the 1987 Regional Plan and no new residential allocations would be authorized under Alternative 1.

TRPA also maintains a bonus unit incentive program designed to support affordable and moderate-rate housing and to encourage substantial environmental mitigation. Residential bonus units relieve an applicant of the need to obtain a development right; allocations are still required for market and moderate-rate housing, but not for deed-restricted affordable housing units. Allocations can be obtained for construction of affordable and moderate-rate housing. Bonus units may be granted for multi-residential projects on parcels located within plan areas or Community Plan areas designated for multi-residential land uses. The number of assigned bonus units is based on implementation of mitigation measures that, depending on type, are correlated with a certain number of points (as described in Chapter 52 of the Code); one residential bonus unit may be approved for each 10 points earned by a project (see Table 3.2-7).

| Table 3.2-7. Mitigation Measure Scoring for Multi-Residential and Tourist Accommodation Bonus Units |
| Mitigation Measure                                                                                      | Score                                             |
| Participation in a transportation EIP project (see Code Chapter 15: Environmental Improvement Program) | (Project cost divided by $8,000) x 10 points       |
| Participation in a water quality EIP project (see Code Chapter 15: Environmental Improvement Program)  | (Project cost divided by $8,000) x 10 points       |
| Provision of SEZ restoration pursuant to EIP (excluding restoration required as mitigation for new SEZ disturbance) | (Project cost divided by $8,000) x 20 points       |
| Retiremen of an undeveloped parcel located in LCDs 1a, 1b (SEZ), 1c, 2, or 3 (see Code Chapter 51: Transfer of Development) | 10 points per transferred unit                    |
| Transfer of existing residential unit and retirement of the parcel in accordance with Code Chapter 51: Transfer of Development | 30 points per transferred unit                    |
| New access to public recreation areas, lakes, streams, or vista points to which access was previously nonexistent | (Project cost divided by $8,000) x 10 points (maximum 50 points) |
| Projects proposing less land coverage than the maximum amount otherwise allowed in accordance with Code Chapter 30: Land Coverage | One point for each such reduction of 600 square feet onsite |
| Participation in projects identified in the TRPA-approved Scenic Quality Improvement Program and/or the EIP | (Project cost divided by $8,000) x 10 points       |

Notes: EIP = environmental improvement program; LCD = land capability district; SEZ = stream environment zone

Source: TRPA Code Chapter 52
The score is augmented for two types of projects: projects within a community plan (multiplied by a factor of 1.5) and projects providing affordable employee housing (multiplied by 2.0). The score is reduced if the project involves subdivision of a post-1987 multi-residential project that is not considered to be low-cost housing (multiplied by 0.67).

**Tourist Accommodation Units**

Of the total 342 remaining TAUs, 82 make up the TRPA pool (retained by TRPA for special projects, pursuant to Section 50.6.1(C) of the Code); 40 are unassigned to Community Plans; 25 each are assigned to the Tahoe City, Stateline, and Stateline/Ski Run Community Plans; 14 are assigned to the North Stateline Community Plan; 10 are assigned to the Meyers Community Plan; and 121 are assigned to CEP Projects. Under the 1987 Regional Plan, TAUs are defined as one bedroom, or a group of two or more rooms with a bedroom, with or without cooking facilities, which can be rented by the day or week and occupied on a temporary basis. Because size limitations are not placed on TAUs, the area occupied by a unit is controlled by coverage regulations.

Under existing policies, TAUs are allocated by two methods for two different purposes, and are thus held in two different “pools” for purposes of accounting. Half of the original 400 TAUs authorized by the 1987 Regional Plan were allocated for special projects and permitted only when matched by transfers of existing units from sensitive lands that were subsequently restored. The other half of the TAUs were to be allocated to adopted Community Plans in areas that would promote transit and pedestrian transportation modes, or for redevelopment projects associated with existing units.

Tourist accommodation bonus units may be approved by TRPA on parcels located within an adopted Community Plan area, if at least one existing TAU is transferred for each new TAU approved. Similar to the process for distributing residential bonus units, new TAUs are distributed through a scoring program, as described in Table 3.2-8. Transfers of TAUs out of SEZs or other sensitive lands are incentivized over transfers from non-sensitive lands. Transfers from SEZs require 5 points earned through the scoring system in Table 3.2-8, transfers from other sensitive lands require 7 points, and transfers from non-sensitive lands require 10 points.

<table>
<thead>
<tr>
<th>Table 3.2-8. Mitigation Measure Scoring for Tourist Accommodation Bonus Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participation in a transportation EIP project</td>
</tr>
<tr>
<td>Participation in a water quality EIP project</td>
</tr>
<tr>
<td>SEZ pursuant to the EIP (excluding restoration required as mitigation for new SEZ disturbance)</td>
</tr>
<tr>
<td>Provision of public access to public recreation areas, lakes, streams, or vista points to which access was previously nonexistent</td>
</tr>
<tr>
<td>Provision of less land coverage than the maximum amount otherwise allowed</td>
</tr>
<tr>
<td>Participation in scenic improvement projects identified in the TRPA-approved Scenic Quality Improvement Program and/or the EIP</td>
</tr>
<tr>
<td>Provision of fish habitat restoration pursuant to an approved TRPA Fish Habitat Restoration Plan</td>
</tr>
<tr>
<td>Participation in projects identified in the TRPA-approved Scenic Quality Improvement Program and/or the EIP</td>
</tr>
<tr>
<td>Provision of accessory services that provide improvements in the following threshold categories: VMT reduction or public outdoor recreation, such as providing restroom facilities or access to a pier for the general public</td>
</tr>
<tr>
<td>Retirement of an undeveloped parcel in an SEZ</td>
</tr>
<tr>
<td>Transfer of an existing residential unit from a parcel in an SEZ</td>
</tr>
</tbody>
</table>

Notes: EIP = environmental improvement program; SEZ = stream environment zone; VMT = vehicle miles traveled
Source: TRPA Code Chapter 52

Tahoe Regional Planning Agency
Regional Plan Update Draft EIS
Commercial Floor Area

Under the 1987 Regional Plan, allocations of CFA are distributed using a reward-based system, based on a demonstrated ability to achieve and maintain environmental thresholds and on demonstrated need. CFA is distributed in adopted Community Plan areas but can be used outside an adopted Community Plan area if the local government has adopted an allocation system that assists in implementing EIP projects. Allocations are based on square footage of CFA within the outer wall of a commercial building, not including stairwells and airshafts. Structures related to buildings, such as decks, are included in the square footage. Accessory features such as parking areas, driveways, outside stairways, and walkways are not included in CFA.

Allocated or transferred CFA may be doubled for a project in a designated Preferred Industrial Area, if area-wide BMPs have been implemented, or if the local jurisdiction has committed to implement area-wide BMPs as part of its 5-year capital improvement program (CIP). A transfer of CFA within a Preferred Industrial Area is distributed on a 1:1 ratio. Unless otherwise approved by TRPA, transferring CFA out of a Preferred Industrial Area requires a 50-percent reduction in CFA.

Density and Height

Under the 1987 Regional Plan, the height of a building is the difference between the point of lowest natural ground elevation along an exterior wall, and the elevation of the highest point of a roof. In general, structures cannot exceed two stories in most areas unless additional height findings are made. Specific height standards for Special Height Districts are set forth in Chapter 37 of the Code.

Existing development density regulations are shown in Table 3.2-9. These densities apply Region-wide, except for areas in which a PAS or other adopted plan establishes a stricter (i.e., lower density) standard.

<table>
<thead>
<tr>
<th>Table 3.2-9. Maximum Development Densities under Alternative 1</th>
<th>Use</th>
<th>Maximum Density¹</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Residential Uses</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single-family dwelling (parcels less than 1 acre)</td>
<td></td>
<td>1 unit per parcel</td>
</tr>
<tr>
<td>Single-Family dwelling (parcels greater than or equal to 1 acre)</td>
<td></td>
<td>2 units per parcel, provided one unit is an authorized secondary residence²</td>
</tr>
<tr>
<td>Summer home</td>
<td></td>
<td>1 unit per parcel or lease site</td>
</tr>
<tr>
<td>Multiple-family dwelling</td>
<td></td>
<td>15 units per acre</td>
</tr>
<tr>
<td>Mobile-home dwelling</td>
<td></td>
<td>8 units per acre</td>
</tr>
<tr>
<td>Multi-person dwelling, nursing and personal care, and residential care</td>
<td></td>
<td>25 persons per acre</td>
</tr>
<tr>
<td>Affordable housing³</td>
<td></td>
<td>Increase in density up to 25 percent</td>
</tr>
<tr>
<td><strong>Tourist Accommodation Uses</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td></td>
<td>10 units per acre</td>
</tr>
<tr>
<td>All other</td>
<td></td>
<td></td>
</tr>
<tr>
<td>If less than 10 percent of the units have kitchens</td>
<td></td>
<td>40 units per acre</td>
</tr>
<tr>
<td>If 10 percent or more of the units have kitchens</td>
<td></td>
<td>15 units per acre</td>
</tr>
</tbody>
</table>

Notes: Maximum density for mixed uses depends on the combination of uses proposed in an area (see Code Chapter 31, Table 31.5.2-1).

¹Maximum densities within Special Height Districts can be increased by a factor of 3 through TRPA approval.

²A secondary residence is considered an accessory use to a residence (e.g., guest house, rental unit, caretaker residence).

³Kings Beach Commercial Community Plan allows for an increase of 100 percent for affordable housing projects.

Source: Code Chapter 31
Under the 1987 Regional Plan, subdivision of land that would have the potential to create new vacant parcels, increasing the number of residential development rights, were prohibited with some exceptions. These exceptions were the basis of the “two-step subdivision process.” Step 1 of this process is approval of a project as a multi-residential project (i.e., more than one residential unit per parcel). Step 2 is approval of a subdivision of the structures. Both steps would require specific actions; thus, the process was considered to require two steps. In this way, units could be created that would allow for individual ownership (such as condominiums and townhomes) without increasing the overall development potential of the Region, that is, without creating new development rights.

Transfers of Development
As described above, residential units, CFA, and TAUs can be transferred, subject to specific requirements. Under Alternative 1, the land use pattern is expected to reflect relative decreases in the intensity of use in sending areas and increased intensity of use in receiving areas, as existing incentives and opportunities to transfer development are exercised. The general locations of sending and receiving areas within the Region for residential units, TAUs, and commercial floor area are depicted in Exhibits 3.2-1 through 3.2-4.

Transfers of residential development rights out of sensitive lands (LCDs 1–3) are incentivized through the sensitive lot retirement program. Continued implementation of these incentives would result in reduced residential use on sensitive lands and more use on non-sensitive lands. However, in Alternative 1, all residential allocations for the sensitive lot retirement program have been exhausted or allocated to local jurisdictions and, therefore, this program would no longer be available. Alternative 1 also includes strong incentivizes transfers of TAUs out of SEZ and provides some, but less, incentive to transfer TAUs from other sensitive lands (LCDs 1–3). Transfers from non-sensitive lands are also allowed. Continued implementation of these incentives would result in relative decreases in tourist accommodation uses within all sending areas, with greater decreases occurring on more sensitive lands. Similarly, CFA transfer incentives of Alternative 1 would continue to result in movement of commercial facilities from sending to receiving areas. Because Preferred Industrial Areas are incentivized receiving areas, commercial uses would be expected to increase more in Preferred Industrial Areas than in other receiving areas.

Allowable Coverage and Coverage Transfers
The land coverage strategies and regulations of Alternative 1, which are a continuation of the 1987 Regional Plan, are summarized below.

Base Allowable Land Coverage. The base allowable coverage implements land coverage limitations based on either the seven LCDs established by Bailey (1974) or IPES, as appropriate. The Bailey LCDs are planning-level delineations that require field verification; they may be challenged and revised based on certain site-specific land capability data. All IPES evaluations are based on field verification and soil test pit review.

Maximum Allowable Land Coverage. Limitations on maximum allowable land coverage (base allowable coverage plus transferred coverage) are based on land use type and designation. The maximum allowable coverage limitations are depicted in Table 3.2-10.

Eligible Coverage Transfers. The existing Regional Plan partitions the Basin into a series of Hydrologically Related Areas (HRAs) based roughly on the boundaries of multiple adjacent watersheds. Transfers of unused allowable base coverage (i.e., potential coverage), soft coverage, and hard coverage may only occur within the same HRA. This restriction generally maintains the existing proportions of coverage within each HRA. Potential and soft coverage may not be transferred to commercial facilities or tourist accommodation uses, and this limits incentives for removal of soft coverage.
## Table 3.2-10. Maximum Allowable Land Coverage

<table>
<thead>
<tr>
<th>Land Use Type</th>
<th>Within Community Plans</th>
<th>Outside Community Plans</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential facilities (one to four units)</td>
<td>Ranges from base land coverage to 20% of project area to 4,000 square feet, as determined by Code Section 30.4.2(A) and Table 30.4.2-1</td>
<td></td>
</tr>
<tr>
<td>Residential facilities (planned unit development)</td>
<td>100% of building envelope or 2,500 square feet, whichever is less</td>
<td></td>
</tr>
<tr>
<td>Commercial facilities on an existing developed parcel</td>
<td>50% of the high-capability portions of the project area</td>
<td></td>
</tr>
<tr>
<td>Commercial facilities on a legal vacant lot of record at time of 1982 Plan adoption</td>
<td>70% of the high-capability portions of the project area</td>
<td>In accordance with land capability and Bailey coefficients</td>
</tr>
<tr>
<td>Tourist Accommodation Facilities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Multi-Residential (five or more units, including planned unit development)</td>
<td>50% of the project area, but coverage must be confined to high-capability lands</td>
<td></td>
</tr>
<tr>
<td>Public Service Facilities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recreation Facilities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Linear Public Facilities and Public Health and Safety Facilities</td>
<td>Minimum amount necessary to achieve their public purpose</td>
<td></td>
</tr>
</tbody>
</table>

Source: TRPA Code Chapter 30, 2012

**Coverage Transfer Ratios.** Land coverage transfers must be made at a 1:1 ratio (sending to receiving) for all land use types, except for commercial uses in Community Plans. For such uses, transfers that will result in 30 percent to 50 percent coverage on the receiving parcel have a transfer ratio of 1:1, while transfers resulting in 50 percent to 70 percent land coverage have a progressive transfer ratio that rises proportionally from 1:1 to 2:1. These ratios provide an incentive to limit the amount of coverage on the receiving site, but they provide no incentive to transfer coverage from more sensitive lands.

**Permissible Uses on Sensitive Lands.** Permissible uses on sensitive lands (LCDs 1–3) are limited to public outdoor recreation projects, public service facility projects, and single-family dwellings governed by the IPES system.

**Sensitive Lands Mitigation.** The sensitive lands mitigation program requires that new coverage in LCDs 1a, 1c, 2, and 3 exceeding allowable base coverage (with the exception of IPES) must be mitigated by restoring existing hard or soft coverage on sensitive lands at a mitigation-to-impact ratio of 1.5:1, with the mitigation being done on-site or off-site and by a public agency. The program also requires that all new coverage and disturbance in LCD 1b must be mitigated by restoring or enhancing LCD 1b lands at a mitigation-to-impact ratio of 1.5:1.

**Excess Coverage Mitigation.** The excess coverage mitigation program requires the removal of on-site or off-site coverage, or payment of an in-lieu mitigation fee, for projects involving new development or redevelopment on parcels that exceed limitations for maximum allowable land coverage. The excess coverage mitigation program reduces total coverage within the Region, while allowing existing non-conforming development to redevelop.

Excess coverage mitigation fees are used by the land banks (CTC in California and NDSL in Nevada) to remove existing or potential coverage from within the same HRA as the project generating the fees. If no coverage reduction or coverage prevention opportunities exist in the HRA where the mitigation fee was generated, then the fees are held and the benefits of the mitigation are not realized until a suitable opportunity to reduce or prevent coverage in that HRA becomes available. This condition results in a delay between the time when an impact occurs and the time when the mitigation occurs, and it precludes the opportunity to use funds for coverage removal with potentially higher priority that may exist in another HRA.
Legend:
- TRPA Jurisdiction
- Areas Ineligible for Sending
- Sending Areas
- Receiving Areas
- Preferred Industrial Receiving Area

Source: TRPA 2012

Exhibit 3.2-3.

Alternatives 1 and 5 CFA Sending and Receiving Areas
Summary of Development Pattern and Land Use Compatibility Effects

With the exception of minor revisions required to extend the existing Plan for an additional 20 years (e.g., allowing unused allocations authorized under the 1987 Regional Plan to be used over the next 20 years), Alternative 1 would make no changes to the 1987 Regional Plan. The land use planning system would continue to use the existing PASs and Community Plans as the system to define zoning, management strategies, and allowable uses. Furthermore, Alternative 1 would result in continued implementation of existing policies and regulations regarding new and transferred development, development rights, and coverage; no new allocations of residential units, bonus units, TAUs, or CFA would be included. Almost all new residences within the Region would be constructed through transfers of existing development, multi-unit residential developments, or affordable housing units using the remaining multi-residential bonus units. These units could only be constructed within a Community Plan or a PAS that lists multi-residential as an allowable use.

Alternative 1 would be expected to result in a small population increase (approximately 1,200 new residents by 2035) and would allow construction of the remaining CFA and TAUs, based on the existing policies and density limits aimed to encourage environmental redevelopment of commercial and tourist land uses. Therefore, Alternative 1 would result in very little new development over the planning period and would result in a continuation of the existing development pattern, which concentrates new commercial and tourist development in Community Plan areas and encourages environmentally beneficial redevelopment. However, in comparison to the other proposed alternatives, Alternative 1 lacks substantial incentives required to effectively change the existing development pattern to provide greater environmental benefits (e.g., transferring existing development and development rights into the more urbanized areas, restoring and retiring currently developed lands in sensitive LCDs and in areas distant from the target development areas).

Plan Area Statements, Community Plans, and Master Plans describe allowable uses, provide detailed guides for planning in specific areas of the Region, and were developed in part to ensure appropriate and compatible land uses, and these would remain in effect until superseded by other plan updates, which in turn, would undergo environmental review prior to adoption. In addition, the land use planning strategies and development rights and allocations provided by Alternative 1 would provide opportunities for orderly growth and development consistent with the environmental thresholds. The development pattern and project approval process from which the development pattern evolves is established by the Goals and Policies, the Code, and other TRPA, federal, state, and local regulations that ensure that the residential, commercial, and tourist, recreation, and conservation uses allowed by the 1987 Regional Plan and carried forward in this Regional Plan Update are compatible with one another.

Alternative 1 would result in the lowest growth and relatively slower rate of change, given the low level of available allocations. Implementation of Alternative 1 would result in the continuation of existing land use patterns and densities, and less development or redevelopment than Alternatives 2, 3, 4, and 5. No adverse impacts relative to development pattern or land use compatibility would result. Alternative 1 would result in a less-than-significant impact.

ALTERNATIVE 2: LOW DEVELOPMENT, INCREASED REGULATION

Alternative 2 would substantially reduce the level of development compared to the 1987 Regional Plan and would take a regulatory and enforcement approach (rather than an emphasis on incentives) to attain and maintain environmental thresholds. Alternative 2 would delineate three Development Transfer Zones (DTZs) (see Exhibit 2-5), areas that contain existing infrastructure to support mass transit facilities and to which non-residential development may be transferred.
Land Use Classifications
Alternative 2 would continue to utilize the five existing land use classifications from the 1987 Regional Plan: conservation, recreation, residential, commercial and public service, and tourist (described in “Existing Land Uses” in Section 3.2.3, Affected Environment, above). Alternative 2 would include minor boundary changes to the Land Use Plan to reflect land use changes that have occurred since the adoption of the 1987 Regional Plan.

Land Use Planning Approach
Alternative 2 would maintain the land use planning system of the 1987 Regional Plan, consisting of PASs, Community Plans, and other master plans and specific plans to define zoning, management strategies, and allowable land uses. This land use regulatory framework is described in additional detail in Section 2.3, Structure of the Regional Plan, of Chapter 2, Regional Plan Update Alternatives, and Section 3.2.2, Regulatory Background, above. In addition, summaries of each adopted Community Plan are provided under the impact discussion for Alternative 1, above. Under Alternative 2, PAS amendments would be required to show substantial conformance with the original intent of each PAS and its goals.

In addition to the Plan areas and Community Plan areas, Alternative 2 would establish three DTZs, or areas targeted for redevelopment and to which non-residential development may be transferred. The three DTZs would be limited to the commercial corridors and adjoining parcels of South Stateline (from Kingsbury Grade along US 50 to Ski Run Boulevard and Pioneer Trail), the Kings Beach Community Plan area, and the Tahoe City Community Plan area. Transfer of coverage from any HRA into the South Stateline DTZ would be permissible, as would transfer of coverage from any HRA in Placer County into the Tahoe City or Kings Beach DTZs. Transfer of CFA and TAUs would be allowed only between DTZs and Community Plan areas, and the number of allowable TAUs would be capped at existing levels in all areas except DTZs. The South Stateline DTZ would be granted specific incentives and regulations, including slightly increased height allowance and prohibition against TAU and CFA transfers out of the area.

The Tahoe City DTZ would be designated within the area of the existing Tahoe City Community Plan. As illustrated in Exhibit 2-6, the Tahoe City DTZ proposes a commercial and public service land use focus, consistent with the current land use pattern. Similar to existing conditions, the DTZ would accommodate a south commercial area along SR 89, a commercial area at the western edge of the DTZ along SR 89 (north of the Truckee River), a downtown commercial area along SR 28, and a commercial area near the marina. Interspersed throughout the DTZ would also be public service, residential, some tourist, and some open space land uses.

The Kings Beach DTZ would be designated within the area of the existing Kings Beach Community Plan, which identifies this area as a regional commercial node and tourist area. As illustrated in Exhibit 2-7, this DTZ would continue to focuses recreation and open space land uses along the lakeshore (Kings Beach State Park) and would focus tourist and commercial land uses in a downtown/tourist village along SR 28 near the State Park, as well as residential, tourist, and commercial areas at the western (west of SR 267 near the Safeway) and eastern (on SR 28) extents of the DTZ.

The South Stateline DTZ would be designated within the area of three existing Community Plans—Stateline/Ski Run, Stateline, and Kingsbury—which identify the area as a regional tourist and recreation center, a major destination resort, and a regional commercial node and tourist area, respectively. The DTZ proposed land use designations are consistent with the intent of these Community Plans. As shown in Exhibit 2-8, this DTZ includes primarily tourist and commercial land uses along Ski Run Boulevard and US 50 (heading east toward the casino core); a focus on tourist land uses at the casino core; open space where the Edgewood Golf Course is located; and another node of commercial, tourist, and public services at the intersection of US 50 and SR 267.

The proposed DTZs in Alternative 2 would target these zones for new and transferred development, further focusing urban land uses within these regional nodes.
Legend
- TRPA Jurisdiction
- Areas Ineligible for Sending
Sending Areas (Refer to Table 3.2-13)
- Sensitive, North Shore
- Sensitive, South Shore
- Non-Sensitive, North Shore
- Non-Sensitive, South Shore

Source: TRPA 2012
Exhibit 3.2-7.
Alternative 2 CFA Sending Areas
Exhibit 3.2-8. Alternative 2: South Stateline Height District

Source: TRPA 2012

Legend
- TRPA Boundary
- Development Transfer Zone (DTZ)
- Height Districts
  - 2.5 Stories
  - 3 Stories
  - 4 Stories
- Land Use Designations
  - Commercial/Public Service
  - Conservation
  - Recreation
  - Residential
  - Tourist

North
Lake Tahoe
South Stateline

Base map: ESRI 2009 G10010442 01 020
Transferable Development Rights and Allocations

Alternative 2 would include 2,600 new residential allocations and an additional 200,000 square feet of CFA would be available to Community Plans under the existing allocation system. No additional TAUUs or residential bonus units would be made available. Under Alternative 2, allocations from the existing plan and new allocations would allow for potential growth as detailed in Table 3.2-11.

<table>
<thead>
<tr>
<th></th>
<th>Existing Development</th>
<th>Remaining Allocations¹</th>
<th>Alternative 2 Allocations</th>
<th>Potential New Development</th>
<th>Total Potential Development</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Units²</td>
<td>47,392</td>
<td>960</td>
<td>2,600</td>
<td>3,560</td>
<td>50,952³</td>
</tr>
<tr>
<td>CFA (square feet)</td>
<td>6,416,421</td>
<td>383,600</td>
<td>200,000</td>
<td>583,600</td>
<td>7,000,021</td>
</tr>
<tr>
<td>TAUs</td>
<td>12,399</td>
<td>342</td>
<td>0</td>
<td>342</td>
<td>12,741</td>
</tr>
</tbody>
</table>

Notes: CFA=commercial floor area; TAU=tourist accommodation unit
¹Remaining allocations refer to those not yet built, even if already allocated to local jurisdictions or projects and remaining residential bonus units.
²Includes both residential allocations and residential bonus units.
³Total residential units include remaining bonus units
Source: Data provided by TRPA in 2012.

Residential Units

Existing policies related to residential development rights and allocations would not be changed under Alternative 2, and would be the same as described above under Alternative 1.

Tourist Accommodation Units

Under Alternative 2, TAUUs would be capped at the existing levels in all areas except the three DTZs. Only DTZs would be eligible to receive new TAUUs. Transfer requirements for TAUUs would be changed to reflect a bedroom-for-bedroom basis, limited to no more than 550 square feet per bedroom in a unit. Total unit size would be limited to 4 bedrooms and 3 bathrooms. The restrictions on receiving areas would reduce opportunities for transfers of tourist accommodation uses relative to existing conditions. This could result in fewer transfers of TAUUs, which would promote the continuation of the existing pattern of TAU distribution. A reduction in the number of transferred TAUUs could also result in reduced restoration of sensitive lands that are currently developed for tourist uses, and less new development and redevelopment for tourist uses.

In addition, specific restrictions would apply to transfers of TAUUs from the south shore (El Dorado and Douglas counties and Carson City) to the north shore (Washoe and Placer counties). TAU transfer regulations for transfers from the south shore to the north shore would be as follows:

- Sending unit must be within SEZ (LCD 1b) and receiving unit must be within LCDs 4–7
- TAUUs would be transferred at a 2:1 ratio (sending to receiving)
- Sending unit must be deed-restricted from future development and restored

See Exhibits 3.2-5 and 3.2-6 for TAU sending and receiving areas under Alternative 2.

Commercial Floor Area

Under Alternative 2, new CFA would be permitted only in DTZs and Preferred Industrial Areas. CFA would be permitted to be transferred into DTZs (Exhibit 3.2-6). CFA could also be transferred into Community Plan areas, but only as replacement for CFA existing at the time of plan adoption that had been transferred out. New CFA would only be available after CFA remaining from the 1987 Regional Plan is exhausted and 70 percent commercial occupancy is achieved. Exceptions to this policy would allow a portion of the 200,000 square feet of additional CFA to be allocated to Preferred Industrial Areas or as a 1:1 match for CFA transferred out of sensitive lands (LCDs 1–3). All private land except the South Shore DTZ would be potential sending areas (Exhibit 3.2-7).
Specific restrictions would be placed on transfers of CFA between the South Shore and the North Shore. CFA transfer ratios based on various sending and receiving areas are shown in Table 3.2-12. Transfers of CFA into Community Plan areas to replace CFA transferred out would be at the same ratio as transfers into DTZs. All other transfers not included in Table 3.2-12 would be prohibited.

### Table 3.2-12. Commercial Floor Area Transfer Rules Between North and South Shores

<table>
<thead>
<tr>
<th>Sending Area</th>
<th>Receiving Area</th>
<th>CFA Transfer Ratio (sending to receiving)</th>
</tr>
</thead>
<tbody>
<tr>
<td>North shore sensitive lands (LCDs 1–3)</td>
<td>North or south shore non-sensitive lands (LCDs 4–7)</td>
<td>1:2</td>
</tr>
<tr>
<td>North shore non-sensitive lands (LCDs 4–7)</td>
<td>North or south shore non-sensitive lands (LCDs 4–7)</td>
<td>1:1</td>
</tr>
<tr>
<td>South shore SEZ lands (LCD 1b)</td>
<td>North shore non-sensitive lands (LCDs 4–7) in DTZs</td>
<td>1:1</td>
</tr>
<tr>
<td>South shore other sensitive lands (LCDs 1–3)</td>
<td>South shore non-sensitive lands (LCDs 4–7) in DTZs</td>
<td>1:2</td>
</tr>
<tr>
<td>South shore non-sensitive lands (LCDs 4–7)</td>
<td>South shore non-sensitive lands (LCDs 4–7) in DTZs</td>
<td>1:1</td>
</tr>
</tbody>
</table>

Source: Data provided by TRPA in 2012

### Density and Height

Under Alternative 2, special height districts would be eliminated and would be conceptually replaced by the DTZs. Within DTZs, lake-side would be defined as areas located within 1,500 feet of the shore and on the lake-side of the highway (e.g., SR 28) and mountain-side would be the area remaining in the DTZ (i.e., greater than 1,500 feet from the Lake or on the mountain-side of the highway). Using these classifications, height would be limited as follows:

- **South Stateline DTZ:** ranges from two stories to four stories based on applicable height district (Exhibit 3.2-8), but generally higher (up to four stories) on the mountain-side and lower (two to three stories) lake-side
- **Tahoe City and Kings Beach DTZs:** three stories mountain-side, two stories lake-side, subject to increased setbacks and other requirements to maintain view (Exhibits 3.2-9 and 3.2-10)

The existing height measurement approach would remain in place, and buildings with non-conforming heights would be required to come into conformance with height limits if the site is redeveloped.

Density regulations would not be amended; Alternative 2 would have the same density regulations as described above for Alternative 1.

### Transfers of Development

Transfers of TAUs would be limited to the three DTZ receiving areas. The intensity of commercial and tourist accommodation uses would likely increase in these areas. Overall, the restrictions on transfers of TAUs from the south shore to the north shore would further promote the continuation of the existing pattern of TAU distribution. In general, the intensity of tourist accommodation uses could decrease in sending areas. The restrictions could result in fewer transfers of TAUs (and associated restoration) from the south shore since receiving areas for these transfers would be very restricted. Fewer restrictions would be placed on transfers of TAUs from the north shore, so the intensity of tourist accommodation uses would be expected to decrease to a greater extent in north shore sending areas than in south shore sending areas. While these restrictions would likely result in a net decrease in transfers of TAUs and tourist development, they would incentivize the transfer and restoration of existing tourist accommodation development within SEZs on the south shore when transfers do occur.
Alternative 2: Kings Beach Height District

Source: TRPA 2012

Exhibit 3.2-10.
The CFA transfer regulations in Alternative 2 would provide additional CFA as incentive for transfers out of sensitive lands. Transfers out of sensitive lands on the north shore would have the greatest number of receiving areas, while transfers out of sensitive lands on the south shore would have fewer potential receiving areas (Exhibit 3.2-7). As a result, demand would be greatest for transfers of CFA from north shore sensitive lands, and less for transfers of CFA from sensitive lands on the south shore. No incentives would be available for transfers of CFA from non-sensitive lands. As with transfers from sensitive lands, transfers of CFA from non-sensitive lands on the south shore would have fewer potential receiving areas than transfers from the north shore. As a result, there would likely be less demand for transfers of CFA from non-sensitive lands than from sensitive lands on the north shore, and the least demand for transfers of CFA from non-sensitive south shore lands.

The intensity of commercial uses could decrease within CFA sending areas. Based on the CFA transfer ratios and number of eligible receiving areas, the intensity of commercial uses would be expected to decrease the most within north shore sensitive lands, then south shore sensitive lands, followed by north shore non-sensitive lands, with the least decrease in south shore non-sensitive lands.

**Allowable Coverage and Coverage Transfers**

Under Alternative 2, the maximum allowable coverage (base plus transferred) in Community Plan areas and DTZs would be reduced to 50 percent of the area in LCDs 4–7 for both developed and undeveloped lands. The other existing land coverage strategies and regulations, described above for Alternative 1, would remain in place. This change would limit the intensity of development within Community Plan areas and provide fewer opportunities for transfers of development or transfer of coverage into these areas than existing conditions.

**Coverage Transfer Ratios.** Alternative 2 would allow transfers across HRA boundaries into DTZs under specific circumstances: transfer of coverage into the South Stateline DTZ would be allowed from any HRA in the Basin, and transfer of coverage into the Tahoe City or Kings Beach DTZs would only be allowed from HRAs within Placer County. All other transfers would be required to be within the same HRA.

Under Alternative 2, transfer ratios would be based upon the land capability of the sending parcel (rather than the total resulting coverage of the receiving parcel), such that transfer out of any lands other than SEZ (LCD 1b) would be subject to increased transfer ratios, as compared to existing conditions. Transfer ratios (sending to receiving) would be as follows:

- 3:1 from LCDs 6 and 7
- 2:1 from LCDs 4 and 5
- 1.25:1 from LCDs 1, 2, and 3
- 1:1 from LCD 1b (SEZ)

The coverage transfer ratios and changes to HRA restrictions would incentivize the removal of coverage from more sensitive lands over less sensitive lands. These changes would also require more coverage removal associated with transfers than under existing requirements, potentially reducing coverage more than under existing conditions. However, the increased transfer ratios would also serve as a general disincentive to transfers of coverage, which could reduce the amount of redevelopment and new development and decrease the total amount of coverage transferred.

**Excess Coverage Mitigation.** Alternative 2 would require that coverage mitigation be achieved in a specific priority order: first through onsite removal (at least 15 percent of the excess coverage); second, from offsite coverage at ratios that increase with increasing land capability (thereby incentivizing removal from SEZ and other sensitive lands); and finally, from payment of excess coverage mitigation fees. Alternative 2 would retain the restrictions against using mitigation fees across HRA boundaries but would include a new requirement that mitigation fees be used only for the removal of existing coverage rather than the acquisition of potential
coverage. In-lieu mitigation fees would only be collected if coverage removal within the same HRA is not an option. In addition, in-lieu coverage mitigation fees would be increased to represent the actual cost of acquiring and restoring coverage.

The restrictions on the use of in-lieu fees and increased cost of in-lieu mitigation would serve as a disincentive to redeveloping sites that are currently over-covered. As a result, the number and distribution of over-covered sites would be less likely to change than under other alternatives.

**Summary of Development Pattern and Land Use Compatibility Effects**

Alternative 2 would continue to utilize the existing land classifications and land use planning system of the 1987 Regional Plan, with the addition of three DTZs (areas targeted for redevelopment or development transfers), which overlap with existing Community Plan areas. Alternative 2 would therefore result in a continuation of the existing development pattern, which attempts to concentrate new development in Community Plan areas and encourage environmentally beneficial redevelopment while allowing the continuation to development of single family residential units on vacant parcels throughout the Region. Alternative 2 would authorize a very low level of new development (second to Alternative 1, the No Project Alternative) based on the low level of new authorized allocations. While some additional new residential development, CFA, and TAUs would be accommodated throughout the Region, the resultant land use pattern would be essentially the same as existing conditions. New commercial and tourist uses would be primarily located within Community Plans and the DTZs and the majority of housing would continue to be single family residential units, which would continue to be distributed throughout the Region primarily in residential PASs outside of Community Plan areas. In several instances, Alternative 2 would implement regulations that are more stringent (i.e., reduced allowable coverage, increased transfer ratios, more limited receiving areas, removal of special height districts) or as stringent (i.e., no grandfathering of nonconforming height or coverage) as those in effect today, which are likely to discourage redevelopment within DTZs and elsewhere. These restrictions would also discourage transfers of development from outlying areas. Alternative 2 would allow for coverage transfers across HRAs into DTZs (under specific circumstances), which would encourage more environmentally beneficial coverage removal projects than the current system, but would increase the delay between the time an impact occurs and the time the mitigation is implemented because of additional restrictions on the available options for the use of mitigation fees. This system would not allow mitigation fees to be shifted to a different HRA from the project generating the mitigation fees.

Plan Area Statements, Community Plans, and Master Plans describe allowable uses, provide detailed guides for planning in specific areas of the Region, and were developed in part to ensure appropriate and compatible land uses, and these would remain in effect until superseded by other plan updates, which in turn, would undergo environmental review prior to adoption. In addition, the land use planning strategies and development rights and allocations provided by Alternative 2 would provide opportunities for orderly growth and development consistent with the environmental thresholds. The development pattern and project approval process from which the development pattern evolves is established by the Goals and Policies, the Code, and other TRPA, federal, state, and local regulations that ensure that the residential, commercial, and tourist, recreation, and conservation uses allowed by the 1987 Regional Plan and carried forward in this Regional Plan Update are compatible with one another. Alternative 2 would authorize allocations of residential units and CFA and implement regulations that are more stringent than existing, which may discourage and slow redevelopment. Implementation of Alternative 2 would result in a development pattern very similar to existing conditions. The land use plan under Alternative 2 and the resultant land use pattern would support attainment and maintenance of environmental threshold carrying capacities. Alternative 2 would accommodate redevelopment, focused within three DTZs, but lack of incentives and more stringent regulations may impede the rate of and degree to which it occurs.
Although Alternative 2 proposes more stringent regulations and fewer new allocations than Alternatives 3, 4, and 5, which could result in a lower number of redevelopment projects, the concentration of commercial and tourist uses within the three DTZs through transfers, the allowance of transfers across HRAs to the South Shore DTZ, and the requirement to reduce coverage on-site would result in a beneficial impact with regard to development pattern and compatibility.

**ALTERNATIVE 3: LOW DEVELOPMENT, HIGHLY INCENTIVIZED REDEVELOPMENT**

Alternative 3 focuses on environmental redevelopment of the existing built environment with streamlined regulatory processes that concentrate TRPA’s resources at the regional level, while local jurisdictions assume additional responsibility for activities that are not regionally significant.

**Land Use Classifications**

Land use classifications under Alternative 3 would be largely the same as existing, but the Commercial and Public Service classification would be replaced with “Mixed Use,” a new classification that would identify urban areas designated to provide a mix of commercial, tourist, public service, light industrial, office, and residential uses or that have the potential to provide future commercial, tourist, public service and residential uses. The purpose of this classification is to concentrate a mix of land uses for public convenience and enhanced sustainability.

Alternative 3 would also update the existing Tahoe Region land use map to include new wilderness and backcountry land use designations consistent with USFS management designations. This re-designation is a change in name only—no physical environmental changes or revisions to management strategies by the USFS would occur.

Alternative 3 would also include boundary changes to the Land Use Plan to reflect current land uses. Refer to Impact 3.2-2, below, for a discussion of potential effects related to boundary changes and modified land use classifications proposed under Alternative 3.

**Land Use Planning Approach**

Under Alternative 3, the current PAS and Community Plan land use planning system would remain in place, with the addition of two new land use designations and three special planning districts: Town Centers, Regional Center, and High Density Tourist District, which are areas targeted for redevelopment. These overlay districts largely coincide with certain Community Plan boundaries, contain most of the Region’s non-residential services, and have been identified (along with the Basin’s road network) as significant sources of sediments and other contaminants that continue to enter Lake Tahoe. The overlay districts would be targeted for redevelopment in a manner that would improve environmental conditions, create a more sustainable and less automobile-dependent development pattern, and provide economic opportunities in the region. Town Centers would be located in Incline Village, North Stateline, Kings Beach, Tahoe City, Kingsbury, Stateline/Ski Run, South Stateline, City of South Lake Tahoe, South Y, and Meyers (Exhibits 2-9 through 2-15). The Regional Center overlay district would surround the US 50 corridor from Ski Run Boulevard to the Nevada state line on the South Shore (Exhibit 2-10). The area proposed as the High Density Tourist District is in Stateline, Nevada, and currently contains a concentration of hotel/casino towers (Exhibit 2-10).

Additionally, areas within SEZs along major waterways that have been substantially degraded by development would be designated as Stream Restoration Priority Areas. These areas would be subject to individual restoration plans, which would be developed in coordination with the applicable local jurisdiction and property owners. Individual restoration plans would identify feasible opportunities for environmental restoration projects that would be promoted in future planning efforts.
Exhibits 2-9 through 2-15 in Chapter 2, Regional Plan Update Alternatives, illustrate the land use plan proposed for Alternative 3.

Under Alternative 3, local governments (and, in some cases, federal or state agencies) would be encouraged to prepare their own plans for implementation of land use goals, policies, and ordinances. These Area Plans, which would also include local codes and zoning, would be required to be consistent with the Regional Plan, undergo environmental review, and be subject to an initial conformance evaluation by TRPA and subsequent targeted evaluations to ensure they are consistent with any future Regional Plan amendments. PASs, Community Plans, and use-specific master plans would remain in effect until superseded by Area Plans that are developed and found in conformance with the Regional Plan.

Once a conformity determination has been made and environmental review requirements of TRPA (and the California Environmental Quality Act [CEQA] for plans in California) have been completed, the local jurisdiction would assume responsibility for review and approval of certain activities. Local approval would not include regionally significant projects, such as any substantial development within the High Density Tourist District, the Shorezone of Lake Tahoe, or Conservation Districts. TRPA would also retain review authority over projects in which the new development would meet or exceed certain size limits, and may retain authority for smaller projects under a given Area Plan depending upon the findings and conclusions of the environmental review of that Area Plan.

TRPA would conduct an annual review of activities within conforming Area Plans, code, and zoning to ensure that permits issued by local governments are being approved in accordance with the conforming plan. If the review were to find that local jurisdictions approved activities that were not in conformance with the Area and Regional Plans or that local jurisdictions were not meeting monitoring and reporting requirements, then TRPA would initiate corrective actions, which may include revocation of certain jurisdictional review and approval authority under the Area Plan.

**Transferable Development Rights and Allocations**

Under Alternative 3, new allocations would consist of 200,000 square feet of CFA, 2,600 residential units, and 600 residential bonus units (3,200 total new residential units). No new TAUs would be authorized. The total potential development that could occur in the Region over the planning period is shown in Table 3.2-13.

<table>
<thead>
<tr>
<th></th>
<th>Existing Development</th>
<th>Remaining Allocations</th>
<th>Alternative 3 Allocations</th>
<th>Potential New Development</th>
<th>Total Potential Development</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Units</td>
<td>47,392</td>
<td>960</td>
<td>3,200</td>
<td>4,160</td>
<td>51,552</td>
</tr>
<tr>
<td>CFA (square feet)</td>
<td>6,416,421</td>
<td>383,600</td>
<td>200,000</td>
<td>583,600</td>
<td>7,000,021</td>
</tr>
<tr>
<td>TAUs</td>
<td>12,399</td>
<td>342</td>
<td>0</td>
<td>342</td>
<td>12,741</td>
</tr>
</tbody>
</table>

Notes: CFA=commercial floor area; TAUs=tourist accommodation units
1Remaining allocations refer to those not yet built, even if already allocated to local jurisdictions or projects and remaining residential bonus units.
2 Includes both residential allocations and residential bonus units.
Source: Data provided by TRPA in 2011

**Residential Units**

Alternative 3 would retain the existing residential allocation program but update the performance review criterion for earning residential allocations. This alternative would also substantially expand opportunities to obtain bonus units. Transfer ratios for residential units, CFA, and TAUs would be established based on both the environmental sensitivity of the sending parcel (higher transfer ratios would be earned by transferring development and development rights from more sensitive sending parcels, such as a sending parcel containing SEZ) and the distance of the sending parcel from the target redevelopment areas (e.g., those requiring longer
travel distances to services). The residential bonus units would continue to be available as an incentive for affordable housing.

**Tourist Accommodation Units**
Under Alternative 3, no new TAU allocations would be provided aside from the remaining 1987 Regional Plan allocations. A TAU would be defined as either one 1,200-square-foot unit or one 1,800-square-foot/3-bedroom unit, if the unit makes up less than 20 percent of a project. Transfer regulations would be changed to reward transfer of development into Town Centers, the Regional Center, and the High Density Tourist District, based on the land capability of the sending parcel (see “Transfers of Development” below).

**Commercial Floor Area**
As with residential units, transfer ratios for CFA would be established based on the environmental sensitivity of the sending parcel (higher transfer ratios would be earned by transferring development and development rights from more sensitive sending parcels, such as a sending parcel containing SEZ). Otherwise, allocation of CFA under Alternative 3 would be 200,000 square feet in addition to the remaining 1987 Regional Plan allocations (Table 3.2-12).

**Density and Height**
Alternative 3 would revise density and height policies to create additional incentives for redevelopment. TRPA (or local jurisdictions, if allowed under an adopted Area Plan) could permit building heights of up to four stories (56 feet) within Town Centers, six stories (95 feet) within the Regional Center, and 197 feet in the High Density Tourist District (see Exhibit 3.2-11). These revised height policies would likely result in taller buildings in the community centers. The greatest height would be allowed in the High Density Tourist District, with height increases also permitted in the Regional Center, providing an appropriate transition to ensure compatibility between these areas. To complement the increased height in these areas and promote concentrated infill development and redevelopment through transfers, Alternative 3 would allow an adopted Area Plan to increase multi-family density from 15 units/acre to 25 units/acre. These revised policies and standards would create denser and taller centers, and would be compatible with the intent of Alternative 3 to incentivize concentration of development in the community centers through corresponding removal of development elsewhere.

Alternative 3 would amend the density standards to allow mixed-use projects proposing to subdivide multi-family residential units at the maximum density permitted for un-subdivided mixed use developments. This would allow for the subdivision of existing residential and tourist units within mixed-use facilities. These changes would further promote redevelopment, increase housing options available in the Region, and facilitate a more compact development pattern with less intensive uses outside of areas where mixed use is allowed.

**Transfers of Development**
Table 3.2-14 displays the proposed transfer ratios for residential units, TAUs, and CFA. These transfer ratios would provide additional incentives to transfer residential, tourist, and commercial development from sensitive lands into receiving areas (Exhibits 3.2-12, 3.2-13, 3.2-14). This would likely lead to decreased intensity of uses in sensitive lands and increased intensity of uses within receiving areas. An additional incentive would be provided for transfers of residential uses from areas farther from transit routes and receiving areas. This would likely decrease the amount of residential uses in outlying areas and increase the intensity of residential uses within receiving areas. As a result, these transfer ratios would promote increased concentration of development relative to existing conditions.
### Table 3.2-14. Proposed Transfer Ratios for Residential Units, TAUs, and CFA

<table>
<thead>
<tr>
<th>Land Capability District (LCD) of Sending Parcel</th>
<th>Transfer Ratios for Existing Development (a)</th>
<th>Transfer Ratios for Development Rights (b)</th>
</tr>
</thead>
<tbody>
<tr>
<td>SEZ (LCD 1b)</td>
<td>1:3</td>
<td>1:1.5</td>
</tr>
<tr>
<td>Sensitive Lands (LCD 1a, 1c, 2 and 3)</td>
<td>1:2</td>
<td>1:1.25</td>
</tr>
<tr>
<td>Non-sensitive lands (LCD 4, 5, 6 and 7)</td>
<td>1:1</td>
<td>1:1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Distance from Target Areas (c)</th>
<th>Additional Transfer Ratio (d)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than ¼ mile or Lakeward of primary transit routes</td>
<td>1:1</td>
</tr>
<tr>
<td>¼ to ½ mile</td>
<td>1:1.25</td>
</tr>
<tr>
<td>½ to 1 mile</td>
<td>1:1.5</td>
</tr>
<tr>
<td>1 to 1½ mile</td>
<td>1:1.75</td>
</tr>
<tr>
<td>Greater than 1½ mile</td>
<td>1:2</td>
</tr>
</tbody>
</table>

Notes: See Exhibits 3.2-12, 3.2-13, and 3.2-14 for graphic representation of transfer ratios.  
CFA = commercial floor area; SEZ = stream environment zone; TAUs = tourist accommodation units  
(a) Refers to transfer of existing development (residential units, CFA, TAUs) to Town Centers, Regional Center, and/or High Density Tourist District and restoration and retirement of sending parcel.  
(b) Refers to transfer of development rights to Town Centers, Regional Center, and/or High Density Tourist District and retirement of sending parcel (no restoration needed).  
(c) Defined as Town Centers, Regional Center, High Density Tourist District, and primary transit routes.  
(d) Based on distance from non-residential support services and transit (only for transfers of residential development rights and existing residential units into Town Centers, Regional Center, and/or High Density Tourist District).  
Source: Data provided by TRPA in 2012

### Allowable Coverage and Coverage Transfers

Alternative 3 would increase the allowable coverage that can be transferred into Town Centers, Regional Center, and the High Density Tourist District. Projects would be allowed to transfer in up to 70 percent coverage on high capability lands for both undeveloped and developed parcels, compared with 70 percent and 50 percent for undeveloped and developed parcels, respectively, under existing conditions. This change would incentivize transfers of coverage from outside receiving areas to within those areas.

**Coverage Transfer Ratios.** Alternative 3 would remove the existing HRA transfer restrictions, allowing coverage to be transferred across HRA boundaries. Projects that would transfer coverage across HRA boundaries would still be required to comply with land capability limitations and all other ordinances regulating coverage. Coverage transfer ratios would be reduced to 1:1 when coverage is transferred from sensitive lands into target receiving areas (i.e., the High Density Tourist District, Regional Center, or Town Centers). Alternative 3 would also permit soft coverage to be transferred from SEZs into the same target receiving areas. With restoration and retirement of the sending sites, Alternative 3 would permit transfer of non-conforming coverage and transfer of soft coverage from SEZs for use in Town Centers, Regional Centers and the High Density Tourist District.

Taken together, these changes to coverage transfer restrictions would promote increased coverage transfers, especially transfers from SEZs and other sensitive lands, and transfers into Town Centers, the Regional Center, and the High Density Tourist District. This could result in increased intensity of development within community centers where infrastructure exists and a decreased intensity of development in sensitive lands and other areas outside community centers.

**Excess Coverage Mitigation.** Alternative 3 would allow excess coverage mitigation fees to be used across HRA boundaries as long as it is used for removal of coverage in LCDs 1 or 2. This change could increase the efficiency of coverage removal by allowing mitigation funds to be used on the highest priority or most cost-effective projects, thereby reducing the delay between impact and implementation of mitigation. This could also allow broader scale changes in the distribution of coverage and decrease coverage in sensitive lands relative to existing conditions.
Land Use Ascent Environmental
Tahoe Regional Planning Agency
3.2-50 Regional Plan Update Draft EIS
Source: TRPA 2012
Exhibit 3.2-11.
Alternative 3 Height Districts
Legend

- TRPA Jurisdiction
- Areas Ineligible for Sending/Receiving
- Incentivized Receiving Areas

Transfer Ratios for Development Rights
- 1:1 (Sending:Receiving)
- 1:1.5 (Sending:Receiving)
- 1:2 (Sending:Receiving)
- 1:2.5 (Sending:Receiving)
- 1:3 (Sending:Receiving)

Source: TRPA 2012
Exhibit 3.2-13. Alternative 3 Residential Development Rights Transfers - No Development
Within the Town Centers, Regional Center, and High Density Tourist District, redevelopment projects would be permitted to remove and retire existing excess coverage beyond that required under the existing mitigation program, in exchange for TAU, CFA, or residential bonus units. Development rights would be awarded at the ratios shown in Table 3.2-15. This would serve as an incentive for redevelopment that reduces excess coverage.

<table>
<thead>
<tr>
<th>Land Capability District</th>
<th>Coverage Reduced (square feet)</th>
<th>Bonus Units Earned(^1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>SEZ (1b)</td>
<td>700</td>
<td>1</td>
</tr>
<tr>
<td>1a, 1c, 2, or 3</td>
<td>1,400</td>
<td>1</td>
</tr>
<tr>
<td>4, 5, 6, or 7</td>
<td>2,100</td>
<td>1</td>
</tr>
</tbody>
</table>

Notes: CFA = commercial floor area; SEZ = stream environment zone; TAU = tourist accommodation units
\(^1\) One unit is equivalent to one residential bonus unit, one TAU, or 1,000 square feet of CFA.

Source: Data provided by TRPA in 2012

Summary of Development Pattern and Land Use Compatibility Effects
Alternative 3 would utilize the existing land use planning system of the 1987 Regional Plan, with the addition of two new land use designations and three special planning districts: Town Centers, Regional Center, and High Density Tourist District, which overlap with existing Community Plan areas. It proposes policies that would highly incentivize transfers of existing development and development rights, new development, and redevelopment in these areas. Proposed policies pertaining to transfer ratios, coverage, height, and density would remove some existing obstacles to redevelopment. Compared to the other alternatives, Alternative 3 would be expected to result in the greatest level of redevelopment activity, with somewhat higher densities in community centers, by promoting the highest levels of coverage removal, removal of existing development, and transfer of development rights from sensitive lands and lands distant from the community centers. It would establish new development transfer ratios as incentives to promote these transfers; allocate additional development rights in exchange for excess coverage removal; allow coverage mitigation across HRA boundaries; accommodate additional height to promote denser development and smaller building footprints; and accommodate non-conforming height in target redevelopment areas.

Alternative 3 would result in a modest amount of new development (greater than under Alternatives 1 and 2 but less than under Alternatives 4 and 5) and would result in a change in the existing development pattern. Alternative 3 would include considerable incentives to promote infill, mixed land uses, redevelopment, and transfers of existing development, development rights, and coverage into community centers. While the amount of redevelopment and use of these incentives are dependent upon many factors, it is reasonable to expect that over the approximately 20-year planning horizon of the Regional Plan, periods of elevated economic activity will occur and that, collectively, these incentives would encourage investment in new development and redevelopment within the Town Centers, Regional Center, and High Density Tourist District. The resultant development pattern would be denser and more compact community centers than those envisioned in the other alternatives, with a mix of residential, commercial, tourist, and public uses.

The changes in the distribution of development would be driven primarily by the increased development transfer ratios for relocations from the most sensitive lands to the community centers. The ratios are expected to provide a meaningful economic incentive to relocate single-family homes and development rights to the community centers, and therefore accelerate development transfers and environmental improvement. The proposed transfer ratios were evaluated through an economic pro forma, which found that the incentives would provide feasible options for future development if market conditions show modest recovery in the next few years. This finding was tested using the low-to-high range of the incentive program ratios, and a low-to-high range of potential costs for each development right purchase based on past experience (BAE 2012). Without these economic incentives, fewer landowners would relocate existing development because outlying single family homes are generally more valuable that a multi-family residential unit in the town center. The more concentrated land use pattern is
expected to reduce automobile reliance, reduce emissions, increase feasibility of transit and neighborhood-scale BMPs for urban runoff, decrease environmental impacts and increase the availability of affordable and moderate income housing compared to existing patterns of development.

Plan Area Statements, Community Plans, and Master Plans describe allowable uses, provide detailed guides for planning in specific areas of the Region, and were developed in part to ensure appropriate and compatible land uses, and these would remain in effect until superseded by Area Plans or other plan updates, which in turn, would undergo environmental review prior to adoption. In addition, the land use planning strategies and development rights and allocations provided by Alternative 3 would provide opportunities for orderly growth and development consistent with the environmental thresholds. The development pattern and project approval process from which the development pattern evolves is established by the Goals and Policies, the Code, and other TRPA, federal, state, and local regulations that ensure that the residential, commercial, and tourist, recreation, and conservation uses allowed by the 1987 Regional Plan and carried forward in this Regional Plan Update are compatible with one another.

Alternative 3 would authorize more new allocations than Alternatives 1 and 2, but fewer than Alternatives 4 and 5. It would also create substantial incentives for redevelopment and transfer of existing development and development rights from sensitive lands and areas more distant from the community centers. The intensified development pattern would result in more compact, walkable, mixed-use communities, supported by greater density and increased height, which would facilitate maintenance of the existing community centers’ character, improve access to services, and reduce automobile dependency. With transfer of development from sensitive and distant lands, more open space would be created in appropriate areas and restoration of sensitive lands, including SEZ, would result in increased infiltration, reduced urban runoff, and commensurate improvements in water quality, soil conditions and function, vegetation, and habitat for wildlife. (See Sections 3.3 through 3.15 of Chapter 3 for additional discussion of specific technical topics.) Alternative 3 would result in a beneficial impact.

**ALTERNATIVE 4: REDUCED DEVELOPMENT, INCENTIVIZED REDEVELOPMENT**

Alternative 4 combines more development than Alternatives 1, 2, and 3 with modest incentives for environmentally beneficial development. Alternative 4 introduces a transect-based zoning system, that is, a model wherein a transect defines a series of districts that transition from wilderness and open space to the denser urban core. Transect districts would allow for a mix of land uses and housing types and would result in an appropriate distribution of uses across the landscape. Each transect district would include specific measures to regulate the physical form of the built environment to produce desired relationships between buildings and outdoor public areas, including streets.

**Land Use Classifications**

Land use classifications under Alternative 4 would remain the same as under the existing Regional Plan, with conservation, recreation, residential, commercial and public service, and tourist classifications.

Alternative 4 would also include minor boundary changes to the Land Use Plan to reflect current land uses. Refer to Impact 3.2-2 below for a discussion of potential effects related to boundary changes under Alternative 4.

**Land Use Planning Approach**

Alternative 4 proposes establishment of the five transect zones described below, some of which would be further defined by more specific districts:

- **T1**: Wilderness District, Backcountry District, and General Conservation and Parkland District
- **T2**: Recreation District
- **T3**: Residential District
- **T4**: Neighborhood General District, the Neighborhood Center District
**T5: Town Center District, Tourist Center District, and Special Districts**

Characteristics such as massing, design, and permissible uses would be designated for each district. Districts would be further divided into Character Areas, which would have unique land use and design standards developed with community input. See Appendix D for an illustration and description of the transect districts, land uses, and specific requirements as to form, function, and performance; also included in Appendix D is a density comparison table for the transect districts.

As a further distinction, T5 districts and the Neighborhood Center of the T4 district would be designated PTOD areas. PTOD zoning is a sustainable planning strategy for urban and rural communities that concentrates development in denser, relatively urban settings to create walkable areas. Redevelopment projects within PTODs would be required to contain a minimum residential density of 8 dwelling units per acre and would be allowed up to four stories in height in central areas.

Exhibits 2-16 through 2-24 in Chapter 2, Regional Plan Update Alternatives, illustrate the land use plan proposed for Alternative 4.

**Transferable Development Rights and Allocations**

Alternative 4 would authorize an additional allocation of 4,000 new residential units, 400,000 square feet of CFA, and 200 TAUs. No new residential bonus units would be authorized. The total potential development that could occur in the Region over the planning period is shown in Table 3.2-16.

<table>
<thead>
<tr>
<th></th>
<th>Existing Development</th>
<th>Remaining Allocations¹</th>
<th>Alternative 4 Allocations</th>
<th>Potential New Development</th>
<th>Total Potential Development</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Units²</td>
<td>47,392</td>
<td>960</td>
<td>4,000</td>
<td>4,960</td>
<td>52,352²</td>
</tr>
<tr>
<td>CFA (square feet)</td>
<td>6,416,421</td>
<td>383,600</td>
<td>400,000</td>
<td>783,600</td>
<td>7,200,021</td>
</tr>
<tr>
<td>TAUs</td>
<td>12,399</td>
<td>342</td>
<td>200</td>
<td>542</td>
<td>12,941</td>
</tr>
</tbody>
</table>

Notes: CFA = commercial floor area; TAUs = tourist accommodation units
¹Remaining allocations refer to those not yet built, even if already allocated to local jurisdictions or projects and remaining residential bonus units.
²Includes both residential allocations and residential bonus units.
³Total residential units include remaining bonus units.

Source: Data provided by TRPA in 2012

**Residential Units**

Under Alternative 4, the new residential allocations could be matched to existing development rights, as under the existing system. Alternative 4 would exempt moderate-income housing units from an allocation requirement, in addition to the existing exemption for affordable housing units. This change could result in an increase in the amount of moderate-income housing and potentially an increase in the rate of residential development, but would not affect the distribution pattern of residential development.

**Tourist Accommodation Units**

Alternative 4 would define a TAU as one 1,200-square-foot receiving unit or one 1,800-square-foot/3-bedroom receiving unit if the units make up less than 20 percent of a project. New TAUs would be permitted only in transect districts designated as Town Center, Tourist Center, and Neighborhood Center (i.e., areas designated as PTODs). TAUs could be transferred at a 1:1 ratio within PTODs, and transfers from outside a PTOD into a PTOD would be incentivized with a transfer ratio of 2:1 (i.e., one additional new TAU provided for each TAU transferred). This could increase the concentration of tourist accommodation uses within PTOD areas, incentivize redevelopment, and decrease the intensity of tourist accommodation uses outside of PTOD areas. Sending and receiving areas for TAUs are depicted in Exhibit 3.2-15.
Commercial Floor Area
Alternative 4 would maintain the existing procedures related to distribution of CFA. New CFA would also be provided as a match for transfers of CFA from outside PTOD areas to within PTOD areas (i.e., transect districts designated as Town Center, Tourist Center, and Neighborhood Center). Sending and receiving areas for CFA are depicted in Exhibit 3.2-16. This could incentivize redevelopment, decrease the intensity of commercial uses outside of PTOD areas, and increase it within PTOD areas.

Density and Height
Under Alternative 4, height standards would be amended to promote desired community character, limiting height to two stories adjacent to the street and up to four stories elsewhere within the boundaries of Town Centers (Exhibit 3.2-16). Up to four stories would be allowed in Town Center Districts; up to three stories in Neighborhood Centers; and up to six stories would be allowed for new buildings and existing heights of high-rise buildings would be recognized in the Tourist Center District. Density regulations would be amended to establish a minimum density standards of 8 units per acre in PTOD areas and up to 20 units/acre in Neighborhood Centers and up to 25 units/acre in Town and Tourist Centers for residential and tourist accommodation uses to promote transit and walkability. These height and density changes would serve as an incentive for redevelopment within PTOD areas and could lead to more compact, concentrated development within these areas. The more concentrated land use pattern is expected to reduce automobile reliance, reduce emissions, increase feasibility of transit compared to existing patterns of development.

The revised height policies would likely result in taller buildings in the community centers. The greatest height would be allowed in the Tourist Center District, with height increases also permitted in the Town Center Districts, providing an appropriate to ensure compatibility between these areas. This increased height and density would be compatible with the intent of Alternative 4 to incentivize concentration of development in the community centers through corresponding removal of development elsewhere.

Allowable Coverage and Coverage Transfers
Redevelopment projects within PTOD areas or Community Plan areas would be allowed up to 70 percent coverage on high capability lands for both undeveloped and developed parcels, compared with 70 percent and 50 percent for undeveloped and developed parcels, respectively, under existing conditions. This could result in more concentrated development within the receiving areas and more transfers of coverage and decreased intensity of development outside of receiving areas.

Coverage Transfer Ratios. Coverage transfer regulations would be amended to allow transfer from “impaired” (over-covered) HRAs to non-impaired HRAs. In addition, with restoration and retirement of the sending site, legally verified soft coverage could be transferred from sensitive lands (LCDs 1–3) into PTOD areas or Community Plan areas for use in commercial or tourist projects. These changes could incentivize redevelopment and transfers of coverage overall, and reduce coverage in sensitive lands and over-covered HRAs.

Excess Coverage Mitigation. Alternative 4 would allow projects defined as a redevelopment or special project pursuant to the Code to pay excess coverage mitigation fees only if they can demonstrate that no options are available for removing on-site or off-site land coverage within the same HRA. In addition, mitigation fees collected by the land banks could be used to remove coverage across HRA boundaries as long as the coverage removal would occur on sensitive lands (LCDs 1–3). Past redevelopment projects and special projects such as Project 3 has resulted in the collection of substantial excess coverage mitigation fees. However, due to the HRA boundary restriction and limited opportunities within some HRAs, the ability of the land bank to carry out its commitment under existing memoranda of understanding (MOUs) with TRPA to mitigate excess coverage is compromised (CTC 2010, 2011). This has resulted in accumulation of substantial, unspent mitigation fees, with land banks having difficulty in using these fees to offset project impacts in a timely manner. Revisions proposed under Alternative 4 would promote coverage removal first and foremost over in-lieu fees for a certain class of projects and allow the land banks to prioritize the fees to remove coverage on sensitive lands Region-wide. This could result in actual coverage reduction onsite while providing for the accelerated removal of coverage on sensitive lands, and reduce the delay between impact and mitigation and increase the efficiency of the mitigation program.
Summary of Development Pattern and Land Use Compatibility Effects

Alternative 4 would continue to utilize the existing land classifications but would reclassify land uses into a transect-based zoning system. Under Alternative 4, transfer of development would generally be directed toward Town Centers, Tourist Centers, and Neighborhood Centers. This shifting of development would be facilitated to the greatest extent in PTOD areas, where height and density limits would be increased but limited in other transect districts. Alternative 4 would be expected to result in a change in the existing development pattern by creating more compact and walkable community centers in Community Plan areas and encourage environmentally beneficial redevelopment. Although Alternative 4 promotes mixed land uses, and some increase in new residential uses in PTODs would be expected due to increased height and density incentives, it provides fewer incentives than Alternative 3 to promote the transfers of existing development and development rights to the PTODs areas. Also, similar to Alternatives 2 and 5, the land use pattern for single family residential units would continue to be distributed throughout the Region primarily in residential districts outside of Community Plan areas and Town and Neighborhood Districts. Revised coverage transfer ratios (1:1 from LCDs 4-7 and 2:1 from LCDs 1-3) would provide incentives to transfer development from sensitive lands to lands designated for commercial, tourist accommodation, and/or mixed use. However, increasing the transfer ratio from non-sensitive land to 2:1 means that transfers of coverage from non-sensitive lands may not occur as frequently as under the existing regulations. Alternative 4 would constitute more new development than Alternatives 1, 2, and 3 but less than Alternative 5, based on the low level of new allocations. Alternative 4 would provide incentives for redevelopment within the community centers by allowing some transfers across HRA boundaries, although to a lesser extent than Alternative 3. The results of these incentives for the transfer of CFA and TAUs from outside PTOD areas to within PTOD areas would result in a more compact land use pattern with more concentrated commercial and tourist accommodation uses.

Plan Area Statements, Community Plans, and Master Plans describe allowable uses, provide detailed guides for planning in specific areas of the Region, and were developed in part to ensure appropriate and compatible land uses, and these would remain in effect until superseded by other plan updates, which in turn, would undergo environmental review prior to adoption. In addition, the land use planning strategies and development rights and allocations provided by Alternative 4 would provide opportunities for orderly growth and development consistent with the environmental thresholds. The development pattern and project approval process from which the development pattern evolves is established by the Goals and Policies, the Code, and other TRPA, federal, state, and local regulations that ensure that the residential, commercial, and tourist, recreation, and conservation uses allowed by the 1987 Regional Plan and carried forward in this Regional Plan Update are compatible with one another.

Alternative 4 would regulate development based on the physical form of the built environment, would facilitate development to the greatest extent in PTOD areas, and would allow for a greater amount of new development than Alternatives 1, 2, and 3 but less than Alternative 5. Implementation of Alternative 4 would result in a more compact, walkable land use pattern, as compared to existing conditions. The land use plan under Alternative 4 and the resultant land use pattern would support attainment and maintenance of environmental threshold carrying capacities. Alternative 4 would provide greater incentives than Alternatives 1, 2, and 5 for redevelopment through the transect-zoning system, but to a lesser degree than Alternative 3. There would be no adverse impacts relative to development patterns or land use compatibility, and Alternative 4 would result in a beneficial impact.
**ALTERNATIVE 5: SIMILAR RATE OF DEVELOPMENT AND REGULATORY STRUCTURE TO THE 1987 REGIONAL PLAN**

Alternative 5 would have the highest level of new development and would approximate the increase in amount of development that occurred under the 1987 Regional Plan. The current system of regulation and incentives defined in the Goals and Policies and the Code would be retained.

**Land Use Classifications**
Alternative 5 would continue to utilize the existing five land use classifications: conservation, recreation, residential, commercial and public service, and tourist; however, minor boundary changes would be made to the Land Use Plan to reflect current land uses (i.e., Van Sickle Bi-State Park) and an expanded recreation designation to match the USFS permit boundary for the Heavenly Ski Resort.

**Land Use Planning Approach**
Alternative 5 would maintain the land use planning system of the existing Regional Plan, consisting of PASs, Community Plans, and other master plans and specific plans to define zoning, management strategies, and allowable land uses. Exhibit 2-25 in Chapter 2, Regional Plan Update Alternatives, illustrates the land use plan proposed under Alternative 5.

**Transferable Development Rights and Allocations**
Alternative 5 would maintain the same land use, zoning, and regulatory structure as the existing Regional Plan and authorize 600,000 square feet of new CFA, and 400 new TAUs. Alternative 5 would retain the 86 residential allocations from the existing Plan and authorize 5,200 new residential allocations, but each residential allocation needs to be paired with a development right in order to result in a new residential unit. Only 4,091 residential development rights remain in the Region, which would limit the total number of allocations that could be used. The total potential development that could occur in the Region over the planning period is shown in Table 3.2-17.

<table>
<thead>
<tr>
<th>Table 3.2-17. New Development Potential under Alternative 5</th>
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<tr>
<td><strong>Existing Development</strong></td>
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<tr>
<td>--------------------------</td>
</tr>
<tr>
<td>Residential Units²</td>
</tr>
<tr>
<td>CFA (square feet)</td>
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<tr>
<td>TAUs</td>
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</table>

Notes: CFA = commercial floor area; TAUs = tourist accommodation unit
1Remaining allocations refer to those not yet built, even if already allocated to local jurisdictions or projects and remaining residential bonus units.
²Total residential units include remaining bonus units. A total of 5,286 residential allocations are available, but the number that could result in new residential units is limited to 4,091 due to the limited number of remaining development rights.
³Source: Data provided by TRPA in 2012

**Residential Units**
Alternative 5 would maintain the existing procedures related to distribution of residential allocations and residential bonus units as described above for Alternative 1.

**Tourist Accommodation Units**
Alternative 5 would maintain the existing procedures related to distribution of TAUs as described above for Alternative 1.

Under Alternative 5, a TAU would be redefined under three categories:
**Commercial Floor Area**
Alternative 5 would maintain the existing procedures related to distribution of CFA as described above for Alternative 1.

**Density and Height**
Alternative 5 would maintain the existing density and height regulations as described above for Alternative 1.

**Allowable Coverage and Coverage Transfers**
Alternative 5 would maintain the existing policies related to HRA transfer requirements and excess coverage mitigation as described above for Alternative 1.

**Summary of Development Pattern and Land Use Compatibility Effects**
Alternative 5 would accommodate the greatest level of new development of all the alternatives. Because Alternative 5 maintains the existing Regional Plan land use planning approach, the development pattern would be essentially the same as existing, in which commercial, tourist and public service development is emphasized within existing Community Plan areas and single-family residential units would continue to be distributed throughout the Region primarily in residential PASs outside of the Community Plan areas. However, Alternative 5 lacks additional incentives for robust redevelopment or for transfers of existing development, development rights, and coverage out of sensitive lands and lands distant from the community centers. As discussed under Alternative 1, the 1987 Regional Plan policies have encouraged removal of development from sensitive lands and construction of new residential units, TAUs, and commercial facilities in community centers. However, by adding a substantial number of new allocations without increasing incentives for redevelopment, Alternative 5 is considered to have the greatest potential of the alternatives to result in new construction on vacant land rather than redevelopment projects or transfers from sensitive lands.

Plan Area Statements, Community Plans, and Master Plans describe allowable uses, provide detailed guides for planning in specific areas of the Region, and were developed in part to ensure appropriate and compatible land uses, and these would remain in effect until superseded by other plan updates, which in turn, would undergo environmental review prior to adoption. In addition, the land use planning strategies and development rights and allocations provided by Alternative 5 would provide opportunities for orderly growth and development consistent with the environmental thresholds. The development pattern and project approval process from which the development pattern evolves is established by the Goals and Policies, the Code, and other TRPA, federal, state, and local regulations that ensure that the residential, commercial, and tourist, recreation, and conservation uses allowed by the 1987 Regional Plan and carried forward in this Regional Plan Update are compatible with one another.

Alternative 5 would accommodate the greatest level of new development while maintaining the existing Regional Plan land use planning approach. Implementation of Alternative 5 would result in the continuation of existing land use patterns and greater development than Alternatives 1, 2, 3, and 4. However, the land use plan under Alternative 5 and the resultant land use pattern would continue to support attainment and maintenance of environmental threshold carrying capacities. No adverse impacts relative to development patterns or land use compatibility would result. Alternative 5 would result in a **less-than-significant** impact.

**MITIGATION MEASURES**

*No mitigation is required for any of the alternatives.*
Land Use Classification Change. Implementation of Alternatives 2, 3, 4, or 5 the Regional Plan Update would result in modifications of the land use map. Alternative 1 would not include any such changes and would have no impact. Alternatives 2 through 5 would implement map revisions resulting from minor land use changes that have occurred since adoption of the 1987 Regional Plan, including acquisition of parcels by CTC, USFS, and NDSL. These revisions are such that they would change lands that are currently higher intensity land use classifications such as residential, commercial and tourist, to lower intensity land uses, including recreation and conservation. In addition, Alternatives 2, 3, 4, and 5 would re-designate Van Sickle Bi-State Park from conservation to recreation. This change would be consistent with the existing and planned recreation land uses, and consistent with the existing PAS. No other classification changes are proposed for Alternative 2. Therefore, the impact of Alternative 2 would be less than significant.

Alternative 3 would change 250 acres of private land adjacent to the proposed High Density Tourist District from conservation to recreation. In addition, Alternative 3 proposes to amend the Code to allow the development and subdivision of tourist, commercial, and residential uses in the Recreation District by means of an Area Plan or Master Plan. Because the Code amendment could result in development of vacant lands not currently contemplated for such land uses. Alternative 3 would result in a potentially significant land use impact.

Alternative 4 would re-designate the Douglas County Dumpsite from conservation land to a special district, which would be a new land use designation under the transect zoning system. Because the existing PAS for this area includes management policies that recognize the Douglas County Dumpsite as an existing public service area, this land use map modification would not change the intensity of existing uses at this site, and would be a less-than-significant impact.

Alternative 5 would revise the boundary of PAS 087, Heavenly Valley California, a recreation classification, to match with the USFS permit boundary. This would result in reclassification of 1,300 acres of conservation land in PAS 095, Trout/Cold Creek, and 22 acres of residential land in PAS 085, Lakeview Heights, all owned by the USFS, to recreation. Expansion of this plan area to match the USFS permit boundary is consistent with the overall land use theme and management policies. Any additional ski facilities proposed with these classification changes would require preparation and adoption of an Area Plan or Master Plan. Thus, under Alternative 5, this impact would be less than significant.

ALTERNATIVE 1: NO PROJECT

Alternative 1 would not include any changes to the land use map. No impact would occur.

ALTERNATIVE 2: LOW DEVELOPMENT, INCREASED REGULATION

Alternative 2 would implement map revisions resulting from minor land use changes that have occurred since adoption of the 1987 Regional Plan, including acquisition of parcels by CTC, USFS, and NDSL. These revisions are such that they would change lands that are currently higher intensity land use classifications such as residential, commercial and tourist, to lower intensity land uses, including recreation and conservation. These modifications would result in reduced development potential as compared to existing conditions, and no adverse land use effects would result from these changes.

In addition, approximately 22 parcels encompassing 477 acres of state and federal public lands adjacent to the South Stateline Community Plan area and the Heavenly Resort Plan Area, has been established as the Van Sickle Bi-State Park. The lands were purchased by the State of California and Nevada primarily for the purpose of providing recreation access. Alternative 2 would re-designate this land from conservation, a lower intensity land uses.
use, to recreation, a higher intensity land use. This change would be consistent with existing PAS management policies for this area and the corresponding range of permissible recreation uses, which include cross-country ski courses and a park for recreational vehicles. Because the change from a lower to higher intensity land use designation (from conservation to recreation) at Van Sickle Bi-State park would be consistent with existing and planned recreation uses, be consistent with the PAS management strategies and permissible uses, and would not change the development potential of the land, this impact would be less than significant.

**ALTERNATIVE 3: LOW DEVELOPMENT, HIGHLY INCENTIVIZED REDEVELOPMENT**

Alternative 3 would include the land use map revisions resulting from parcel acquisition by public agencies, and from establishment of Van Sickle Bi-State Park, both described above in Alternative 2. Because these changes would result in lower intensity land use classifications in the former instance, and reconcile the land use classification with existing, planned, and currently permissible uses in the case of Van Sickle Bi-State Park, these changes would constitute less-than-significant impacts.

In addition, Alternative 3 would change the land use classification of approximately 250 acres of land adjacent to the casino core from conservation to recreation. Re-designation of this private land is proposed to provide recreation access to an area in close proximity to the proposed High Density Tourist District and the Kingsbury Grade area. The recreation designation would be consistent with surrounding recreation uses, including the Edgewood Golf Course and Heavenly Ski Resort. Although no recreation facilities or projects are currently proposed, this classification change would continue to accommodate existing permissible uses as defined in the Plan Area Statement 080 (PAS 080). These include residential uses (single-family dwelling and summer homes), recreation uses such as cross country ski facilities, day use area, developed campgrounds, and riding and hiking trails. In addition, PAS 080 states that the lower portion of this plan area should be considered in the planning of the Stateline and Kingsbury Community Plans.

Alternative 3 also proposes to amend the Code to allow the development and subdivision of tourist, commercial, and multi-residential uses in Recreation Districts outside the urban area as a component of an Area Plan or other Master Plan that has been found in conformance with the Regional Plan. This amendment could ultimately lead to more intensive tourist, commercial, and multi-residential development of lands in the Region designated as Recreation. Although no specific projects are proposed or contemplated and it is not possible to speculate on the nature or size of a project or projects that might be proposed in the future, it is likely that construction and operation of any new development could result in environmental impacts, including impacts to air quality from construction, ground disturbance, and stationary and mobile source emissions; noise from new stationary and mobile sources; traffic generation; water quality from construction activities and additional impervious surfaces; and scenic effects from new structures on vacant land. Any development (1) would be required to secure allocations within the total authorized by the Governing Board, the programmatic impacts of which would have been assessed in the context of the Regional Plan; (2) would be in conformance with an approved Area Plan or Master Plan, which would have been deemed in conformance with the Regional Plan and would have been subject to environmental review and approval; and (3) would be required to undergo project-specific environmental review which, depending upon the nature and size of the project, may require TRPA approval. However, because this Code amendment and land use designation change would potentially lead to development of vacant land not currently contemplated for commercial, tourist, and multi-residential development, and such development could result in substantial project-specific environmental effects, this land use change would be potentially significant.

**ALTERNATIVE 4: REDUCED DEVELOPMENT, INCENTIVIZED REDEVELOPMENT**

Alternative 4 would include the land use map revisions resulting from parcel acquisition by public agencies, and from establishment of Van Sickle Bi-State Park, both described above in Alternative 2. Because these changes
would result in lower intensity land use classifications in the former instance, and reconcile the land use classification with existing, planned, and currently permissible uses in the case of Van Sickle Bi-State Park, these changes would constitute **less-than-significant** impacts.

In addition, Alternative 4 would re-designate the Douglas County Dumpsite from conservation land to a special district, which would be a new land use designation under the transect zoning system. Because the existing PAS for this area includes management policies that recognize the Douglas County Dumpsite as an existing public service area, this land use map modification would not change the intensity of existing uses at this site. Thus, land use classification changes under Alternative 4 would be **less than significant**.

**ALTERNATIVE 5: SIMILAR RATE OF DEVELOPMENT AND REGULATORY STRUCTURE TO THE 1987 REGIONAL PLAN**

Alternative 5 would include the land use map revisions resulting from parcel acquisition by public agencies, and from establishment of Van Sickle Bi-State Park, both described above in Alternative 2. Because these changes would result in lower intensity land use classifications in the former instance, and reconcile the land use classification with existing, planned, and currently permissible uses in the case of Van Sickle Bi-State Park, these changes would constitute **less-than-significant** impacts.

Alternative 5 would revise the boundary of PAS 087, Heavenly Valley California, a recreation classification, to match with the USFS permit boundary. This would result in reclassification of 1,300 acres of conservation land in PAS 095, Trout/Cold Creek, and 22 acres of residential land in PAS 085, Lakeview Heights, all owned by the USFS, to recreation.

The existing permissible uses associated with PAS 087 are primarily related to ski facilities and outdoor recreation. Currently, PAS 095 allows for dispersed recreation types of uses as well as developed recreation facilities such as participant sports facilities, cross country skiing course and snowmobile courses. No substantial increase in permissible uses associated with this land. While PAS 085 has similar permissible uses as PAS 087, ski facilities are not permitted. If ski facilities uses were extended onto PAS 085, preparation and adoption of an Area Plan or Master Plan would be required.

The allowance of these types of developed recreation facilities is consistent with those provided for in PAS 085, and expanding the plan area to match the USFS permit boundary is consistent with the overall land use theme and management policies, which state that the area can provide the potential for developed recreation sites. Therefore the proposed changes in land use designation are consistent with the existing surrounding uses and the reclassification would not result in new land uses. This impact would be **less than significant**.

**MITIGATION MEASURES**

No mitigation is required for Alternatives 1, 2, 4, or 5. The following mitigation is required for Alternative 3.

**Mitigation Measure 3.2-2: Revise Requirements for Development in the Recreation District.**

For Alternative 3, TRPA will allow additional development involving commercial uses, residential uses, tourist accommodation uses and/or subdivisions in a Recreation Area within an Area Plan or Master Plan only if the development results in a development pattern that is compatible with recreation district uses, does not induce substantial growth in the area (either directly or indirectly), and does not conflict with any environmental policies or regulations, as analyzed and demonstrated by the subsequent environmental analysis for the Area or Master Plan. To the extent that environmental analysis indicates mitigation measures are required, those measures may include, but are not limited to, the following:
1. the development shall be an accessory use to a primary recreation use as defined by Code Section 21.3;

2. the development shall not increase the number of existing units of use at the site unless it is the result of transfers of existing residential and tourist units of use and existing commercial floor area from outside designated Town Centers, the Regional Center, and the High Density Tourist District;

3. the development shall transfer existing units of use at a ratio of more than 1:1 or require that units of use be transferred from sensitive lands;

4. the development shall provide transportation options such as bike trails, chairlifts, dedicated transit, sidewalk, and trails that links to community centers and recreation access opportunities in the vicinity and demonstrate a net decrease in VMT; and

5. the geographic extent of development shall be limited.

**Significance After Mitigation**

Because implementation of Mitigation Measure 3.2-2 would ensure that inappropriate or incompatible land uses are not implemented within recreation lands and that the Code amendments and land use classification change does not increase development potential within the Region, this impact would be reduced to less-than-significant level.

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<tr>
<th>Impact</th>
<th>Consistency with Applicable Plans, Policies, and Regulations.</th>
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<tr>
<td>3.2-3</td>
<td>The fundamental purpose of the Regional Plan is to implement goals, policies and ordinances that, collectively, achieve and maintain environmental threshold standards. As such, Regional Plan Update alternatives have been developed in coordination with, and/or in consideration of, other applicable plans, including the Regional Transportation Plan, Sustainability Communities Strategy, LTBMU Forest Plan, Water Quality Management Plan, EIP, Lake Tahoe TMDL, and local General Plans and Master Plans. All five alternatives would result in land use plans and urban forms that generally follow the existing land use pattern. Through land use planning frameworks and incentives, the alternatives, to varying degrees, further focus development and redevelopment within the Region’s existing urban nodes. As a result, these alternatives do not propose changes that would conflict with the Regional Plan’s designated land uses, policies, or regulations. Furthermore, established policies for cooperative planning in the Region, through MOUs and ongoing coordinated and concurrent updates, have allowed TRPA and federal, state, and local agencies to establish consistency between the Regional Plan Update and applicable regional and local plans, policies and regulations.</td>
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</table>

TRPA is the primary permitting agency in the Region and the lead agency under the Tahoe Regional Planning Compact (Public Law 96-551). Its charge is to oversee development on both the California and Nevada sides of the Lake Tahoe Region. As a regional planning organization for Lake Tahoe, TRPA’s most strategic role is to build a partnership between federal, state, and local jurisdictions within the Region to deliver environmental gain. Article V(c) of the Compact states,

In formulating and maintaining the regional plan, the planning commission and governing body shall take account of and shall seek to harmonize the needs of the region as a whole, the plans of the counties and cities within the region, the plans and planning activities of the state, federal, and other public agencies and nongovernmental agencies and organizations which affect or are concerned with planning and development within the region.

TRPA has embraced its role as one of cooperatively achieving the agency’s vision.
The Goals and Policies are the core of the Regional Plan. They provide guidance for decision-making that affects the Region’s resources and remaining resource capacities. It is the intent of the Goals and Policies to drive attainment and maintenance of the environmental thresholds, while supporting opportunities for orderly growth and development consistent with the thresholds. The Goals and Policies are implemented through the Code, which compiles the TRPA ordinances, consisting of general provisions, planning, land use, site development, growth management, resource management and protection, and the Shorezone regulations.

A major component of land use regulation in the Region is implemented through the Code of Ordinances. The Code represents the coordination of a series of documents relating to land use regulation and environmental protection in the Tahoe Region. These documents consist of the Tahoe Regional Planning Compact, as amended; the environmental threshold carrying capacities adopted in Resolution 82-11; the Goals and Policies; PASs and Maps; and various other TRPA plans and programs used to improve environmental conditions in the Region.

While TRPA maintains authority over the plans, policies, and regulations that guide growth, development, and attainment and maintenance of environmental thresholds, other regulatory bodies have adopted planning documents to address their respective purposes.

Other public agencies and units of government may establish equal or more stringent standards for the portions of the Region over which they have jurisdiction. Rules, regulations, ordinances, and policies adopted by TRPA must focus on regional issues and allow states and local jurisdictions to adopt specific local ordinances whenever it is possible to do so without reducing the effectiveness of the Regional Plan. It should be noted that, while consistency between the Regional Plan and other plans, policies, and regulations is essential to achieve attainment of environmental thresholds, inconsistency between plans does not necessarily lead to a physical adverse impact. Inconsistencies between public plans would create significant impacts only when an adverse physical environmental effect would result from the inconsistency.

Numerous laws and regulations pertain to the Tahoe Region. While these are documented throughout this EIS within the respective chapters, the discussion below addresses only those that direct land use planning and environmental resource decisions. The following discussion provides a summary of applicable plans, policies, and regulations and how the Regional Plan Update alternatives would maintain consistency with such plans. They are organized as follows:

**Federal Jurisdiction**
- Lake Tahoe Basin Management Unit Forest Plan
- Water Quality Management Plan
- Lake Tahoe Total Maximum Daily Load (multi-jurisdictional)

**Regional Jurisdiction**
- Environmental Improvement Program
- Regional Transportation Plan/Sustainable Communities Strategy
- Lake Tahoe Bicycle and Pedestrian Plan

**Local Jurisdiction**
- MOUs
- Douglas County Master Plan
- El Dorado County General Plan
- Placer County General Plan
- Washoe County Master Plan
FEDERAL PLANS

Lake Tahoe Basin Management Unit Forest Plan
As stated previously, the LTBMU manages more than 75 percent of lands within the Tahoe Region. Land management is guided by the LTBMU Forest Plan (USFS 1988), as amended by the Sierra Nevada Forest Plan Amendment (USFS 2004). The Forest Plan sets the groundwork for how the resources of the national forest are managed. The Plan translates national laws, policies, and regulations into guidance for activities that occur on the National Forest System lands. USFS is in the process of revising and updating its Forest Plan concurrently and in coordination with TRPA’s Regional Plan Update as well as the Lahontan Regional Water Quality Control Board’s implementation of the Total Maximum Daily Load. On March 19, 2010, a Notice of Intent to revise the LTBMU Forest Plan was published in the Federal Register and the Draft EIS on the revised plan is expected in spring 2012. All Regional Plan Update alternatives would continue to concentrate development within the Region’s urban nodes (such as Community Plan areas), which have already been affected by development. Additionally, the alternatives provide varying degrees of incentives to transfer development from sensitive lands into those urban nodes. The Regional Plan Update alternatives are protective of the existing National Forest System lands and would not conflict with the regulatory objectives designed for those lands.

Water Quality Management Plan
TRPA was designated as an area-wide regional planning agency under Section 208 of the Clean Water Act (CWA) in 1974. Section 208 of the CWA (33 USC 466 et seq.) and the Code of Federal Regulations (40 CFR Part 130 and Part 35) require the preparation of an area-wide management plan. TRPA developed a Water Quality Management Plan for the Lake Tahoe Region (208 Plan), which was most recently revised in 1988. The 208 Plan identifies water quality problems that have contributed to the degradation of Lake Tahoe and sets forth a series of control measures, including land use restrictions, wetland protection and restoration, a BMP Handbook, and a Capital Improvements Program of water quality improvements projects. In accordance with the adopting ordinance, Ordinance 88-23, these measures are enacted as part of TRPA’s Regional Plan package. Portions of the 208 Plan will be updated to be consistent with the Regional Plan, either at the same time or following adoption of the Regional Plan Update; these updates will reflect modifications to land use restrictions wetland protection and restoration regulations, or other water quality-related aspects of the goals and policies adopted as part of the selected Regional Plan Update alternative.

Lake Tahoe Total Maximum Daily Load
The Lake Tahoe Total Maximum Daily Load (TMDL) was established to meet the requirements of Section 303(d) of the CWA. Implementation of a TMDL plan is required in California pursuant to the California Water Code, Section 13242, which also requires that the Lahontan Regional Water Quality Control Board incorporate TDMLs into its local Water Quality Control Plan. California and Nevada adopted TMDL requirements for Lake Tahoe in August 2011. TDML requirements provide maximum allowable loads of fine sediments (less than 16 micrometers in diameter), phosphorus, and nitrogen for discharges into Lake Tahoe. The TMDL identifies loads of fine sediment particles, nitrogen, and phosphorus discharging to Lake Tahoe from urban uplands runoff, atmospheric deposition, forested upland runoff, and stream channel erosion as the primary sources of pollution impairing Lake Tahoe’s deep water transparency and clarity. The primary source of this fine sediment is associated with existing urban areas in the Basin.

The Nevada Division of Environmental Protection and Lahontan Regional Water Quality Control Board are the lead agencies for TMDL regulation, compliance, and enforcement. Local jurisdictions, state departments of transportation, and property owners are the primary implementers of projects and actions aimed at achieving TMDL program goals. TRPA will support implementation of the TMDL through the use of incentives associated
with allocations such as CFA, TAUs, and land coverage. TRPA also supports implementation of the TMDL through its mitigation fund release policies and by facilitating public/private partnerships in the development of water quality improvements projects identified in the Environmental Improvement Program. TRPA’s monitoring program supports TMDL implementation by providing information on the status and trend of water quality within the Region’s lakes and streams. The Nevada Division of Environmental Protection and Lahontan Regional Water Quality Control Board collaborated with TRPA to ensure that the Regional Plan supports actions needed to implement the TMDL.

**REGIONAL PLANS**

**Environmental Improvement Program**
The EIP encompasses hundreds of capital improvement, research, program support, and operation and maintenance projects in the Tahoe Region, all designed to help restore Lake Tahoe’s clarity and achieve threshold attainment. The EIP is implemented through a partnership of federal, state, and local agencies; private interests; and the Washoe Tribe. Portions of the EIP will be updated to be consistent with the Regional Plan, either at the same time or following adoption of the Regional Plan Update. The purpose and applicability of the EIP is outline in Chapter 15 of the Code.

**Regional Transportation Plan/Sustainable Communities Strategy**
As described in Chapter 1, Introduction, preparation of the Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS) are underway concurrently with the Regional Plan Update. Both a land use plan and a transportation plan are required by Article V of the Tahoe Regional Planning Compact (Public Law 96-551), and both are aimed at achieving the common goals of environmental improvement, sustainable development, and attainment of TRPA’s environmental thresholds. Specifically, Article V(c)(2) of the Compact requires that the Regional Plan include a “transportation plan for the integrated development of a regional system of transportation,” including, but not limited to, parkways, highways, transit, waterways, public transportation, and bicycle facilities. Goals of the transportation plan are (a) to reduce dependency on the automobile by making more effective use of existing transportation modes and public transit, and (b) to reduce, to the extent feasible, air pollution caused by motor vehicles. Where increased capacity is required, the Compact calls for a preference to be given to public transportation and public programs and projects related to transportation.

The RTP serves multiple purposes; it serves as the required transportation plan element of the Regional Plan, and also serves purposes relative to the federal and California transportation planning laws and regulations. The Tahoe Metropolitan Planning Organization (TMPO) is responsible for approval of the RTP, which addresses transportation strategies for the entire Region consistent with federal law. Therefore, while the RTP remains an element of the comprehensive Regional Plan, it is produced and periodically updated as a stand-alone plan in keeping with its multi-faceted purposes and authorities, and is the subject of separate environmental review.

Passage of recent legislation in California, Senate Bills (SBs) 375 and 575, further solidifies the linkage between land use and transportation planning for the California side of the Region, and thus the link between the Regional Plan Update and the RTP. SB 375 requires, among other things, that RTPs prepared by California’s MPOs include an SCS, designed to achieve certain targets set by the California Air Resources Board (ARB) for the reduction of greenhouse gas (GHG) emissions from cars and light trucks. The SCS is required to identify the general location of land uses, residential densities, and building intensities within a region and set forth a forecasted development pattern that, when integrated with the transportation network and other transportation measures and policies, will reduce GHG emissions from cars and light trucks to levels that achieve the targets set by ARB. SB 575, Statutes of 2009, clarified SB 375 for the Lake Tahoe Region by requiring TMPO to use the Regional Plan as its SCS, provided it would feasibly achieve the approved GHG reduction targets and allow conformity with applicable requirements of the federal Clean Air Act. As a result, the SCS prepared by the TMPO will be fully integrated with and ultimately be included in the Regional Plan approved by TRPA.
Because the land use planning agency (i.e., TRPA) responsible for approval of the Regional Plan and the regional transportation planning agency responsible for preparation of the RTP and SCS in the Tahoe Region (i.e., TRPA, operating as the TMPO with the additional board member from USFS) are nearly the same entity, and because the RTP and Regional Plan Update planning and environmental review processes are occurring simultaneously, a unique situation is created in which the land use scenarios of the Regional Plan Update alternatives are inextricably linked to, and form the bases of, the alternative RTP transportation strategies. In other words, the Regional Plan Update alternatives reflect different land use themes and levels of allowable development. Because these land use patterns and development criteria form the foundation of the transportation strategies, the RTP and SCS alternatives consist of assemblages of transportation and land use features that are consistent with the Regional Plan Update alternatives.

Lake Tahoe Bicycle and Pedestrian Plan
The Lake Tahoe Bicycle and Pedestrian Plan (BPP) presents a guide for planning, constructing, and maintaining a regional bicycle and pedestrian network and support facilities and programs. The network includes on-street bicycle lanes and bicycle routes, and off-street paths and sidewalks. The BPP includes maps and prioritized project lists for the bicycle and pedestrian network, and lays out policies for local governing bodies and transportation agencies. To help ensure implementation, the BPP identifies potential funding sources and specifies recommended designs to encourage consistency and safety Region-wide.

The BPP serves as the Bicycle and Pedestrian Element of the RTP, which (as described above) is the portion of the Regional Plan that provides for the integrated development of a regional system of transportation. Thus, because the BPP is part of the Regional Plan and would remain as such, it is by default consistent with all the proposed Regional Plan Update alternatives presented in this EIS.

LOCAL PLANS

Article VI(k) of the Compact states that TRPA “shall monitor activities in the region and may bring enforcement actions in the region to insure compliance with the regional plan and adopted ordinances, rules, regulations and policies.” Consistent with TRPA’s responsibility as the primary permitting agency in the Region, all of the General Plans or Master Plans for the counties in the Region, as well as the City of South Lake Tahoe General Plan, include goals, policies, or other language that requires consistency between the local land use plans and the TRPA Regional Plan. In addition, rather than completing land use plans, some local agencies are subject to MOUs to guide consistency with Regional regulations. A summary of how each local agency addresses consistency with the Regional Plan is provided below.

Memoranda of Understanding
TRPA is required to identify activities that will not have a substantial effect on the natural resources of the Region, and to review and approve all actions that may have a substantial effect on those resources. Chapter 2, “Applicability of the Code of Ordinances,” Section 2.2, of the Code identifies general activities that are not subject to TRPA review and approval. To implement this provision, TRPA has entered into MOUs with public agencies that identify specific activities that can be undertaken by individual agencies without additional TRPA review or approval. “Delegation MOUs” allow most property owners to go to their local building or planning departments for TRPA permits, thus saving valuable time and resources while completing projects that are protective of the environment. In “Exempt MOUs” utilities and land management agencies are given authority to review projects for conformance with TRPA standards on their own, thus streamlining protection standards in the Region and increasing efficiency.

Activities described in an MOU are required to be in accordance with the Regional Plan and amended as needed. MOUs comply with regional regulations, including application of BMPs and the TRPA Code. In general, MOUs
require records of inspections, verifications, and other project review that must be submitted to TRPA on a regular basis, thus ensuring consistency with Regional plans and policies.

**Douglas County Master Plan**

Chapter 13, “Regional and Community Plans Element,” of the 2006 Douglas County Master Plan states that, within the Lake Tahoe Regional Planning Area of Douglas County, planning and development must be consistent with TRPA regulations. Douglas County adopted an updated Master Plan in March 2012, but at the time of publication of this EIS, Douglas County has not released the Final Master Plan. However, the Draft Master Plan does include policies that encourage environmental redevelopment of the built environment, collaboration on preparation of an Area Plan for Douglas County and entering into a MOU to take over permitting authority. The Tahoe Planning Area is located on the western edge of Douglas County. The area totals 28,431 acres or about 6.5 percent of the county. Approximately 10 percent of the land is urbanized, 80 percent is in public ownership or control, and the remaining 10 percent is in private non-urban use. Within the Tahoe Planning Area, Douglas County and TRPA have adopted Community Plans for Roundhill, Stateline, and Kingsbury and 30 PASs. These planning documents are incorporated as a part of the 2006 Douglas County Master Plan.

Chapter 13 of the 2006 Douglas County Master Plan includes the following Tahoe Planning Area Goals and Policies:

- **Goal T.01.** To coordinate with the Tahoe Regional Planning Agency in achieving mutual objectives while making the planning and regulatory system as simple as possible.
  - **Policy T.01.01:** Douglas County shall participate in working groups and committees with the TRPA.
  - **Policy T.01.02:** Douglas County shall periodically review regulations applicable to its portion of the Tahoe Basin to ensure that they remain consistent with TRPA and County policies.

- **Goal T.02.** To update land use regulations within the Tahoe Basin consistent with adopted plans and codes.
  - **Policy T.02.01:** Douglas County shall initiate comprehensive rezoning of the Tahoe Basin in accordance with the Tahoe Regional and Community Plans and the Consolidated Development Code.

The five proposed Regional Plan Update alternatives provide land use parameters that determine development potential, environmental enhancements, and other proposed changes within the Region. As described in Impact 3.2-1 above, all five alternatives would result in land use plans and urban forms that follow the existing land use pattern. Through land use planning frameworks and incentives, the alternatives, to varying degrees, further focus development and redevelopment within the existing urban nodes around the lake. As a result, these alternatives do not propose changes that would conflict with the existing Regional Plan’s designated land uses, policies, or regulations. Furthermore, through established policies for cooperative planning in the Region, through MOUs, and through coordinated planning and updates of policies and regulations concurrently with the Regional Plan Update, TRPA and federal, state, and local agencies establish consistency between the Regional Plan Update and other regional and local plans, policies, and regulations.

Of the five proposed alternatives, Alternative 3 differs from Alternatives 1, 2, 4, and 5 in that it would grant additional permitting authority to local jurisdictions through the formulation of Area Plans. While this is a substantial change from the existing system, which utilizes PASs and Community Plans that are under TRPA’s jurisdiction, TRPA would maintain responsibility for conformance review of local plans with the Regional Plan. Area Plans would be required to identify zoning designations, be consistent with Regional Plan policies, and be consistent with the Regional Land Use Map. Thus, Area Plans would be consistent with the Regional Plan.

**El Dorado County General Plan**

The Land Use Element of the 2004 El Dorado County General Plan (July 2004, as amended December 2009) states that all projects within the Tahoe Region must be consistent with the Regional Plan as well as with the County’s General Plan and County Code. Of the goals of the 2004 El Dorado General Plan was to integrate
the County’s regulations within the Tahoe Region with those of TRPA, with the intent to eliminate inconsistencies with the Regional Plan (recognizing that the TRPA regulations may change over time), and simplify the regulatory environment in the Tahoe Region. To date, one Community Plan has been adopted by TRPA and El Dorado County: the Meyers Community Plan (1993). The County also identifies the Meeks Bay/Tahoma area as suitable for development of a Community Plan.

The following County goal and policies are intended to integrate the County’s land use regulations with those of TRPA to coordinate the two jurisdictions’ efforts to protect the unique environment of the Tahoe Region.

Goal 2.10: Lake Tahoe Basin
To coordinate the County’s land use planning efforts in the Tahoe Basin with those of the Tahoe Regional Planning Agency.

Policy 2.10.1.1: The County shall apply the standards of the Regional Plan for the Tahoe Basin and the Code of Ordinances and other land use regulations adopted by Tahoe Regional Planning Agency in acting on applications for proposed land uses in the Tahoe Basin.

Policy 2.10.1.2: The County shall work with the Tahoe Regional Planning Agency (TRPA) and other appropriate state and federal agencies to identify lands capable of supporting affordable housing development without jeopardizing attainment of the Environmental Thresholds identified by TRPA.

Policy 2.10.1.3: The County shall work with the Tahoe Regional Planning Agency to identify and prioritize the completion of additional Community Plans within the County’s jurisdictional area of the Tahoe Basin.

Policy 2.10.1.4: The County shall cooperate with TRPA in the implementation of actions recommended in TRPA’s periodic threshold evaluation reports.

Policy 2.10.1.5: The County may impose more stringent regulations where TRPA does not limit the County’s authority to do so.

Placer County General Plan
The Placer County General Plan, adopted August 16, 1994, addresses issues specific to the Tahoe portion of Placer County within four Plan Areas: the North Tahoe East Plan Area, the North Tahoe West Plan Area, the Tahoe City Plan Area, and the West Shore Plan Area. These documents provide the goals, policies, and land development standards for the Placer County portion of the Lake Tahoe Region in TRPA’s jurisdiction.

Due to the current TRPA update of the Regional Plan, the age of most of the County’s plans, and the need for all Community Plans within the Region to be consistent the Regional Plan, Placer County is updating the nine Community/General Plans (as of August 2011), which are:

- West Shore General Plan
- Tahoe City Area General Plan
- North Tahoe Area General Plan
- Tahoe City Community Plan
- Carnelian Bay Community Plan
- Tahoe Vista Community Plan
- Kings Beach Community Plan
- Kings Beach Industrial Community Plan
- North Stateline Community Plan

As of August 2011, Placer County is proposing to consolidate these nine plans into one overarching Tahoe Basin Community Plan with general policy guidance. As part of that Community Plan, four “Plan Areas” have been identified and delineated. The four Plan Areas will have separate, individually tailored zoning/design guidelines, which will be developed with community input. Consolidation of the nine plans will provide more cohesive, user-friendly planning documents. The County has coordinated with TRPA on the proposed reformatting and overall mapping of plan boundaries.
Four “Plan Areas” within the Tahoe Basin Community Plan Boundary have been mapped:

- West Shore Plan Area, which runs from the El Dorado County line to the Sunnyside area
- Tahoe City Plan Area, which includes Tahoe City, Tahoe City Gateway, Lake Forest, and Dollar Hill
- North Tahoe West Plan Area, including Carnelian Bay and Tahoe Vista
- North Tahoe East Plan Area, which covers the Kings Beach and Stateline community

**Washoe County Master Plan**

The Washoe County Master Plan (adopted September 9, 2010) states that, in accord with Nevada Revised Statute 278.025 (TRPA legislation), the Washoe County Master Plan must be consistent with the Tahoe Regional Plan. This is achieved through the Master Plan elements, area plans, specific plans, and Community Plans. The elements cover all areas under County jurisdiction, whether or not those areas are included in the Tahoe Regional Plan. In addition, “Area Plans” cover a particular planning area of Washoe County in greater detail.

The Tahoe planning area of Washoe County is located in the southwest portion of Washoe County and includes the communities of Incline Village and Crystal Bay. The planning area is approximately 31 square miles in size, and the lake portion is an additional 21 square miles. The Tahoe Area Plan outlines the existing pattern of development and provides a guide for growth by recognizing critical conservation areas, establishing existing and future land use and transportation patterns, and identifying current and future public service and facility needs. The Tahoe Area Plan fits into the framework of the Regional Plan and is administered by TRPA. As stated in the plan, the Tahoe Area Plan and the Goals and Policies of TRPA’s Regional Plan should be complementary, with the ability to modify both to resolve any conflicts. Further, the Community Plans (North Stateline, Incline Village, and Ponderosa Ranch) within the Tahoe planning area were prepared jointly by Washoe County, TRPA, and the community consistent with and as a supplement to the Washoe County Master Plan and Tahoe Area Plan.

**City of South Lake Tahoe 2030 General Plan**

The City of South Lake Tahoe 2030 General Plan was adopted on May 17, 2011, to guide land use, transportation, infrastructure, community design, environmental, and other decisions in the City in coordination with the TRPA Regional Plan. The Regional Plan for the Lake Tahoe Region was underway at the same time the City of South Lake Tahoe was preparing the 2030 General Plan (2009–2011), so the 2030 General Plan was developed in close coordination with TRPA, and it is anticipated that the General Plan will be incorporated into the updated Regional Plan.

Table 4.15-1 in Section 4.15.1, Analysis of Relevant TRPA Policies and Regulations, in the certified EIR for the 2030 General Plan provides a consistency analysis of TRPA Regional Plan goals and policies and associated General Plan implementation programs and regulations. The analysis finds that the City’s General Plan Update would generally result in development consistent with the Regional Plan, Community Plans, and PASs, with the implementation of mitigation. The City’s General Plan would result in higher density development and associated increases in vehicle miles traveled and other effects associated with development, but would also provide for the protection and restoration of affected SEZs and habitat, mixed-use smart-growth development, scenic improvements, and improvements to and new opportunities for recreation and parks that would have benefits to visitors and residents. Implementation of Mitigation Measure MM 4.1.2 would ensure that development provisions of the proposed General Plan Update that currently conflict with the 1987 Regional Plan and associated programs and regulations (e.g., Water Quality Management Plan for the Lake Tahoe Region and the Code of Ordinances) not be implemented until the Regional Plan is updated and the General Plan is determined to be consistent with the new Regional Plan and TRPA Environmental Threshold Carrying Capacities. However, it should be noted that the proposed General Plan Update, in combination with anticipated development in the Tahoe Region (including the proposed Regional Plan Update), is expected to conflict with
TRPA Threshold Air Quality—Vehicle Miles Traveled as identified under Impact 4.4.2 in Section 4.4, Transportation and Circulation, of the 2030 General Plan EIR.

**Carson City Master Plan**
The Carson City Master Plan, adopted on April 6, 2006, outlines Carson City’s vision and goals for the future and provides guidance regarding the long-range needs of the community. The westernmost portion of Carson City is located within the Lake Tahoe Region. Properties in the Lake Tahoe Region that are within Carson City boundaries are predominantly USFS- or State of Nevada–owned, with very few parcels in private ownership.

Appendix A, “Related Plans and Implementation Documents,” of the Master Plan states that the TRPA Regional Plan, Code of Ordinances, and PASs should be referred to for properties within the Lake Tahoe Region but are used separately from Carson City planning documents. Where Carson City and TRPA regulations are in conflict, the more restrictive regulation generally applies.

**CONSISTENCY CONCLUSION**

The Tahoe Region is a unique place, in part because of its physical land uses and the numerous agencies charged with its environmental protection and improvement. The need to constantly strive for environmental improvement is documented by the federal action that created TRPA (i.e., the Compact) and reiterated in various documents that pertain to the Region. To meet mandates set forth in the Compact, Resolution 82-11 adopted environmental thresholds for the Lake Tahoe Region that identify overall Regional goals as environmental targets or standards necessary to maintain significant scenic, recreational, educational, scientific, or natural values of the Region. These thresholds are to be considered by the TRPA Governing Board when considering adoption of a project: “an activity undertaken by any person, including any public agency, if the activity may substantially affect the land, water, air, space or any other natural resources of the region” (Compact Article II(h)).

Data, maps, and other information developed as part of the Regional Plan are to be used by other governmental agencies to ensure a consistent view of development trends and other important considerations (Compact Article V[h]). As discussed above, in some cases, TRPA defers to those with jurisdiction and expertise in specific areas (e.g., TMDL, Lake Tahoe Basin Management Plan). Through land use planning frameworks and incentives, the Regional Plan Update alternatives, to varying degrees, further focus development and redevelopment within the Region’s existing urban nodes. As a result, these alternatives do not propose changes that would conflict with the Regional Plan’s designated land uses, policies, or regulations. Furthermore, the established policies for cooperative planning in the Region, via MOUs and ongoing coordinated and concurrent updates, have allowed TRPA and federal, state, and local agencies establish consistency between the Regional Plan Update and applicable regional and local plans, policies and regulations.
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