Regional Plan Update Committee * November 2, 2011
ACTION Sheet Summary

Actions are listed for the agenda items covered at the November 2, 2011 RPU Committee meeting. Committee membership at the November 2, 2011 meeting included Shute (CA), Reedy (NV), Bresnick (CA), Aldean (NV), Sevison (CA), Robinson by phone (NV) Fortier by phone (CA).

All actions noted in the summary sheet are “straw votes”. “Straw votes” provide policy direction to staff regarding what changes to include in the Draft Regional Plan Update. “Straw Votes” are non-binding and do not obligate Committee members to vote the same way in the future. Only official votes by the TRPA Governing Board are binding.

Action items

1. Discussion of the “Conformance Review” Regional Planning model with increased delegation to the local jurisdictions.

   **Committee Action:** The Committee did not vote, but a verbal consensus was reached to support the staff recommended “Conformance Review” Regional Planning model with increased delegation to local governments. Details of the system - including but not limited to requirements for Local Plans, conformance review criteria, projects of regional significance and TRPA oversight - will be reviewed at later meetings.

2. Discussion and Possible Action on changes to the Land Use Goal LU-1 and Policies LU-1.1 through LU-1.3, inclusive.

   **Committee Action:** The committee voted unanimously (7-0) to support the proposed language of Goal LU-1 and Policies LU-1.1 through LU-1.3 inclusive, with modifications specified by the committee. Committee-approved language is reflected on Attachment A.

3. Discussion and Possible Action on changes to Goal LU-4 (old Goal 4 language to be relocated to Goal 3)

   **Committee Action:** The committee voted unanimously (7-0) to support proposed language of Goal LU-4, without modification. Committee-approved language is reflected in Attachment A.

4. Discussion and Possible Action on changes to Land Use Policy LU-4.1

   **Committee Action:** The Committee began review of Policy LU-4.1, but did not vote. Committee recommendations are reflected in the Staff Summary for the November 15 & 16 meetings.

5. Discussion and Possible Action on the proposed RPU Committee Schedule.

   **Committee Action:** The committee voted unanimously (7-0) to approve the meeting schedule. On November 3, 2011, Committee members Shute and Reedy, acting as chair and vice chair, directed staff to schedule meetings from 1:00 pm to 6:00 pm, not 1:00 pm to 4:30 pm. The schedule is reflected on Attachment B.
RPU Committee members voted to approve the following language:

Action items

2. **GOAL LU-1**

RESTORE, MAINTAIN, AND IMPROVE THE QUALITY OF THE LAKE TAHOE REGION FOR THE VISITORS AND RESIDENTS OF THE REGION.

Lake Tahoe is a unique natural resource in a spectacular natural setting. It is truly one of the natural treasures of the United States. The long-term economic and natural health of the Region depends on the maintenance of this unusual quality. While previous land use planning efforts have concentrated on regulating the quantity of permitted development, this Plan emphasizes an improvement in the quality of development in the Region and in the quality of the natural environment.

**POLICIES**

**LU-1.1.** THE PRIMARY FUNCTION OF THE REGION SHALL BE AS A MOUNTAIN RECREATION AREA WITH OUTSTANDING SCENIC AND NATURAL VALUES.

The economic health of the Region depends on a viable tourist and recreation-oriented environment. It is not the intent of this Regional Plan, among other things, to encourage other economic development that enhances these values, such as industry or non-service commercial facilities, at the expense of outdoor recreation in the Tahoe Region.

**LU-1.2.** THE REGIONAL PLAN GIVES A HIGH PRIORITY TO CORRECTING PAST DEFICIENCIES IN LAND USE. THE PLAN SHALL ENCOURAGE A REDIRECTION STRATEGY FOR SUBSTANTIALLY AND ADVERSELY ALTERED AREAS, WHEREVER FEASIBLE, REDEVELOPING EXISTING TOWN CENTERS IS A HIGH PRIORITY.

Many of the Region's environmental problems can be traced to past and existing development which often occurred without recognition of the sensitivity of the area's natural resources.

A redirection strategy provides for environmentally beneficial redevelopment programs as well as for rehabilitation of identified Town Centers and the High Density Tourist District is a priority for developed areas in need of improvement.

**LU-1.3.** THE PLAN SHALL SEEK TO MAINTAIN A BALANCE BETWEEN ECONOMIC/SOCIAL HEALTH AND THE ENVIRONMENT.

3. **GOAL LU-4**

REGIONAL PLAN GOALS, POLICIES, AND ORDINANCES SHALL BE
IMPLEMENTED USING AN INTEGRATED SYSTEM OF REGIONAL AND LOCAL GOVERNMENT PLANNING.
Meeting Date(s) | Regional Plan Element | Significant Issues
--- | --- | ---
Wednesday November 2 (Special 12:00-3:30 meeting time) | Land Use | Regional Land Use System, Begin Sustainable Communities
Tuesday November 15 | Land Use | Sustainable Communities, Redevelopment Incentives, Commodity Transfers, Coverage, Mitigation Fees.
Wednesday November 16 | Continue Land Use, Introduction & Format | Continue Above, TAUs
Tuesday December 6 | Recreation, Public Services & Facilities | Bicycle Paths, including Coverage
Wednesday January 4 | Transportation | All Transportation – Sustainability, Waterborne, Parking, Olympics, Air Quality
Tuesday January 24 | Conservation, Water Quality, Air Quality, Noise | Total Maximum Daily Load (TMDL) – including area-wide vs parcel level and project standards, Best Management Practices (BMPs) – including point of sale, enforcement, operation and maintenance; Woodstove Replacement
Tuesday January 31 | Continue Jan 24 topics, Implementation | Continue Above, Implementation Roles – Coordination, Delegation, etc. Review Implementation Recommendations from Local Government Committee
Wednesday February 1 | Implementation | Implementation Roles
Tuesday March 6 | Complete Draft | Any Outstanding Issues, Assembled Document

General Notes:
- This schedule may be modified by the RPU Committee.
- Meetings will be held at TRPA’s Stateline Offices from 1:00 pm to 6:00 pm.
- Topics and Issues that are not completed at the initial review meeting will be carried forward to the next meeting.
- Implementing codes for policy changes will be reviewed about 1 month after committee recommendations for each issue.
- Any new meeting material will be posted six days prior to each meeting under the RPU Committee tab at www.TRPA.org.
- Environmental Protections (including Thresholds) and Economic Opportunities are fundamental issues to be covered at all meetings.
- Opportunities to modify ineffective regulations will be identified and discussed for each Plan Element.
I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Mr. Shute called the meeting to order at 12:06 p.m.

Members Present:

Ms. Bresnick, Ms. Reedy, Mr. Sevison, Mr. Shute, Ms. Aldean, Ms. Fortier (by phone),
Mr. Robinson (by phone)

II. PUBLIC INTEREST COMMENTS

Ellie Waller  As draft schedule is refined a separate one for TAU’s, should not combine
with anything else, based on participating in the TAU meetings, look at that as a
separate Land Use issue

Ann Nichols  North Tahoe Preservation Alliance  Would like explanation on the draft
map what the designations mean with the diagonal line with the blue and red and what
that means in height and stories; the former Regional Plan Update map showed the
South Shore Casino core at six stories and now it is 197 feet, what happened to
precipitate this change and also the transfer of coverage between hydrologic areas. I
understand that there was 800 acres of SEZ on the South Shore around the Bijou area
that could then be transferred to anywhere around lake. Also, there are many
thousands of soft coverage on the North Shore of the Incline Lake area and the Dollar
Hill Reservoir, hundreds of thousands of square feet of soft coverage; concerned about
that being able to be transferred into hard coverage

III. MINUTES

Minutes from the previous meeting were not agenized and will be part of the next
meeting agenda

IV. AGENDA
A. Report on Past Actions and Committee Process:
Recap of the presentation made to the Governing Board on October 26, 2011 provided by Mr. Stockham
A one page summary of what staff is focusing on encapsulates a lot of different issues and strategies; overall the first bullet is reinforce and continuing to prioritize the environmental work on the Environmental Improvement Program. Secondly, we want to promote redevelopment, particularly in Town Centers and in an environmentally beneficial way as a primary strategy to get at a lot of situations. Water Quality being primary, studies have been completed and a lot of the contribution to water quality or the lack of as much water clarity as we would like comes from roadways and from the urbanized Town Centers that were developed before the Regional Plan was in place. Additionally, a sustainable redevelopment pattern in the Town Centers gets at sustainable communities in California’s Community Sustainability Legislation. It also provides targeted areas for economic activity and improved economic conditions which is one of the primary factors in Nevada’s recent Legislation. This is a fundamental strategy that meets a lot of different goals and while we prioritize redevelopment of Town Centers in large part by removing disincentives to redevelop those areas which are inadvertently built into the current Regional Plan. It is difficult economically for business owners/property owners to redevelop their property because of the non-conforming uses that they have cannot be retained with redevelopment. That has created a situation where redevelopment isn’t occurring as rapidly as we like. As we focus on redevelopment in Town Centers we are recommending little if any change in the vast majority of the Tahoe Basin. There are no changes to public lands and the established single family residences, neighborhoods that constitute most of the developed area. We are recommending little change for those areas aside from looking at some of regulations that maybe unduly burdensome. We may be able to modify and streamline some of those ineffective regulations. We are not proposing changes to the neighborhoods it is focused on the Town Centers. The second major strategy is focusing TRPA’s limited resources on issues of regional significance. This fundamental strategy will be presented by John Hester.
Instead of TRPA reviewing every aspect of every building permit we would re-focus our attention and resources on issues and environmental protections that have significance at the regional level that help us protect water quality, and improve air quality. Lastly, streamline the regulatory process. We will be recommending strategies and targeted changes to make the process of living and doing business and home improvements in the Tahoe Basin less burdensome and time consuming.
Procedurally we recommend working through the Plan section by section. About 70-80% will be recommended to stay unchanged from the existing plan. We will start with the Land Use component and move onto the Introductory components, Recreation, Public Services, etc. We recommend systematically working through the plan and as we get to the key significant issues. We have listed the major topics of discussion as we get to the plan sections and those topics will be up for discussion in these committee meetings. We have the 12 points summary of major issues discussed at the last
committee meeting, but generally captures the major points of debate and topics for potential amendment and provides more detail on our three general areas of emphasis.

Recap of the presentation given to the Local Government Committee last week provided by Mr. Hester Page 2-14 will not be discussed today; it lays out what function and roles currently being done by TRPA. We researched and came up with different models that we gave to the Local Government Committee with our recommendation. Our objectives were to remove duplication between TRPA and Local Governments, with fewer resources we need to change the system to maintain quality and focus at the regional level. We came up with the models is by getting best practices from other agencies. Roles we identified fall into these categories: Lead agency (does the work), Conformance Review role which the models are: Conformance Review, Projects of Regional Significance, also called Developments of Regional Impact, Review and Comment Role, Outsourcing, and Monitoring and Reporting Role.

Conformance review: Concept is that City and County plans get reviewed against the Regional Plan or State policies and anytime the local plans get amended then they would go for Conformance Review again. Some minor items could be done at the staff level, Policy Board, Governing Board level for major items. When the Regional Plan or policies change on a typical 5 year cycle then the local plans have to be reexamined and possibly amended. The local plans do not take effect until they are found in conformance and cascading consistency concept that underlies this which is any development activity must be consistent with the conforming planning code. Three models of Conformance Review: Nevada the Legislature has put this model in place in the Truckee Meadows-Washoe County and in Southern Nevada it is called the Southern Nevada Regional Planning Commission. Example; Washoe County; the Truckee Meadows Regional Plan is updated on a 5 year cycle, all local plans have one year to be found in conformance with that and then development actions must be consistent with that. Southern Nevada Regional Planning Coalition is a similar model. California’s Conformance Review model is California Coastal Commission; which has to include a Land Use plan that maybe part of your general plan where it is within the Coastal Commission Region, zoning maps and ordinances and they review your plan and your program against their policies and certify it before it becomes effective. California also is reviewed on a 5 year cycle as well. Oregon has to be found in consistent with State goals and policies and they have 1 year and the state withholds revenues if you are not found in conformance. Washington Cities and Counties have to be consistent with State goals and local development regulations, infrastructure funds are withheld. Georgia’s Regional Agencies review plans against the State strategy, prepare capital improvements program to implement those State strategies and additional funding is provided to local governments when their capital improvement program is found consistent with the state goals through the Regional Agency. Maryland the State Legislature identified in State legislation areas they want growth to go to and not to go to and appropriate funding based on compliance with that Legislation.
Second role is Project of Regional Significance currently in the Legislation in Nevada; if the project of a certain size/type triggers the project to be reviewed a Regional level. Example; maybe a Regional Land Use, close to the shore, specific size, it have a different processes and appeal processes. Some examples of that, San Francisco BCDC criteria is if it is filling, dredging project, etc. those projects have to be reviewed BCDC. Truckee Meadows Regional Plan criteria, some of them are in State law to State law also empowers the Regional Planning Commission to create their own additional criteria. Three criteria’s: Protection of certain kind of resources, activity such as geo thermal or mining or has certain impacts. The numerical standards that are in the State law are employment, units, rooms, water usage, trips, Project of Regional Significance concept. Third concept is to embed the Regional Agency in the local review process and can be done in a number of ways. Models review conditions from State agencies, we all deal with that in Local Governments, Regional agencies, any place that has a Health District, Water Authority, etc., are often involved in the review process for local development.

Outsourcing, a public entity may process permits on behalf of another public entity. A public entity may fund positions that work inside another public entity, i.e., building permit functions. Another concept is private party performs all or part of the process on behalf of the entities. TPRA does all of those, i.e., MOU with the General Improvement Districts and Counties on infrastructure projects. Five of Six Counties in the Columbia River Commission also does this. Private Party, Local Governments as well as TRPA applicants can have their project processed through an independent consultant. In addition, applicants may have site assessments done by private parties and Outsourcing models are wide spread as well.

Tracking and Monitoring is that you need to track a lot of these to know if there is compliance, you also have to track a lot of these to know how much of it is used and how much capacity is left. Example in Nevada, the State Engineer tracks all water rights in every basin in the State in order not to get over appropriated. Water Authority tracks well serve commitments, etc.

Roles 1 through 6, Regional Plan TRPA would still be the lead agency to do this (page 34 of handout) and we would still do the Environmental Improvement Program. Concept for items 3, 4 & 5 are the Local Agencies, Counties and City would prepare the local plans, zoning and code, TRPA would review for conformance, using something we develop from those models. Item 6, Development Projects would be handled locally unless they are a Project of Regional Significance criteria, which are to be developed. Recommended to the Local Government Committee that we go through this process of what are the criteria, what code changes would be needed, how would we change applications, monitor audit report, etc. We suggested that the Local Government not meet in November and between now and December, TRPA staff work closely with the staff from the 5 Counties and the City of South Lake Tahoe to come back with how we would see models being implemented in the Tahoe Basin.
Start in December with the plans, code and zoning and move into permitting and then working with State and Federal Agencies, completing in February in order to bring back to your committee.

Mr. Stockham  Conformance Review system from the staff perspective we believe it could provide great long terms benefits, procedural efficiencies, we do recognize if we are moving in this direction there is a lot of detail to work out. We do not have all the answers to every issue now and are looking for input from the committee if this general concept one that we should pursue; the Local Government Committee felt it was. The system we are recommending will be a transition from the current system, currently we do a lot of very detailed development review, we duplicate functions with the Local Government. It will be transition process and we are also recommending that it be an option for Local Governments. If certain Local Governments feel that they do not have the resources or capacity to do this, we would continue on with the current arrangement. We have had generally favorable feedback on the overall concept and questions on the details. Additionally, an important part of this concept if we are going to move towards it, is our safeguards. We recommend that we have criteria for review of local plans to ensure that any local plan before it goes into effect supports and furthers the goals and policies of the Regional Plan; additionally we recommend procedural safeguards. We would also have auditing, appeal procedures, types of recertification and this would be particularly important during a transition process.

Transects have received a lot of attention and confusion of what happened to transects. What transects we are trying to get at is a more sustainable land use pattern, increased community walkability, targeted areas for redevelopment, revitalizing the Town Centers around the Lake Tahoe Basin, that is what transects hope to achieve. There are two ways to go about this; we recommend policies, some key ordinance amendments and procedures to get there in a short period of time. The other alternative is effectively rezoning parcels in the Basin, that was an initial staff idea for transects was to do; building heights, form uses, development standards. From our perspective it is a lot to take on in one package and we think it would be more effective and more responsive to the various communities and specific interest around the Basin to set in place the policy changes, to set forward some key ordinance amendments and lay out a process to change parcel level zoning, one community at a time. This is how a lot of Cities and Counties operate where you do a general plan or master plan at the policy level and then go neighborhood by neighborhood and look at parcel level zoning. There is no real shift from the end outcome; it is a procedural shift we are recommending not re zoning parcels throughout the basin with this package, instead updating policies, key ordinances and setting in place a process. Those systems may be different between the different Local Governments. We also recommend that the consulting resources that we have retained continue to be dedicated for that purpose and be a resource for Local Governments.
Committee Comments & Questions:

Mr. Shute  We are at a point now with this committee on going through this plan update line by line and working our way through it and there are several overarching concepts; as explained by staff that if there is not agreement from the start, it is not worth going down that path. Summarizing what staff has said is redevelopment of Urban areas, working towards sustainable communities to comply with the California SB 375 requirements. Second is turning TRPA into an agency that looks at items from a regional perspective rather than being involved in what are perceived to be local matters. Third, is streamlining the regulatory process through the various models for conformance and that is important because TRPA has been operating as a second level jurisdiction up to this point. Staff is proposing is a different system; anyone of these models or some alteration of these models.

Ms. Fortier  Level of detail particularly when it comes to what is the overarching idea for transects planning. I think that it is the right pathway but is going to be difficult to work out all the details

Ms. Reedy On the transect planning; I would like to hear comments and ideas from this committee. The Governing Board has been talking about these items, transects being one of them and staff has decided to go into a different direction, not totally without input from the Board. I do not know if it has been vetted publically, would like to hear the pros and cons and see what this Board wants to do rather than decisions being made and brought to this committee. I understand staff time, but I would like to hear how this committee feels about those items that are being decided and where we are going to go forward with it

Mr. Sevison  If we go through this process and adapt a program of feathering down projects to Local Governments, I think that is a good idea and can be worked out because they are going to be using the rules that we have approved to approve projects. We should encourage them to do it on their own Basin wide so we do not have to keep a skeleton crew at the TRPA. It would be better for them to arrange with the City of South Lake Tahoe and El Dorado County for one to process for both, so you would not have to come back to this agency and set up a mechanism to deal with that. Hopefully, we will be handing that off

Ms. Reedy  Even on the Regional aspect, I do not recall hearing discussion or debate on that idea and bringing up some of the concerns and some of the solutions that may come from this Board.

Ms. Aldean  There is a reference from the Governing Board meeting last week, there was a reference to form based planning, which is reminiscent of transect zoning. So it has not been completely abandoned, we are using different terminology but that can certainly factor into the local planning process that each of the jurisdictions undertakes.
I know a precise strategy has not been developed, but under Land Use concept where it says all projects with certain Land Uses must be reviewed at the Regional level and example for projects within what use to be the commercial sector now called to Mixed Use. Would like staff during this process to explain why this rises to the level of Regional significance when the purpose of moving from commercial to Mixed Use is to have residential development in combination with non-residential development so that people are not required to travel to other Town Centers to shop and find essential services. There needs to be a benchmark, how large of a project before it triggers a Regional review even though it may be a mixed use project, in some cases if it is small and a few residential units in combination with commercial development, I believe that achieves our goal of reducing VMT, because you will have a core area in which essential services are being provided to a small group of residential users.

Mr. Stockham  We agree, that reference was in John’s presentation of models; what we recommended is a starting point is laid out in the red line document under policy LU-4.12. We agree that every Mixed Use development does not rise to that level. What does in the terms of the Land Use Districts is anything in the high density tourist district (Four Casinos) and anything in the Conservation District will at least have increased scrutiny. Additional levels where shoreline, large square footage developments, tourist accommodations of a certain size, etc. For the standard couple of stories redevelopment project that may be commercial and or office or residential in a town center. We need to make that as easy to process as possible and where the impact is probably less

Ms. Bresnick  This is a dramatic shift in direction from where this process has been going over the last seven years and I think in an effort to recognize how delayed the process has been in try to respond to concerns that have been expressed basin wide, staff took a look at what was going on and the amount of work that was necessary to get there and the target date being December 2012 to complete the Regional Plan Update. What kind of Regional Plan are we going to have at the end of the process and everything at this point is still conceptual and recognizing that this a new shift, things are going to be conceptual at this point. I am not sure how I feel about it; I think it depends on what kind of standards will be placed overall. Also depends on the Local Governments are going to be able to follow along quickly in terms of doing local plans, they will not have much time to do it and will be at a process where December 2012 comes along and will protection of the Lake and development around the Basin look like. I believe that is the kind of thing looking through that scope what are we going to see at that point. On the table that we have which has some more detail than what is in the narrative. Are these basically the only things that we are going to define what is on the table? Are there going to be more specifics that are going to be provided in terms of what this Regional Plan is going to look like and the environmental document is going to have to assess this change, or potential change in how TRPA viewing protection and redevelopment around the Lake for how it is going to attain and maintain threshold standards. If you poll the full Board what their feeling would be on this. We had the presentation at the Board Meeting last week and I think it was a surprise to most of us, I think everyone is
digesting it. Not only in terms of this committee, but polling the whole Board. Maybe the full Board is fully supportive of going this direction. I think as much work as it is going to be for staff and community and this committee; we have to fill in the details as quickly as possible. A March date for a draft EIS, what are the consultants working off of? Did they start down one path of where we were headed and now switching gears? I am sure some of the information that they are looking at is valid information for our Regional Plan Update, but I also think in terms of the Locals; they have always been an essential part of the process through this refocused look at what TRPA is and how it functions and they need to be fully on board in order for this to work. If we are going to switch to this model, all local jurisdictions have to embrace it and that is a big task. It is unfortunate that we are doing this at this stage of the process where we are under a time constraint. What are the standards that we are putting in place through this Regional Plan? How are the Local Governments and jurisdictions feeling about this? They have to put in place a process for doing their work and some of it could be done parallel. Do they have funding to do that? How is going to come together? What will we have in December 2012 in terms of a Regional Plan and what is protected under it and what you can do under it in terms of any actions by whether it is the development or business community? There are models around the country and within both states here. Tahoe is unique and not that we can’t craft something in this unique environment, but there a lot of unanswered questions quickly to have a meaningful environmental review that is going to give us something that we can evaluate and possibly take action on

Ms. Reedy  We have been delegated a job/task that we must do. We have a responsibility to talk about the intersect zoning, is that something we want to put in or not. The complication of the Regional issues, down to the facts rather than philosophy, theory or policy, need talk about those items. In the schedule it says Regional Land Use system; it needs to be spelled out more clearly where or when we are going to talk about and if it is not on there we need to put it on there

Mr. Sevison  A lot of the Board members that do not have the advantage of being locals don’t recognize today what percentage of work load on the local basis the local governments do as far as issuing building permits, etc. It is quite extensive currently and there is a small piece of the pie that is left that staff is suggesting we bring into existing agreement. I believe we are going a slightly step further

Mr. Shute Two items here; Transect zoning or form zoning which I gather had been part of the program, In the July Governing Board presentation it was part of the program and now it is not. We should have a discussion about whether we agree with that or not. Separate from that is conformance, delegating to the Local Governments under whatever parameters some of the TPRA’s traditional functions. When you get into the line by line review of these Land Use policies, all these questions that have come up; what kind of projects, criteria, review, appeals. They all either in there in draft form or will be by the time we get through with it. Do we want to go down that path or stay with the idea that you get a TRPA permit in addition to whatever local permits are
required? Transect zoning, can you give a brief description of what it is and as I understand the reason it was abandoned by staff is it was overwhelming to deal with and still meet the deadline.

Mr. Hester  Currently every government (5 Counties, City) have general plans, they have in them two maps (Land Use, Zoning) as well as zoning regulations. The Land Use maps sometimes are more detailed in the terms of the categories than the seven categories that we proposed in the Regional Plan. All of them have a general or master plan Land Use map, they already do land use mapping. Counties that have large areas outside of the Basin process more development than TRPA does. There zoning regulations and building regulations cover a lot of the same things we do. I would say there are more things they do that we don’t then there are things we do. They have a lot more code and regulation that they use and ours is a smaller part that is added on. We are giving them a little bit more to add to what they do and the transect and form base code is just one way to do zoning that they already do.

Mr. Stockham  Transect form based and then conformance: In terms of Transect and Form Base we do not see the outcome significantly different between these two options. It is more the process to get there. One alternative is doing parcel level re-zoning that focuses away from the type of land use; is it a commercial, office or residential use and more towards what is the form of development, how tall, what type of sidewalk and streetscape. Over the last 25yrs this has become best planning practices to look more at form and less at uses. The uses tend to segregate different use types, drive automobile dependency and sometimes be an impediment to a vibrant town centers. Form base is embedded both in the transect system where we would achieve it by changing parcel level designations and in the system we are recommending. We put forward some initial policy language which needs work that basically sets Conformance Review criteria and focuses in, additionally to the environmental thresholds and other topics of importance. Focuses in on the form of development, the streetscapes the overall massing, etc. The end result is basically the same, however, the difference is with transects as they were known, here in this plan, in this building are deciding how that gets achieved for each community in the Basin. We are adopting our new zoning categories, our development standards. There is a set of regulations that will govern everything in the Basin. We are recommending through this conformance review process is an acknowledgement that there a lot of different ways to achieve the same result of better form of development and it may not be necessary to require that a County; (example Washoe) use a completely different zoning system in the Tahoe Basin than they use in their County. With the proper ordinances and designations the same end result can be achieved and they can use a consistent system. Second, we are recommending this conformance system is a matter of scale; planning is most effective when you start at the big picture policy level of what you hope to achieve and work down progressively smaller geographic areas. Instead of doing new zoning for the entire Basin you would do new zoning one community at a time. We believe this would be both more flexible, easier to implement and substantially more responsive to individual parcel level.
preferences. If we are trying to rezone every parcel we could have a thousand of those emerge at our adoption hearing. It is logistically challenging work through that many issues and be responsive to those situations. If we can put in place a process to get to the same end but do it in a more responsive way and achievable

Mr. Sevison  I am not sure how I feel about this. If we adopted guidelines for Tansects/Form Base and then it would become an option for that community to decide how big, how much and what portion of the community they would be adopted. How would you implement this in Tahoma for example? Would it be best if it was put on the table as a concept and then as we go through the process try to figure out where it is suited to go?

Mr. Shute  I believe Arlo is suggesting that the language that will come up as we go through these policies we will get at items such as sidewalks, livability and items like that which could be incorporated in particular communities. A big factor is if we are going to re zone every parcel in the Basin and try to do that along with all the rest of these items it could be a nightmare

Ms. Bresnick  For clarification, are the threshold issues that we looked at the last meeting, are those the only threshold issues that are going to come to the committee. So essentially from staff’s perspective that part of its complete?

Mr. Stockham  Correct

Mr. Shute  Except that the Nearshore that is coming back there are studies going on and information that will be developed and we will revisit

Ms. Bresnick  I assume we are going to take public comment on this general idea, but then we will go into specifics of not only the policy language, but the chart we have

Mr. Stockham  For benefit of the public to answer a question about the EIS and the table; this is a summary to fit on one page. The more detailed table of items being analyzed are now posted on the web page under the RPU tab, new EIS tab. Those are being analyzed and there is a broad range of alternatives one of which includes this Conformance Review concept, middle ground alternatives, more enforcement and no action alternative.

**Public Comment:**

Ellie Waller  We will get into the weeds on some of the definitions, I think there is some gray area between a mixed use and tourist depending on how much commercial. I would like to see more specificity in these definitions here. I believe that is where we got lost in TAU’s also. I would like this committee to be sensitive to the meeting schedule; Placer County is hearing and appeal on Homewood at the Board of
Supervisors on 11/15/11 at 9:30. Could this committee meeting be move to a Thursday so participants could attend both?

Nicole Gergans  League to Save Lake Tahoe  I am going to give my comprehensive comments for the different issues instead of dividing it up. The League has numerous concerns that the Land Use Regional Plan amendments and changes to Alternative 3. The replacement of community plans by local plans introduces an enormous amount of complexity at this stage in a planning process that is expected to be completed by the end of 2012. The ability to even begin to grasp the complexity and what is will mean to the communities and the thresholds is overwhelming. Additionally, it is unclear to the public and decision makers what these new plans will look like. Overall, there is a dramatic shift in the proposed Regional Plan language from Land Use Planning that needs to protect the thresholds to Land Use Planning that facilitates additional development that is inconsistent with those environmental goals. The point of having a Regional Planning Agency is to do the regional planning. By placing the honors on jurisdictions, TRPA is discounting its duty to ensure the land use regulations support the attainment and maintenance of the thresholds. Overall, there is a significant shift in the proposed Regional Plan language from Land Use planning that protects the thresholds to a system of land use planning that supports local development desires within the Basin without appropriate protections. Regarding specific changes the staff report describes Land Use Goal 1 changes as “minor and focusing on modernization and clarifying the 1987 language”. However, the changes are significant and not minor. The language changes the intent of the Regional Plan regarding the encouragement of development. Goal 1 also prioritizes problems in town centers and intensely developed areas over problems and non-town centers and less intensively developed areas. Although the TMDL has identified the urban upland as the major contributor to fine sediments, the TMDL did not show that one particular upland area was more important than another. Example the TMDL does not prioritize Meyers over Sierra Tract but the new Regional Plan amendments and map identifies Meyers as a more important area for fixing environmental problems than Sierra Tract. Regarding Land Use Goal 4, the deletion of all existing language is of high concern as this deletion removes the idea that Land Use is intended to protect the thresholds. The proposed new Goal 4 does not refer to the relationship between thresholds and Land Use. It is of concern that the local plans will be able to request amendments to the Regional Land Use map, this will continue to push the expansion of the urban boundary. Furthermore, it is of concern that local plans will be allowed to place development in SEZ within town centers and high density tourist districts. The allowance of four stories in town centers is impactful and unnecessary. Impacts will occur to the scenic air and noise thresholds. The majority of projects will not be required to undergo a TRPA finding of conformance. Overall, the League is concerned with the complexity of changing the RPU so late in the game, the replacement of community plans with local plans, increases in coverage, density, height, the allowance for building on certain SEZ the allowances for TAU morphing and how all those changes will impact threshold attainment.
Ann Nichols  North Tahoe Preservation Alliance  I believe If you are non-conforming in commercial you get to rebuild the non-conforming. It is when you add more non-conforming that we get into trouble. Is the County is locally be determined how this will go, we will have five Counties going by different rules, how will we analyze in regards to what we use to call thresholds that we now call conformance guidelines. I am concerned about Counties because they are desperate for revenue, if we put everything on a County level, where is the overview of environmental protection. I like the focus on form and massing, we asked for massing at Boulder Bay they said they did not have to answer that. If we could get into what is the change in massing and how does it affect scenic would be terrific. You determine what the maximum height and density is and then you could go to the Local Jurisdictions for the fine tuning, somebody has to do that and coverage. Is that what you are intending to do?

Dan Siegel  CA Attorney General’s Office  Would like to address the delegation proposal and our office has not had enough time to properly analyze that proposal so we do not have a position at this point. What I am going to give you is only preliminary staff level comments. If you do proceed with the delegation model, I urge you to take staff suggestion and include very strong safeguards. They would be required so that the Regional Plan and all the elements meet the Compact mandate that the plan achieves and maintains the thresholds. Absent adequate safeguards delegation could not work, with safeguards it might work. One safeguard I do not see in the red line version before you and this is likely because it is only a first cut and there needs to be more development and details is any notion of appellate rights. All the models that I am familiar with the Delta Protection Commission that protects the Sacramento Delta, California Coastal Commission have appellate rights and the right to review local actions that are allegedly inconsistent with the Regional Plan, which would be an essential safeguard. Questions about some of the other aspects of the red line version: Notion of thresholds in there that larger projects would go to TRPA and certain other projects while smaller ones would not and that concept makes a lot sense. The details need to be looked at more closely, one threshold is a 50,000 square foot threshold, this could mean that a supermarket would not go before TRPA and a supermarket would seem to be more than a fairly small project. Criteria needs to be looked at to make sure that big projects come to TRPA. Did not see anything about enforcement, what happens if a local entity has permit conditions that include environmental protection elements. There should be BMP’s installed and who is going to enforce that? Details are going to be essential. A concept of recertification which I think is slightly backwards, every year a plan would come back to TRPA, it sounds like the current wording is if TRPA doesn’t act the plan remains into effect and it should be the opposite, the local plan should be looked at, there needs to be performance criteria and audit as to whether or not criteria is being met. If criteria is being met than TRPA should affirmatively be required to reauthorization of a plan and if it is not reauthorized than the plan should not remain in effect. We do not have a position about the delegation concept itself, but if you go forward need to include proper safeguards.
Dave McClure  North Tahoe Citizens Action Alliance  It appears in the process portion everything was focused project by project and a problem we see at the North Shore being a small area that is sensitive to big projects. There is no accountability or way of accounting for cumulative impacts of several projects. Almost never does one project create a massive problem in terms of thresholds, but five of those projects in a small area can have a huge impact. If there could be acknowledgement of the cumulative nature of the projects. Outsourcing of TRPA resource management under next steps, is that in reference to monitoring air quality? The water quality is usually monitored by Davis and Terc, but air quality is not monitored by a neutral third party scientifically capable of doing it, the North Shore is impacted tremendously by air quality. Transect, there was no discussion of densities related to transect. The point was brought up about height and form based, but as part of that discussion since Tahoe is sensitive and limited in certain communities especially that the actual densities need to be part of the conversation. As you densify the concept of livability, mixed use, there are problems with that idea in the real world. I own commercial property, now I am going to be mixed use, the industrial area on National Ave would be mixed use. Is it on a per project basis or per parcel? So an individual project has to have mixed use, if it follows any of these projects that have been done recently you will not have stores, supermarkets for locals you will have Boutique for tourist. Most of the projects appear to be tourist accommodation units and not for residences. Mixed use, transit oriented development, they are based on a huge component of residential use, year round occupancy, the commercial then needs to reflect that. If it is tourist stuff, then the people who live a few blocks away are not going to be walking there to buy groceries. Mixed Use could still work but on a community basis. You could have a hotel and restaurant next to each other but they do not necessarily have to be part of the same project. Why do they have to be in the same building in the same project? Mixed use, individual parcel project vs. Mixed Use within the Town Center. The distinction was made because it is closer to the reality of what we have on the North Shore

Colleen Shade  Planner RL Anderson  Are we talking Code or Goals & Policies? At the last Governing Board meeting Mr. Shute said are we putting the cart before the horse with doing the Code of Ordinances at the same time. Ms. Bresnick is asking today what is this plan going to look like in the end. I am hearing some want it to look like all the details and others it should be an overarching that provides the intent and the direction if all of this is going to be given to local jurisdictions. Would suggest looking at the higher level, what is Regional Plan going to do? To get this done, you are only looking at the high level Goals & Policies. You are at a point of defining intent of what it is going to look like and then you get to the details

Eva Krause  Washoe County Community Development  We have been asking for this for years, currently TRPA has area plans, Washoe has zoning with both agencies allowing or not allowing different procedures. You may call it a mixed use area and Washoe a Community Plan and then we will determine what we are going to allow in Mixed Use; what type of Mixed Use, Transect Zoning Mixed Use or Form Based Mixed Use. We
would say here is a list of commercial uses you can have it is your property to develop. We work with you to figure that out. For projects that may be more intensive we would do a special use review/permit. It does not make sense if the Local Jurisdiction does a special use permit and have the Governing Board do the same review doing a special use permit. We want to honor the environmental thresholds; we want guidelines that direct us what to do in order to meet the thresholds. Will write our Codes to work with you. If we have an overall plan for the whole area, I do not have to have the same plan as Placer County or Kings Beach. We already have Community Plans, when the Regional Plan gets approved and we get the overall arching guidelines we will sit down with the community to discuss what/if we want to change. Currently, TRPA has conservation, residential areas; we are going to a residential area and try to put in commercial that is on the TRPA’s Master Plan

Laurel Ames  Foundation for what you are doing is the 1980 Compact revisions, this document is framed around weakness of existing plan, the weaknesses are listed as the water clarity problem, do not agree that there has been 25 years of strict regulation, there has been little or no regulation of Water Quality, the loss of clarity cannot be blamed on strict regulation. The plan discourages sustainable communities; the development pattern is guided by soil type that inadvertently provided sprawl, the only sprawl past or future is Homewood, the sprawl is because of the roads, there is no new sprawl, the land capability standards have not created sprawl. The Community Plans are going to be re done because they are out of date; most were adopted between 1990-1998 and they were developed with citizens who live in the Communities. Why is that bad for the foundation of this? Developers/Local Government wants money and sees that in more development. The Compact was amended in 1980 for the reason of Local Governments had failed along with the TRPA to protect the Lake; it was the Local Governments created problem that got us to the Compact. TPRA approved every Local Government project presented. When there were revisions the Local Governments were given less of a role, reason was the intent to protect the Lake. The Threshold standards need to be reviewed very carefully and the Water Quality standards if based on the TMDL. That water quality protection plan goes out 65 years. We are falling behind; I believe this process needs to focus on the importance of the thresholds. Do not remove the threshold language, some of the re-writes have deleted any reference to threshold standards, this is the foundation of the TRPA’s mission.

Lew Feldman  Feldman, McLaughlin and Thiel Since we started process in 2004, with the Forum and Pathway it has be inelegant trying to get to the finish line; 175 Plan Areas and many Community Plans have surfaced as a barriers to getting from point A to B. Now you have a road map to show that TRPA is a Regional authority and there are Local Jurisdictions, it makes the critical observation that the poorly strip development that navigates the Lake, which is responsible for most of what is costing over $100 million a foot to try and remediate is coming from areas that there is no opportunity to redevelopment. To focus on a fairly small part of the Basin with the resources to get the most amount of benefit is obvious. Applaud staff for advocating we focus on this effort
and not try to be everything at all people. We have Community Plans and the current process in awkward. Example; if we wanted to add a Beauty Salon and that was not an allowed Land Use, so we had to amend the Community Plan; we go to the SLT Planning Commission, SLT City Council, TRPA APC and the TRPA Governing Board in order for them to get permission for a Beauty Salon. I believe this focused effort is the only way we can get to the finish line

Committee Comments & Questions:

Mr. Shute  We are not going to take any action on this. Is there general agreement that we are going in the direction that Mr. Stockham described earlier on

Ms. Aldean  Discussions with some of the Local Jurisdictions and my participation on the Local Government Committee is the Local Jurisdictions have matured over the years. Today, there are sufficient safeguards to prevent the excesses of the past. Now it is a matter of refining the process, I think to allege that Local Governments are incapable of being good stewards of the land is an insult to the people of those jurisdictions. The Lake is an economic boom to the Local Jurisdictions that they do not want to see soiled. With the diminishment of resources it is only logical and why the Board has considered environmental redevelopment as a possible salvation of the environment at the Lake. The resources the Federal Government have been depleted, one of the few resources we can rely on in the near future are resources brought to us by the private sector. I don’t see TRPA advocating its role as overseeing everything, need to work out the details. Local Governments have been looking towards this in the last few years, there is some reluctance to burden their staff, but at the philosophical level I think the Local Jurisdictions agree that this needs to be done and TRPA needs to return to its original mandate to regulate on a Regional basis. We have to be active partners with the environment to ensure we achieve our environmental objectives. I am supportive of moving in this direction, I am confident working in this direction we can come up with the details and flush out the plan so everyone can support it

Ms. Fortier  I concur at the Local Jurisdictions there has been a great deal of change and what our approach is; we understand the importance of the protection of the a Lake, but we have to rebuild what was built in the 1960’s and is falling apart.

Ms. Bresnick  conceptually, this may sound attractive and we will be heading down this path with some resistance but still wanting to participate in the process. There were a lot of good comments today; this model sounds attractive on a lot of fronts, how it is implemented and what happens with it is what is going to count in terms of our being able to meet the mandate of the Compact and achieve and maintain thresholds. We may not get to today, TAU’s, density, height and other parameters that are included in what would be the Regional Plan, coverage transfer around the Basin and the issue of possibly soft coverage to hard coverage. What will conformance achieve with respect to the thresholds? Will Conformance achieve the thresholds? How do we monitor? Local’s
role in monitoring and providing data for our Threshold Evaluations and how do we assess that data and integrate it? Appellate rights for the delegation model, the criteria for TRPA review. I have some issue with some of the language in this, but know we will get to it later. A proactive review of local plans if we are going down this path in terms of certification; TRPA taking a proactive role of certification rather than allowing plans to continue if there is no action taken. Cumulative impacts, when a project goes through environmental review, the cumulative impacts on the California side scheme similar to SEQA, those are reviewed to ensure that on both sides of the state lines there are adequate review mechanisms for environmental review for consistency in terms of CA and NV to capture some of the areas that need to be assessed. How will the community be integrated into the process? Participating here and at the Local level as the Local plans are developed and then incorporating the thresholds and not losing sight of what our mandate is and how we purpose to achieve it through this model in terms of the diversity that might ensue once we have Local plans that are follow along from a Regional Plan. This model could potentially work; I don’t think within the year we will be able to zone every parcel in the Basin. In shifting over to a Regional Planning Agency, I think we need to be strong in our safeguards, regulations that are included in our Codes. I believe the Communities participating in the environmental improvements would rather have more stringent requirements upfront to truly try and achieve our thresholds through this model of Regional and Local Community planning.

Ms. Reedy  I am hearing consensus on pursuing a Regional model in moving forward and we will go through all the details.

Mr. Robinson  Agree

Mr. Shute  There is no perfect model and what TRPA has done in the past being the permitting authority and being separate from Local Government is not sustainable in the future. I believe there is political back lash against that, we have to find another way to operate and be effective and focusing on Regional Agency is one way to do it. On Conformance with adequate protections. We will go thru these red lines, items called out by edits that staff is proposing.

Mr. Sevison  We have been in this business for 25 years and the Lake still is not doing what we want. The tens of thousands of lots that have been taken out of production, the amount of work and effort of about one billion dollars spent; if that had not been who knows what it would look like today. We have done a lot and it would be worse if we had not done that. Is there any insurance what we do today is going to be perfect. We need to do the best we can with the tools we have. The tools we have is to try to get any develop that we do in Tahoe is to create green projects that are good for the environment, because we do not have the resources we had over the past 30 years. I believe we are heading in the right direction.
Ms. Fortier  Concur with this process of allowing more local control over decisions that are not on a Regional level. This is what we have been doing all along, it is important that the Local Jurisdictions do understand the process and on board

Mr. Shute  We have an Action sheet that summarizes the straw votes that we took from last meeting; Do we concur that the Staff Summary of the actions that were taken and the way this is worded reflect the actions we though we took?

Ms. Bresnick:  General comments on Action Sheets and I know we are not reviewing the minutes today. The Action Sheets and the minutes need to be consistent. In the review of the draft minutes it was not consistent. On the record; the straw votes that were done, in the first meeting we did not have public comment which may have influenced my actions on those straw votes on all of the items. We are condensing large topics into summary statements and I want to be careful in terms of straw votes, the direction being given to staff, public comments do influence me. Action Sheet, Item 2, the threshold standard Nearshore; I need clarification on where we landed on the threshold standard and what is reflected here is that we would analyze the applicability of a Biomass numerical index standard if scientific studies are complete in time for RPU action. We talked about the studies that were being done and they are not going to be complete by December and if we want to get it in it has to go in now. I thought we were going to analyze the standard in the EIS, but part of the analyze would be whether we were also identify sources. Not that we would not analyze it if the scientific studies are not done in time. Basically they are not done right now and I would think now is the time that would have to be analyzed. I thought we were still going to be analyzing it, but just that what the EIS would conclude and action the Board might take would be effected by source, evaluation and where the scientific studies are. The Committee voted unanimously to recommend that the Governing Board adopt new Management Threshold standard for AIS. The minutes and Action Sheets do not match. I read in the minutes that the Committee liked the approach but there is no vote that was reflected in the minutes on this.

Ms. Marchetta  We will go back and listen to the tape; this Action Sheet item was based upon a compilation of a variety of people’s notes. This was the collective understanding from those notes and we will compare against audio recording. I do not recall the piece that we would analyze the numeric standard, but will review. The idea was it may not be validated until next summer, so we would be analyzing something that had no basis yet. We were out ahead of that science; revisit the question of whether to actually import the numeric standard once we saw the preliminary science

Ms. Bresnick  That may be how it ended; I brought up if we do not put it in and analyze it now we are missing the opportunity and I know the summarization at the end you included the source studies as part of it. I would like clarification; it may be the Committee took your summarization of it. I would prefer to see numeric standards, but that may not have been what the Committee fell after that discussion about source
Ms. Marchetta  I do not recall if we voted on the AIS standard, the suggestion that it is in the Action Sheet, we compiled this Action Sheet off of different people’s notes taken.

Ms. Bresnick  If that is what is shows it should also be reflected in the minutes, were there straw votes taken? On the clarity standard, I thought we came down using both standards, continuing to have both standards evaluated, which is not reflected here, minutes seem to reflect that

Ms. Reedy  I do not know that it was having both, I recall saying we continue to do the measurement’s on both over a period of time, but I don’t know whether it was accepting one as a standard or not just to have the clarity of information

Ms. Bresnick  You are correct, that is was I thought as well. That should be reflected in the action sheet. The Committee action on the 8 hour Carbon Monoxide standard this reflects the straw vote was unanimous to recommend and that vote was not reflected in the minutes

Mr. Stockham  The minutes were not agenized. Possibly, outside this committee meeting we could go through and get your comments in more detail on the draft minutes and Action Sheet and bring that forward at the meeting to accurately reflect what happened

Mr. Shute  On the Nearshore standard we know that there are studies that were supposed to be done in December and the EIS will come out and will come back for discussion. I believe the straw vote does not mean that much other than that we are all interest in pursuing that subject and we need to have more information to make it specific

B. Discussion and Possible Direction on Changes to the Land Use Framwork:

Mr. Stockham  We are going to start to work through the initial red lines in the Goals & Policies portion of the Regional Plan. Each of these sets of Goals & Policies address topics that were discussed by the Committee and by members of the public.
General overview:
We did some renumbering to make it more clear; LU is the Land Use section, LU-4 is Land Use Goal 4, and then the Policies follow as LU-4.1, LU-4.2, etc.

LU-1  Overview statement of Land Use priorities in the Regional Plan. We are recommending some modest adjustments to reflect the modern overarching goals
LU-5  Coordination with the broader region. We recommended no changes
LU-4  Integrated system of Regional & Local planning. Correction: It shows the old Goal 4 as being deleted. It is being reorganized into a new Goal 2 and will be distributed for the next meeting
LU-4.1  Policy describes the different land use designations
LU-4.2-4.4  Identify the existing planning documents and verify that they remain in place until superseded, except any new ordinances adopted as part of this update would supersede those existing plans to the extent a conflict exist
LU-4.5  Policy is a process for the evaluation of implementation of this change
LU-4.6-4.7  System of local plans and Regional Conformance review
LU-4.8-4.10  Review criteria and safeguards and key policies that require that Local plans support attainment of Environmental Thresholds for the Goals & Policies of the Regional Plan
LU-4.11-4.12  What authorities could be delegated once Local plans are found to conform to the Regional Plan
LU-4.13  Cooperative approach to development of the these plans

Implementation measure will be introduced under each goal would generally be Code Amendments necessary to implement the new policies. As we work through these that we go through the policy language and when it gets to implementation there will be a critical distinction of do we adopt code concurrently with this Regional Plan or do those Codes follow behind as a later implementation measure. Once we have direction on the policy language we would propose to contact Clarion who is our Code Update Consultants and work with them to develop specific Codes in accordance with the implementation measures and bring back to committee about a month after the policy discussion for review and refinement

Mr. Shute  On the draft Regional Plan Map there was some modifications to that handed out today. I have asked staff to produce list of what for the next meeting of what is considered a Town Center, etc. Where are the tourist areas, Mixed Use, etc. areas around the Lake and have we agreed that those are the ones, are they taken from existing Community Plans? Do we want to debate those?

Mr. Stockham  We will distribute the revised plans have some insets at this time

Mr. Shute  It is time to take up 1, 2, & 3 and have straw votes and possibly discuss 4 if time permits. Strikethroughs-language is being deleted, Blue is new and Black language is existing. LU-1.1-1.3 are re worded and less controversial than LU-4

Mr. Stockham  LU-1 No change to goal language, the main changes to LU-1.1. as written is essentially a negative statement about what we do not want. Convert to a statement as to what is preferred. LU-1.2 & 1.3 are clean up language

Ms. Aldean  Under LU-1.2 says to correct this environmentally beneficial redevelopment and rehabilitation of intensively developed areas is prioritized. Should it read is a priority? Are we actually prioritizing projects that are considered to be intensively developed or merely a priority in terms of the goals and objectives?
Mr. Stockham  Similar statement, it is priority to rehabilitate the intensively developed areas. Language suggested ok

Ms. Aldean  On LU-1.3, Like the language in the Compact “One of mandates is to maintain the equilibrium between the manmade environment and the natural environment”. We have talked about the triple bottom line and there is no reference to the social health of the Basin which alludes to affordable housing projects. What I would like with the Committees concurrence is to change that to read: A balance between economic/social health and the environment shall be maintained.

Ms. Bresnick  LU-1.1 Looks like you are still maintaining the flavor of that. LU-1.2 I agree with Shelly’s recommended change. My issue with LU-1.3 is there is a lot of language we can pull out separately in the Compact and of course economic and social health is definitely included in the Compact. In terms of shall be maintained, not sure how you will judge that or set criteria to figure out whether this balance is being maintained, I believe the Compact language is more a can to seeking this and having it appear as a mandate in the Land Use Goals is going to be hard, how do we assess that? Issue with how LU-1.3 is worded. If you know what Goals LU-2 & 3 were generally going to be would be good information. Is Goal LU-3 being re worked?

Mr. Stockham  Goal LU-1 is the overarching Land Use goal. Goal LU-2 is the Growth Management System. Goal LU-3 Priority Development Areas and areas where development is discouraged or prevented. Goal 4 Regional Local System and Goal 5 is coordination outside the Region. As written, the goals, some topics crossed over the different goals; the green text is relocations. You will receive drafts of LU-2 & 3 for next meeting. Those are substantive goals as well that we wanted to focus on Land Use System first

Ms. Bresnick  We have one example for LU-4; some lend themselves more to implementation measures than others. Implementation measures will be created for all of these goals? Have implementation

Mr. Stockham Implementation will be grouped by goal and every goal where we recommend some specific implementation measure, i.e., a Code Amendment will have implementation items. None recommended for Goal LU-1 since it is a general goal and all the implementation will be covered under others. Today in packet the only Code Amendments would fall under Goal LU-4, but there will be amendments under LU-2 & 3

Ms. Bresnick That is what I meant by some lend themselves to implementation and others don’t. If we are going to be paraphrasing and trying to pull out compact language to more directly reflect what is in the Compact in these policies then we need to be quoting from the Compact and if there are more Compact section. Do not want to
make wordier but do need to include the language in there. I just wanted to give my concerns about LU-1.3

Public comment:
LU-1.1-1.3:

Ellie Waller  Concur on LU-1.3 if we are going to be looking at the Compact language, we do need to look at the content in its entirety for interpretive purposes

Dave McClure I know that the policies are general but it could be misconstrued, the idea of discouraging development that detracts from these values. Is this referring to development that supports tourism itself? I operate a storage facility, local merchants store their items in it, but my own business does not promote tourism. We have run into these types of issues with TRPA in the past and a lot of the planners do not understand the full chain of support services that are necessary and it is dominated by the tourist economy. To discourage development isn’t part of those values, seems that this language can be misconstrued. In LU-1.2, “to correct this environmentally beneficial redevelopment and rehabilitation of intensively developed areas is prioritized”. Concern that an area like Kings Beach mostly suburban little areas is considered urban like San Francisco. Strong wording, can it be moderated?

Colleen Shade  LU-1.2-policy language now becomes redeveloping existing town centers that were adversely altered before the Regional Plan was in place as a high priority. I would remove that middle section, “that were adversely altered before the Regional Plan was in place” and leave it as a simple policy statement “that is redeveloping town centers as high priority”. It can be misconstrued that your high priority are only those places that were developed prior to other developments. We have some new developments that you may want to increase intensity or density in those areas. As a policy statement you do not need to qualify it by giving some history in it. I do not believe that LU-1.2 is a Growth Management System policy

Mr. Stockham  That is Goal LU-2 which is not part of this packet

Committee Comments:

Mr. Sevison  May be we would be better off to omit that center section and have the Goal there and going back to the rehabilitation of intensively developed areas is prioritized. Would it be better to say that have services suited for community development like transportation and shopping, etc. I think that will be interpreted too many ways, suggest something that had related to available services, i.e., bus services and bike trails. That may be better criteria than intensively developed, unless you designate those areas as part of the Community Plan so you know what the boundaries are
Mr. Sevison  How do areas that are currently shown as redevelopment areas fit into that scenario?

Mr. Stockham  The Town Centers that are on the initial map effectively are the redevelopment areas and the Community Plan areas that presently allow that type of development. We started with what is in place now; understanding as local plans are prepared may be changes to boundaries

Mr. Sevison  Through the years we have struggled with the redevelopment criteria

Ms. Marchetta  We are not trying to define big “R” redevelopment

Mr. Shute  This is the introductory policy, it would be better to be specific, list areas where this would apply, like the map

Mr. Stockham  This is what policy LU-4.1 expands this paragraph into 2 pages

Mr. Shute  If you do not have the exact wording, let’s take out of any motion and come back with precise wording next time

Mr. Stockham  I will have the team come up with some suggest language while we work through the rest of the items

Mr. Hitchcock  We have an implementation measure that says to update our Land Use Map and Plan Area Statements that designate certain areas as town centers and High Density Tourist Districts. We have an implementation measure that we incorporated in the Code that will designate the areas on the map as Town Centers and High Density Tourist Districts

Mr. Shute  A goal needs to be is that this is easy to read and clear

Ms. Aldean  LU-1.1; If I have a business an ancillary use that may not fit into this category, but is doesn’t mean that it is not contributing to the economic health of the Region. Can we say “it is the intent of this Regional Plan among other things”? A focus perhaps, but not the sole intent of the Plan

Mr. Stockham  Area of concern is carry over language from the old Plan. Do not see his business detracting from those values

Ms. Aldean  For clarity, the Regional Plan is about more than the statement made under LU-1.1. Amongst other things to encourage development that enhance these values and discourages development that detracts

Ms. Fortier  Can we make it a positive statement
Ms. Bresnick  This is difficult process, there were good comments in terms of trying to incorporate the language that was there with bringing this up to today’s world. These are policy statements so they do not have to be as detailed as Code language and Implementation Measures but remember what we are conveying. If we are going to say one of the intents of this Regional Plan among other things, if we are going to talk about enhancing or encouraging development that enhances these values which I do not have a problem removing the rest of that sentence. Make sure that it is intent not the only intent of the Plan. We are working within the constraints of the 1987 plan. LU-1.2: Even though Town Centers or whatever this may pertain to is defined elsewhere in the Plan, we need to be clear. Whatever it might be that we are talking about Town Centers or the Tourist areas we should reference here that these policies apply to these particular areas, if we are applying the language to those areas. “Intensively” is subject to interpretation.

Mr. Stockham

LU-1.1  The economic health of the Region depends on a viable tourist and recreation oriented environment. It is the intent of this Regional Plan among other things, to encourage development that enhances these values.
LU-1.3  Add: “social” after economic, “seek a balance”
LU-1.2  “that were adversely altered before the original plan was in place” and “intensively developed areas” which reflects the specific Land Uses such as Town Centers and High Density Tourist Districts.

Mr. Shute  LU-3: Plans shall seek a balance between economic, social and environmental. “Shall be maintained” is impossible to measure

Straw Vote:

Mr. Sevison made a motion to approve
Ms. Aldean  Recommend to adopt policies LU-1.1, LU-1.2, and LU-1.3 as amended on the record

Ms. Aldean  Amended to read: The plan shall seek a balance between economic/social health and the environment

Ayes:  Ms. Bresnick, Mr. Shute, Ms. Reedy, Mr. Sevison, Mr. Robinson, Ms. Aldean, Ms. Fortier
Nays:  None
Abstain:  None

Mr. Stockham  We would propose on all Action Sheets to add clarifying language that these are non-binding votes, it just give staff initial policy input as to what we examine further and all approvals are made by the Governing Board
Mr. Stockham  LU-4  Regional Plan Goals Policies and Ordinances shall be implemented using an integrated system of Regional and Local Government planning

Public Comment:  None

Committee Comments & Questions:

Mr. Marshall  Replacing existing 4 and substituting with Goal LU-4

Mr. Stockham  The old language in Goal 4 will be worked through a part of the new Goal 2 at a later meeting

Ms. Aldean  Motion to recommend adoption Goal LU-4 as amended
(Replacing existing 4 and substituting with Goal LU-4)
Ayes:  Ms. Bresnick, Mr. Shute, Ms. Reedy, Mr. Sevison, Mr. Robinson, Ms. Aldean, Ms. Fortier
Nays:  None
Abstain:  None

Mr. Stockham  LU-4.1 We may not be able to agree with specific language. What would be the most helpful for staff is to identify topics, direction for language changes, policy direction vs. word smithing

LU-4.1 Description of the various Land Use categories only targeting changes from the existing; Wilderness & Back Country are established Land Use types, limited to Federal Lands only and mirror the Federal Plans. Conservation-no changes, Recreation-no changes, Residential-no changes. Mixed Use was called Commercial and Public Service; we recommend that Mixed Uses are allowed  this is to remove any governmental barriers to a range of Land Uses occurring generally in Town Centers. This is in accordance with California SB375. Tourist is rewording the existing to be more clear.

Two overlays areas:  Town Centers and High Density Tourist Districts. High Density Tourist District:  Four Casino towers, feel this is appropriate for redevelopment and investment and a level of intensity that would be appropriate in that area but not elsewhere. Other mid-high rise tourist facilities but are generally isolated. This is a hub, appropriate to call it out separately. Identified Town Centers as where the existing Community Plans call for a range of Land Uses. In later policies we have height and intensity limitations. Town Centers are like the core of Kings Beach, Commercial area of Incline Village, doesn’t include any of the West Shore Communities. It does include significant portions of South Lake Tahoe, Douglas County (adjoining SLT) and Meyers. General descriptions of the two categories, there has been discussion as to a middle category
Mr. Sevison  This may be a zoning issue, in California has encouraged the use of mother in law units as an ancillary use in some areas, are we going to consider that?

Mr. Stockham  Not the topic to fit in this policy, recommendation that it should be a Code level issue

Ms. Bresnick  Town Centers are hard to see on the map, are they Tahoe City, Kings Beach, Incline, State South Line?

Mr. Stockham  We will get into detail of map at a later meeting. In our later Goals & Policies a lot of our recommendation for redevelopment incentives only apply in Town Centers and the High Density Tourist Districts and not outside them

Mr. Shute  Next meeting the map will be a point of discussion, like many things like Mixed Use and Town Centers, all the policies are triggered if and where they are on the map

Mr. Sevison  Kings Beach one they have Stateline, North Stateline and part of Nevada included in it, is this an issue?

Ms. Aldean  Does North Stateline (less intense than South Stateline) does that fall into the category of Tourist as opposed to High Density Tourist District overlay?

Mr. Stockham  Yes, this is the reason to set up detailed Local Plans instead of trying to answer those exact parcel level distinctions in one swoop. Review the map and we will review comments at a later meeting. Our focus at this point is defining a target area for redevelopment

Ms. Aldean  You incorporated the existing Hotel Casino Towers in Stateline, NV. I think we should be less specific. We can define it, but do we need to reference a specific geographical location at this point

Mr. Stockham  We will at some point. The distinction we are proposing in this policy set is there are two levels of priority redevelopment area; Town Center and a High Density Center

Ms. Aldean  The only thing in the High Density Tourist District overlay is Stateline South?

Mr. Stockham  As proposed, yes.

Ms. Aldean  Under Tourist, suggest adding: property at the end of these lands include: property one already developed, two located in areas where gaming is a
permitted, etc. Add “property” at the end of “these lands include property that fall into these categories”

Mr. Marshall Can we use “areas” to be consistent
Revise to: Add “areas”. These lands include areas (prior to bullets)

Mr. Shute There could be an overlap between Conservation area and Back Country, is it a mapping distinction?

Mr. Stockham Wilderness and Back Country are exclusively USFS Lands designated similarly in their management plans. Conservation is broader and includes public and private lands. There is overlap, is not critical for Plan to call out these areas

Mr. Shute Top of page 2-3, (green text) implementation ordinances set forth the detailed management criteria and allowed uses should be deleted. Back Country: Limited roads may be present in some Back Country areas; road construction may be permitted on Back Country Lands where additional restrictions do not apply

Mr. Hitchcock From Forest Service definition. When they define Wilderness areas it does not necessarily mean that it is fully road less

Ms. Bresnick If you are getting language directly from Forest Service Plans; you are incorporating that idea into Wilderness Districts are designated by the US Congress and Back Country Districts are road less areas designated by some other entity. Is the language pulled from their plans?

Mr. Hitchcock Correct

Ms. Bresnick To be clear if we are pulling from partner agencies document’s need to be clear; i.e., footnotes, parenthesis

Mr. Shute Residential areas are urban areas, what is the significance and are they always Urban?

Mr. Hitchcock As currently defined in the Code; all Residential areas are Urban areas. That designation sets our Urban Boundary line. All uses that fall under, Residential, Tourist, Mixed Use would be classified under our Code Urban. We do have Residential uses outside of Urban areas

Mr. Stockham This is imbedded in the existing Regional Plan and all Code. We could ask our Code Consultants to replace “Urban”, with something that is more reflective of what is out there. Urban is a loaded term, maybe Municipal, Residential or Non Residential
Ms. Marchetta  Every time we use Urban in this plan it is misunderstood

Mr. Shute  Maybe a good idea to find another term, does it have to say Urban areas? I think it leads to a wrong implication

Mr. Stockham  How does the Committee feel about the term Municipal?

Mr. Marshall  No, it has a distinct Legal meaning that is inapplicable to most of the areas we are talking about

Ms. Bresnick  In terms of finding another word, we need to go back to what Mr. Hitchcock mentioned that we have other document’s that talk about Urban Boundary. Another term will have to be consistent in all planning documents. What is basic document that sets that term; Urban Boundary and that would need to be changed and then that would need to be changed and everything would flow from there

Mr. Stockham  We will discuss offline to find a replacement word for “Urban”. This word can be misunderstood to be areas such as San Francisco

Ms. Aldean  Under the policy definition we have existing Urbanized areas, it is descriptive; if it is not urban it is rural. To find a replacement for Urban that may have multiple meanings, you would have to separately define the terms rather than using Urban as an overarching description of an area that is not undeveloped/unpopulated

Ms. Bresnick  Do not want to create more work, Urban can have many meanings, if we define it as we do in our documents and we have parameters around what it means for the different areas, it is the substance of it not the word its self

Mr. Marshall  It is a word with significance. Currently, the Regional Plan says you can have these uses in Urban areas. If you want to have these uses outside of Urban areas then that is a policy decision that the Board needs to make. These districts constitute what Urban areas within the meaning of our existing plan.

Ms. Reedy  Suggestions: Developed, matured, established, many ways of saying it is Non Rural. Everything has to have had improvements made

Ms. Aldean  Suggest not to change Urban

Ms. Marchetta  Defer to staff for recommendation

Mr. Sevison  When you define what Urban is, need to explain it

Ms. Aldean  If you cannot find a term what Urban means, do not change. Urban encompasses a specific definition in planning areas
Mr. Shute #2 Tourist: Located in areas where gaming is a permitted and recognized use. On the map it looks like Tourist areas cross the Stateline at South Stateline.

Mr. Marshall I do not read as “exclusive” it also includes

Mr. Stockham Possibly replace with “may”

Mr. Marshall It is existing uses and no one has ever interpreted that as meaning you cannot have TAU use outside of areas suitable for gaming

Mr. Shute Those are all a list of things that qualify a Tourist facility. A Tourist area is located where gaming is a permitted and recognized use

Mr. Stockham Suggest we delete, Tourist areas where gaming is not permitted. Delete bullet 2 under Tourist

Mr. Shute Item 3 in Tourist: Of good to moderate land capability, what does that mean?

Mr. Stockham Carry over language from the old plan

Mr. Hitchcock Most intensive uses located on moderate to high capability lands. Most of the Tourist areas are generally located. Class 4, 5, 6 & 7 Non Sensitive Lands

Mr. Stockham Bullet 3 under Tourist: Replace “good and moderate” Add categories Class 4-7 Non-Sensitive Lands
Bullet 4 under Tourist: Delete “located in areas” redundant with added language. “These lands include areas” (before the bullets)

Mr. Shute Town Centers and High Density Tourist, they were developed before the Regional Plan was in place. Did we say they are just areas?

Ms. Aldean Are you suggesting we delete the first line in both instances?

Mr. Shute Town Centers are Urban areas that contain most of the Region’s Non Residential services. Remove: Develop before a Regional Plan was in place

Mr. Marshall Delete that where developed before a Regional Plan was in place Town Centers and then start with contain

Mr. Stockham On both of those topics, delete first sentence of each
Mr. Marshall  Proposal was to keep the Town Centers or Urban areas that contain most of the Region’s

Mr. Shute  We will not vote on this today

Public Comments:

Ellie Waller Comment on the word redevelopment areas and in different context there is redevelopment plans. Is it areas to be redeveloped or redevelopment zoned area? I believe Chapter 15 is going to be eliminated. Issue with the term redevelopment area

Mr. Stockham  Redevelopment: It is areas to be redeveloped not redevelopment areas

Mr. Shute  No vote: Staff will come back with additional comments

Mr. Bresnick  Did you go back and look at the Compact and what the Compact says TRPA is supposed to be doing in terms of Regional Planning. Go back to roots and address what it is the Compact is telling us to do

C. Discussion and Next Steps for the Committee:

Committee Comments & Questions:

Mr. Shute  Review of Agenda item of the proposed schedule

Mr. Sevison  11/15 is Placer Board of Supervisor Meeting

Mr. Stockham  If there are no overlaps with the Committee members, make it work

Ms. Fortier  Will check on dates for conflicts with the City Council Meetings (Tuesdays)

Ms. Bresnick  We need to have meetings more regularly and ensure that we have participation by as many Committee members as possible to have a quorum, recognizing that everyone may not be at every meeting in person or on the phone

Ms. Reedy  A schedule has to be made and committed to, agenda items sent out so members have time to prepare

Ms. Aldean  I understand an alternate cannot be another Governing Board member, but can an alternate be a participant of staff from Local Governments perspective

Mr. Marshall  Local Governments can designate an alternate

Mr. Robinson  Schedule is as good as we can get and I am committed
Mr. Sevison  Motion to approve the schedule as written

Ayes:  Ms. Bresnick, Mr. Shute, Ms. Reedy, Mr. Sevison, Mr. Robinson, Ms. Aldean, Ms. Fortier  
Nays:  None  
Abstain:  None  

Ms. Aldean  In the future, meetings will start at 1pm

Public Comment:

Ellie Waller  Changes to schedule/comments be posted ASAP. Is the new map online?

Mr. Stockham  Schedule and new map will be posted immediately

V.  MEMBER COMMENTS

VI.  ADJOURNMENT

Chair Mr. Shute adjourned the meeting at 3:34 p.m.

Respectfully submitted,

Judy Nikkel  
Clerk to the Board

*The above meeting was taped in its entirety. Anyone wishing to listen to the tapes of the above mentioned meeting may call for an appointment at (775) 588-4547. In addition, written documents submitted at the meeting are available for review at the TRPA Office, 128 Market Street, Stateline, Nevada.*