Regional Plan Update Committee  
Recommended Land Use Policy Modifications  
December 15, 2011  
Recommendations are organized in the order of RPU Committee review following completion of unfinished matters from December 13. Modifications are based on discussions with participating government staff members and other stakeholders since publication of draft Plan Elements.

Goal LU-3 and related Policies (development pattern, development transfers, TAU transfer limitations)

Issues raised by stakeholders regarding section LU-3 are summarized below, along with a complete modified section.

1. Policies LU-3.3 and LU-3.6 are repetitive. Staff recommends deleting LU-3.3.
2. Policy LU-3.5 includes language that could be interpreted to prohibit reasonable development activities that are otherwise permitted by TRPA: “Existing development patterns in residential neighborhoods….should be maintained with no significant change”. Staff recommends clarifying text.
3. Policies LU-3.7 and LU-3.8 should also specify that Allocations and Residential Bonus Units should be used to promote the transfer of development rights.
4. Traffic Analysis Zones are not the best boundaries for areas with high trip distances that should qualify for increased transfer ratios. Instead, staff recommends that the criteria for development right transfers be a sliding scale based on distance from Town Centers, Regional Centers, the High Density Tourist District and Primary Transit Routes. The recommended scale starts at ¼ mile with increasing ratios up to 2:1 as distance increases. This modification is reflected in Policy LU-3.8, the Implementation Measure table and the attached map.
5. Redevelopment and Environmental Gain would be enhanced if Local Plans could establish alternative development right transfer ratios to address unique environmental conditions. The fourth Implementation Measure reflects this.
6. Instead of allowing subdivisions only in Town Centers, Regional Centers and the High Density Tourist District, Code should permit apartments and tourist accommodation units to be subdivided into condominiums and timeshare units, subject to limitations. The second Implementation Measure reflects this.

*Note: Relocated from LU Goal #4:

GOAL LU-3

PROVIDE TO THE GREATEST POSSIBLE EXTENT, WITHIN THE CONSTRAINTS OF THE ENVIRONMENTAL THRESHOLD CARRYING CAPACITIES, A DISTRIBUTION OF LAND USE THAT ENSURES THE SOCIAL, ENVIRONMENTAL, AND ECONOMIC WELL-BEING OF THE REGION.

The Tahoe Regional Planning Compact and extensive public testimony call for TRPA, along with other governmental and private entities, to safeguard the well-being of those who live in, work in, or visit the Region.

POLICIES

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LU-3.1. ALL PERSONS SHALL HAVE THE OPPORTUNITY TO UTILIZE AND ENJOY THE REGION'S NATURAL RESOURCES AND AMENITIES.

LU-3.2. NO PERSON OR PERSONS SHALL DEVELOP PROPERTY SO AS TO ENDANGER THE PUBLIC HEALTH, SAFETY, AND WELFARE.

Persons who develop property in the Region must ensure that their development conforms to the Goals and Policies Plan, all TRPA regulations and all applicable local, state, and federal laws pertaining to public health, safety and welfare.

LU-3.3 (Deleted)

LU-3.4 DEVELOPMENT IS PREFERRED IN AND DIRECTED TOWARDS TOWN CENTERS, REGIONAL CENTERS AND THE HIGH DENSITY TOURIST DISTRICT, AS IDENTIFIED ON THE REGIONAL LAND USE MAP. TOWN CENTERS, REGIONAL CENTERS AND THE HIGH DENSITY TOURIST DISTRICT SHALL HAVE THE FOLLOWING CHARACTERISTICS:

1) A CONCENTRATION OF NON-RESIDENTIAL AND MIXED-USE DEVELOPMENT.

2) EXISTING OR PLANNED TRANSIT SERVICE.

3) HIGHWAY ACCESS.

4) INFILL AND REDEVELOPMENT OPPORTUNITIES.

5) CAPACITY FOR RECEIVING TRANSFERS OF DEVELOPMENT RIGHTS AND RELOCATIONS OF EXISTING DEVELOPMENT.

6) EXISTING OR PLANNED HOUSING IN THE VICINITY.

7) EXISTING OR PLANNED STREET DESIGNS WITH CONTINUOUS SIDEWALKS, PATHS AND OTHER INFRASTRUCTURE THAT PROMOTES WALKING, BICYCLING AND TRANSIT USE.

LU-3.5 EXISTING DEVELOPMENT PATTERNS IN RESIDENTIAL AREAS OUTSIDE OF TOWN CENTERS, REGIONAL CENTERS AND THE HIGH DENSITY TOURIST DISTRICT SHOULD GENERALLY BE MAINTAINED. OTHER PLAN POLICIES FURTHER DEFINE PLANNED ENVIRONMENTAL IMPROVEMENTS AND ALLOWABLE INTENSIFICATIONS OUTSIDE TOWN CENTERS, REGIONAL CENTERS AND THE HIGH DENSITY TOURIST DISTRICT.

LU-3.6 DEVELOPMENT IS DISCOURAGED IN AND DIRECTED AWAY FROM ENVIRONMENTALLY SENSITIVE LANDS AND AREAS FURTHEST FROM NON-RESIDENTIAL SUPPORT SERVICES. THESE AREAS ARE FURTHER DEFINED IN OTHER PLAN POLICIES.

LU-3.7 TRPA SHALL MAINTAIN A POOL OF DEVELOPMENT ALLOCATIONS AND RESIDENTIAL BONUS UNITS TO PROMOTE THE TRANSFER OF DEVELOPMENT RIGHTS FROM SENSITIVE LANDS TO TOWN CENTERS, REGIONAL CENTERS, AND THE HIGH DENSITY TOURIST DISTRICT.

LU-3.8 TRPA SHALL MAINTAIN A POOL OF DEVELOPMENT ALLOCATIONS AND RESIDENTIAL BONUS UNITS TO PROMOTE THE TRANSFER OF DEVELOPMENT RIGHTS FROM OUTLYING RESIDENTIAL AREAS TO TOWN CENTERS, REGIONAL CENTERS AND THE HIGH DENSITY TOURIST DISTRICT.
LU-3 Implementation Measures

- Amend Chapter 13, Plan Area Statements and the Land Use Map to designate certain areas as Town Centers, Regional Centers and the High Density Tourist District.

- Amend Chapters 21 & 51, Density and Permissible Subdivisions to allow for the subdivision of Multi-Residential Facilities and Tourist Accommodation Units, subject to limitations.

- Amend Chapter 18, Permissible Uses to define mixed-used facilities and permit resorts in recreation areas, subject to limitations.

- Amend Chapter 33, 34 and 35 to create bonus allocations and increased transfer ratio matches to encourage the transfer development from sensitive lands and outlying areas to Town Centers, Regional Centers and the High Density Tourist District pursuant to the following table. Also allow conforming Local Plans to establish alternative transfer ratios based on unique conditions in each jurisdiction as long as the alternative transfer ratios are determined to generate equal or greater environmental gain compared to TRPA transfer ratios.

<table>
<thead>
<tr>
<th>Sending Property</th>
<th>Transfer Existing Development (ERU, CFA, TAU) to Town Centers, Regional Centers and/or the High Density Tourist District and restore and retire parcel.</th>
<th>Transfer Development Right to Town Centers, Regional Centers and/or the High Density Tourist District and retire parcel.</th>
</tr>
</thead>
<tbody>
<tr>
<td>From SEZ</td>
<td>1:3</td>
<td>1:1.5</td>
</tr>
<tr>
<td>From Sensitive Lands (1a, 1c, 2 and 3)</td>
<td>1:2</td>
<td>1:1.25</td>
</tr>
<tr>
<td>From Non-Sensitive lands (4, 5, 6 and 7)</td>
<td>1:1</td>
<td>1:1</td>
</tr>
<tr>
<td>Distance from Town Centers, Regional Centers, the High Density Tourist District and Primary Transit Routes</td>
<td>Additional transfer ratio based on distance from non-residential support services and transit (only for transfers of Residential Development Rights into Town Centers, Regional Centers and/or the High Density Tourist District)</td>
<td></td>
</tr>
<tr>
<td>Less than ¼ Mile</td>
<td>1:1</td>
<td></td>
</tr>
<tr>
<td>¼ to ½ Mile</td>
<td>1:1.25</td>
<td></td>
</tr>
<tr>
<td>½ Mile to 1 Mile</td>
<td>1:1.5</td>
<td></td>
</tr>
<tr>
<td>1 Mile to 1 ½ Mile</td>
<td>1:1.75</td>
<td></td>
</tr>
<tr>
<td>Greater than 1 ½</td>
<td>1:2</td>
<td></td>
</tr>
</tbody>
</table>
Amend the Code to revise the definition of a TAU as follows: “A unit, with a bedroom with or without cooking facilities, primarily designed to be rented by the day or week and occupied on a temporary basis.”

Amend the Code to define a sending TAU to equal 1,200 square feet receiving unit or 1,800 square feet/3-bedroom receiving unit if the units make up less than 20% of a project.

### LU-4 – remaining items (Local Government Committee recommendations for LU-4.12 and LU-4 Implementation Measures; Regional “sideboards” table)

Local Government Committee recommendations will be provided separately.

Stakeholders raised two issues with the LU-4 Implementation “Sideboard” Table that staff recommends be addressed. Changes are reflected in the attached LU-4 Implementation Table:

1. Complete Street requirements within Town Centers and Regional Centers should provide more design flexibility, while requiring non-motorized local and regional transportation facilities.
2. The recommended allowance for greater Multi-Family densities adjacent to Town Centers should also apply in Mixed Use and Tourist Areas and locational criteria should better reflect other Plan Policies.

### Regional Land Use Map

The recommended land use map reflects uses allowed under existing plans, with a short list of specific changes. Staff recommends that parcel level map changes should be developed in conjunction with other plans and ordinances during the Local Plan process. Discussions with stakeholders resulted in three recommended modifications related to the Land Use Map:

1. The Land Use Map (attached) was updated to more accurately reflect uses permitted under current plans.
2. Existing commercial uses within the Upper Truckee River and Trout Creek stream zones in South Lake Tahoe were initially proposed to be re-designated to Conservation. These areas have been a top restoration priority for many years. Staff now recommends that the existing land use designations remain in place and the disturbed stream environment zones be designated as “Stream Restoration Plan Areas”. TRPA and Local Government staff would work with affected property owners to develop a feasible restoration plan for each area. Staff believes this approach will be more effective than a re-designation to Conservation. Implementing this recommendation would require the creation of an additional Special Planning District on the Land Use Map and in Policy LU-4.1, as follows:

Policy LU-4.1, new subsection:
Stream Restoration Plan Area:

Stream Restoration Plan Areas are Stream Environment Zones along major waterways that have been substantially degraded by prior development. Individual Restoration Plans should be developed for each Stream Restoration Plan Area in coordination with the applicable Local Government and property owners in the Plan area. Restoration Plans may be developed as a component of a Local Plan or as a separate document and should identify feasible opportunities for environmental restoration.

3. Stakeholders raised concerns that Policy LU-4.8(3), which was previously endorsed by the RPU Committee, did not accurately reflect staff’s recommendation that map changes should be brought to TRPA during the conformance review process for Local Plans. Approved text is recommended to be modified as follows:

1. Either be consistent with the Regional Land Use Map or Local Plans may also recommend amendments to the Regional Land Use Map as part of an integrated plan to comply with Regional Plan Policies and provide Threshold gain.

Housing Sub Element

No Modifications are recommended.

Community Design Sub-Element

Policy CD-2.1, Subsection B and Community Design Implementation measures is recommended to be modified to address two issues.

1. To better reflect the content of Policy CD-2.1(B), the Title should be changed to “Building Design”
2. Provisions for additional height requirements outside of town centers should be permissible for affordable housing facilities in addition to the other listed facilities in Policy CD-2.1(B)(1).
3. Two new subsections should be added to Policy CD-2.1(B) to require that Local Plans allowing buildings over two stories in height provide transitional height limitations or buffer areas adjacent to areas not allowing buildings over two stories in height and requiring that building form and design standards be included in Local Plans.

Modified text is outlined below.

B. Building Design Height, Bulk and Scale: Standards shall be adopted to ensure attractive and compatible development. The following shall be considered:

1) Outside Town Centers, building height shall be limited to two stories. Within Town Centers, building height may be allowed up to four stories (56 feet) as part of a Local Plan that has been found in conformance with the Regional Plan. Within Regional Centers, building height may be allowed up to six stories (95 feet) as part of a Local Plan that has been found in conformance with the Regional Plan. Within the High Density Tourist District, building height may be allowed up to 197 feet as part of a Local Plan that has been found in
conformance with the Regional Plan, except that provisions for additional height requirements may be provided for unique situations such as lighting towers, ski towers, steep sites, redevelopment projects and tourist accommodation facilities.

2) Building height limits shall be established to ensure that buildings do not project above the forest canopy, ridge lines, or otherwise detract from the viewshed.

3) Buffer requirements shall be established for noise, snow removal, aesthetic, and environmental purposes.

4) The scale of structures should be consistent with surrounding uses.

5) Viewsheds should be considered in all new construction. Emphasis should be placed on lake views from major transportation corridors.

6) Local Plans that allow buildings over two stories in height shall include provisions for transitional height limits or other buffer areas adjacent to areas not allowing buildings over two stories in height.

7) Local Plans shall include design standards for building design and form. Within Town Centers, Regional Centers and the High Density Tourist District, building design and form standards shall promote pedestrian activity.
<table>
<thead>
<tr>
<th>Regional Parameters</th>
<th>Wilderness</th>
<th>Backcountry</th>
<th>Conservation</th>
<th>Recreation</th>
<th>Residential</th>
<th>Mixed-Use</th>
<th>Town Center</th>
<th>Regional Center</th>
<th>Tourist</th>
<th>High Density Tourist District</th>
</tr>
</thead>
<tbody>
<tr>
<td>Height</td>
<td>NA</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Up to 4 stories (56 ft) max with adoption of a Local Plan</td>
<td>Up to 6 stories (95 ft) max with adoption of a Local Plan</td>
<td>Existing including Special Height District</td>
<td>Up to 197' max with adoption of a Local Plan</td>
</tr>
<tr>
<td>Density SFD</td>
<td>NA</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>NA</td>
<td>Existing (1 unit per parcel unless greater than 1 acre)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Density MFD</td>
<td>NA</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>NA</td>
<td>Existing except Local Plans may identify higher density areas adjacent to Town Centers, Regional Centers and the HDTD, and in other areas permitted by the Regional Plan</td>
<td>Residential and TAUs with more than 10% of units with kitchens up to 25 units/ac, Tourist up to 40 units/ac (less than 10% of units with kitchens) with adoption of a Local Plan.</td>
<td>Residential and TAUs with more than 10% of units with kitchens up to 25 units/ac, Tourist up to 40 units/ac (less than 10% of units with kitchens) with adoption of a Local Plan.</td>
<td>Residential and TAUs with more than 10% of units with kitchens up to 25 units/ac, Tourist up to 40 units/ac (less than 10% of units with kitchens) with adoption of a Local Plan.</td>
</tr>
<tr>
<td>Land Coverage</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Plan for sidewalks, trails and other pedestrian amenities providing safe and convenient non-motorized circulation within the Town Center and incorporating the regional bike and pedestrian plan.</td>
<td>Maximum of 70%.</td>
<td>Maximum of 70%.</td>
<td>Maximum of 70%.</td>
<td></td>
</tr>
<tr>
<td>Complete Streets</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Plan for sidewalks, trails and other pedestrian amenities providing safe and convenient non-motorized circulation within the Regional Center and incorporating the regional bike and pedestrian plan.</td>
<td>Plan for sidewalks, trails and other pedestrian amenities providing safe and convenient non-motorized circulation within the High Density Tourist District and incorporating the regional bike and pedestrian plan.</td>
<td>Existing</td>
<td>Plan for sidewalks, trails and other pedestrian amenities providing safe and convenient non-motorized circulation within the Town Center and incorporating the regional bike and pedestrian plan.</td>
</tr>
</tbody>
</table>