MEMORANDUM

Date: October 26, 2011

To: TRPA Regional Plan Update (RPU) Committee

From: TRPA Staff

Subject: November 2, 2011 Committee Agenda item #3 – Recommended Planning Framework Changes

Requested Action: Direct staff to include the Regional Plan Amendments that are specified in Attachment A in the Draft Regional Plan for future review by the TRPA Governing Board; and direct staff to prepare draft code amendments for implementation items.

Staff Recommendation: Staff recommends that the RPU Committee direct staff to include the Regional Plan Amendments that are specified in Attachment A in the Draft Regional Plan for future review by the TRPA Governing Board; and direct staff to prepare code amendments for implementation items.

Required Motions: The RPU Committee should make the following motion:

A “Straw Vote” motion to direct staff to include the Regional Plan Amendments that are specified in Attachment A in the Draft Regional Plan for future review by the TRPA Governing Board; and direct staff to draft code amendments for implementation items for future review by the RPU Committee.

This action is advisory only and is intended to provide staff with policy direction regarding how various topics should be addressed in Draft Regional Plan and Code amendments. All draft material will be presented to the TRPA Governing Board for action at a later date.

In order for the motions to pass, an affirmative vote by the majority of committee members who are present is required.
**Summary:**

This Staff Summary provides a broad overview of recommended Regional Plan amendment strategies and outlines detailed recommendations for changes to the Regional / Local planning framework.

Staff recommends that Regional Plan Amendments address three key objectives:
1. Focusing TRPA on Regional Environmental Gain;
2. Promoting Sustainable Redevelopment in Town Centers; and

To better focus TRPA on regional environmental gain and to streamline the regulatory process, staff recommends that TRPA transition to a “Conformance Review” model of regional planning.

Overall, the Conformance Review system would require that Local Governments comply with the Regional Plan and promote Threshold gain, but it would not dictate exactly how each community and small development project must comply. Strict and ongoing accountability measures are recommended to prevent unintended consequences. Transitioning to the proposed system would redirect much of TRPA’s limited staff resources away from detailed project design review and towards regionally-significant environmental efforts.

This regional planning model has been used successfully for a long time throughout the Country, including by the California Coastal Commission and by the Truckee Meadows Regional Planning Agency (Reno area).

This topic is being presented at this time because all other aspects of the Regional Plan Update are influenced by the planning framework. Later RPU Committee meetings will focus on other priority amendment topics. Specific code amendments for each implementation item will also be brought back to the RPU Committee for review.

**Background – Issues and Strategies:**

The current Regional Plan Update process began in 2004 with a comprehensive public outreach process. At that time, a complete re-write of the Plan and major changes to the zoning system and Code were envisioned.

In July, 2011 the TRPA Governing Board reviewed a focused list of Regional Plan Amendment topics. The re-focus was intended to address the most important planning items with this update. Other amendment topics should be addressed through an ongoing plan review and modification process.
Staff recommendations are based on the extensive community outreach process that begin in 2004, new legislation in California and Nevada, and prior input from the Governing Board (collectively “public input”).

At the October 26, 2011 Governing Board meeting, staff will be presenting an overview of recommended Regional Plan Amendments in accordance with the focused amendment approach that was presented in July.

The public input process generated a number of common themes. Staff summarized these themes as an overview of the current plan’s strengths and weaknesses, which are outlined below.

Staff recognizes that the regional plan is similar to other important policy matters - viewpoints differ regarding what works, what doesn’t work and what should be changed. The staff recommendation is intended to reflect the viewpoint held by a strong majority of TRPA stakeholders.

**Strengths of Existing Plan:**
- The Overall Growth Control System, including Environmental Threshold carrying capacities, limiting development allocations, coverage restrictions and subdivision restrictions;
- Environmental Monitoring Programs, which provide quality science to better inform decisions; and
- Environmental Improvement Programs, including stormwater management infrastructure, stream zone restoration projects, transportation improvements and other beneficial projects.

In combination, these programs have resulted in significant progress towards attainment of important Environmental Thresholds and are not recommended for change.

**Weaknesses of Existing Plan:**
- The permitting process is unnecessarily cumbersome and unpredictable. This concern is widely held and is reflected in Nevada Senate Bill 271.
- TRPA is overly focused on detailed design requirements, which diverts resources from more important efforts to achieve environmental gain at the regional level. Because of this, TRPA is often viewed as a bureaucratic barrier to progress. The focus on detailed design review is also inconsistent with the TRPA Compact.
- The combination of strict development limitations and non-conforming “grandfathering” provisions in the current Regional Plan dis-incentivizes the improvement and redevelopment of properties that were developed before the Regional Plan was in place. Because of this, very few non-conforming properties have been redeveloped since 1986. Importantly, pre-existing development in urban areas significantly impacts Lake Tahoe’s water clarity, as identified in the...
Lake Tahoe TMDL. The first paragraph if the existing Regional Plan states that “...the primary focus of local environmental regulation is to protect its (Tahoe’s) exceptional water clarity.” Despite 25 years of strict regulation, water clarity is still declining. The lack of private redevelopment in the older Town Centers is a major contributor. Water contamination from major roads is being addressed through the Environment Improvement Program, but current strategies to address contaminants from private development sites are not likely to be any more effective than they have been in the past.

- Few policies encourage sustainable land use patterns. In effect, the planned development pattern is guided primarily by soil type (coverage). This focus inadvertently promotes sprawl – highly dispersed, auto-dependent neighborhoods. California Senate Bill 375 requires changes to the current system.
- TRPA utilizes a complicated system of land use plans, including the Goal and Policy document, over 175 Plan Area Statements, numerous Community Plans, and an assortment of very complicated development codes. Residents and staff need to reference four or more separate documents when trying to determine what is or isn’t allowed on any given property.
- The Plan hasn’t been comprehensively evaluated and updated in 25 years.

Major Amendment Strategies:
Staff recommends a focused strategy to address Regional Plan weaknesses without undermining Regional Plan strengths.

The growth management system, environmental monitoring programs and environmental improvement programs are proposed to remain largely unchanged.

Recommended Amendments are focused on three major objectives:
1. Focus TRPA on Regional Environmental Gain. Restructuring the Regional / Local Planning Framework is a major component of this strategy and is described in more detail below. TMDL implementation will also support this objective.
2. Streamline the regulatory process. Opportunities to streamline the regulatory process without undermining environmental gain will be identified throughout the Regional Plan and Development Code.
3. Promote Sustainable Redevelopment in Town Centers. Redevelopment is the focus of many of the recommended amendments in the Land Use Element and other related plan sections.

Discussion of Proposed Amendments – Land Use Framework:

Generally, the Conformance Review model of Regional Planning would better focus TRPA on regional environmental gain and would streamline the regulatory process. These are two of the three key objectives that emerged from the public input process.
With proper protections, the changes should enhance and not undermine environmental policy implementation.

To help the RPU Committee understand and work through the detailed plan amendments that would be required, staff prepared an initial draft of Regional Plan Land Use Goals LU-1, LU-4 and LU-5 (note the new labeling system for goals and policies). These goals address overarching land use priorities (LU-1), the Regional / Local planning system (LU-4) and coordination with areas surrounding the region (LU-5).

Changes to LU-1 are relatively minor and focus on modernizing and clarifying the 1987 language. No substantive changes are recommended for LU-5. Staff does not recommend any implementation measures related to either of these goals.

Goal LU-4 and related Policies describe Regional Land Use designations and establish the new Conformance Review Framework. This is the major substantive change for the Committee to review. Staff recommends that the committee work through each policy (or policy group) under Goal LU-4 sequentially. Recommended plan language addresses the following:

**Goal LU-4:**
Implement the Regional Plan using an integrated system of Regional and Local Planning.

*Rationale: Replaces the highly generalized “Public Health and Welfare” language of the existing Goal LU-4 with a focused strategy to better coordinate regional and local planning.*

**Policy LU-4.1 (and Regional Land Use Map):**
Identifies and describes the seven Regional land Use Classifications and the two Special Districts where redevelopment should be focused.

*Rationale:*
1. Adds two new public land classifications (Backcountry and Wilderness) to mirror federal plans. This should be non-consequential.
2. Renames “Commercial” to “Mixed Use” and supports residential development in combination with non-residential. This is consistent with modern planning practice and sustainable planning principles. With related policies in other plan sections, this change should reduce automobile dependency.
3. Identifies Town Centers and the High Density Tourist District as areas most appropriate for redevelopment. These are the areas that were intensively developed prior to Regional Planning at Lake Tahoe and contain high concentrations of “grandfathered” non-conforming development. These areas are also the core of each community and should be the focus of community sustainability improvements. Areas outside Town Centers and the High Density Tourist District are proposed to remain largely unchanged.
4. The Map reflects adopted Plan Area Statements with targeted amendments to reflect public acquisitions and to re-designate two highly sensitive stream environment areas to “Conservation”. Existing development in these areas is non-conforming and would remain so. The intent of this change and expanded redevelopment incentives (to be reviewed at a later meeting) is to provide meaningful restrictions and incentives that would encourage the non-conforming developments to relocate to less sensitive areas.

Policies LU-4.2 through LU-4.4:
Identifies existing planning documents, verifies that they remain in effect until superseded by conforming Local Plans, and requires that any new Regional Plan provisions that directly conflict with these plans prevail.

Rationale: These policies are necessary to transition from the current planning system to the proposed system. The recommended process of approving regional plan amendments, then updating detailed localized plans to be in conformance with the Regional Plan is standard practice in conformance Review systems. The process is much more responsive to community issues and public input than attempting to update all local plans, parcel level zoning designations and other detailed matters together with Regional Plan policy changes.

Policy LU-4.5:
Establishes a process to evaluate implementation of the new planning framework and update plans if desired.

Rationale: 2 years is a reasonable time period for an evaluation of how the transition is proceeding.

Policies LU-4.6 and LU-4.7:
Establishes the system of Local Plans and Regional Conformance Review

Rationale: This is a necessary part of the recommended system. Notably, staff recommends that the conformance review process evaluate zoning and codes within Local Plans, not just the actual plans.

Policies LU-4.8 through LU-4.10:
Establishes conformance review criteria for all Local Plans along with additional criteria for Local Plans that contain Town Centers or the High Density Tourist District.

Rationale: These are important policies containing the safeguards to verify that Local Plans support and implement the Regional Plan. Some criteria are specific to important issues (eg BMP compliance), while others require overall consistency with the Regional Plan. Due to the higher intensity of land use, focused incentives for redevelopment, and sustainability requirements, additional criteria are recommended for Town Centers and the High Density Tourist District.

Policies LU-4.11 and LU-4.12:

REGIONAL PLAN UPDATE COMMITTEE
Agenda Item #3
November 2, 2011 Staff Summary
Permits conforming Local Plans and local development review procedures to supersede TRPA ordinances and review procedures, with limitations.

**Rationale:** This delegation will greatly reduce redundant development review activities, while providing for TRPA review of regionally-significant projects. Staff also recommends an annual evaluation and re-certification of Local Plans.

**Policy LU-4.13**
Outlines a cooperative approach for Local Plan development.

**Rationale:** It is staff’s recommendation and intent to be actively engaged in the development and preparation of Local Plans. TRPA has also secured grant funding and consulting contracts to assist with the development of “Pilot Plans” and codes. Preparing detailed plans in cooperation with all involved governments and interested citizens should produce high-quality documents that are responsive to local issues and in conformance with the Regional Plan.

**Implementation Measures:**
Outline the topics and general content of code amendments that will be necessary to implement the Policies under Goal 4.

**Rationale:** Code amendments are recommended to be specific enough to promote Regional Plan policies, but flexible enough to permit a range of innovative planning approaches.

Reviewers should recognize that the draft Plan sections are not intended to be the final language for these topics. Instead, it is staff’s intent to put forward focused recommendations with the hope and expectation that intensive public review and constructive RPU Committee meetings will improve upon the initial staff draft.

If you have any questions, please contact Arlo Stockham, at (775) 589-5236 or astockham@trpa.org.
**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 to encourage other economic development that detracts from 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 THAT WERE ADVERSELY ALTERED BEFORE THE REGIONAL PLAN WAS IN PLACE 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 To correct this, environmentally beneficial redevelopment programs as well as for and rehabilitation of intensively developed areas is prioritized in need of improvement.

**LU-1.3. THE PLAN SHALL SEEK TO MAINTAIN A BALANCE BETWEEN ECONOMIC HEALTH AND THE ENVIRONMENT SHALL BE MAINTAINED.**
*Note: Goals 2 and 3 to be inserted at a later date.*

**GOAL #4**

*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**

1. **ALL PERSONS SHALL HAVE THE OPPORTUNITY TO UTILIZE AND ENJOY THE REGION’S NATURAL RESOURCES AND AMENITIES.**

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.

**GOAL LU-4**

**REGIONAL PLAN GOALS, POLICIES, AND ORDINANCES SHALL BE IMPLEMENTED USING AN INTEGRATED SYSTEM OF REGIONAL AND LOCAL GOVERNMENT PLANNING.**

**POLICIES**

**LU-4.1**  
*Note: Relocated and amended from LU Goal #2, Policy 2.*

Since the development permitted under this Plan is generally limited to the existing urban boundaries in which uses have already been established, the concept of this land use plan is directed toward regulating in-fill and redirection. The intent of this system is to provide flexibility when dealing with existing uses, continuation of acceptable land use patterns, and redirection of unacceptable land use patterns. Implementation ordinances set forth the detailed management criteria and allowed uses for each land use classification.

**Wilderness**

Wilderness Districts are designated by the U.S. Congress as part of the National Wilderness Preservation System. These lands offer outstanding opportunities for solitude and primitive, unconfined recreation experiences, and they contain ecological, geological, and other features of scientific, educational, scenic, and historic value. The wilderness designation is intended to protect and preserve such areas for present and future generations. These lands are managed to prevent the degradation of wilderness character. Natural ecological processes and functions are preserved, and restored where necessary. Permanent improvements and mechanized uses are prohibited. Wilderness District lands within the Tahoe Region include portions of the Desolation, Granite Chief, and Mount Rose Wilderness Areas.

**Backcountry**

Backcountry Districts are roadless areas designated by the U.S. Forest Service including Dardanelles/Meiss, Freel Peak, and Lincoln Creek. On these lands, natural ecological processes are primarily free from human influences. Backcountry areas offer a recreation experience similar to Wilderness, with places for people seeking natural scenery and solitude. Primitive and semi-primitive recreation opportunities include hiking, camping, wildlife viewing, and cross-country skiing, in addition to more developed or mechanized activities not allowed in Wilderness areas (e.g., mountain biking, snowmobiling). Management activities that support administrative and dispersed recreation activities are minimal, but may have a limited influence. Limited roads may be present in some backcountry areas; road reconstruction may be permitted on Backcountry lands where additional restrictions do not apply. Backcountry areas contribute to ecosystem and species diversity and sustainability, serve as habitat for fauna and flora, and offer wildlife corridors. These areas provide a diversity of terrestrial and aquatic habitats, and support species dependent on large, undisturbed areas of land. Backcountry areas are managed to preserve and restore healthy watersheds with clean water and air, and healthy soils. Watershed processes operate in harmony with their setting, providing high quality aquatic habitats.

**Conservation**

Conservation areas are non-urban areas with value as primitive or natural areas, with strong environmental limitations on use, and with a potential for dispersed recreation or low intensity resource management. Conservation areas include (1) public lands already set aside for this purpose, (2) high-hazard lands, stream environment zones, and other fragile areas, without substantial existing improvements, (3) isolated areas which do not contain the necessary infrastructure for development, (4) areas capable of sustaining only passive recreation or non-intensive agriculture, and (5) areas suitable for low-to-moderate resource management.

**Recreation**

Recreation areas are non-urban areas with good potential for developed outdoor recreation, park use, or concentrated recreation. Lands which this Plan identifies as recreation areas include (1) areas of existing private and public recreation use, (2) designated local, state, and federal recreation areas, (3) areas without overriding environmental constraints on resource management or recreational purposes, and (4) areas with unique recreational resources which may service public needs, such as beaches and ski areas.

**Residential**
Residential areas are urban areas having potential to provide housing for the residents of the Region. In addition, the purpose of this classification is to identify density patterns related to both the physical and manmade characteristics of the land and to allow accessory and non-residential uses that complement the residential neighborhood. These lands include: (1) Areas now developed for residential purposes; (2) areas of moderate-to-good land capability; (3) areas within urban boundaries and serviced by utilities; and (4) areas of centralized location in close proximity to commercial services and public facilities.

**Mixed-Use**

Mixed-use Commercial and Public Service areas are urban areas that have been designated to provide a mix of commercial, and public services, and residential uses to the Region or have the potential to provide future commercial, and public services and residential uses. The purpose of this classification is to concentrate such services residential and non-residential land uses for public convenience, and enhanced sustainability, separate incompatible uses, and allow other noncommercial uses if they are compatible with the purpose of this classification and other goals of this Plan. These lands include: (1) areas now developed for commercial or public service uses; (2) in the case of public services, lands designated for, or in, public ownership; (3) areas suitable to encourage the concentration of compatible services; (4) areas of good-to-moderate land capability; and (5) areas with adequate public services and transportation linkages.

**Tourist**

Tourist areas are urban areas that have the potential to provide intensive concentrated tourist accommodations and services or intensive recreation. This land use classification also includes areas recognized by the Compact as suitable for gaming. These lands include: (1) areas now developed with high concentrations of visitor accommodations and related uses; (2) lands on which gaming is a permitted and recognized use; (3) lands of good to moderate land capability; and (4) areas with adequate public services and transportation linkages.

1. already developed with high concentrations of visitor services, visitor accommodations, and related uses;
2. located in areas where gaming is a permitted and recognized use;
3. of good to moderate land capability;
4. located in areas with existing excess land coverage; and
5. located near commercial services, employment centers, public services and facilities, transit facilities, pedestrian paths, and bicycle connections.

**Town Center Overlay**

Town Centers are urban areas that were developed before a Regional Plan was in place. Town Centers contain most of the region’s non-residential services and have been identified as a significant source of sediments and other contaminants that continue to enter Lake Tahoe. Town Centers are targeted for redevelopment in a manner that improves environmental conditions, creates a more sustainable and less auto-dependent development pattern and provides economic opportunities in the region.

**High Density Tourist District Overlay**

The High Density Tourist District was developed before a Regional Plan was in place and contains four existing hotel-casino towers in Stateline, Nevada. The High Density Tourist District is targeted for redevelopment in a manner that substantially improves environmental conditions, creates a more sustainable and less auto-dependent development pattern and provides economic opportunities in the Region. The High Density Tourist District is the appropriate location for the region’s highest intensity development.
LU-4.2 Detailed plan area statements have been approved for all properties in the region. These plan area statements were adopted in accordance with the compact or the 1987 Regional Plan and shall remain in effect until superseded by local plans that are developed in accordance with and found in conformance with this Regional Plan. If any plan area statement contains provisions that directly contradict newer provisions of the Regional Plan or Development Code, the newer provisions of the Regional Plan or Development Code shall prevail, but only to the extent that specific provisions conflict.

LU-4.3 Community plans have been approved for some properties in the region to refine and supersede the plan area statements. These community plans were adopted in accordance with the 1986 Regional Plan and shall remain in effect until superseded by local plans that are developed in accordance with and found in conformance with this Regional Plan. If any community plan contains provisions that directly contradict newer provisions of the Regional Plan or Development Code, the newer provisions of the Regional Plan or Development Code shall prevail, but only to the extent that specific provisions conflict.

LU-4.4 Other detailed plans, such as the airport master plan, ski area master plans, and redevelopment plans have also been approved for some properties in the region to further refine and supersede the plan area statements. These plans shall remain in effect until superseded by local plans that are developed in accordance with and found in conformance with this Regional Plan. If any of these plans contains provisions that directly contradict newer provisions of the Regional Plan or Development Code, the newer provisions of the Regional Plan or Development Code shall prevail, but only to the extent that specific provisions conflict.

LU-4.5 By December 31, 2014, TRPA shall evaluate any plan area statements and community plans that have not been superseded by local plans and shall prepare a recommendation for possible updates and consolidation of those plans. Updates and plan consolidations that are prepared in accordance with this policy shall be approved by December 31, 2015. The intent of this policy is to transition to a more efficient and consistent planning framework within a reasonable period of time.

LU-4.6 In order to be responsive to the unique needs and opportunities of communities of the region, local governments are encouraged to prepare local plans that supersede existing plan area statements and community plans. Local plans shall be prepared in coordination with local residents and TRPA staff and shall be consistent with the Regional Plan.

LU-4.7 After local government approval, local plans shall be reviewed by the TRPA governing board at a public hearing. In order to take effect, the TRPA governing board shall make a finding that the local plan, and zoning and development codes within the plan, are consistent with and
FURTHER THE GOALS AND POLICIES OF THE REGIONAL PLAN. THIS FINDING SHALL BE REFERRED TO AS A FINDING OF CONFORMANCE AND SHALL BE SUBJECT TO THE SAME VOTING REQUIREMENTS AS APPROVAL OF A REGIONAL PLAN AMENDMENT.

LU-4.8 IN ORDER TO BE FOUND IN CONFORMANCE WITH THE REGIONAL PLAN, ALL LOCAL PLANS SHALL INCLUDE POLICIES, ORDINANCES AND OTHER IMPLEMENTATION MEASURES TO:

1. Identify zoning designations, allowed land uses and development standards throughout the plan area.

2. Be consistent with all applicable Regional Plan Policies.

3. Be consistent with the Regional Land Use Map. 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.

4. Recognize and support planned Environmental Improvement Projects. Local plans may also recommend enhancements to planned Environmental Improvement Projects as part of an integrated plan to comply with Regional Plan Policies and provide Threshold gain.

5. Promote environmentally beneficial redevelopment and revitalization within Town Centers and the High Density Tourist District.

6. Preserve the character of established residential areas outside of Town Centers and the High Density Tourist District, while seeking opportunities for environmental improvements within residential areas.

7. Protect and direct development away from Stream Environment Zones and other sensitive areas, while seeking opportunities for environmental improvements within sensitive areas. Development may be allowed in Stream Environment zones within Town Centers and the High Density Tourist District only if allowed development reduces coverage and enhances natural systems within the Stream Environment Zone.

8. Identify facilities and implementation measures to enhance pedestrian, bicycling and transit opportunities along with other opportunities to reduce automobile dependency.

9. Require that all development comply with the TRPA Best Management Practices (BMP) Manual, or require more stringent BMP practices.

10. Be consistent with the Regional Plan growth management system, including development allocations and coverage requirements.

LU-4.9 IN ORDER TO BE FOUND IN CONFORMANCE WITH THE REGIONAL PLAN, ALL LOCAL PLANS THAT INCLUDE TOWN CENTERS SHALL INCLUDE POLICIES, ORDINANCES AND OTHER IMPLEMENTATION MEASURES TO:

1. Address all requirements of Policy LU-4.8

2. Include building and site design standards that reflect the unique character of each area, respond to local design issues and consider ridgeline and viewshed protection.

3. Promote walking, bicycling, transit use and shared parking in Town Centers, which at a minimum shall include continuous sidewalks or other pedestrian paths and bicycle facilities along both sides of all highways within Town Centers and to other major activity centers.

4. Use standards within Town Centers addressing the form of development and requiring that projects promote pedestrian activity and transit use.

5. Identify an integrated community strategy for coverage reduction and enhanced stormwater management.
6. Demonstrate that all development activity within Town Centers will install environmentally beneficial improvements that will contribute to regional Threshold gain.

**LU-4.10** IN ORDER TO BE FOUND IN CONFORMANCE WITH THE REGIONAL PLAN, LOCAL PLANS THAT INCLUDE THE HIGH DENSITY TOURIST DISTRICT SHALL INCLUDE POLICIES, ORDINANCES AND OTHER IMPLEMENTATION MEASURES TO:

1. Address all requirements of Policies LU-4.8 and LU-4.9.
2. Include building and site design standards that improve or maintain scenic ratings.
3. Provide pedestrian, bicycle and transit facilities connecting the High Density Tourist District with other regional amenities.
4. Demonstrate that all development activity within the High Density Tourist District will install environmentally beneficial improvements that will contribute to regional Threshold gain. If necessary to achieve Threshold gain, off-site improvements may be required.

**LU-4.11** LOCAL GOVERNMENTS MAY ADOPT DEVELOPMENT ORDINANCES THAT SUPERCEDE TRPA ORDINANCES IF THE LOCAL PLAN AND ASSOCIATED ORDINANCES ARE FOUND IN CONFORMANCE WITH THE REGIONAL PLAN AND MEET THE INTENT OF TRPA ORDINANCES.

**LU-4.12** ONCE A LOCAL PLAN, AND ZONING AND DEVELOPMENT CODES WITHIN THE PLAN, HAVE BEEN FOUND IN CONFORMANCE WITH THE REGIONAL PLAN, LOCAL GOVERNMENTS MAY ASSUME DEVELOPMENT REVIEW AUTHORITY BY MEMORANDA OF UNDERSTANDING WITH TRPA, SUBJECT TO THE FOLLOWING LIMITATIONS:

1. The TRPA Governing Board shall review Local Plans annually and re-certify that the Local Plans are in compliance with the Regional Plan and are helping to attain and maintain TRPA Thresholds. If the TRPA Governing Board finds that Local Plans or development that has been permitted within Local Plans does not comply with the Regional Plan or does not help attain and maintain TRPA Thresholds, the TRPA may retract the delegation of permitting authority.
2. Approval of projects within Local Plans shall require a TRPA Finding of Conformance if the project includes any of the following criteria:
   a. All development within the High Density Tourist District;
   b. All development within 200 feet of the high water mark of Lake Tahoe;
   c. All development outside Town Centers that includes Tourist Accommodations Units (TAU) or Commercial Floor Area (CFA) and is greater than 2 stories in height.
   d. All projects containing more than 50,000 square feet of floor area.
   e. All development within the Conservation District.
3. All ongoing TRPA development monitoring and reporting requirements are met.
TRPA SHALL TAKE AN ACTIVE ROLE IN ASSISTING WITH THE DEVELOPMENT OF LOCAL PLANS TO HELP LOCAL GOVERNMENTS COMPLY WITH TRPA REQUIREMENTS. LOCAL GOVERNMENTS SHALL ALSO SEEK REVIEW AND COMMENT FROM ALL RESPONSIBLE PUBLIC AGENCIES AT APPROPRIATE POINTS IN THE PLANNING PROCESS TO ADDRESS REQUIREMENTS OF OTHER PUBLIC AGENCIES. THIS POLICY IS INTENDED TO RESULT IN EACH LOCAL PLAN, AND ZONING AND CODES WITHIN THE PLAN, BEING CONSISTENT WITH THE REGIONAL PLAN AND WHEN PRESENTED TO TRPA FOR CONFORMANCE REVIEW AND APPROVAL, WHILE ADDRESSING THE NEEDS OF THE COMMUNITY.

LU-4 Implementation Measures

- Amend Chapter 12, 13, 14, the Plan Area Statements and the Land Use Map to incorporate the following seven major land use classifications (Wilderness, Backcountry, Conservation, Recreation, Residential, Mixed-Use and Tourist) and two overlay districts (Town Centers and High Density Tourist District).

- Amend the Development Code to reflect the Local Planning process outlined in Goal LU-4.

- Amend the appropriate Plan Area Statement to recognize Tribal ownership of parcels located on the East Shore of Lake Tahoe.

- Amend the Code to state that the Code and the Plan Area Statements as amended by the Regional Plan update will be remain in effect until superseded by local government plans.

- Amend the Development Code to adopt regional parameters with which all local government plans must be consistent. Include the following parameters.
  
  - Require local plans to establish baseline information and conditions of all Thresholds, and identify how Threshold attainment will be enhanced;
  
  - Incorporate environmental improvement projects needed to meet environmental thresholds in local plans; and
  
  - Require that Local Plans include development standards that are consistent with criteria in the table below:
<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>Mixed-Use with Town Center Designation</th>
<th>Tourist</th>
<th>Tourist with High Density Tourist Designation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Height</strong></td>
<td>NA</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Up to 4 stories max with adoption of a Local Plan</td>
<td>Existing</td>
<td>Up to 197” max with adoption of a Local Plan</td>
</tr>
<tr>
<td><strong>Density SFD</strong></td>
<td>NA</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing (1 unit per parcel unless greater than 1 acre)</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Density MFD</strong></td>
<td>NA</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing except Local Plans may identify a higher density transition areas adjacent to Mixed-Use and Town Centers</td>
<td></td>
<td>Residential and TAUUs 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><strong>Land Coverage</strong></td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing and a maximum of 70% in districts with an adopted community plan.</td>
<td>Maximum of 70%.</td>
<td>Maximum of 70%.</td>
</tr>
<tr>
<td><strong>Complete Streets</strong></td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Existing</td>
<td>Continuous sidewalks and other pedestrian amenities on both sides of streets with connections to the planned trail network and planned bike lanes.</td>
<td></td>
<td>Continuous sidewalks and other pedestrian amenities on both sides of streets with connections to the planned trail network and planned bike lanes.</td>
</tr>
</tbody>
</table>
GOAL **LU-5**

COORDINATE THE REGULATION OF LAND USES WITHIN THE REGION WITH THE LAND USES SURROUNDING THE REGION.

To minimize the impacts on one another, the Tahoe Region and its surrounding communities should attempt to coordinate land use planning decisions. This goal is especially pertinent with respect to major land use decisions immediately adjacent to the Region which may have significant impacts on the Region and affect the ability of TRPA to attain environmental thresholds.

**POLICIES**

**LU-5.1** THE REGIONAL PLAN SHALL ATTEMPT TO MITIGATE ADVERSE IMPACTS GENERATED BY THE PLAN WITHIN THE REGION, AND NOT EXPORT THE IMPACTS TO SURROUNDING AREAS.

Where project approvals or other proposed actions by TRPA would adversely impact surrounding areas, TRPA shall consult with the affected jurisdictions. While the Agency will attempt to ensure that adverse impacts are mitigated within the Region, there may be situations where the adverse impacts on surrounding areas are outweighed by the environmental harm that would result from absorbing all impacts within the Region. In that regard, state laws in California and Nevada require the export of virtually all wastewater and solid wastes from the Region.

**LU-5.2** THE AGENCY SHALL DEVELOP JOINT REVIEW AGREEMENTS WITH PUBLIC ENTITIES ADJOINING THE REGION TO CONSIDER ACTS OF DEVELOPMENT OR IMPACTS OF DEVELOPMENT THAT CROSS JURISDICTIONAL BOUNDARIES.

As authorized in the Compact, TRPA will develop such joint agreements with Placer County, El Dorado County, Washoe County, City and County of Carson City, Douglas County, and appropriate state and federal agencies to ensure that land use decisions of those entities that have a significant impact on the Tahoe Region are reviewed by the Agency.