

Attachment E

**Tahoe Regional Planning Agency
Area Plan Finding of Conformity Checklist**

AREA PLAN INFORMATION

Area Plan Name: Tourist Core Area Plan Amendment (Recreation Parcel Rezone)
Lead Agency: City of South Lake Tahoe
Submitted to TRPA: October 21, 2021
TRPA File No: N/A

CONFORMITY REVIEW

Review Stage: Final Review
Conformity Review Date: TBD
TRPA Reviewer: Alyssa Bettinger

HEARING DATES

Lead Agency Approval: April 24, 2024
APC: May 8, 2024
Governing Board: June 26, 2024
Appeal Deadline: N/A
MOU Approval Deadline: N/A

CHARACTERISTICS

Geographic Area and Description: Tourist Core Area Plan (TCAP): Tourist Center Mixed Use District
Land Use Classifications: Recreation and Tourist Center Mixed Use

Area Plan Amendment Summary: The proposed amendments affect TCAP Appendix C, Table 1: Permitted Uses by Land Use District as follows:

- Amend the existing zoning for a portion of APN 029-441-024, specifically the portion of the parcel formerly recognized as APN 029-240-011, from Recreation (Rec) to Tourist Center Mixed-Use (TSC-MU) to allow additional residential uses and

match the zoning of the parcel with which it has recently been consolidated (APN 029-441-004);

- Add an applicable TSC-MU policy to APN 029-441-024 that would limit the use of this parcel to residential, linear public facilities, recreation, resource management, and open space (tourist, commercial, and most general public service land uses would be prohibited);

Conformity Checklist

		TRPA Code Section	Conformity		
			YES	NO	N/A
A. Contents of Area Plans					
1	General	13.5.1	●		
2	Relationship to Other Code Sections	13.5.2	●		
B. Development and Community Design Standards					
<i>Building Height</i>					
1	Outside of Centers	13.5.3			●
2	Within Town Centers	13.5.3	●		
3	Within the Regional Center	13.5.3	●		
4	Within the High-Density Tourist District	13.5.3			●
<i>Density</i>					
5	Single-Family Dwellings	13.5.3			●
6	Multiple-Family Dwellings outside of Centers	13.5.3			●
7	Multiple-Family Dwellings within Centers	13.5.3	●		
8	Tourist Accommodations	13.5.3			●
<i>Land Coverage</i>					
9	Land Coverage	13.5.3			●
10	Alternative Comprehensive Coverage Management	13.5.3.B.1			●
<i>Site Design</i>					
11	Site Design Standards	13.5.3	●		
<i>Complete Streets</i>					
12	Complete Streets	13.5.3			●
C. Alternative Development Standards and Guidelines Authorized in an Area Plan					
1	Alternative Comprehensive Coverage Management System	13.5.3.B.1			●
2	Alternative Parking Strategies	13.5.3.B.2			●
3	Areawide Water Quality Treatments and Funding Mechanisms	13.5.3.B.3			●
4	Alternative Transfer Ratios for Development Rights	13.5.3.B.4			●

		TRPA Code Section	Conformity		
			YES	NO	N/A
D. Development Standards and Guidelines Encouraged in Area Plans					
1	Urban Bear Strategy	13.5.3.C.1			●
2	Urban Forestry	13.5.3.C.2			●
E. Development on Resort Recreation Parcels					
1	Development on Resort Recreation Parcels	13.5.3.D			●
F. Greenhouse Gas Reduction					
1	Greenhouse Gas Reduction Strategy	13.5.3.E			●
G. Community Design Standards					
1	Development in All Areas	13.5.3.F.1.a			●
2	Development in Regional Center or Town Centers	13.5.3.F.1.b			●
3	Building Heights	13.5.3.F.2			●
4	Building Design	13.5.3.F.3			●
5	Landscaping	13.5.3.F.4			●
6	Lighting	13.5.3.F.5			●
7	Signing – Alternative Standards	13.5.3.F.6			●
8	Signing – General Policies	13.5.3.F.6			●
H. Modification to Town Center Boundaries					
1	Modification to Town Center Boundaries	13.5.3.G			●
I. Conformity Review Procedures for Area Plans					
1	Initiation of Area Planning Process by Lead Agency	13.6.1	●		
2	Initial Approval of Area Plan by Lead Agency	13.6.2	●		
3	Review by Advisory Planning Commission	13.6.3	●		
4	Approval of Area Plan by TRPA	13.6.4	●		
J. Findings for Conformance with the Regional Plan					
<i>General Review Standards for All Area Plans</i>					
1	Zoning Designations	13.6.5.A.1	●		
2	Regional Plan Policies	13.6.5.A.2	●		

		TRPA Code Section	Conformity		
			YES	NO	N/A
3	Regional Plan Land Use Map	13.6.5.A.3	●		
4	Environmental Improvement Projects	13.6.5.A.4			●
5	Redevelopment	13.6.5.A.5	●		
6	Established Residential Areas	13.6.5.A.6			●
7	Stream Environment Zones	13.6.5.A.7			●
8	Alternative Transportation Facilities and Implementation	13.6.5.A.8			●
<i>Load Reduction Plans</i>					
9	Load Reduction Plans	13.6.5.B			●
<i>Additional Review Standards for Town Centers and the Regional Center</i>					
10	Building and Site Design Standards	13.6.5.C.1			●
11	Alternative Transportation	13.6.5.C.2			●
12	Promoting Pedestrian Activity	13.6.5.C.3			●
13	Redevelopment Capacity	13.6.5.C.4			●
14	Coverage Reduction and Stormwater Management	13.6.5.C.5			●
15	Threshold Gain	13.6.5.C.6	●		
<i>Additional Review Standards for the High-Density Tourist District</i>					
16	Building and Site Design	13.6.5.D.1			●
17	Alternative Transportation	13.6.5.D.2			●
18	Threshold Gains	13.6.5.D.3			●
K. Area Plan Amendments					
1	Conformity Review for Amendments to an Area Plan	13.6.6			●
2	Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan – Notice	13.6.7.A			●
3	Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan – Timing	13.6.7.B	●		
L. Administration					
1	Effect of Finding of Conformance of Area Plan	13.6.8	●		

		TRPA Code Section	Conformity		
			YES	NO	N/A
2	Procedures for Adoption of Memorandum of Understanding	13.7			●
3	Monitoring, Certification, and Enforcement of an Area Plan	13.8			●
4	Appeal Procedure	13.9	●		

Conformity Review Notes

A. CONTENTS OF AREA PLANS

1. General YES NO N/A

Citation 13.5.1

Requirement An Area Plan shall consist of applicable policies, maps, ordinances, and any other related materials identified by the lead agency, sufficient to demonstrate that these measures, together with TRPA ordinances that remain in effect, are consistent with and conform to TRPA’s Goals and Policies and all other elements of the Regional Plan. In addition to this Section 13.5, additional specific requirements for the content of Area Plans are in subsection 13.6.5.A. The Memorandum of Understanding (MOU) that is associated with an approved Area Plan is a separate, but related, approval and is not part of the Area Plan.

Notes The adopted TCAP consists of goals, policies, actions, projects, maps, ordinances, and related materials that conform to the Regional Plan. The adopted land use and zoning maps are consistent with Regional Plan Map 1, *Conceptual Regional Land Use Map*. No modifications to boundaries of the Conceptual Regional Plan Land Use Map is proposed.

The proposed amendments rezones an existing parcel from Recreation to Tourist Center Mixed-Use. The rezoned parcel is designated as Tourist Land Use Classification in the Conceptual Land Use Map.

2. Relationship to Other Sections of the Code YES NO N/A

Citation 13.5.2

Requirement This section is intended to authorize development and design standards in Area Plans that are different than otherwise required under this Code. In the event of a conflict between the requirements in this section and requirements in other parts of the Code, the requirements in this section shall apply for the purposes of developing Area Plans. Except as otherwise specified, Code provisions that apply to Plan Area Statements (Chapter 11), Community Plans (Chapter 12), and Specific and Master Plans (Chapter 14) may also be utilized in a Conforming Area Plan. If an Area Plan proposes to modify any provision that previously applied to Plan Area

Statements, Community Plans, or Specific and Master Plans, the proposed revision shall be analyzed in accordance with Code Chapters 3 and 4.

Notes

The Area Plan's development standards are included as Appendix C to the TCAP. Under the proposed amendments, only permissible land uses would be affected for the subject parcel. No other design standard changes are proposed.

B. DEVELOPMENT AND COMMUNITY DESIGN STANDARDS

Area plans shall have development standards that are consistent with those in Table 13.5.3-1

MAXIMUM BUILDING HEIGHT

1. **Outside of Centers** YES NO N/A

Citation 13.5.3

Requirement Building height standards shall be consistent with Code Section 37.4.

Notes

2. **Within Town Centers** YES NO N/A

Citation 13.5.3

Requirement Building height is limited to a maximum of 4 stories and 56 feet.

Notes

3. **Within the Regional Center** YES NO N/A

Citation 13.5.3

Requirement Building height is limited to a maximum of 6 stories and 95 feet.

Notes

4. **Within the High-Density Tourist District** YES NO N/A

Citation 13.5.3

Requirement Building height is limited to a maximum of 197 feet.

Notes

DENSITY

5. **Single-Family Dwellings** YES NO N/A

Citation 13.5.3

Requirement Single-family dwelling density shall be consistent with Code Section 31.3.

Notes The proposed amendments do not make any changes to single-family density standard.

6. **Multiple-Family Dwellings outside of Centers** YES NO N/A

Citation 13.5.3

Requirement Multiple-family dwelling density outside of Centers shall be consistent with Code Section 31.3.

Notes The proposed amendments do not make any changes to existing multiple-family dwelling density outside of centers.

7. **Multiple-Family Dwellings within Centers** YES NO N/A

Citation 13.5.3

Requirement Multiple-family dwelling density within Centers shall be a maximum of 25 units per acre.

Notes The proposed amendments do not make any changes to existing multi-family dwelling density inside centers, which is 25 units per acre.

8. **Tourist Accommodations** YES NO N/A

Citation 13.5.3

Requirement Tourist accommodations (other than bed and breakfast) shall have a maximum density of 40 units per acre.

Notes The proposed amendments do not make any changes to tourist accommodation density. The amendment will apply the tourist density standard to the rezoned parcel. However, the permissible use list is proposed to be amended to prohibit tourist accommodation uses on the rezoned parcel.

LAND COVERAGE

9. **Land Coverage** YES NO N/A

Citation 13.5.3

Requirement Land coverage standards shall be consistent with Section 30.4 of the TRPA Code.

Notes The proposed amendments do not make any changes to land coverage.

10. **Alternative Comprehensive Coverage Management System** YES NO N/A
See Section C.1 of this document.

SITE DESIGN

11. **Site Design Standards** YES NO N/A
Citation 13.5.3

Requirement Area plans shall conform to Section 36.5 of the TRPA Code.

Notes The development standards in Appendix C of the TCAP are functionally equivalent to the standards set forth in Section 36.5 of the TRPA Code of Ordinances.

COMPLETE STREETS

12. **Complete Streets** YES NO N/A
Citation 13.5.3

Requirement Within Centers, plan for sidewalks, trails, and other pedestrian amenities providing safe and convenient non-motorized circulation within Centers, as applicable, and incorporation of the Regional Bike and Pedestrian Plan.

Notes The proposed amendments do not make any changes to complete street standards.

C. ALTERNATIVE DEVELOPMENT STANDARDS AND GUIDELINES AUTHORIZED IN AREA PLANS

1. **Alternative Comprehensive Coverage Management System** YES NO N/A
Citation 13.5.3.B.1

Requirement An Area Plan may propose a comprehensive coverage management system as an alternative to the parcel-level coverage requirements outlined in Sections 30.4.1 and 30.4.2, provided that the alternative system shall: 1) reduce the total coverage and not increase the cumulative base allowable coverage in the area covered by the comprehensive coverage management system; 2) reduce the total amount of coverage and not increase the cumulative base allowable coverage in Land Capability Districts 1 and 2; and 3) not increase the amount of coverage otherwise allowed within 300 feet of high water of Lake Tahoe (excluding those areas landward of Highways 28 and 89 in Kings Beach and Tahoe City Town Centers within that zone). For purposes of this provision, "total" coverage is the greater of existing or allowed coverage.

Notes The City of South Lake Tahoe has chosen not to develop an alternative comprehensive coverage management system. This is an optional component.

2. Alternative Parking Strategies

YES NO N/A

Citation 13.5.3.B.2

- Requirement* An Area Plan is encouraged to include shared or area-wide parking strategies to reduce land coverage and make more efficient use of land for parking and pedestrian uses. Shared parking strategies may consider and include the following:
- Reduction or relaxation of minimum parking standards;
 - Creation of maximum parking standards;
 - Shared parking;
 - In-lieu payment to meet parking requirements;
 - On-street parking;
 - Parking along major regional travel routes;
 - Creation of bicycle parking standards;
 - Free or discounted transit;
 - Deeply discounted transit passes for community residents; and
 - Paid parking management

Notes

The City of South Lake Tahoe has chosen not to develop alternative parking strategies. This is an optional component. The existing Area Plan does include policies and standards that mirror some of the listed parking strategies.

3. Areawide Water Quality Treatments and Funding Mechanisms

YES NO N/A

Citation 13.5.3.B.3

- Requirement* An Area Plan may include water quality treatments and funding mechanisms in lieu of certain site-specific BMPs, subject to the following requirements:
- Area-wide BMPs shall be shown to achieve equal or greater effectiveness and efficiency at achieving water quality benefits to certain site-specific BMPs and must infiltrate the 20-year, one-hour storm;
 - Plans should be developed in coordination with TRPA and applicable state agencies, consistent with applicable TMDL requirements;
 - Area-wide BMP project areas shall be identified in Area Plans and shall address both installation and ongoing maintenance;
 - Strong consideration shall be given to areas connected to surface waters;
 - Area-wide BMP plans shall consider area-wide and parcel level BMP requirements as an integrated system;
 - Consideration shall be given to properties that have already installed and maintained parcel-level BMPs, and financing components or area-wide BMP plans shall reflect prior BMP installation in terms of the charges levied against projects that already complied with BMP requirements with systems that are in place and operational in accordance with applicable BMP standards.
 - Area-wide BMP Plans shall require that BMPs be installed concurrent with development activities. Prior to construction of area-wide treatment facilities, development projects shall either install parcel-level BMPs or construct area-wide improvements.

Notes No changes are proposed to stormwater projects.

4. Alternative Transfer Ratios for Development Rights YES NO N/A

Citation 13.5.3.B.4

Requirement Within a Stream Restoration Plan Area as depicted in Map 1 in the Regional Plan, an Area Plan may propose to establish alternative transfer ratios for development rights based on unique conditions in each jurisdiction, as long as the alternative transfer ratios are determined to generate equal or greater environment gain compared to the TRPA transfer ratios set forth in Chapter 51: Transfer of Development.

Notes No changes are proposed to alternative transfer ratios.

D. DEVELOPMENT STANDARDS AND GUIDELINES ENCOURAGED IN AREA PLANS

1. Urban Bear Strategy YES NO N/A

Citation 13.5.3.C.1

Requirement In Area Plans, lead agencies are encouraged to develop and enforce urban bear strategies to address the use of bear-resistant solid waste facilities and related matters.

Notes The City Code requires bear-proof trash enclosures for all multi-family dwelling projects. South Tahoe Refuse Company will also be offering bear-proof trash containers to all single-family dwelling units located in the City of South Lake Tahoe

2. Urban Forestry YES NO N/A

Citation 13.5.3.C.2

Requirement In Area Plans, lead agencies are encouraged to develop and enforce urban forestry strategies that seek to reestablish natural forest conditions in a manner that does not increase the risk of catastrophic wildfire.

Notes No changes are proposed to an urban forestry strategy.

E. DEVELOPMENT ON RESORT RECREATION PARCELS

1. Development on Resort Recreation Parcels YES NO N/A

Citation 13.5.3.D

Requirement In addition to recreation uses, an Area Plan may allow the development and subdivision of tourist, commercial, and residential uses on the Resort Recreation District parcels depicted on Map 1 of the Regional Plan and subject to the following conditions:

- The parcels must become part of an approved Area Plan;
- Subdivisions shall be limited to “air space condominium” divisions with no lot and block subdivisions allowed;
- Development shall be transferred from outside the area designated as Resort Recreation; and
- Transfers shall result in the retirement of existing development.

Notes The TCAP does not have any contain any parcels that are designated Resort Recreation.

F. GREENHOUSE GAS REDUCTION

1. Greenhouse Gas Reduction Strategy

YES NO N/A

Citation 13.5.3.E

Requirement To be found in conformance with the Regional Plan, Area Plans shall include a strategy to reduce emissions of Greenhouse Gases from the operation or construction of buildings. The strategy shall include elements in addition to those included to satisfy other state requirements or requirements of this code. Additional elements included in the strategy may include but are not limited to the following:

- A local green building incentive program to reduce the energy consumption of new or remodeled buildings;
- A low interest loan or rebate program for alternative energy projects or energy efficiency retrofits;
- Modifications to the applicable building code or design standards to reduce energy consumption; or
- Capital improvements to reduce energy consumption or incorporate alternative energy production into public facilities.

Notes Buildings constructed within the TCAP are subject to the California Building Code which already includes some of the nation’s strictest standards to reduce energy use. Moreover, the City is upgrading municipal facilities with energy efficiency upgrades and installing solar facilities. No changes are proposed to a GHG strategy.

G. COMMUNITY DESIGN STANDARDS

To be found in conformance with the Regional Plan, Area Plans shall require that all projects comply with the design standards in this subsection. Area Plans may also include additional or substitute requirements not listed below that promote threshold attainment.

1. Development in All Areas

YES NO N/A

Citation 13.5.3.F.1.a

Requirement All new development shall consider, at minimum, the following site design standards:

- Existing natural features retained and incorporated into the site design;
- Building placement and design that are compatible with adjacent properties and designed in consideration of solar exposure, climate, noise, safety, fire protection, and privacy;
- Site planning that includes a drainage, infiltration, and grading plan meeting water quality standards, and
- Access, parking, and circulation that are logical, safe, and meet the requirements of the transportation element.

Notes Appendix C of the TCAP includes these site design standards. No changes are proposed to the standards above.

2. Development in Regional Center or Town Centers YES NO N/A

Citation 13.5.3.F.1.b

Requirement In addition to the standards above, development in Town Centers or the Regional Center shall address the following design standards:

- Existing or planned pedestrian and bicycle facilities shall connect properties within Centers to transit stops and the Regional Bicycle and Pedestrian network.
- Area Plans shall encourage the protection of views of Lake Tahoe.
- Building height and density should be varied with some buildings smaller and less dense than others.
- Site and building designs within Centers shall promote pedestrian activity and provide enhanced design features along public roadways. Enhanced design features to be considered include increased setbacks, stepped heights, increased building articulation, and/or higher quality building materials along public roadways.
- Area Plans shall include strategies for protecting undisturbed sensitive lands and, where feasible, establish park or open space corridors connecting undisturbed sensitive areas within Centers to undisturbed areas outside of Centers.

Notes Appendix C of the TCAP includes these site design standards. No changes are proposed to the standards above and they will apply to any new projects proposed on the rezoned parcel.

3. Building Heights YES NO N/A

Citation 13.5.3.F.2

Requirement

- Area Plans may allow building heights up to the maximum limits in Table 13.5.3-1 of the Code of Ordinances
- 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.

- Area Plans that allow buildings over two stories in height shall, where feasible, include provisions for transitional height limits or other buffer areas adjacent to areas not allowing buildings over two stories in height.

Notes Building height is set forth in Appendix C of the TCAP and is consistent with these standards. No changes are proposed to building height. The rezoned parcel will be subject to the existing maximum height of 56 feet.

4. Building Design YES NO N/A

Citation 13.5.3.F.3

Requirement Standards shall be adopted to ensure attractive and compatible development. The following shall be considered:

- Buffer requirements should be established for noise, snow removal, aesthetic, and environmental purposes.
- The scale of structures should be compatible with existing and planned land uses in the area.
- Viewsheds should be considered in all new construction. Emphasis should be placed on lake views from major transportation corridors.
- Area Plans shall include design standards for building design and form. Within Centers, building design and form standards shall promote pedestrian activity.

Notes Building design is set forth in Appendix C of the TCAP and is consistent with these standards. No changes are proposed to these standards. The rezoned parcel will be subject to the existing design building design standards of the TCAP.

5. Landscaping YES NO N/A

Citation 13.5.3.F.4

Requirement The following should be considered with respect to this design component of a project:

- Native vegetation should be utilized whenever possible, consistent with Fire Defensible Space Requirements.
- Vegetation should be used to screen parking, alleviate long strips of parking space, and accommodate stormwater runoff where feasible.
- Vegetation should be used to give privacy, reduce glare and heat, deflect wind, muffle noise, prevent erosion, and soften the line of architecture where feasible.

Notes No changes are proposed to these TCAP landscape standards. Any future project will be subject to the landscape standards of the TCAP and the City Water Efficient Landscape Ordinance.

6. Lighting YES NO N/A

Citation 13.5.3.F.5

Requirement Lighting increases the operational efficiency of a site. In determining the lighting for a project, the following should be required:

- Exterior lighting should be minimized to protect dark sky views, yet adequate to provide for public safety, and should be consistent with the architectural design.
- Exterior lighting should utilize cutoff shields that extend below the lighting element to minimize light pollution and stray light.
- Overall levels should be compatible with the neighborhood light level. Emphasis should be placed on a few, well-placed, low-intensity lights.
- Lights should not blink, flash, or change intensity except for temporary public safety signs.

Notes The City exterior lighting standards apply in the TCAP. The exterior lighting standards include provisions to allow for adequate level of lighting while protecting the night time sky. No change is proposed as part of these amendments. Any future project on the rezoned parcel will be required to install cutoff shields on all exterior lights and all lighting shall be directed downwards.

7. Signing – Alternative Standards YES NO N/A

Citation 13.5.3.F.6

Requirement Area Plans may include alternative sign standards. For Area Plans to be found in conformance with the Regional Plan, the Area Plan shall demonstrate that the sign standards will minimize and mitigate significant scenic impacts and move toward attainment or achieve the adopted scenic thresholds for the Lake Tahoe region.

Notes The city’s substitute signage standards are used within the TCAP. No change is proposed as part of these amendments.

8. Signing – General Policies YES NO N/A

Citation 13.5.3.F.6

Requirement In the absence of a Conforming Area Plan that addresses sign standards, the following policies apply, along with implementing ordinances:

- Off-premise signs should generally be prohibited; way-finding and directional signage may be considered where scenic impacts are minimized and mitigated.
- Signs should be incorporated into building design;
- When possible, signs should be consolidated into clusters to avoid clutter.
- Signage should be attached to buildings when possible; and
- Standards for number, size, height, lighting, square footage, and similar characteristics for on-premise signs shall be formulated and shall be consistent with the land uses permitted in each district.

Notes The city’s substitute signage standards are used within the TCAP. No change is proposed as part of these amendments.

H. MODIFICATION TO TOWN CENTER BOUNDARIES

1. Modification to Town Center Boundaries YES NO N/A

Citation 13.5.3.G

Requirement When Area Plans propose modifications to the boundaries of a Center, the modification shall comply with the following:

- Boundaries of Centers shall be drawn to include only properties that are developed, unless undeveloped parcels proposed for inclusion have either at least three sides of their boundary adjacent to developed parcels (for four-sided parcels), or 75 percent of their boundary adjacent to developed parcels (for non-four-sided parcels). For purposes of this requirement, a parcel shall be considered developed if it includes any of the following: 30 percent or more of allowed coverage already existing on site or an approved but unbuilt project that proposes to meet this coverage standard.
- Properties included in a Center shall be less than ¼ mile from existing Commercial and Public Service uses.
- Properties included in a Center shall encourage and facilitate the use of existing or planned transit stops and transit systems.

Notes The amendments do not include any modifications to the Town Center boundaries.

I. CONFORMITY REVIEW PROCEDURES FOR AREA PLANS

1. Initiation of Area Planning Process by Lead Agency YES NO N/A

Citation 13.6.1

Requirement The development of an Area Plan shall be initiated by a designated lead agency. The lead agency may be TRPA or a local, state, federal, or tribal government. There may be only one lead agency for each Area Plan.

Notes The City of South Lake Tahoe served as lead agency for these amendments.

2. Initial Approval of Area Plan by Lead Agency YES NO N/A

Citation 13.6.2

Requirement If the lead agency is not TRPA, then the Area Plan shall be approved by the lead agency prior to TRPA's review of the Area Plan for conformance with the Regional Plan under this section. In reviewing and approving an Area Plan, the lead agency shall follow its own review procedures for plan amendments. At a minimum, Area Plans shall be prepared in coordination with local residents, stakeholders, public agencies with jurisdictional authority within the proposed Area Plan boundaries, and TRPA staff.

If the lead agency is TRPA, the Area Plan shall require conformity approval under this section by TRPA only. No approval by any other government, such as a local government, shall be required.

Notes

The City of South Lake Tahoe involved the public at large and interested stakeholders pursuant to state law and the California Environmental Quality Act (CEQA). Additionally, City staff worked with TRPA staff on the amendment package and environmental review.

3. Review by Advisory Planning Commission YES NO N/A

Citation 13.6.3

Requirement The TRPA Advisory Planning Commission shall review the proposed Area Plan and make recommendations to the TRPA Governing Board. The commission shall obtain and consider the recommendations and comments of the local government(s) and other responsible public agencies, as applicable. jurisdictional authority within the proposed Area Plan boundaries, and TRPA staff.

Notes

The Area Plan is scheduled for review by the Advisory Planning Commission on May 8, 2024

4. Approval of Area Plan by TRPA YES NO N/A

Citation 13.6.4

Requirement For Area Plans initiated and approved by a lead agency other than TRPA, the Area Plan shall be submitted to and reviewed by the TRPA Governing Board at a public hearing. Public comment shall be limited to issues raised by the public before the Advisory Planning Commission and issues raised by the Governing Board. The TRPA Governing Board shall make a finding that the Area Plan, including all zoning and development Codes that are part of the Area Plan, is consistent with and furthers 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.

Notes

The Area Plan will be scheduled for review by the Governing Board on June 26, 2024 after review by the Advisory Planning Commission and the Regional Plan Committee. The Governing Board will need to find the Area Plan amendment is in conformance with the Regional Plan before it takes effect.

J. FINDINGS OF CONFORMANCE WITH THE REGIONAL PLAN

In making the general finding of conformance, the TRPA Governing Board shall make the general findings applicable to all amendments to the Regional Plan and Code set forth in Sections 4.5 and 4.6, and also the following specific review standards:

GENERAL REVIEW STANDARDS FOR ALL AREA PLANS

1. Zoning Designations YES NO N/A

Citation 13.6.5.A.1

Requirement The submitted Area Plan shall identify zoning designations, allowed land uses, and development standards throughout the plan area.

Notes Appendix C (specifically Table 1) of the TCAP amendments identifies changes to the Permitted Uses by Land Use District and the Proposed Zoning Map shows the rezone area from Recreation to Tourist Center Mixed-Use).

2. Regional Plan Policies YES NO N/A

Citation 13.6.5.A.2

Requirement The submitted Area Plan shall be consistent with all applicable Regional Plan policies, including, but not limited to, the regional growth management system, development allocations, and coverage requirements.

Notes The Area Plan contains goals and policies that are in alignment with Regional Plan policies. No changes to policies, the regional growth management system, development allocations, or coverage requirements are proposed as part of these amendments.

3. Regional Plan Land Use Map YES NO N/A

Citation 13.6.5.A.3

Requirement The submitted Area Plan shall either be consistent with the Regional Land Use Map or recommend and adopt amendments to the Regional Land Use Map as part of an integrated plan to comply with Regional Plan policies and provide threshold gain.

Notes The proposed rezone and limitations for the amendment area are consistent with the Tourist regional land use.

4. Environmental Improvement Projects YES NO N/A

Citation 13.6.5.A.4

Requirement The submitted Area Plan shall recognize and support planned, new, or enhanced Environmental Improvement Projects. Area Plans may also recommend enhancements to planned, new, or enhanced Environmental Improvement Projects as part of an integrated plan to comply with Regional Plan Policies and provide threshold gain.

Notes The Area Plan recognizes and incorporates the Environmental Improvement Program (EIP). Planned environmental improvement projects are included in the plan. No changes are proposed as part of the amendments.

5. Redevelopment YES NO N/A

Citation 13.6.5.A.

Requirement The submitted Area Plan shall promote environmentally beneficial redevelopment and revitalization within town centers, regional centers and the High Density Tourist District.

Notes The Area Plan promotes redevelopment within Town Centers by incorporating the incentives established in the 2012 Regional Plan Update. The Town Center is eligible for increased density, coverage, and height as a result of area plan adoption. This promotes compact development and promotes the Regional Plan’s land use and transportation strategies. The amendments do not affect the area plan’s redevelopment strategy, but furthers the Area Plan’s land use strategy to promote higher density housing within close proximity to an active Town Center.

6. Established Residential Areas YES NO N/A

Citation 13.6.5.A.6

Requirement The submitted Area Plan shall preserve the character of established residential areas outside of town centers, regional centers and the High Density Tourist District, while seeking opportunities for environmental improvements within residential areas.

Notes No changes to residential areas outside of Town Centers are proposed as part of these amendments.

7. Stream Environment Zones YES NO N/A

Citation 13.6.5.A.7

Requirement The submitted Area Plan shall 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 disturbed Stream Environment zones within town centers, regional centers and the High-Density Tourist District only if allowed development reduces coverage and enhances natural systems within the Stream Environment Zone.

Notes No changes are proposed under the amendments. The existing Stream Environment Zone located on the rezoned parcel will be restored and will be protected from further encroachment.

8. Alternative Transportation Facilities and Implementation YES NO N/A

Citation 13.6.5.A.8

Requirement The submitted Area Plan shall identify facilities and implementation measures to enhance pedestrian, bicycling and transit opportunities along with other opportunities to reduce automobile dependency.

Notes No changes are proposed as part of the amendments.

LOAD REDUCTION PLANS

9. Load Reduction Plans YES NO N/A

Citation 13.6.5.B

Requirement TRPA shall utilize the load reduction plans for all registered catchments or TRPA default standards when there are no registered catchments, in the conformance review of Area Plans.

Notes No changes are proposed as part of the amendments.

ADDITIONAL REVIEW STANDARDS FOR TOWN CENTERS AND THE REGIONAL CENTER

10. Building and Site Design Standards YES NO N/A

Citation 13.6.5.C.1

Requirement The submitted Area Plan shall 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.

Notes No changes to building and site design standards are proposed as part of these amendments.

11. Alternative Transportation YES NO N/A

Citation 13.6.5.C.2

Requirement The submitted Area Plan shall promote walking, bicycling, transit use and shared parking in town centers and regional 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 regional centers, and to other major activity centers.

Notes No changes to alternative transportation are proposed as part of these amendments.

12. Promoting Pedestrian Activity YES NO N/A

Citation 13.6.5.C.3

Requirement The submitted Area Plan shall use standards within town centers and regional centers addressing the form of development and requiring that projects promote pedestrian activity and transit use.

Notes The Design Standards promote pedestrian activity through site design, building design, and transportation facility standards and guidelines. The permissible uses for these areas also promote an active, pedestrian-friendly environment. No changes to pedestrian infrastructure are proposed as part of these amendments.

13. Redevelopment Capacity YES NO N/A

Citation 13.6.5.C.4

Requirement The submitted Area Plan shall ensure adequate capacity for redevelopment and transfers of development rights into town centers and regional centers.

Notes The TCAP as adopted incorporates the height, density and coverage standards allowed in the Regional Plan to ensure adequate capacity for redevelopment and transfers of developments. No changes for redevelopment capacity are proposed as part of these amendments.

14. Coverage Reduction and Stormwater Management YES NO N/A

Citation 13.6.5.C.5

Requirement The submitted Area Plan shall identify an integrated community strategy for coverage reduction and enhanced stormwater management.

Notes No changes are proposed as part of these amendments.

15. Threshold Gain YES NO N/A

Citation 13.6.5.C.6

Requirement The submitted Area Plan shall demonstrate that all development activity within Town Centers and the Regional Center will provide for or not interfere with Threshold gain, including but not limited to measurable improvements in water quality.

Notes See previous responses. All development is required to adhere to the standards of the TCAP which are designed to promote threshold gains including but not limited to scenic, community design, air quality, soils and water quality. No changes to the area plan's threshold gain strategies are proposed under these amendments.

ADDITIONAL REVIEW STANDARDS FOR THE HIGH-DENSITY TOURIST DISTRICT

16. Building and Site Design YES NO N/A

Citation 13.6.5.D.1

Requirement The submitted Area Plan shall include building and site design standards that substantially enhance the appearance of existing buildings in the High Density Tourist District.

Notes No changes are proposed as part of these amendments.

17. Alternative Transportation YES NO N/A

Citation 13.6.5.D.2

Requirement The submitted Area Plan shall provide pedestrian, bicycle and transit facilities connecting the High-Density Tourist District with other regional attractions.

Notes No changes are proposed as part of these amendments.

18. Threshold Gain YES NO N/A

Citation 13.6.5.D.3

Requirement The submitted Area Plan shall demonstrate that all development activity within the High-Density Tourist District will provide or not interfere with Threshold gain, including but not limited to measurable improvements in water quality. If necessary to achieve Threshold gain, off-site improvements may be additionally required.

Notes No changes are proposed as part of these amendments.

K. AREA PLAN AMENDMENTS

1. Conformity Review for Amendments to an Area Plan YES NO N/A

Citation 13.6.6

Requirement Following approval of an Area Plan, any subsequent amendment to a plan or ordinance contained within the approved Area Plan shall be reviewed by the Advisory Planning Commission and Governing Board for conformity with the requirements of the Regional Plan. Public comment before the Governing Board shall be limited to consideration of issues raised before the Advisory Planning Commission and issues raised by the Governing Board. The Governing Board shall make the same findings as required for the conformity finding of the initial Area Plan, as provided in subsection 13.6.5; however, the scope of the APC and Governing Board’s review shall be limited to determining the conformity of the specific amendment only. If the Governing Board finds that the amendment to the Area Plan does not conform to the Regional Plan, including after any changes made in response to TRPA comments, the amendment shall not become part of the approved Area Plan.

Notes The amendment to this area plan is of a narrow focus and has been reviewed by staff for conformity with the Regional Plan. The Governing Board’s review will be limited to determining the conformity of the specific amendment.

2. **Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan - Notice** YES NO N/A

Citation 13.6.7.A

Requirement TRPA shall provide lead agencies with reasonable notice of pending amendments that may affect Area Plans. TRPA also shall provide lead agencies with notice of Area Plan topics that may require amendment following adopted Regional Plan amendments pursuant to this section.

Notes The proposed amendments were initiated by the City of South Lake Tahoe.

3. **Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan - Timing** YES NO N/A

Citation 13.6.7.B

Requirement If TRPA approves an amendment to the Regional Plan that would also require amendment of an Area Plan to maintain conformity, the lead agency shall be given one year to amend the Area Plan to demonstrate conformity with the TRPA amendment. The Governing Board shall make the same findings as required for the conformity finding of the initial Area Plan, as provided in subsection 13.6.5; however, the scope of the Governing Board's review shall be limited to determining the conformity of only those amendments made by the lead agency to conform to the TRPA amendment. If the Governing Board finds that the other government fails to demonstrate conformity with the TRPA amendment following the one-year deadline, then the Board shall identify the policies and/or zoning provisions in the Area Plan that are inconsistent and assume lead agency authority to amend those policies and provisions.

Notes The proposed amendments were initiated by the City of South Lake Tahoe.

L. ADMINISTRATION

1. **Effect of Finding of Conformance of Area Plan** YES NO N/A

Citation 13.6.8

Requirement By finding that an Area Plan conforms with the Regional Plan pursuant to the requirements of this chapter and upon adoption of an MOU pursuant to Section 13.7, the Area Plan shall serve as the standards and procedures for implementation of the Regional Plan. The standards and procedures within each Area Plan shall be considered and approved individually and shall not set precedent for other Area Plans.

Notes The Governing Board found the area plan to be in conformance with the Regional Plan on November 11, 2013. These amendments will be reviewed by the Governing Board prior to going into effect. The anticipated date of review by the Governing Board is June 26, 2024

2. Procedures for Adoption of Memorandum of Understanding YES NO N/A

Citation 13.7

Requirement An Area Plan shall be consistent with the Procedures for Adoption of a Memorandum of Understanding.

Notes A memorandum of understanding delegating permitting authority is already in place. No change is necessary.

3. Monitoring, Certification, and Enforcement of an Area Plan YES NO N/A

Citation 13.8

Requirement An Area Plan shall include notification, monitoring, annual review, and recertification procedures consistent with Code Section 13.8.

Notes TRPA has conducted routine monitoring, annual review, and recertification of the TCAP.

4. Appeal Procedure YES NO N/A

Citation 13.9

Requirement The Area Plan shall include an appeal procedure consistent with Code Section 13.9.

Notes Final decisions made by the City in accordance with the TCAP/MOU may be appealed to TRPA in accordance with Section 13. 9 of TRPA Code. No change is proposed as part of these amendments.