

COUNTY OF PLACER
Community Development/Resource Agency

Michael J. Johnson, AICP
Agency Director

PLANNING
SERVICES DIVISION

Paul Thompson
Deputy Planning Director

MEMORANDUM

TO: Honorable Board of Supervisors

FROM: Michael J. Johnson, AICP
CD/RA Director

DATE: July 26, 2011

SUBJECT: Placer County Comments on the New Zoning Classifications and Methodology for the Tahoe Regional Planning Agency Regional Plan Update

ACTION REQUESTED

Direct staff to submit comments to the Tahoe Regional Planning Agency on the new zoning classifications and methodology known as Transect Crosswalk Zoning as well as associated maps for the Tahoe Regional Planning Agency's Regional Plan Update.

BACKGROUND

The Tahoe Regional Planning Agency (TRPA) continues its efforts of updating its Regional Plan (RPU) and revising existing Environmental Threshold Carrying Capacities (thresholds). The threshold changes are proposed in an effort to incorporate updated science and changes in law, such as addressing climate change relative to the region's carbon footprint, and to address the risk of catastrophic wildfire. The Regional Plan provides an overview of land use, conservation, restoration, forest health, wildlife management, air quality, and related goals and policies and implementation strategies that, when combined, are designed to accelerate threshold attainment over the next 20 years.

At its January 2011 Governing Board Meeting, the TRPA Governing Board directed TRPA staff to prepare a reduced RPU scope and more focused project description, and to assemble an interdisciplinary team to re-scope the RPU for the preparation of an Environmental Impact Statement (EIS). The purpose of the reduced scope for the RPU and EIS is to allow for a more focused RPU, which will allow the RPU to move forward within a reasonable schedule and budget, and will address the most immediate, emergent issues facing TRPA and the Tahoe Basin Community. The areas of focus for the reduced scope of the RPU included: Water Quality, Land Use, Transportation, Catastrophic Threats (e.g., Wildfire and Invasive Species), Air Quality, and Sustainability.

Since the January 2011 Governing Board meeting, TRPA staff has continued to meet with stakeholder groups, including local governments within the Tahoe Basin. As part of the refocused RPU effort, TRPA staff has proposed to "frontload" the RPU process with the

update of the Tahoe Community Plans, thereby allowing both processes to run concurrently. TRPA is also partnering with local governments on a coordinated effort to begin the Tahoe Community Plan Update processes, with the ultimate goal of ensuring that the adoption of both Updates (the RPU and the Tahoe Community Plans) are within reasonable timeframes. TRPA anticipates the RPU to be adopted by December 2012 and has indicated it is TRPA's desire for the Tahoe Community Plans Update to maintain a similar timeframe for adoption.

TRANSECT ZONING

Transect Zoning is an organizing principle that is used to define a series of land use districts ranging from rural to urban. A transect-based system typically starts with rural lands zoned "T1" and increases as development character and intensity transition to urban lands. Alternative 2 of TRPA's Regional Plan Update proposes a system with one special district and five transects that range in intensity from "T1: Conservation" to "T5: Tourist."

The Tahoe transect system is designed to:

- Conform to the vision, identity, and needs of individual communities
- Use form-based coding techniques based on local architecture and desired character to provide certainty and predictability for project proponents and assure residents that projects will conform to the community's vision
- Promote mixed-use, sustainable, and pedestrian- and transit-oriented development patterns so that people can "live, work, and play" without excessive reliance on the private car

The goals of the transect system are as follows:

- Aid in attainment and maintenance of TRPA's Environmental Thresholds and the goals of the Tahoe Regional Planning Compact by promoting environmental redevelopment and the transfer of development from sensitive lands to our town centers
- Benefit the economy and preserve and enhance the character of our distinct neighborhoods by establishing efficient development patterns and locally-calibrated form-based standards

The best way to achieve these goals is for TRPA and its jurisdictional partners to work directly in collaboration with each other. Dyett & Bhatia, a planning and environmental consultant, has been retained by TRPA to facilitate this collaboration and develop the clear standards and neighborhood character districts that will promote the kind of development that mirrors communities' vision. This dedication to working together – *and the opportunity for local jurisdictions to incorporate their land use visions into TRPA Code* – will help create vibrant town centers and benefit the economy, the society, and the environment.

CURRENT STATUS

As part of the RPU, the plan envisions a shift from the current land use system of Plan Area Statements to a Transect Crosswalk system with the intention of providing environmental gain through this land use structure. Recently, TRPA has provided the County with the opportunity to comment on an updated Transect Crosswalk Zoning proposal that will be including in the new Regional Plan Update for the Tahoe Basin. The Redevelopment Agency, Department of Public Works, Facility Services, Planning Services Division, and the Executive Office staff have reviewed the Transect Crosswalk Zoning as well as associated

maps and have provided recommended comments, which are included as Attachment 2. The comments are supportive of the new zoning system proposal by TRPA but staff did have some questions and comments on the proposal.

In general, staff remains concerned with TRPA's proposal to include very specific development standards within the Regional Plan. The Transect Crosswalk Zoning system includes very specific setback, height, and noise development standards which the staff thought should not be located in the Regional Plan. The concern is that any project that does not comply with these development standards would require a Code Amendment to the Regional Plan. Instead, and similar to the differences between the County's General Plan and Zoning Code, staff would prefer that the specific development standards be established within the individual zoning ordinance that will be adopted by the local jurisdictions during the Community Plan update process.

Similar to previous comments provided to TRPA, staff also raised concern with the lack of acknowledgment of the existing built environment with the new Transect Crosswalk Zoning system. While it is staff's position that it is necessary for new development to conform to the new Zoning system, it is also important to recognize the current built environment and, in certain cases, make allowances for existing land uses as well as new development. As a result, staff has provided suggestions on transect boundary alignments and would ask for flexibility to allow for these alignments to be finalized by the local jurisdictions during the Community Plan update process.

Consistent with previous comments from the County, staff continues to ask that incentives be provided that facilitate redevelopment. Comments have been provided that would encourage changes to the allowed densities for uses such as workforce housing in an effort to make such projects economically viable.

Other comments provided by staff are minor changes or suggestions that would better assist local jurisdictions, professionals, and property owners in interpretation and implementation of land use requirements in the Tahoe Basin.

REQUESTED ACTION

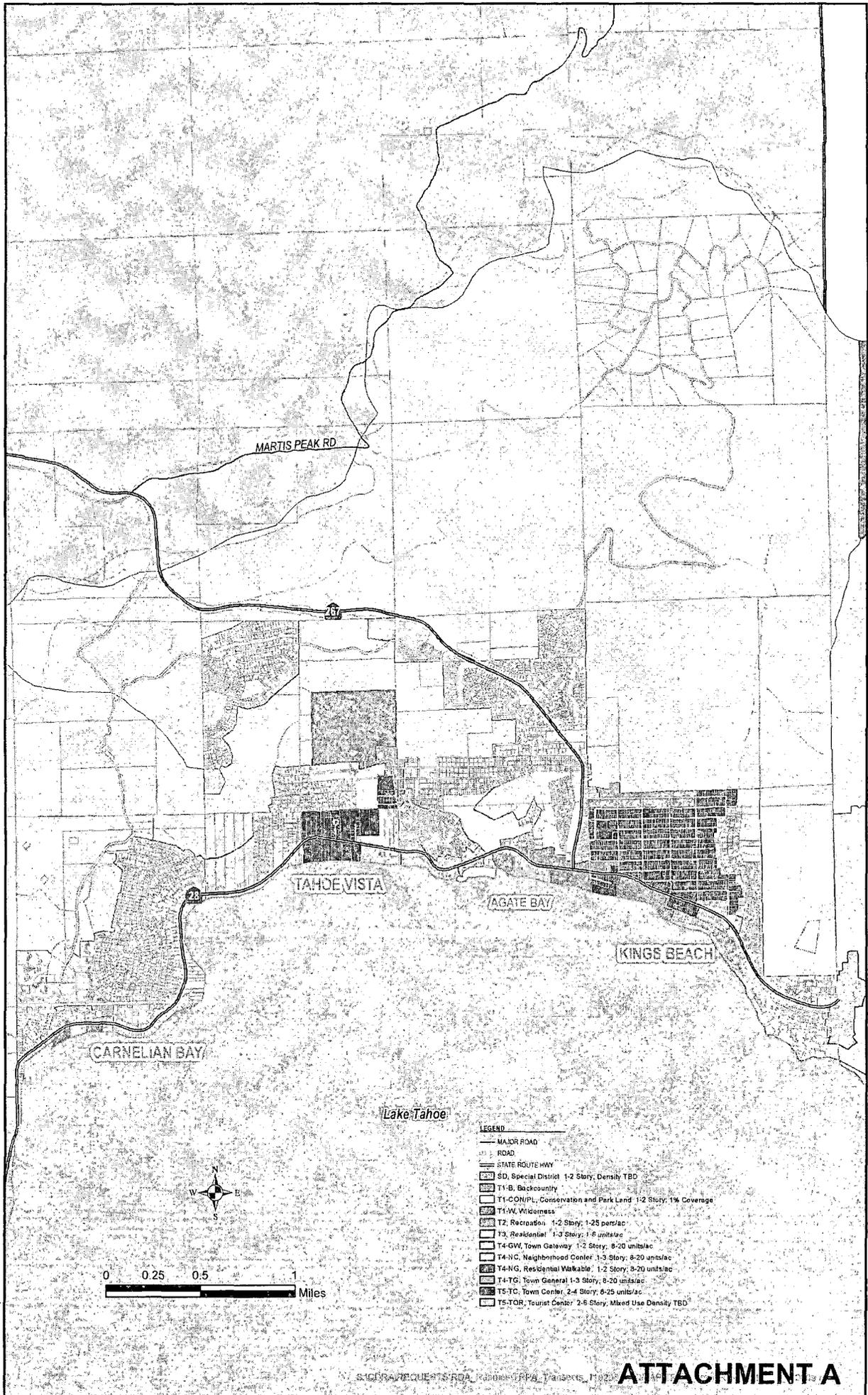
Direct staff to submit comments reflecting Placer County's position on the proposed Transect Zoning including zone boundaries and language associated with the proposed matrix for land uses that accompanies the proposed Transect Crosswalk Zoning land use maps as set forth in the comments provided in Attachment 2 to this report.

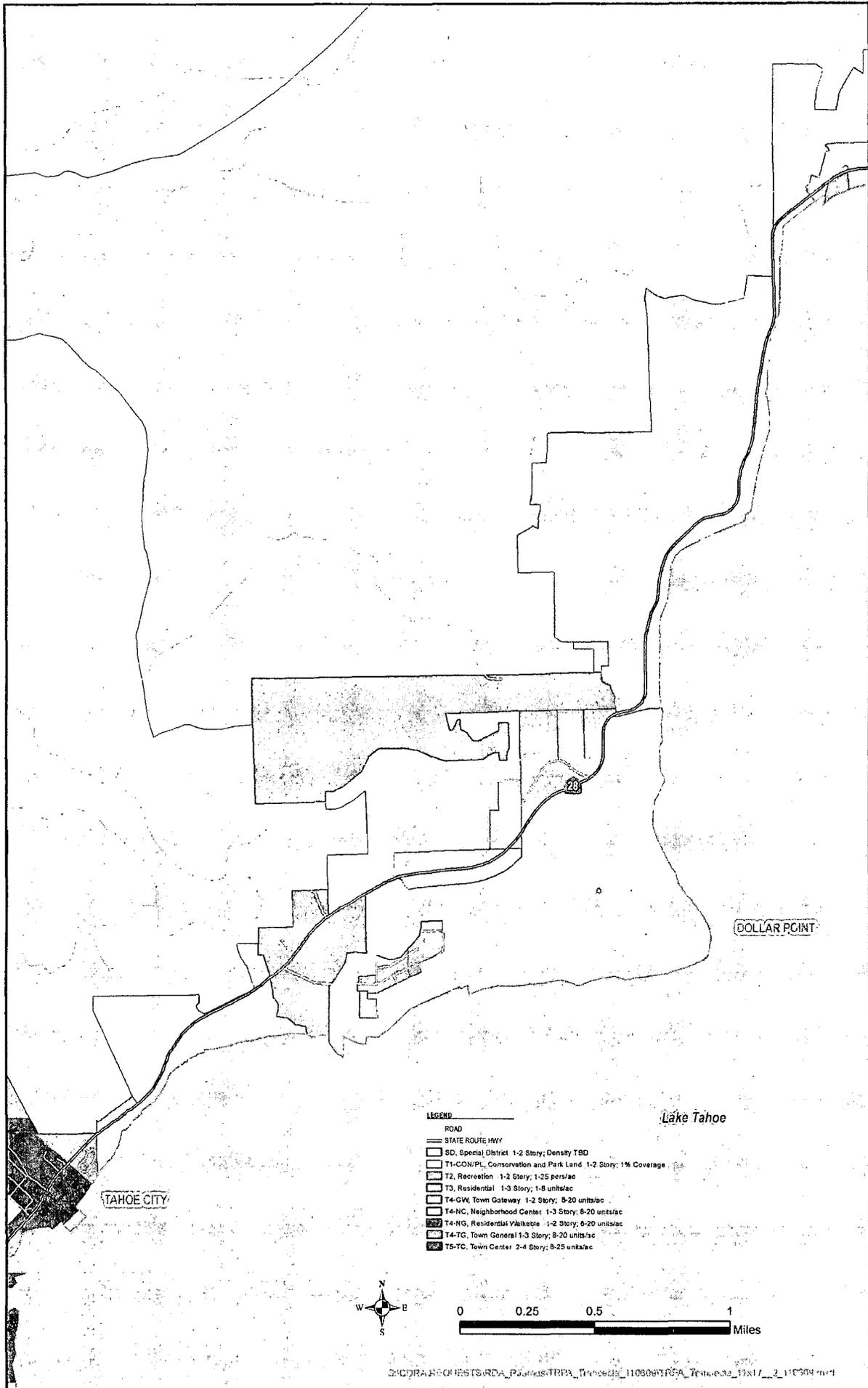
FISCAL IMPACT

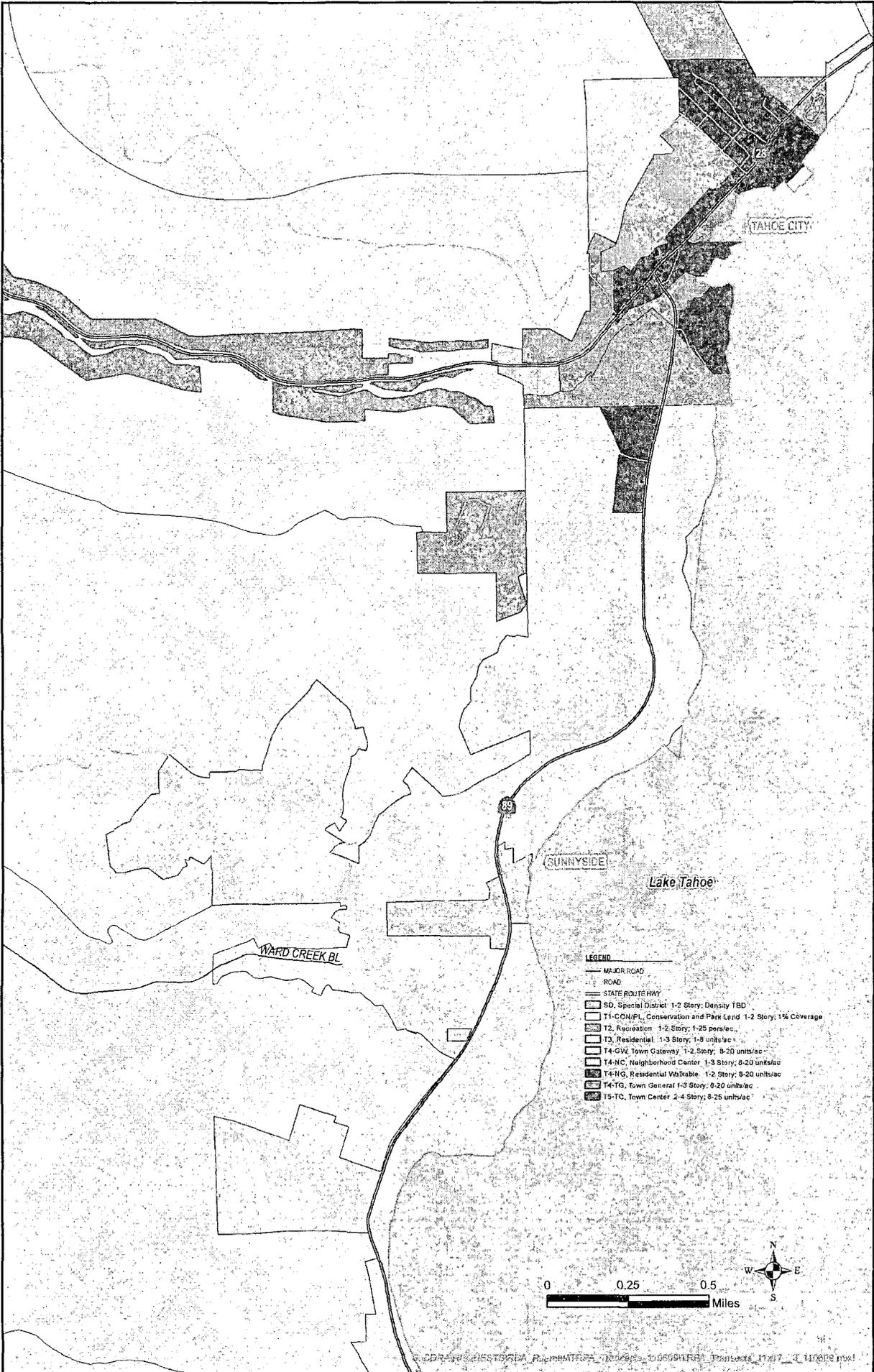
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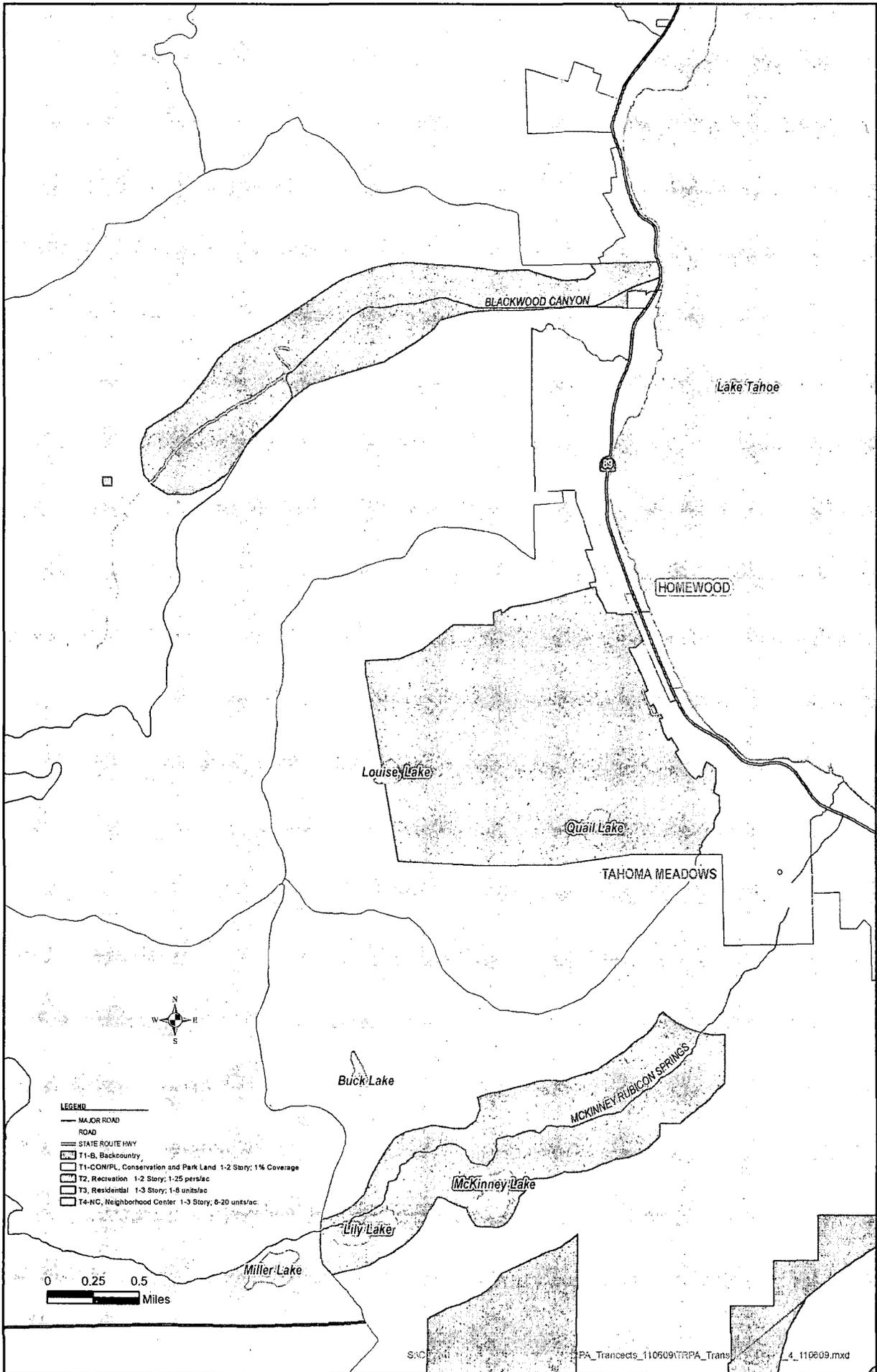
ATTACHMENTS:

Attachment 1: TRPA Proposed Transect Zoning Maps and Matrix
Attachment 2: Department Comments









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Regional Plan Land Use Classification	T1-W	T1-B	T2	T3	T4-NG	T4-GW	T4-TC	T4-TOR	SD
Proposed Transit Zone	Transit								
Transit Zone Description	Transit								
Transit Zone Description	Transit								
Special Considerations	Transit								
General Transit Zone Standards Ranges	Transit								
Uses for Zone	Transit								
Density	Transit								
Land Coverage for Zone	Transit								
Building Type	Transit								
Height	Transit								
Min. Lot Area	Transit								
Min. Lot Width	Transit								
Primary Transit Routes	Transit								
Site Street	Transit								
Site	Transit								
Neighborhood/Community	Transit								
Infrastructure	Transit								
Noise/CNEL	Transit								
Shadows	Transit								
Water Quality	Transit								
Other	Transit								

COMMENTS FROM PLANNING SERVICES DIVISION:

The zoning matrix has been reviewed by planning staff with the following comments for TRPA's consideration.

1. T1-W "*Wilderness*" Designated Forest Service and national preservation areas
2. T1-B "*Backcountry*" Road less areas in Forest Service conservation

Comments:

No County comments since the new zoning classifications are clarifying existing Federal jurisdictional areas and there is no local municipal review or approvals.

3. T21-Cons/PL "*Conservation and Park Land*" Uses would primarily be State Parks and Conservancy lands.

Comments:

Setbacks and height within State Parks are handled by adopted State Master Plans. Placer County has no jurisdiction authority over State owned properties. Staff recommends removing "Local Jurisdictional standards" and instead placing "State or Federal municipal standards and guidelines through their adopted Master Plans".

4. T2 "Recreation" Private and public lands for outdoor recreational uses.

Comments:

Future Ski Facilities, Marinas and Resorts should have a County approved Master Plan requirement where development standards exist as a result of an adopted Master Plan. Development standards include but are not limited to building setbacks, coverage, height and land uses.

Recreation is listed as a non-urban area on TRPA's matrix. This should be reclassified as urban to allow ski facilities, marinas and resort development.

5. T3 "*Residential*" Existing subdivided residential neighborhoods that allow single-family and multi-family uses.

Comments:

Add an "R" to the transect title "T3-R" to define it is for residential uses only.

A note should be added to allow secondary unit "granny flats" to a residential lot with an existing lawfully permitted single-family dwelling.

Building Heights permitted shall be measured at lowest natural grade in feet rather than by the number of building stories (Stories are not defined in TRPA's definitions)

Building setbacks shall be regulated under local jurisdictional standards

6. T4-NG "Neighborhood General" High density residential and small scale commercial uses.

Comments:

Residential Density Max change from 15 units per acre to 20 units per acre

Remove mobile homes as a future allowable use within the transect zoning. Mobile home parks should be labeled nonconforming with incentives to convert substandard housing to permanent housing units. (Incentives could be more coverage and density to encourage removal of the nonconforming/substandard trailers)

Noise levels for Placer County in a residential neighborhood should be 50 CNEL rather than the 55 CNEL proposed. Noise levels shall be regulated locally by adopted County noise regulations and ordinances.

7. T4-NC "Neighborhood Center" Commercial uses with neighborhood residential development

Comments:

Residential Density Max change from 15 units per acre to 20 units per acre

Noise levels for Placer County in a neighborhood with residential should be 70 CNEL rather than the 55 CNEL proposed. Noise levels shall be regulated locally by adopted County noise regulations and ordinances.

Unknown what BTL TBD by character abbreviation is? Please clarify

Incentives within urban and developed areas should allow 100% coverage to encourage redevelopment, BMP's and on-site surfaced parking.

Add Light Industrial to this transect as an allowable use to accommodate for equipment storage (i.e. snow removal equipment).

8. T4-GW "Town Gateway" Neighborhood residential and commercial uses

Comments:

Placer County would like to meet with TRPA staff to discuss the Town Gateway concept. We believe, as written, the land use description of this transect does correlate with our understanding/vision of what a Town Gateway is.

Residential Density Max change from 15 units per acre to 20 units per acre

Unknown what BTL TBD by character abbreviation is. Please clarify

Noise levels for placer county in a neighborhood with residential should be 70 CNEL rather than the 55 proposed. Noise levels shall be regulated locally by adopted County noise regulations and ordinances.

Incentives within urban and developed areas should allow 100% coverage to encourage redevelopment, BMP's, and surfaced on-site parking.

9. T4-TG "Town General" Areas are primarily of commercial and tourist uses supported by neighborhood residential development

Comments:

Residential Density Max change from 15 units per acre to 20 units per acre

Unknown what BTL TBD by character abbreviation is. Please clarify

Noise levels for placer county in a neighborhood with residential should be 70 CNEL rather than the 55 proposed. Noise levels shall be regulated locally by adopted County noise regulations and ordinances.

Incentives within urban and developed areas should allow 100% coverage to encourage redevelopment, BMP's, and surfaced on-site parking

10. T5-TC "Tourist Area Center" Urban areas designated as community plan areas. The area is mainly used for mixed uses and high density uses.

Comments:

Incentives within urban and developed areas should allow 100% coverage to encourage redevelopment; BMP's and surfaced on-site parking

Unknown what BTL TBD by character abbreviation is. Please clarify

Noise levels for placer county in a neighborhood with residential should be 70 CNEL rather than the 65 proposed. Noise levels shall be regulated locally by adopted County noise regulations and ordinances.

11. T5-TOR "Tourist" To provide future commercial and tourist uses.

Comments:

Incentives within urban and developed areas should allow 100% coverage to encourage redevelopment, BMP's, and surfaced parking.

Unknown what BTL TBD by character abbreviation is. Please clarify

General Comments:

1. Setbacks: Maintaining local control over the establishment of setback requirements, within the framework of the form-based zoning template being promoted by TRPA, is a critical issue for Placer County. Staff believes TRPA should not be legislating setback requirements, which historically has been the providence of the local land use decision making body.

2. Noise CNEL note is necessary to show the noise levels are regulated at the property line of the receiving use
3. Parking standards are unclear. Is TRPA regulating the number of parking spaces on the allowed uses? And if so, what is the parking district they are referencing?
4. Streetscape rural character, suburban, traditional and down town classification are not defined.
5. What does TRPA mean by visually dominated building or structure and what limitations would this create, if any?
6. There are small commercial properties scattered along the west shore of Lake Tahoe that should be allowed to keep their current land use entitlements under the new Transect zoning. Instead of spot zoning each existing commercial property, language should be incorporated to allow lawfully existing uses and buildings.

COMMENTS FROM COUNTY EXECUTIVE OFFICE:

General Transect Comments:

- Why does Neighborhood General allows for fewer stories than Neighborhood. They should both be three stories.
- Gateway should be increase to allow up to 3 stories instead of 2
- The difference between Tourist General and Neighborhood Center is unclear. Could they be consolidated?

General Map Comments:

- Several areas have been "downgraded" as compared to existing conditions and they should all be changed.
- The maps were very hard to read for detail, particularly due to the lack of street names being identified. Accordingly, some of the comments may miss the mark due to difficulty in reading the maps.
- There doesn't appear to be a map for the West Shore south of Sunnyside that would include Homewood and Tahoma. What is being proposing in both areas.

Map #1 CB to KB/Stateline:

- The Recreation area in Kings Beach looks pretty big and at least encompasses the NTEC and possibly other residential and commercial properties. It would be helpful to learn more about what is/is not allowed there, especially given CEP/other redevelopment opportunities there (including Falcon, Crown and other motel uses)

- It also appears that the Neighborhood General in Tahoe Vista encompasses existing tourist development. This should at least be upgraded to Town General.
- Especially given the existing mixed use in the KB industrial area, it would not be appropriate to identify this area as a "Special District." It would be preferred to allow this area to remain in its current state as industrial. The plan should recognize existing uses and perhaps expansion of mixed use.
- The Neighborhood General designation in Tahoe Vista along National Ave is not appropriate. This does not recognize existing dense multi-family trailer park use or possible future multi-family use on Mourelatos' property. It should be upgraded to Town General so that condominiums would be allowed.
- "Agate Bay" should be removed from the map, as it looks like a town name, rather than the name of the water body in that area. Agate Bay is a subdivision just east of Carnelian Bay, and is not in Tahoe Vista.
- The Residential designation does not seem to acknowledge the existing Carnelian Woods condominium complex.
- Eliminate Gateway in Tahoe Vista and Kings Beach. We would recommend changing to Neighborhood Center of Town General, at least in Tahoe Vista and expanding to Town Center in Kings Beach

Map #2 Tahoe City/Dollar Hill:

- It is difficult to determine what area on Dollar Hill is encompassed with the Special District designation. Is there a more detailed map available that would clearly define this area?
- It is concerning that the Special District appears to cover the Lake Forest Industrial area. We want to be careful about consistency with existing uses (including mixed), mixed use possibilities as well as affordable housing there.

Map #3 West Shore:

- It is difficult to determine whether the pink shaded area near Sunnyside is Town Gateway or Town Center. We would prefer the most flexible designation.

Map #4 Tahoe City:

- Placer County would prefer to determine the appropriate zoning designation for unique properties as the Tahoe City Golf Course site through the Community Plan Update process.
- We would ask that the Neighborhood General section on the lakeside next to Commons Beach also allow tourist accommodations and public recreation access, to be more consistent with current and future planned use (bike trail).

- The designation north of the wye in Tahoe City should be changed to Gateway, instead of Recreation/Conservation.
- Perhaps consider designating the lumber yard/Caltrans yard area to Special District.

COMMENTS FROM THE DEPARTMENT OF PUBLIC WORKS:

- 1) How does TRPA define a “parking district;”
- 2) Why is the Tahoe City golf course a “special district;” and
- 3) There seems to be a transect gap in upper Ward Canyon – nothing shown for the existing residential development there and surrounding public lands.

COMMENTS FROM THE REDEVELOPMENT AGENCY:

Transect Classifications:

The latest draft of Transect classifications appears to reflect the County’s request to retain to itself the authority to determine building and design codes.

The Redevelopment Agency hopes to pursue the creation of appropriate development incentives to revitalize blighted areas in the community and to assist in the acceleration of water quality improvements. The creation of the Community Enhancement Program and the pursuit of amending Chapter 15 in the TRPA Code of Ordinances were both major efforts to move in that direction.

That said the Agency requests from TRPA that the range for housing density within urban areas, except for T3- Residential, be listed as 8-20 units. Housing for the workforce must be affordable to attract developers as well as employers. The current allowable density level proposed provides no developer incentives to build workforce housing.

COMMENTS FROM DEPARTMENT OF FACILITY SERVICES

Attached to these comments, please find the Department of Facility Service’s initial comments on the Transect Zones for the TRPA Regional Plan Update (Exhibit 1). The comments consist of a summary of the primary uses (as defined by TRPA) that are utilized for County facilities and services and the Transect Zones that our Department believes these use should be allowed in.

EXHIBIT 1 - Department of Facility Services Comments

PRIMARY USES	TRANSECT ZONES											
	Wilderness	Backcountry	Conservation/ Park Land	Recreation	Residential	Residential	Commercial			Tourist	Comm/Public	
						Walkable	Neighborhood Center	Town Gateway	Town General	Town Center	Town Center	Town Center
Nursery										X		X
Service stations										X		X
Auto repair and service										X		X
Professional office				X	X	X	X	X	X	X	X	X
Schools - business and vocational				X	X	X	X	X	X	X	X	X
Health care services							X	X	X	X		X
Recycling and scrap												X
Storage yards												X
Warehousing												X
Vehicle storage and parking							X	X	X	X	X	X
Local public health and safety facilities	X	X	X	X	X	X	X	X	X	X	X	X
Power generating								X	X			X
Public owned assembly and entertainment				X			X	X	X	X	X	X
Collection stations									X			X
Cultural facilities			X	X	X	X	X	X	X	X	X	X
Regional public health and safety facilities				X	X	X	X	X	X	X	X	X
Government Offices				X	X	X	X	X	X	X	X	X
Social service organizations				X	X	X	X	X	X	X	X	X
Beach recreation			X	X	X	X	X	X	X	X	X	X
Outdoor recreation concessions			X	X	X	X	X	X	X	X	X	X
Recreation centers			X	X	X	X	X	X	X	X	X	X
Day use areas		X	X	X	X	X	X	X	X	X	X	X
Riding and hiking trails	X	X	X	X	X	X	X	X	X	X	X	X
Visitor information centers			X	X	X	X	X	X	X	X	X	X
Transit stations and Terminals				X	X	X	X	X	X	X	X	X
Transportation Routes			X	X	X	X	X	X	X	X	X	X
Animal Husbandry Services				X	X	X	X	X	X	X	X	X

EXHIBIT 1

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