

TAHOE REGIONAL PLANNING AGENCY  
REGIONAL PLAN IMPLEMENTATION COMMITTEE

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February 23, 2022

**Meeting Minutes**

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Mr. Yeates called the meeting to order at 10:40 a.m.

Members present: Ms. Aldean, Mr. Bruce, Mr. Friedrich, Ms. Gustafson, Mr. Hoenigman, Mr. Lawrence, Mr. Yeates

II. APPROVAL OF AGENDA

Mr. Yeates deemed the agenda as posted.

III. APPROVAL OF MINUTES

Ms. Aldean made a motion to approve the January 26, 2022 as presented.

**Motion carried.**

IV. Discussion and possible recommendation of the Bijou/Al Tahoe Community Plan Amendment: Allowable height for public service buildings on parcels owned by the County/City (56-acre Recreation Center Site)

Mr. Friedrich recused himself from this agenda item.

TRPA staff Ms. Self and Mr. Hitchcock, City of South Lake Tahoe provided the presentation.

[Agenda Item No 3. Bijou Al Tahoe Community Plan](#)

Ms. Self said this review considers conformity of the community plan amendments to the Regional Plan. In addition to the staff report there was an errata sent out yesterday that included a correction to the motion language and a finding of no significant effect, to supplement the findings that were already in the packet for the initial environmental checklist.

The Bijou/Al Tahoe Community Plan Amendment were initiated by the City of South Lake Tahoe in January 2021 in anticipation of a new recreation and aquatic center on the property of the 56-acre site. The new Recreation Center application is currently under review with TRPA and is anticipated to go to the Governing Board for consideration in April 2022. These proposed amendments today were designed to help facilitate that project.

The City of South Lake Tahoe and TRPA Governing Board adopted the Bijou/Al Tahoe Community Plan in 1995. This community plan is centrally located along Lake Tahoe's South Shore. It includes a heavy concentration of public services for the local community in the city including the Lake Tahoe Community College, the South Tahoe Middle School, El Dorado County Government offices such as the Sheriff's Office, detention centers, and the USDA Forest Service Administration buildings.

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Other land uses within this area include recreational, such as the Lakeview Commons site along with commercial and retail, such as the Harrison Avenue shops and restaurants, and the Rite Aid center at the corner of Al Tahoe Boulevard.

This community plan provides a guiding vision for the area, as well as goals and policies, permissible land uses, and specific design standards. The proposed amendment focuses on allowable height and architectural design standards. The Bijou/Al Tahoe plan is one of two remaining community plans in the basin, the other being the South Y Industrial Area. Since the adoption of the 2012 Regional Plan, over time these community plans are superseded with the option of Area Plans. Over the past year and a half, the city of South Lake Tahoe has developed a Master plan with public input to envision future recreational and public service uses for the 56-acre project area. This master plan was adopted by the City in January 2022. Now that the master plan is complete, the City does anticipate initiating an area plan beginning in the fall of 2022.

The City Planning Commission and the City Council have reviewed and approved these proposed amendments. The City Council adopted the amendments on January 18, 2022. If the Regional Plan Implementation Committee recommends adoption today, this item has been tentatively scheduled for the Advisory Commission in March, and possible consideration of approval for the Governing Board in March as well.

Mr. Hitchcock said 56-acres is a small portion of District 4 of the Bijou/Al Tahoe Community Plan. District four primarily has public service uses, including the Lake Trail Unified School District, the City Government Center, the Lake Tahoe Community College, the U.S. Forest Service LTBMU office and the South Tahoe Public Utility District (STPUD). There are also four private parcels within the district, including the cemetery, and one vacant parcel.

The amendment itself would allow additional building height up to 42 feet with no minimum cross slope or roof pitch requirements, and would facilitate construction of the new City multi-generational recreation and aquatics center. The amendment would actually only apply to County and City owned properties in 56-acre project area, as adopted in the 56-acres Master Plan. All properties within the 56-acres are either owned by the County or the City.

Within District Four, the height for Lake Tahoe Community College properties, and on the Lake Tahoe Unified School District properties are not affected by these amendments. Those would be handled on an individual project basis by TRPA. Height for all other properties outside of the 56-Acres Project Area is subject to Chapter 37 of the TRPA Code of Ordinances.

The current standard within the Bijou Al Tahoe Community Plan for District 4 requires a 7:12 roof pitch, which is generally not feasible for larger institutional buildings that require large spaces, such as recreation centers, gymnasiums, and auditoriums. Strict adherence to this standard would exceed TRPA height ordinance, and would likely create a structure that is visually intrusive to the neighborhood, and would increase energy demands to cool and heat the large volume of space. The City do not believe that those increased energy demands are consistent with TRPA and City sustainability goals.

The proposed amendment would allow for construction of buildings that are high quality and designed for their functionality of services, energy efficiency and compatibility with the surrounding neighborhood.

The City have circulated an Initial Study/Mitigated Negative Declaration, and the analysis did not find any significant impacts on the environment with mitigations applied to specific resource areas. The City is currently working on project review, and Paul Nielsen is working on project review for TRPA.

#### Committee Comments & Questions

Mr. Bruce raised a question about the distinction between the Community Plan, and the Area Plan. Ms. Self responded that Community Plans came into effect after the 1987 Regional Plan. There are several community plans around the basin, and they are primarily focused on commercial areas and things like that. With the adoption of the 2012 Regional Plan, area plans were intended to supersede older community plans, as well as plan area statements. With the 2012 Regional Plan adoption, and the option to do area plans, incentives were also put in place. For example, additional height, coverage, density allowances, were applicable if local jurisdictions were to adopt an area plan. So, over time, these community plans have been phased out, and a good portion of the basin is now covered under area plans.

Mr. Bruce asked Ms. Self for an example of where a community plan has been used, versus an area plan, to process a project like this. Ms. Self replied that, with reference to this area, this will be third amendment to the Bijou/Al Tahoe Community Plan. The first two amendments took place in 2020. One was an amendment for roof pitch, in relation to the redevelopment of the Boys and Girls Club. At the time, the roof pitch under the Bijou/Al Tahoe Community Plan, would have created a much larger building that would have been unsustainable to heat and cool. The next amendment that came forward was presented by the City of South Lake Tahoe, but initiated by private development at the Beach Retreat. With that amendment, the Tourist Core Area Plan and the Bijou/Al Tahoe Community Plan boundaries shifted. The Beach Retreat and the CVS Bijou Marketplace were in an existing kind of legacy town center, with a lot of legacy development, and the amendment shifted the boundary so that areas of the Bijou Al Tahoe Community Plan are now incorporated into the Tourist Core Area Plan.

Referring to Page 568 of the Governing Board Packet, Ms. Aldean asked staff to explain and expand on the mention of "historic resource impacts", in the six public comment letters of opposition. She added that she assumed the mention of "conflict of interest issues" in those letters was a reference to John Friedrich's roles as a member of the TRPA Governing Board, and as a City Council member.

Mr. Hitchcock confirmed that the City had received letters stating that certain members of City staff and certain City Council members, had a conflict of interest. Council Member John Friedrich recused himself from any action on the proposed amendment, and the City Director of Services recused herself from this project. Mr. Hitchcock confirmed that the City had also received comments on the potential impacts to historic resources. He added that the environmental analysis concluded that there were no impacts, particularly to the Pony Express Trail and the Lincoln Highway.

Ms. Aldean asked a definitional question in relation to quasi-public facilities. Ms. Aldean said it is her understanding that the properties that would be impacted by this change are City or County owned. She asked if that would facilitate a private sector/public sector partnership, in which a private party would construct the building, and perhaps lease the land from the City or County. Mr. Hitchcock replied that within the 56-acres there are City and County owned buildings that are leased out to private entities or quasi-public entities such as The Art League and The Historic Society. He said that in those cases, projects could potentially qualify for these amendments if specific findings can be made.

Mr. Bruce asked if the intention of the proposed amendments is that they apply to City and County buildings, and not to private buildings. He also asked if there are restrictions on transfers for these properties, and asked how these properties would be protected in the event that the ownership is transferred. Mr. Hitchcock replied that he did not believe that the City or the County would be transferring any of these properties. From the City's perspective, 56-acres is the heart of the community, and the City have developed a Master Plan to build out the property for primarily public related uses. Ms. Self added that the proposed language brought forward by the City states, "for public and private-public owned buildings", so not just the property itself. Mr. Bruce asked if that only applies for now, or also into the future. Ms. Self said that some interpretation would be needed at the time of any change of use or transfer.

Mr. Lawrence stated that requiring steep roof pitches on large public buildings is impractical for a number of reasons. He asked if just changing the roof pitch requirements alone would get the City what they need for the Aquatic Facility, or if they also need the additional height. Mr. Hitchcock said they need both – the height to accommodate the space, and a roof pitch that won't exceed TRPA's maximum height standards.

Mr. Lawrence agreed that while it seems unlikely that the City would sell these buildings or properties, you never know. He asked if by just changing it to public and quasi-public, if a building were to transfer, were they potentially creating a situation of non-conforming uses. Mr. Hitchcock agreed that if a transfer did occur, the building would be considered legal, non-conforming, so could be maintained as is, but could not be expanded. He added that the City intent is to use 56-acres as a public recreation area, to be operated by the City and the County.

Referring to page 604 of the Governing Board Packet, Ms. Aldean said the proposed amendment would "allow a maximum height of 42 feet for public, quasi-public, or recreation facilities with the 56-acre project area of District 4 with no minimum cross slope or roof pitch requirements", and asked what is the distinction between public, quasi-public, or recreation facilities? Could a private party propose a recreation facility that could also take advantage of this amendment? Mr. Hitchcock responded that if the project is not public or quasi-public, then a private entity could not propose the project. He added that it is possible that a public agency may construct the building, but lease out the building operations. For example, the ice rink was constructed by the City and while the operations are leased out, it is still a public structure. Ms. Aldean said the wording is a little confusing because it reads as the public, quasi-public and recreation facilities, as being standalone projects. She suggested that the language may need to be tweaked to make it clearer.

Ms. Aldean said the proposed amendment would also reduce the minimum roof pitch requirements to 5:12 for other structures within the 56-acre project area. She asked if that was necessary. She can understand the challenges for the proposed Recreation Center project, but asked Mr. Hitchcock what the City is visualizing, aside from wanting to conform to the City's minimum requirement for roof pitch. Ms. Aldean added that she does not understand how that relates to long term sustainability goals. Mr. Hitchcock replied that the 5:12 roof pitch is the minimum requirement for the City, and they did want to bring this Community Plan into consistency with that minimum roof pitch. It has been their experience that the 7:12 roof pitch does not work well, even for even smaller structures. For example, for the restrooms located on the campground site, they were unable to design a bathroom with a 7:12 roof pitch that could be accommodated on site because they are prefab buildings.

Mr. Hitchcock added that it is their intent that the area plan process will look at all the standards in the Bijou/Al Tahoe Area Plan to make it consistent with their other area plans, and with city wide design standards. Mr. Hitchcock said that they City see the proposed amendment as a stopgap measure to facilitate construction of the Recreation Center.

Ms. Aldean asked if TRPA should look at amending standards if the required roof pitch is unreasonable. She asked if the roof pitch requirement was specifically designed to address residential structures as opposed to commercial and industrial buildings. Ms. Self responded that the roof pitch requirements are actually dictated by the local plans, and therefore may vary depending on the specific local plan. Ms. Aldean asked if there was built-in flexibility on a per project basis. Ms. Self said that for the Bijou Al Tahoe Area Plan the roof pitch standards are pretty rigid, which is why the city is proposing these changes. Mr. Hitchcock added that the 7:12 roof pitch was originally intended to mimic some of the older historic structures on Harrison Avenue, such as Rojo's Tavern. With today's sustainability goals, that type of roof pitch is just not feasible.

Mr. Yeates said that he did not have a master plan before him and only had a map with a blue square showing the project area. The proposed amendments apply to more than just the Recreation Center, but to all public and quasi-public buildings there, and he does not know how many that might be. Mr. Yeates continued that on page 573 of the Governing Board Packet, the amendment will allow for "public and quasi-public owned buildings, the maximum height permitted is 42 feet, with no minimum cross slope or roof pitch requirements, provided TRPA makes Findings 1, 3, 4, 5, 7, and 8 of TRPA Code Section 37.7." Mr. Yeates asked if those Findings can be made? Mr. Hitchcock replied that the City had worked with Paul Nielsen, TRPA on the Findings, and they believe all those Findings can be made. Mr. Hitchcock said they actually modified the design of the Recreation Center in order to be consistent with Finding 8.

Referring to the addition of "natural appearing siding" (Page 547 of the Governing Board Packet) in the proposed amendments, Mr. Yeates said that was vague and asked for clarification. Mr. Hitchcock replied that because we are in a severe fire hazard zone, they added the provision to be consistent with the City's design guidelines, which promote all types of architectural aesthetics, including modern architecture with generally uses materials such as pre-cast concrete or Hardie backer, that is designed for a natural appearance. Mr. Yeates asked if that definition was included in community plan, and Mr. Hitchcock replied that it is not.

Mr. Yeates said he was having a hard time in wanting to recommend anything to the Governing Board without a better sense of how these structures are going to sit on the 56-acre site. This is a really significant piece of property in the City. He added that it is a popular area with some parking problems and other issues, and with the information presented today he does not even know how the parking is going to go within the 56-acres project site for the recreation facility. Mr. Yeates said he does not have the master plan, which has been approved. This was started in January of 2021, and now, in February of 2022, there is a proposed change for all public and quasi-public buildings on the site. Mr. Yeates said he would like to have some more specificity, and would like to see what the Recreation Center, located at one of the most significant entryways into Lake Tahoe, is going to look like.

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Mr. Yeates said he would like for the City to come back in March with more specificity so they could deal with the plan amendment. He is also troubled that they are amending an old 1995 Plan when they should really be dealing with an area plan. He understands this is an important community project, but there are a lot of unknowns.

Mr. Yeates continued that he would like to see the project move forward, but with a much better understanding of project impact, and how it sits on this 56 acre site. He asked if they could come back in March with a better picture of how the plan amendment fits in with the overall project proposal. Alternatively, he asked if they could limit this item to just the Recreation Center, dealing with this in piecemeal way, to at least allow the Recreation Center move forward. Mr. Hitchcock said the City would prefer the amendment to apply to all 56-acres, but they could limit it to just the Recreation Center.

Referring to the images and site plan on Slide 5, Mr. Hitchcock described the new Recreation Center, which will be located closer to the highway, across from Lakeview Commons. The building will be set back a couple of hundred feet from the highway, and the project will preserve over 200 trees between the building and Lake Tahoe Boulevard. Based on location, highway speed, and the direction of travel they feel that the project itself is not going to be visually evident, especially when the view attraction is Lake Tahoe. The project will be located adjacent to El Dorado County Library where the existing parking lot will be extended to accommodate additional parking, and will include active and passive recreation spaces, and outdoor adventure play.

Mr. Yeates proposed limiting this to just the Recreation Center. The Master Plan would then come forward this fall with an Area Plan amendment when committee members would have the whole picture as to what is going to happen to the 56-acre site.

### Public Comment

Mr. Steve Teshara speaking on behalf of the Tahoe Chamber said they have tracked this project and the development of the Master Plan for several years. He understands the committee's concerns, and that the purpose of the Regional Plan Implementation Committee is to identify any issues. He added that everyone in favor of this project wants the Regional Plan Implementation Committee and the Governing Board to be fully satisfied that this is going forward in the right way.

Mr. Teshara said that this one of the most robust planning processes that has taken place on the South Shore in many years. There has been a tremendous amount of public input and participation, Zoom community meetings, input on the design, the layout, the master plan, the partnership between the City and Eldorado County to finally resolve some of the issues that in have barred moving forward with a project like this in the past. There is a tremendous amount of citizen involvement, elected official involvement, planning involvement, and he wants to ensure that Regional Plan Implementation Committee members understand and appreciate that.

Mr. Teshara understands that the committee may need another session to get to the point of being fully supportive and understanding, but said this is an exciting project, and lots of people who are typically not on the same page, are on the same page for this project.

Committee Comments & Questions

Mr. Yeates said he feels strongly that he would like to have more information for the committee to feel comfortable making a recommendation to the full board, but will leave it to his colleagues to make it clear how they feel about it. Mr. Yeates understands this is an important project and he does not want to hold it up, but he wants more information because there is more to this than just the Recreation Center building.

Ms. Gustafson said she would like to signal to the City, that the committee is flexible and are interested in seeing this move forward. She is aware how much detail goes into these projects, and how long it takes to get them developed, so would like to signal that, and condition the project on coming back with answers to the more detailed questions. Ms. Gustafson said the amendment as she reads it is on only for those public and quasi-public facilities. She trusts the City will do a good job in reaching their community on these standards, and she is flexible in wanting to look at how the committee accommodates this. Ms. Gustafson added that the Regional Plan looks at intensifying those uses in those transportation corridors to achieve multi benefits. She wants to be flexible, and to support the City's efforts.

Mr. Hitchcock said that the City are hoping to start site work, with TRPA approval as soon as grading season begins. If limiting the amendment to just to the Recreation Center itself would allow them to move forward, they are amenable to that. The City will then come back with the Area Plan in the fall, where they can show the whole 56-acre site, and its relationship to the adopted Master Plan, as well as all the other planning standards.

Ms. Self added that when the TRPA Governing Board takes action on any amendments, there is a 60 day period before those amendments take effect.

Ms. Aldean said she supports Mr. Yeates proposal. She supports the project and does not want to hinder it, and believes that Mr. Yeates proposal is consistent with the action they took with the Lake Tahoe Community College in allowing height issues for particular projects to be addressed by the TRPA on an individual basis.

Ms. Aldean made a motion to recommend TRPA Governing Board approval of the required findings, as described in Attachment D, including a Finding of No Significant Effect, for adoption of the Bijou/Al Tahoe Community Plan amendments as described in the Staff Report, limited to the Recreation Center only

Ayes: Ms. Aldean, Mr. Bruce, Ms. Gustafson, Mr. Hoenigman, Mr. Lawrence, Mr. Yeates

Recused: Mr. Friedrich

**Motion carried.**

Ms. Aldean made a motion to recommend TRPA Governing Board adoption of Ordinance 2022-\_\_\_, amending Ordinance No. 2020-04, as previously amended, to amend the Bijou/Al Tahoe Community Plan as shown in Attachment E, Exhibit 1, as it relates to the Recreation Center only

Ayes: Ms. Aldean, Mr. Bruce, Ms. Gustafson, Mr. Hoenigman, Mr. Lawrence, Mr. Yeates

Recused: Mr. Friedrich

**Motion carried.**

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V. COMMITTEE MEMBER COMMENTS

None.

VI. PUBLIC INTEREST COMMENTS

Regarding the Bijou/Al Tahoe Community Plan amendment, Ms. Natalie Yanish said she was disappointed to see just the Recreation Center carved out for approval from the TRPA. As other commenters said, there has been a robust dialog within our community, and she does not see that we should be tying the City's hands to just one item within that area. She understands the committee's concerns, and comments about the overall process, however this has been a long time coming and she would hate to see the project delayed by any means.

Ms. Yanish said she thinks this also goes to the bigger issue of the TRPA and the local jurisdictions, and how they can work together. And lot of work has been done on this, and then it comes before the Regional Plan Implementation Committee, to go before the TRPA Governing Board, and then it has to go back. So, it feels like there is a lot of back and forth.

Ms. Yanish said she uses the existing facilities and offered to provide committee members a tour to illustrate what great improvements the City is proposing. The project is not only incredibly important for our community, but it also delivers a lot of environmental benefit and impact.

VII. ADJOURNMENT

Ms. Aldean made a motion to adjourn.

Chair Mr. Yeates adjourned the meeting at 11:44 a.m.

Respectfully Submitted,



Tracy Campbell

*The above meeting was recorded in its entirety. Anyone wishing to listen to the recording of the above-mentioned meeting may find it at <https://www.trpa.gov/meeting-materials/>. In addition, written documents submitted at the meeting are available for review. If you require assistance locating this information, please contact the TRPA at (775) 588-4547 or [virtualmeetinghelp@trpa.gov](mailto:virtualmeetinghelp@trpa.gov).*