

TAHOE REGIONAL PLANNING AGENCY  
REGIONAL PLAN IMPLEMENTATION COMMITTEE

Zoom/TRPA

February 22, 2023

**Meeting Minutes**

CALL TO ORDER AND DETERMINATION OF QUORUM

Ms. Gustafson called the meeting to order at 4:14 p.m.

Members present: Ms. Aldean, Ms. Diss, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Mr. Settlemeyer

I. APPROVAL OF AGENDA

Mr. Hester said Item 5: Informational presentation on proposed code amendments to the “Achievable” deed restriction category definition, including changes to Chapters 34.3.3, 52.3.4, and 90.2 will be rescheduled to next month.

Members of the public will have an opportunity to make public comment on this item.

Mr. Hoenigman moved approval.  
Ms. Gustafson deemed the agenda approved as posted.

II. ELECTION OF CHAIR AND VICE CHAIR

Ms. Gustafson nominated Mr. Hoenigman as Chair and Ms. Diss as Vice Chair.

Ms. Gustafson made a motion to approve Mr. Hoenigman as Chair and Ms. Diss as Vice Chair.

Ayes: Ms. Aldean, Ms. Diss, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Mr. Settlemeyer  
**Motion carried.**

III. APPROVAL OF MINUTES

Ms. Gustafson made a motion to approve the January 25, 2023, minutes as presented.  
**Voice vote.**  
**Motion carried.**

IV. Informational presentation on proposed amendments to Washoe County’s Tahoe Area Plan to allow single family condominium uses in Special Area 1 of the Incline Village Commercial Regulatory Zone

TRPA staff Mr. Stock and Ms. Weiche, Washoe County provided the presentation.

Mr. Stock said the Tahoe Area Plan was approved in 2021, it encompasses the entirety of Washoe

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County's jurisdiction in the basin. This proposed amendment aims to allow single family housing limited to condominiums in Special Area 1 of the Incline Village Commercial Town Center. This zoning change will allow for the option to subdivide multifamily rentals into owner occupied condominiums. The amendment also codifies up an existing policy in the plan requiring that condominiums are only allowed in this zone when part of the mixed-use or affordable housing development.

A development code amendment applying this change has already been approved by the Washoe County Board on January 17, 2023. TRPA Governing Board approval is still required for the amendment to go into effect. TRPA staff review any area plan amendments for Regional Plan conformance. They reviewed an initial draft of the Initial Environmental Checklist for this amendment and returned comments to county staff. At this time, they don't anticipate any conformance issues with the county's proposal. Based on comments today, Washoe County will work with TRPA to complete any revisions and bring an amendment to the Advisory Planning Commission and back to the Regional Plan Implementation Committee next month. If recommended for adoption, they anticipate holding a Governing Board hearing in April.

Ms. Weiche said the request is to amend the Tahoe Area Plan, Appendix A, Development Code Standards, Article 220, Tahoe area to add single family dwellings limited to air space condominiums as an allowed use in Incline Village Commercial Regulatory Zone Special Area 1 and to amend Article 220.15 to add reference to existing Tahoe Area Plan Land Use Policy 2-9, which states single-family dwellings shall only be allowed in the Incline Village Commercial Regulatory Zone when they are a part of a mixed-use development or when they are affordable housing units.

The Tahoe Area Plan was adopted by the Board of County Commissioners in January of 2021.

It was adopted as a Master Plan amendment incorporating the Tahoe area plan there to and adopted an amendment to the Development Code incorporating basically Appendix A, which is Article 220 Tahoe Area Plan in Article 220.1 Tahoe Area Design Standards. In May of 2021, the TRPA Governing Board adopted the Washoe County Tahoe Area Plan and amendments as necessary to the TRPA Code of Ordinances. In late 2021, the County received an application for a special use permit to develop a 40 unit multi-family project on two properties in the Incline Village Commercial Special Area 1 Regulatory Zone. It was later determined a special use permit was not required for a multi-family dwelling in this regulatory zone as it was in allowed use. Subsequently the applicant submitted a tentative map to subdivide the proposed multi-family dwelling project into single-family dwelling condominiums. It was at this time that it was discovered by both TRPA and county staff that those single-family dwellings, even as condominiums, were not an allowed use in Special Area 1. Even though it is allowed in the broader regulatory zone of Incline Village commercial.

As a result, in July of 2022, the same applicant submitted a development Code amendment application WDCA22-002 to the County to add single-family dwellings limited condominiums as an allowable use in the Incline Village Commercial Special Area 1 Regulatory Zone. For the County the requested amendment only impacts the development code as the county adopted Appendix A, Development Code Standards of the Tahoe Area Plan separately from the Master Plan into the development code. Since TRPA adopts the whole document as one area plan, the same request for TRPA purposes is an area plan amendment.

In November of 2022, the Washoe County Planning Commission reviewed the proposed

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amendments to Washoe County Code Chapter 110, Development Code, Article 220, and voted unanimously to recommend approval of the amendment to the Board of County Commissioners. In December of 2022, the Board of County Commissioners introduced and conducted a first reading for Bill 1888 and ordinance amending the applicable sections of the Development Code as discussed. On January 17, 2023, the Board of County Commissioners held a public hearing and conducted a second reading for Bill 1888 and adopted Ordinance number 1696 which amended Washoe County Code Chapter 110, Article 220, Tahoe Area. All of that meetings were opened to the public, and appropriately noticed.

The County did require that the applicant host a community meeting prior to any of the Washoe County required public hearings. The applicant held a community meeting on August 22, 2022, approximately 3,200 individual email recipients received the meeting invitation and 34 people were in attendance. Public comment included a mix of both support and opposition for the proposed amendment. Many of the comments focused on a specific project known as Nine 47 Tahoe which was the project that she discussed earlier in the impetus for the requested amendment.

The Special Area 1 is outlined in red on slide 5 and is within the Incline Village Commercial Regulatory Zone. Special Area 1 parallels Tahoe Boulevard, it begins on the east side at Southwood Boulevard and extends to the west boundary at 836 Tahoe Boulevard. It encompasses roughly one to two parcels deep or adjacent from Tahoe Boulevard.

The text change or amendment to the area plan is shown in red on slides 6 and 7. The amendment would add single-family dwelling as an allowed use with one unit per parcel, subject to \*only when associated with an approved tentative subdivision map of a multi-family project into air space condominiums. In other words, single-family detached dwellings are still prohibited. This would be limited to air space condominiums.

The second portion of the request would add reference to existing Land Use Policy, LU2-9 of the Tahoe Area Plan clarifying that this policy will apply to all of Incline Village Commercial including Special area 1. This would add the policy requiring that single-family dwellings shall only be allowed in the Incline Village Commercial Regulatory Zone when they are part of a mixed-use development or when they are affordable housing units.

Mr. Hester said pointed out again that they're just looking for input from committee members today and it's not a decision.

Presentation can be found at: <https://www.trpa.gov/wp-content/uploads/Regional-Plan-Implementation-Committee-Item-No-4-Washoe-County-Tahoe-Area-Plan-Amendment.pdf>

### Committee Comments & Questions

Ms. Aldean said reading the memorandum received from Washoe County, it did indicate under background information that the applicants indicated at the time of their application their desire to eventually subdivide these multi-family dwellings into air space condominiums. Is that correct?

Ms. Weiche said at this time, the amendment before TRPA is specific to the Special Area 1 addition of single-family dwellings. It is her understanding that the applicant to the County for the development code amendment is intended to provide the option for a project within Special Area 1,

the ability to apply for a tentative subdivision map of a previously approved, multi-family dwelling project by TRPA late last year.

Ms. Aldean said she's trying to establish that when this application was made to Washoe County as of October 8, 2021, the County was aware of the applicant's intent to eventually subdivide these multi-family dwellings into air space condominiums. Someone may have misunderstood that this was always, as she understands it, the intent of the developer, that this was never an affordable housing project. There are folks in Incline Village that would like it to be affordable housing but doesn't believe that was ever the intent of the developer. She's trying to determine whether or not there were any blatant misrepresentations by the applicant of any sort.

Ms. Weiche said yes, that is correct. In regard to the application in October, which was when it was determined that these Special Area 1 uses are not in addition to all of the uses allowed in the broader Incline Village Commercial Regulatory Zone. Instead, are separate from an independent and that was when they determined that they could not accept the tentative subdivision map, because single-family dwellings were not permissible. That has been the intent specific to that project from the beginning when they first applied for a multi-family dwelling project via a special use permit.

Mr. Settelmeyer asked for more background information, because he's not familiar with it. Would this be going forward, or does that include the project that was being discussed? Because it seems to him that they have a pretty good case of reasonable detrimental reliance, if they were to deny it and is why he's a little concerned.

Mr. Marshall said no, the applicant was well aware that there was not the ability to subdivide when the application for the original multi-family came before TRPA. It was discovered, during that process that they were going to have to do something in the future to allow them to subdivide an existing structure. So, there's no detrimental reliance on some sort of promise that there was the ability to subdivide. This would add that ability to the area in which the project is located.

Mr. Settelmeyer said he'll research and follow up offline.

#### Public Comments & Questions

Lew Feldman on behalf of Nine 47 Tahoe, the applicant that has started this ball rolling. He thanked Ms. Weiche and Mr. Stock for their assistance in this. Ms. Aldean's comments were completely accurate. This project was approved, as a multi-family residential project by TRPA in June of 2022, and in the fall of 2021, when the application was made, it was unknown to the applicant, he thinks various staff members that single-family use was not allowed use within the special area. That's fairly unique within the urban areas and Tahoe. He's processed a number of these projects through the years and typically, the processes is a two-step subdivision. First, it gets approved as a multi-family residential project, which is how this project was submitted with full disclosure, that it was intended to be condominiumized. It was later discovered that there was a policy in the original community plan from the 1990s that was carried forward into the area plan, quite frankly, with really no review or comment. Upon further investigation, and as you look at the map that was shown earlier, it was the intention of the planners and there's some evidence in the record to this effect from a former TRPA staff member, Andrew Strain that the intention was not to prohibit condominiumization of a multi-family residential project as is the custom and practice in the basin but to prohibit a lot and block subdivision which would be inappropriate along Tahoe Boulevard in

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this urban core. There was a disconnect, it's created a little bit of stress and struggle, but they are pleased that Washoe County has embraced the proposed amendment and look forward to the process continuing through the Regional Plan Implementation Committee, the Advisory Planning Commission, and the Governing Board.

Royal Kuckhoff, local businessperson and homeowner in Incline Village. He arrived in Incline Village in 1970, nine years old, grew up there, raised 3 daughters and has seen many changes to our town over those years, some good, some bad. Nine 47 Tahoe definitely lands on the good side of the ledger. He voiced his strong support for Nine 47 Tahoe project plan amendment to allow for condominium ownership. This form of ownership will benefit our local community to bring full and part-time owners into our community versus transient long-term renters which has already been approved for rental, he thinks, not for ownership. That's the difference. The project has already been approved for rental, MFD form of ownership. No short-term rentals will be allowed at the project per the HOA, Covenants, Conditions, and Restrictions (CC&Rs). The amendment process is necessary to update the old and outdated development code by allowing the condominium form of ownership. As stated, Washoe County Commissioners approved this last month. Incline Village needs this investment to help our local economy, environment, and community. For too long, these two parcels for more than 20 years have been sitting dormant and stagnant. He grew up with the respected families of the business that used to be there which was the Parson's family; Stanley's Restaurant and Parks family where the Chevron gas station used to be. The only decision here is whether units are for sale or for rent and is advocating that it is a for sale project. Pride of ownership rather than transient long term rentals. He doesn't understand why ownership would be questioned here. The developers also a community longtime resident philanthropist. He's also in the planning process on an affordable housing project in another location that he already owns in Incline Village. Incline Village wins twice, what's to argue. The condominium form of ownership will directly deliver the greatly good investment in environmental improvements to our community and is in alignment with the Tahoe Area Plan.

Randy Fleischer thanked Ms. Weiche and Mr. Stock for their hard work on this. Mr. Fleischer is one of the co-developers on Nine 47 Tahoe. The project was unanimously approved for multi-family rental. It met all the TRPA requirements in terms of environmental, reduced trip usage and all the criteria. There really no difference between multi-family and condominium in terms of use as affecting the Lake. It's fully in line with the Regional Plan in terms of walkability and using the bike paths and all those things. Hopefully, this informational session gives you the information needed to move forward with the Tahoe Area Plan.

Stacey Hanna strongly support the Nine 47 project in the Development Code Amendment for the allowed use of condominium form of ownership. She's been a resident of Incline Village since 1979. She and her husband have raised their family in Incline Village, volunteered their time to local organizations and have grown their business right here. They are a permanent part of Incline Village and care about our community. She's currently representing Nine 47 Tahoe. The amendment allows for the sale of 40 condominiums with permanent residence. The Nine 47 Tahoe will be built with a sense of place fitting into our community as well as creating a more walkable town corridor. There's an urgent need for newly constructed condominiums and homes in our area, with housing needs at all levels. Currently buyers are purchasing workforce housing and extensively remodeling these units. Once these condos and homes are back on the market they are too expensive for our workforce, whether they're purchasing or renting. The resale value of these remodeled units make them unobtainable for our workforce. Nine 47 Tahoe can change this by creating condominium units

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that buyers want. Centrally located walkable and bikeable, Nine 47 Tahoe is a place for every generation. There's a significant amount of interest in purchasing these units with many potential owners already homeowners in Incline Village. Residents of Incline want to grow old in our village. They need walkability, convenient underground parking and ease of maintenance, and especially elevators. Nine 47 Tahoe is fully entitled for 40 apartments for rent and is in favor of ownership amendment. The community needs to address our housing shortage and especially needs to create solutions which leaves the current workforce housing in place.

Susan Lowe a 45 year resident of Lake Tahoe who has raised two children here. She started her career in the casino business and then went into the real estate business. She's the President, co-owner, and corporate broker for Chase International Real Estate who have offices around the entire basin, Truckee, Reno, and the Carson Valley. They employ over 70 people and have over 350 agents in our region. They are in dire need of housing inventory in all income levels. They are experiencing historic, low inventory levels in all of our all of our region marketplaces. This project will help address the housing shortage by adding four new living units at Town Center. In addition, as previously stated, the developer, Randy who just spoke, is planning on an affordable housing project for our community. This project also implements the goals of the Tahoe Area Plan to concentrate development in the Town Center and create walkable communities. It reduces trip generation by 1,500 daily vehicle trips, and vehicle miles traveled. It contributes over 45 million across two years to the local economy for annual taxes, job creation, new economy activity, and of course, housing. It reduces dependence on autos and parking demand with the direct access to the bike and walking path trails. It certainly increases property values and attracts more investment, it upgrades stormwater management controls, and it enhances the community vibrance and connectivity. As stated before, the only issue here is whether it's going to be for rent or for sale and she's advocating that it is for sale. That would benefit the community and the environment. She's been an active member of this community and voiced her strong support for Nine 47 Tahoe project in Incline, and the Development Code Amendment to allow for the condominium ownership.

Doug Flaherty said there's a red herring going on here. There's lots of mention about Nine 47 Tahoe, yes, that is a project at the corner of Southwood Boulevard and State Route 28. It's two parcels, yet the developer asks for an extended coverage amendment that affects the area plan, for he believes, 30 some odd parcels. Why didn't the developer simply go through a similar process to ask for a variance for this particular corner? Instead, they ask for the ability to completely do away with the potential for workforce housing by adding this amendment area plan Special Area 1 throughout and up and down the main highway of SR 28. He hopes this committee considers, you have it within your power to simply say, Okay, you want to do Nine 47 Tahoe then we'll approve an area plan amendment for these two parcels rather than a developer driven request to transform the entire Special Area 1 into single-family condominiums that basically, whether they stated or not in the CC&Rs those can be changed. That's going to be a continued glide path to short term rentals. Right now, the far reaching Special Area 1 amendment greatly diminishes the solution opportunities for workforce achievable on affordable housing throughout the entire Incline Village Special Area 1. Let's limit it to two parcels, runs counter to the goals and policies of the area plan, encouraging affordable, moderate, achievable employee housing by removing one out of three preferred areas to achieve this preferred purpose, and continues to perform a glide path for increased numbers of short term rentals. As we go through this process, he urged TRPA, it's committees to take this into consideration. It's a very extended request, based on a developer wanting to basically build on two parcels.

Kathie Julian noted that a number of realtors have commented in support of the zoning change and somehow there is some bias against renters in some of these comments. She hopes TRPA is focused on the need for rental housing for our workforce. This is critical. They cannot at this stage be supporting a zoning change in our commercial area that discourages workforce housing, and in particular rentals. She completely agreed with the previous speaker, who suggested that, why don't they simply limit this zoning change to these two parcels, and let alone the other areas of our commercial centers for the development of truly mixed-use, workforce housing. With this zoning change a number of people in this community and far beyond the 34 that showed up at that meeting are concerned that this zoning change will result in commercial area properties in that flat land of Incline increasing in value because you can build \$2.5 to \$5 million condos which those 40 units will be sold for \$2.5 to \$5 million. It is hardly contributing to the necessary housing inventory for Incline Village at those rates. Small businesses will find it even more difficult to develop their businesses in our commercial area when developers will want to build luxury condos. The zoning change will do nothing to encourage affordable workforce housing. It will make it more difficult to incentivize rental housing which we so desperately need. Renters are not scum bags of the Tahoe Basin. They are your vital network of employees, and they need professionally managed rental properties, so that these people can be properly housed in areas that can benefit from the walkability and proximity to stores and commercial centers. Please look at this zoning amendment with an eagle eye and parse it so that you can satisfy what the developer needs but nonetheless don't undermine the incentive for workforce housing and Incline Village.

Helen Neff, resident of Incline Village and neighbor close by to this project. Since the first neighborhood meeting which was held in January 21, she told the developer she's not against this project or something being built on that corner, but there's so many issues. Like the previous speakers, just wondering why this is a complete Washoe County Tahoe Area Plan change. The plan was created by the community and the purpose of the area plan was to implement what was the character and vision expressed by the community, and that included affordable workforce housing on a safe pedestrian bicycle network and neither of those have been accomplished. Nothing is on the table for either of those. The many letters included in the board packet are in favor of one project, Nine 47 Tahoe condominiums, and not an entire development code change. It's bewildering why one project located at the far end of the commercial zone requires a wide sweeping change for the entire district. The intersection where this development is being proposed is rated. F. It needs attention before construction vehicles and residents are brought in. The condominium is being sold as pedestrian friendly. She tells you from personal experience, it is not pedestrians friendly. They need to think about the safety of the people that no matter how much they're spending or how little they're spending on a project. The restricting of short term rentals in the CC&Rs are not enough if this project goes forward, it needs to be in the deed. The County is proposing that it be approved as a mixed-use development. It has how many square feet of condominiums? and 900 square feet of commercial area. There does have to be a definition of what mixed-use is, or you are going to see all commercial space in this zone eliminated and high-end luxury condominiums built. She feels for these developers, and understands what they're going through, she's not against development, just need smart planning for our village.

Ronda Tycer, as you've been hearing, she and most Incline Village residents are not against the Nine 47 development, and sincerely wish the project developers well. Although there are many valid Incline resident complaints that should be taken into consideration the project itself could, with a few changes, be a plus for Incline Village. These changes would ensure that the development does not further load infrastructure, and it truly contributes to Incline as a village. A compromise that

could be made, so that this project can move forward with the support of the entire community, many of whom are concerned about the long-term consequences of changing the Washoe Tahoe Area Plan. These consequences have been well explained to you in previous meetings, and our public input. One of their greatest concerns is that such condos will eventually be used as short-term rentals rather than for actual resident housing. If this possibility could be eliminated, many Incline residents might support this and future development in their Town Center. Addressing this concern just requires all condominiums within special areas in Incline to be deed restricted upon sale, so that they may not be rented out for less than four months at a time. If as the Nine 47 developer claims, after long discussions with prospective buyers, that these buyers do not want to use the condos as short term rental then there should be no reason not to deed restrict these condominiums from the get-go. Thank you reconsidering the change to the Washoe Tahoe Area Plan and for affecting the simpler solution of requiring air space condominiums in Incline's special commercial zones to be deed restricted to eliminate short term rentals.

Scott Robbins, member of the South Lake City Council on behalf of himself in his own individual capacity, and not representative of the City Council as a whole, nor are they reflective of the city government as an entity. He was not intending particularly to comment on this project in Incline as it's not in his home turf. He's a South Lake resident, and a South Lake representative. But a number of the things that came up in the other public commenters and from the developers thought warranted attention.

The description from those involved in the project, and some of those supporting the project of renters as being transients, is offensive. As these projects are deliberated at the TRPA level, and those who are involved in zoning, those should be considered. He's a renter, he cannot afford to buy a house in the City of South Lake Tahoe, and has tried and still working on it. He doesn't consider himself a transient. He's an elected representative of the people of the City of South Lake Tahoe. He's served search and rescue and has been a community advocate for more than half a decade. He is a valid member of this community as much as anyone who can afford to own a home, and certainly as much as a second homeowner. So, when they consider projects like this going forward and is not here to be pro or con about this particular project. But when we consider the value of the lives of those who rent homes in our community in order to live here because they cannot afford to buy them, those voices and those lives matter. They are relevant to our community, they are the people who form the basis of our economy, and they are the people who serve the drinks, the food, cook our meals, serve the tourists, load the lifts, run the snowmaking, teach the ski lessons, rent the boats, and serve the tourists. The idea that those are somehow lesser people and merely transients and not worthy of protection and consideration is offensive.

When these projects are considered and they are thinking about how they will impact the rental market, impacts that reduce the availability of rental housing, that is often the only kind that is affordable to the majority of the people who actually live here should be a top consideration. That's not a negative, it's not a good thing to eliminate rental housing. It's not merely a positive to say, we should all have pride and ownership, therefore we should get rid of rental housing. He urged this committee and agency to consider the full spectrum of the people who live here.

#### Staff Response

Ms. Weiche said this has been brought up at the Washoe County public hearings or meetings regarding the direction that they went in with the application to allow for single-family dwelling



condominiums to allow for those in all of Special Area 1. There was actually a couple of different approaches that they discussed with TRPA staff, on how they could potentially allow or support for that use to be allowed in that area. To restrict it, or to only allow it on these two parcels related to the project that they've been discussing lends itself to spot zoning. The special areas in general, at least to her understanding, were intended to provide additional uses or different uses or different standards within a broader regulatory zone. In a sense, if they were to only address or allow for single-family dwellings on these two parcels, they'd almost be creating another special area within a special area because you're looking at only allowing certain uses on two parcels and is not something that the county was willing to support.

Some of this will come out as part of the Initial Environmental Checklist and Conformance Review Checklists and all the other TRPA environmental documents. The County's position is that allowing or adding single-family as a permissible use to the list of allowed uses in Special Area 1 is furthering the goals of mixed-use development, walkable communities, and having residential uses in commercial uses within the Town Centers. This not prohibiting affordable housing. There is no impact on whether or not a person or a property owner wants to develop affordable housing. Instead this is adding the option for property owners throughout all of Special Area 1 the ability to pursue single a single-family dwelling limited to condominium only if it is a part of a mixed-use project, or is an affordable housing unit. That is the only use that actually has that requirement.

There was also a comment about why they didn't do a variance. A variance would not address this sort of request. For the County, variances are specific to certain standards such as a setback or a height limitation.

Mr. Stock said for those who are less familiar with the TRPA system, they're sort of in a unique position of not being able to grant variances because of our threshold requirements. That's another reason why a variance would not be an option.

#### Committee Comments & Questions

Ms. Aldean said tiering off of that, it was also mentioned that considering the size of the project with the 40 units, there's a relatively small amount of commercial. She presumes that Washoe County's code does not include some ratio with respect to commercial square footage versus residential use.

Ms. Weiche said she believes both TRPA and Washoe County, is well aware that this is something that they would like to see clarified and have a ratio. Unfortunately, her understanding is that both TRPA and the County have a mixed-use definition, but they don't necessarily have the a ratio, or what specifically makes a project mixed-use. Is it 200 square feet of commercial versus more residential units, what is mixed-use? Washoe County will be pursuing a broader area plan amendment within the next year addressing some additional concerns which include housing issues and mixed-use is high on that list. Specifically, because this project has brought to light because that is something that they need to define in order to see these mixed-use projects meet the goals of the area plan specifically within the Special Area 1 which requires if somebody was to pursue single-family dwellings, mixed-use, or affordable housing components.

Ms. Aldean encouraged them to do that. The 225 square feet is less space than a Subway shop. The objective as she understands it for mixed-use projects is to reduce the necessity of people occupying

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these units to having to travel any distance for basic goods and services. It's an opportunity for them to shop where they live. In furtherance of that objective, TRPA, Washoe County, and the other local jurisdictions need to take a hard look at what that ratio should be.

Ms. Aldean asked Mr. Feldman about the restrictions on short term rentals. As she understands it, there is no deed restriction, it's just a prohibition in the CC&Rs, but CC&Rs can be amended. Did the developer consider deed restricting these to prevent short term rentals?

Mr. Feldman said on behalf of Nine 47 Tahoe. That's a topic of conversation that they will have before the next meeting is convened and can report back on that. The intention was to prohibit short term rentals through the CC&Rs. But whether or not there's a more aggressive opportunity to address that, stay tuned.

- V. Informational presentation on proposed code amendments to the "Achievable" deed restriction category definition, including changes to Chapters 34.3.3, 52.3.4, and 90.2

This agenda item will be rescheduled to March.

Public Comments & Questions

None.

- VI. COMMITTEE MEMBER REPORTS

None.

- VII. PUBLIC INTEREST COMMENTS

Doug Flaherty provided a hypothetical opinion. Does Washoe County along with TRPA have the ability to remove parcels from special area designations in the area plan?

- VIII. ADJOURNMENT

Ms. Aldean moved to adjourn.

Chair Mr. Hoenigman adjourned the meeting at 5:16 p.m.

Respectfully Submitted,



Marja Ambler  
Clerk to the Board

*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).*