

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

North Tahoe Events Center /Zoom

February 28, 2024

Meeting Minutes

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Ms. Gustafson called the meeting to order at 11:50 a.m.

Members present: Ms. Aldean, Ms. Bowman/Mr. Di Chiara (for Mr. Aguilar), Mr. Bass, Ms. Conrad-Saydah, Ms. Faustinos, Ms. Gustafson, Ms. Hays, Ms. Hill, Mr. Hoenigman, Ms. Laine, Ms. Leumer, Mr. Rice, Mr. Settelmeyer, Ms. Williamson

Members absent: Ms. Diss

II. PLEDGE OF ALLEGIANCE

Ms. Regan led the Pledge of Allegiance

III. APPROVAL OF AGENDA

Ms. Regan said members of the public requested that the Governing Board pull Consent Calendar Item No. 4: Notice of Preparation for Joint Environmental Impact Report/Environmental Impact Statement for Proposed Boatworks Redevelopment Project; 740, 760, and 790 North Lake Boulevard, Tahoe City, Placer County, California; APNs 094-090-001, -033, -036, -042, and 065; TRPA File # ERSP2022-0953. Staff suggested that this item be heard immediately following the remainder of the consent calendar.

Ms. Gustafson suggested that this item be pulled for discussion.

Ms. Hill moved approval of the agenda as amended.

Motion carried.

Mr. Marshall introduced new attorneys Marsha Burch who will be working 80 percent time on March 3rd and Graham St. Michel who has joined the Agency full time.

IV. APPROVAL OF MINUTES (January 24, 2024 Governing Board Minutes will be in the March 27, 2024, Packet)

V. TRPA CONSENT CALENDAR

1. January Financials

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2. 2024 Aquatic Invasive Species Watercraft Inspection Fee Schedule
3. Vision Zero Strategy
4. Notice of Preparation for Joint Environmental Impact Report/Environmental Impact Statement for Proposed Boatworks Redevelopment Project; 740, 760, and 790 North Lake Boulevard, Tahoe City, Placer County, California; APNs 094-090-001, -033, -036, -042, and 065; TRPA File # ERSP2022-0953

Items one and two were heard by the Operations and Governance Committee, item three was heard by the Transportation Committee, and item four was not heard by any committee but was heard this month at the Advisory Planning Commission meeting.

Ms. Laine said the Operations and Governance Committee recommended approval of items one and two. In spite of the fact the state of California continues to have debt issues, our budget is about 54 percent of revenue and 39 percent for this time of year for expenses. On item number two, there was a recommendation for an increase in fees. The proposed increases will go into effect tomorrow.

Ms. Hill said the Transportation Committee recommended approval of item number three.

Board Comments & Questions

None.

Public Comments & Questions

Ann Nichols, North Tahoe Preservation Alliance said the line item for contracts in the budget is vague. She'd like to see how much of that is for consultants. There also seems to be a lot of money in the bank and maybe could use some of that to get the lead pipe out of the lake and do something for affordable housing.

Ms. Hill moved to approve the consent calendar excluding item number four.

Ayes: Ms. Aldean, Ms. Bowman (for Mr. Aguilar), Mr. Bass, Ms. Conrad-Saydah, Ms. Faustinos, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Ms. Laine, Ms. Leumer, Mr. Settelmeier, Ms. Williamson

Members absent: Ms. Diss, Mr. Rice

Motion carried.

Ms. Aldean moved to adjourn as the TRPA and convene as the TMPO.

Motion carried.

VI. TAHOE METROPOLITAN PLANNING ORGANIZATION CONSENT CALENDAR

1. 2023 Federal Transportation Improvement Program Amendment No. 7

Ms. Hill said the Transportation Committee recommended approval of item number one. The committee discussed the Vision Zero Strategy just approved on the consent calendar as well as transportation goals and strategies moving forward. They discussed how they can ensure that all of the players around the lake working on transportation and transportation implementation are on the same page with projects. We can't ask for funding or look at a funding strategy until we are all on the same page. There's more work to be done. They also recommended approval of

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changes to the Regional Transportation Plan through resolution.

Board Comments & Questions

None.

Public Comments & Questions

Elisabeth Lernhardt, Zephyr Cove resident, is not against planning for this area but is against the ideological twist that is put on roads. It makes no sense to believe that the purpose of transit is to serve people who need it rather than to try to socially engineer people out of their cars. Unfortunately, being a Metropolitan Planning Organization dependent on federal money and seeing from the Federal Highway Association what strings are attached to these monies, she disagreed with these ideologies. Whatever acronym is floating around is not helpful when it comes to asphalt, stripping, and traffic signals. We need to look at why we are doing it, not ideological twists to it.

Ann Nichols, North Tahoe Preservation Alliance said the public needs to know what's up with this transportation funding. Rip the bandage off, tell the people about the 7-7-7 plan, tell them that you are looking at everything from sales to property taxes.

Ellie Waller asked what TRPA is doing with the December 31, 2023, deadline. It's uncomfortable for the communities at large to try and figure out if TRPA has not met an obligation.

Ms. Hill moved to approve the consent calendar.

Ayes: Ms. Aldean, Ms. Bowman (for Mr. Aguilar), Mr. Bass, Ms. Conrad-Saydah, Ms. Faustinos, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Ms. Laine, Ms. Leumer, Mr. Settelmeyer, Ms. Williamson

Members absent: Ms. Diss, Mr. Rice

Motion carried.

Mr. Bass moved to adjourn as the TMPO and reconvene as the TRPA.

Motion carried.

Consent Calendar Item No. 4: Notice of Preparation for Joint Environmental Impact Report/Environmental Impact Statement for Proposed Boatworks Redevelopment Project; 740, 760, and 790 North Lake Boulevard, Tahoe City, Placer County, California; APNs 094-090-001, -033, -036, -042, and 065; TRPA File # ERSP2022-0953

Ms. McMahon said on January 31, 2024, TRPA and Placer County issued a joint Notice of Preparation for the proposed Boatworks redevelopment project. A joint environmental impact report and statement will be prepared.

There were two public scoping meetings: one at TRPA' Advisory Planning Commission meeting and then one earlier this week in Tahoe City. Comments will be accepted today for input regarding the potentially significant environmental issues associated with the project as well as reasonable alternatives and mitigation measures.

The comments received through the scoping process will be taken into consideration by the project team while preparing the environmental document. The merits of the project will be

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discussed at a future date. The project, located in Tahoe City, California, involves removing existing buildings and constructing a new hotel, condominiums, and commercial space along State Route 28. The project site is adjacent to the Tahoe City Marina.

The proposed project aligns with the adopted Placer County Tahoe Basin Area Plan. An alternative option involving an increase in underground parking spaces is contingent upon an area plan amendment being approved. Public input from the scoping process will be used to develop a draft environmental impact statement and report. The draft report will be released for a 60-day public comment period, followed by responses to comments and the finalization of the environmental document. In addition to the proposed project, the environmental document will evaluate a no-project alternative, a reduced height alternative, and a reduced units and shared access alternative.

Public written comments are being accepted until February 29th. Information on how to submit public comment can be found in the Notice of Preparation and on the Lake Tahoe Info Parcel Tracker.

Presentation: [Consent-Calendar-Item-No-4-Boatworks-Notice-of-Preparation.pdf](#)

Board Comments & Questions

Ms. Aldean said traditionally, Notice of Preparations have come before the board, rather than being put on consent.

Mr. Marshall said the Compact and Rules of Procedure require that they be placed on the agenda. Historically, we've presented them as a standalone agenda item. However, through discussions with the board and executive director, it was decided they could be put on consent, although we removed this for public input.

Ms. Aldean said she understands the importance of time management, providing an opportunity for the board to weigh in and offer valuable input during the scoping process is essential.

Ms. Regan said going forward, we'll make presenting Notice of Preparations as a standalone agenda item our usual protocol. Years ago, the Advisory Planning Commission did some strategic planning, including moving scoping and project vetting opportunities with the APC. However, it's been a long time since then, and we'll take that into account moving forward.

Public Comments & Questions

Doug Flaherty, TahoeCleanAir.org said streamlining, that's what it got us. An important issue here right next to a stream environment zone and we're going to streamline it. Totally unacceptable. The scoping out and dismissal process is highly controversial as it represents a continuing scheme by Placer County and the TRPA to deny the public and public agencies a comprehensive cumulative environmental analysis based on the circumstances of new, changing, and unmonitored cumulative impacts. Since the 2012 TRPA Regional Plan as well as the 2016 Placer County environmental impact report, this active scheme provides a continuing glide path to rob our cherished Lake Tahoe Basin, its residents, and visitors of a comprehensive, cumulative environmental and public safety analysis. TRPA and Placer County have a responsibility to ensure that the EIR/EIS discussed in the Notice of Preparation includes analysis of new and changed circumstances, cumulative impacts, and other information which may result in new significant impacts not considered in a previous EIR and EIS and must provide a comprehensive analysis of

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all topics they presently intend to scope out or dismiss.

Adding to the controversy of scoping out or dismissing wildfire from a comprehensive environmental review in advance of the EIR/EIS thwarts adequate public safety analysis opportunities within the unique Lake Tahoe Basin. This is a sham. Why don't you provide the leadership to stop this or are you part of the scheme?

Ann Nichols, North Tahoe Preservation Alliance asked how many cubic feet or cubic yards of dirt will be removed on this property? How deep will the cut be? How many cubic feet of water will be diverted and dammed There are metal pilings at the base in front of Jake's years ago when they did the marina, and it just acts like a dam. So, this is actually an old swamp. The Boatworks have five sump pumps going year-round and had as much as two feet of water under the building. How will they do underground parking. It would be great if they would do balloons for the height because it's 56 feet up on the road, it's 56 feet down on the lake and then there's a big slope uphill so it's going to be maybe equivalent of 80 feet massing. TRPA has always failed us on is by just worrying about coverage. Any new project is covered by the coverage with 56 feet and is huge massing. It's huge amounts of development and build out. But the local traffic person will always say it's less traffic.

How are the trucks going to get in and out? There's really no transfer or circulation going on there. And then there's the marina next door who says they have parking that they're dedicated to and how do they get in and out? It would be nice to see a site plan that shows the neighboring property too. Also, a little less encroachment on Bliss Creek as a public benefit is weak. When you're leaving there, it's only two lanes and will need a right and left turn lane and a signal. It's disappointing that they had to fight to get this off consent.

Ellie Waller said this project is proposed on 3.8 acres, it's not a lot of land. We've talked about height, but it's all the other accessory uses. Snow storage comes to mind as an issue close to a stream environment zone and the shorezone. Mitigating the groundwater intercept, which will come up in the Tahoe Basin Area Plan this afternoon. We were told that the TBAP wasn't going to be project specific.

Underground parking does alleviate some of the need for coverage. How will this project meet the net zero requirements? Proposing the following is you can't quantify people using public transit. Are you going to ask the guy at the desk did you use public transit today? Parking, bicycle parking, it just doesn't fit the mold for mitigation. Will the hotel be conditioned in the first phase? This isn't part of a Notice of Preparation, but we continually do this. We allow luxury condominiums to be built. We don't know if the hotel is ever going to get built. That needs to be taken into consideration in all future projects.

Also, the in-lieu affordable housing fees. We are before this board all of the time and there's the Tahoe Living Working Group on affordable housing. The Waldorf Astoria at least is trying with 13 to 14 on-site housing units, instead of in-lieu fees. Bliss Creek restoration was brought up, the stream environment zone was brought up at the meeting. A portion of that is on the project site. Maybe this is a cooperative project with Placer County to get that whole area looked at and taken care of. Cumulative impacts of known projects like Dollar Creek Crossing, Tahoe City Lodge, the out-of-basin issues that similarly don't get addressed, the 2040 Truckee General Plan should be analyzed as far as VMT. A lot of her comments were on the 55 page scenic report. Thank you, Ms. Nichols, for bringing up the balloons. The public wants to at least get an idea what this is going to look like. In Tahoe Basin Area Plan and has been stated in comment by Placer is to work with TRPA to relax scenic standards. We've degraded scenic standards for years and years. We

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have sign pollution. Some of this needs to be taken into consideration.

Kristina Hill representing the Sierra Club echoed Ann Nichols and Ellie Waller's comments. We're always talking about workforce and affordable housing, yet you continue to approve these projects for high-end condominiums without any requirement for affordable housing and people can just pay to not have affordable housing is unbelievable. Her first job in Tahoe was at the Boatworks Mall, Hacienda Del Lago. At this time, it needs to have affordable housing. It can't have underground parking because of the high water table. It needs to have a lot more consideration than the items listed in your Notice of Preparation. If you care about workforce housing, make it a requirement.

Joe Lanza said he's faced criticism for being perceived as pro-development. Living here for 50 years, he's been deeply involved in the community in various capacities, from raising a family, running businesses, and engaging in public initiatives. He disagreed with those who criticize without contributing to the community. The proposed project is as a much-needed rejuvenation for Tahoe City. It offers the potential for future generations to live, work, and thrive in the area. Affordable housing is vital, and while the project may not directly address this, it contributes to the overall vibrancy of the community. He's been a part of Tahoe City's evolution for decades, witnessing its highs and lows. While I value constructive criticism, it's time for action. The project represents a positive step forward, breathing new life into the community.

Rhonda Gramanz, lifelong resident, is concerned about limited public access and this is something that's not open to the community. That property would be great if you made it accessible from the sidewalk. All you see is the pool and the 5 star hotel rooms. Everyone knows that people are having a hard time finding housing. What benefit will this development do for her kids when they grow up, they can't afford to stay there or use the pool. The only thing available is the expensive retail that is not for our community. The local retailers won't be able to afford to put a shop there because the property taxes are going to be so high. Tahoe will always be seasonal, and we need to keep things available to our community in the off seasons. I'm not against tourism but is against closing us up and making us look like a Heavenly Ski Resort. Keep the area as public access for everybody.

Judith Tornese said we support the revitalization of Boatworks but emphasize the importance of doing it right. This project will be the centerpiece of Tahoe City, so thorough comparisons between the current and proposed build-out are essential. We need detailed assessments of the height, mass, and parking. We would like to see story poles and emergency evacuation plans review, etc. However, I want to specifically stress that there should be no mitigation for workforce housing and this housing is intended for that purpose exclusively and should not be mixed with tourist or resident condominiums. It's crucial to ensure that housing designated for the workforce remains accessible and affordable for those who need it most.

Gavin Fieger, League to Save Lake Tahoe said the Boatworks team has been in communication with them for the past couple of years. We're excited about the potential for redevelopment on that property. We see it as an opportunity to benefit the community while also providing new hotel accommodations in the core area. We've submitted a comment letter outlining some initial concerns and areas we'd like to see addressed in the full Environmental Impact Report/Environmental Assessment. Our focus areas include traffic analysis, transportation mitigation measures, and aspects of the project description that have been discussed today. We're eager to review the complete proposal and hope that it can effectively serve the community, enhance the environment, and offer new hotel options on the north shore.

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Staff Response:

Ms. McMahon said we are collecting all the written comments and comments made at the public meetings for review.

Board Comments & Questions

Ms. Aldean asked what the theory is behind restricting ownership and limiting occupancy to 90 days per year. Some of these condominiums could be occupied full time versus seasonally and full time residents tend to generate less VMT.

Ms. Murphy, Owner/Manager of the Boatworks Mall, Inn at the Boatworks, and the Boatworks Commercial Condominium. There have been many studies over the past 20 years about bringing hospitality assets into the basin of Placer County. A new hotel has not been built for about 60 years. The approach described involves a hybrid model where condominium units are sold with the intention of being part of a hotel's inventory. While the owners of these units could potentially use them as short term rentals, the strategy differs from traditional STRs in several ways. The condominium units are not solely rented out by individual owners as typical short term rentals. Instead, they are integrated into the hotel's pool of available rooms. This means that when owners are not occupying their units, they are returned to the hotel's inventory for rental to guests.

Unlike standalone short term rentals which are often managed by individual owners or third-party rental agencies, these units are managed by the hotel itself. This allows for centralized control over pricing, availability, and guest services. The use of these condominium units as part of the hotel's inventory may qualify for a transient occupancy tax rebate program. This incentivizes the addition of new hotel rooms in the area while potentially providing financial benefits to property owners.

By including these condominium units in the hotel's inventory, the overall number of available hotel rooms is increased. This can accommodate larger groups and events, contributing to the vibrancy of the town center and supporting the local community. While this approach shares similarities with traditional short term rentals in terms of short term rental use, its integration with hotel operations and participation in a TOT rebate program distinguish it from standalone short term rentals. Additionally, by expanding the hotel's pool of available rooms, it aims to provide benefits to both property owners and the broader community

Ms. Aldean asked how this differs from a short term rental. If they are not being occupied by the condominium owner, then they are being used as short term rentals.

Ms. Murphy said they would go back into the hotel pool and the hotel operator would put them back on the market, which allows more occupancy.

Ms. Aldean said because there is a cap on short term rentals in Placer County, this is being recategorized as a hotel room as opposed to a short term rental even though it's privately owned, and those rooms are being rented in concert with the hotel.

Ms. Gustafson said to some extent Ms. Aldean is correct except the goal is to get these rooms into the town center. In the Tahoe Basin Area Plan there is a goal to reduce short term rentals in the neighborhoods when they get hotel rooms downtown. The area plan didn't want more private condominiums on the lake but rather wanted to continue to have public access to the

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center of town and the lake.

Ms. Murphy said BAE Consulting did a study in conjunction with Placer County to discuss the use of a condo/hotel and how it impacts the occupancy and further economic goals for Placer County.

Ms. Aldean said that would be helpful because we are putting this in a silo in connection with this particular project. If it's part of a broader, more regional approach to reducing short term rentals, for example, then it would be beneficial to see the full report.

Ms. Aldean said there's a paragraph addressing the fact that employee housing mitigation for the project would be provided through an in-lieu fee which she assumed Placer County would use it to develop additional affordable housing elsewhere. Or consisting of existing housing they'd be acquiring off-site property and displacing existing workers, how is that going to work? If it's existing housing, you'd be acquiring housing? That would be an expensive undertaking and converting it into employee housing. Or is it acquiring existing workforce housing? What we're looking for is new workforce housing, not repurposing existing workforce housing.

Ms. Murphy said her operating company buys workforce housing in both Reno and Sacramento. When they are not doing a development, we're operating our Tahoe assets. She also speaks on national panels about workforce housing. Over the last five years of ownership along with many other businesses in Tahoe City and in the Tahoe region we face this crisis. The existing code that Placer County has with the existing in place employees on site does qualify us for in-lieu fees. That doesn't build one unit. We are actively looking for other projects to either build from the ground up or buy apartment buildings and then offer them for our employees in the future.

Ms. Aldean asked if those acquisitions would take place concurrently with the development of this project. Is there a way of guaranteeing that those workforce housing units would be acquired or built to accommodate workers?

Ms. Murphy said we are not going to set this project up for failure. We're not going to set up a project like this where the types of employees that we would bring on site and into the community don't have a place to live. If we are going to build something that is going to be a catalyst redevelopment, we will address the workforce housing issue.

Mr. Bass said right now this is a Notice of Preparation to do the environmental impact statement and report. Is it correct that those environmental documents will come back, and the Governing Board will be able to decide what mitigations, etc. that they want to see before they approve it.

Mr. Marshall said that is correct.

VII. PUBLIC HEARINGS

A. Economic sustainability and housing amendments to Placer County's Tahoe Basin Area Plan

Mr. Stock said Placer County staff have developed both policy and implementing code changes aimed at adapting their area plan to achieve the housing and economic development goals which were initially envisioned when the plan was adopted in 2017. The amendments aim to

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provide a systemic approach to encourage desired investment in environmentally and economically beneficial redevelopment and in workforce housing. County staff will provide a detailed summary of the amendment package. TRPA staff has determined that the Initial Environmental Checklist and proposed amendments are in conformance with the Regional Plan and will not result in significant effects to the environment. These have also been reviewed by the Advisory Planning Commission and the Regional Planning Committee who both recommended approval of this item.

Ms. Jacobsen, Acting Director of Placer County's Community Development Resource Agency said the county initiated an amendment package to their Tahoe Basin Area Plan. This plan, initially adopted in 2017 by the board, consists of two documents: a policy document and implementing regulations, which function as a zoning ordinance for the Placer County portion of the Tahoe Basin. The amendment package seeks revisions to both of these documents with the aim of promoting and encouraging economic sustainability, environmentally beneficial redevelopment of town centers, and the production of workforce housing.

The process began in mid-2021 with significant public outreach, including public meetings, workshops, and hearings. Environmental analysis, including an addendum to the 2017 environmental impact report and environmental impact statement and an errata addressing cumulative analysis, was completed. Additionally, an implementation report summarizing progress in implementing TRPA Regional Plan goals was prepared.

Their board conducted hearings on the amendment package, initially adopting it on October 31, 2023, following a continuation from October 16 due to significant public comment. A written response to these comments was provided, and the response to comments is included in the board's package. The timeline of the process shows formal outreach beginning in 2022, with meetings, workshops, and presentations to the Planning Commission in December 2022 and August 2023.

Overall, the amendment package aims to adapt the Tahoe Basin Area Plan to achieve housing and economic development goals while considering environmental impacts and community input.

(presentation continued)

Ms. Setzer, Placer County said these amendments being proposed today have been directly influenced by community feedback. Input has been gathered from various stakeholders, including business associations, business owners, housing communities, and multiple studies conducted around the lake.

These amendments aim to address the challenges faced by businesses in the Placer County portion of the Tahoe Basin, particularly regarding the difficulty of establishing new businesses and the housing issues affecting the area. The amendments focus on promoting economic sustainability, environmentally beneficial redevelopment of town centers, and the production of workforce housing.

Key provisions of the proposed amendments include streamlining processes for businesses such as restaurants, bars, and gyms to operate in town centers, complying with state law regarding sidewalk funding and mobile food trucks, and fostering the transition of small-scale businesses from food trucks to brick-and-mortar establishments.

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Additionally, the amendments seek to streamline the construction of deed-restricted workforce housing, enhance compatibility between mixed-use and residential zones, and clarify requirements for tiny homes. Importantly, the amendments do not increase height limits, conflict with TRPA standards, create the need for additional environmental analysis, or increase overall development potential. They don't create a change of circumstances requiring California Environmental Quality Act supplemental analysis. As these amendments are not connected to a specific project, they do not result in piecemealing under CEQA. They do not increase the units allowed per acre (density) as already outlined in the Tahoe Basin Area Plan. They do not increase the carrying capacity, which is the buildout of the TBAP, and they don't increase the overall development potential. All of this is capped by TRPA's Regional Plan and the growth control system. Also, they do not result in uses or activities that would otherwise increase wildfire risk.

Anything built would still need to obtain the coverage, commercial floor area, tourist accommodation units, and or residential units in order to build. Because there are set maximums of each of those development rights throughout the basin any specific one project or one area would still be falling within the entire Tahoe Basin maximum development rights. Without these amendments, the environmental benefits of redevelopment would be lost, leading to increased runoff into the lake, difficulty in building new hotels, and continued proliferation of short-term rentals. Furthermore, town centers would lack vibrancy and walkability, impacting local businesses and community engagement.

The proposed amendments aim to address longstanding challenges faced by businesses and residents in the Tahoe Basin while ensuring environmental sustainability and community vibrancy.

The Tahoe Basin Area Plan is two documents; one is the policy document that sets the stage for the bigger picture goals that they are trying to achieve. The second document is the implementing regulations which are intended to implement.

The proposed amendments in the policy document of the Tahoe Basin area plan focus on setting the stage for achieving broader goals and implementing specific measures to address various aspects of development and community needs. Summary of the key points:

Scenic Resources: Coordination with TRPA to maintain scenic standards, encourage underground utilities, and support reevaluation of TRPA scenic standards for town centers.

Vegetation: Support for hardening, defensible space, green waste, and funding programs.

Socioeconomic Policies: Support for broadband infrastructure, childcare, and initiatives to reduce blight.

Land Use: Creation of a development rights prioritization and allocation manual, funding mechanisms for community-wide frontage improvement plans, and parking management policies.

Mixed-use: Promotion of mixed-use developments to facilitate living and working in close proximity and support for business parks and light industrial zones.

Town Centers: Promotion of active ground floor uses retention and expansion of local businesses, incorporation of public art, and policies focused on adaptive reuse of existing buildings and redevelopment of older lodging properties.

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Housing Policies: Streamlining of building and permit processes, limitations on conversions of multi-family to condominiums, monitoring of detailed housing data, and exploration of local worker safe parking programs.

Short-Term Rental Policies: Implementation of a policy to reduce the short term rental cap for every new commercial lodging product built, aiming to encourage commercial lodging in town centers and reduce STR units in residential neighborhoods.

These policies aim to address a range of issues, including economic development, environmental sustainability, community vibrancy, and housing affordability, while also aligning with TRPA standards and regulations.

(presentation continued)

Ms. Wydra, Principal Planner, Placer County said the amendments aimed at facilitating the implementation of the policies outlined in the policy document. Summary of the implementation strategies:

Zoning Regulations: Adjustments were made to zoning regulations to address barriers identified by the public. For instance, in Kings Beach Town Center, certain businesses required a zoning clearance, which has been addressed.

Food Trucks and Mobile Vendors: Regulations have been amended to align with state trends and allow for the operation of food trucks and mobile vendors in designated areas.

Real Estate and Property Management Offices: Prohibitions have been introduced to prevent real estate and property management offices from dominating ground floor spaces in town centers.

Lodging Units in Town Centers: Small-scale hotels, motels, and other lodging units are now allowed in town centers to balance the impacts of short term rentals in residential neighborhoods.

Single-Family Units and Additional Dwelling Units: Limits have been placed on new single-family units and associated accessory dwelling units (ADU) in commercial areas.

Multi-Family and Employee Housing Units: Multi-family and employee housing units are encouraged, provided they meet certain affordability criteria and undergo design review.

Development Standards: Clarity has been provided on development standards such as streetscape requirements, building length, height, setbacks, and groundwater/snow storage.

Consistency Across Zone Districts: Amendments ensure consistency across different zone districts, promoting housing options and economic sustainability.

Tiny Homes and Signage: Regulations for tiny homes and signage have been updated to reflect current trends and align with TRPA standards.

Housing Focus: Emphasis has been placed on housing options and affordability, aiming to streamline the process for developers and promote diverse housing opportunities.

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These implementation strategies aim to streamline development processes, promote economic sustainability, enhance housing options, and align regulations with current trends and community needs.

The County adopted a shorezone requirement ordinance which was aligned with TRPA and added references to it throughout the Tahoe Basin Area Plan. They also clarified building length where there were inconsistencies but didn't increase building length. They did not increase height beyond the 56 feet that is currently allowed per the TBAP. The TBAP uniquely also provided 56 feet or 4 stories which created confusion. To eliminate confusion, they eliminated the stories reference. There were some setbacks in the town centers that were unattainable. The side setback took on the wedding cake look. It was required to be applied as a tiering setback but based on the adjoining parcel and its land uses. This was difficult to apply that interior side setback. Those have been adjusted to be more for what they would like to see in the town centers.

Requirements were added for ground water and snow storage. This was to align with TRPA's regulations.

They looked at other zone districts to ensure there was consistency throughout the document. They also looked at the Community Service Zone Districts, Recreational and Tourist Zone Districts, and the West Shore Mixed-use Zone Districts. And added in where mobile vendors and food trucks were not allowed or identified. They've proposed these to be allowed through these amendments and or allow for housing should it be deed restricted to the achievable levels of TRPA. For parking, they adjusted and looked at areas where they could align with the new state trends. Their signage ordinance was outdated and not aligned with TRPA. They've opted to eliminate the current sign regulations and are now referencing TRPA's Code of Ordinances. Not only did they focus on the economic sustainability of the town centers but took the opportunity to look at their housing and options that could be incorporated.

They looked at areas that were difficult for people to do multi unit housing. They looked at the existing conditions to see what was prohibiting people from developing. In Kings Beach, the lots are narrow and around 25 feet wide. They modernized the development standards that could include setbacks. Today, a corner lot that's only 25 feet wide could potentially have two 20-foot front setbacks on each side of the road along the frontage of it. We looked at areas that could help promote the development, while at the same time achieving what those setbacks are intended for. They are incorporating a street side setback, which is a little less on the longer side of the parcel. Small bites to try and encourage housing development, but again, recognizing what our existing conditions are and what we have to work with.

An environmental review was done in accordance with the California Environmental Quality Act (CEQA) along with an addendum and errata to the 2017 Tahoe Basin Area Plan and Tahoe City Lodge Project Environmental Impact Statement and Environmental Impact Report. For TRPA, they prepared an Initial Environmental Checklist and developed findings.

These proposed amendments would not provide any significant effect on the environment and are consistent with the Regional Plan, Code of Ordinances, and Goals and Policies. They will not cause the environmental threshold carrying capacities to be exceeded and do not affect or change the federal, state, or local air and water quality standards.

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An implementation report was prepared and out of that there were 21 projects that were completed, 11 are in progress, 9 have not been initiated yet, and 2 are abandoned. It's important to note that these implementation projects are the ones by the county or the public utility districts and not by development. With development, we can also get these same kind of improvements. With redevelopment is where we have an opportunity to improve the existing site conditions. A redevelopment project still has to put in the Best Management Practices. There's opportunity there for both, a private developer, the counties, special agencies, and districts as well. We also heard about changes triggering supplemental analysis. It was determined that there would be none as a result of these amendments. These amendments are not project specific. They are trying to help promote smart development. A proposed development project still needs to go through the process. It still needs to vet out its vehicle miles traveled. Does it meet the thresholds and screen out for VMTs. It has to meet the design standards. An analysis will have to be done for all projects that come in.

Lt. Connors, Placer County Office of Emergency Management law branch. Evacuation is a huge concern with the Tahoe Basin. Traffic studies go on the amount of people that are traveling, it doesn't take into account all these cars are following vehicle codes such as stop signs, intersections, yields, etc. All that goes out the window when it comes to a large-scale evacuation. That's where we use traffic control points with our partners and getting people through all those choke points. Another thing that doesn't go into effect on traffic studies as well is when we start talking about contraflow which is two-lane road that is turned into one direction, maybe leaving the shoulder open for emergency vehicles. Their office is investing in Ladris, an artificial intelligence traffic study model. In their first initial study, they did very high-end, say, a July 4th weekend in Tahoe. We ran all the modeling, and it definitely gives you a wide range of how long it takes for traffic to get in and out. But then when we ask them to do a contraflow study on it, it significantly reduced the time to getting people out. We are being proactive when it comes to preparing and planning. They've also held unified command training on the west and east slopes. The east slope training at Palisades included fire partners and mutual aid law enforcement partners. There's a lot of planning that goes into it and knowing and understanding all the different jurisdictions evacuation plans. There are a variety of different ways that we use resources to get people out as quickly as possible.

Assistant Chief Woessner, Placer County OEM said there are multiple jurisdictions up here and when there is an evacuation from a fire, we will go into a unified command which is the fire agencies working with the law enforcement agencies. Once they determine the direction of the fire, they set up the unified command and then the systematic evacuations of those areas.

(presentation continued)

Ms. Jacobsen said one key topics of public comment was wildfire risk and evacuation. People are legitimately concerned about that risk. Our emergency responders are here to answer questions. Placer County has not seen the kind of redevelopment that they had hoped to see that would TRPA achieve the goals of the Regional Plans. Placer County prepared an economic study a few years back to look at why aren't we seeing that kind of redevelopment. One of the recommended actions as part of that study was that we look at our regulations to see if there's anything that could encourage and promote the kind of redevelopment and reinvestment that we want to see in our town centers and promote workforce housing. We have spent lots and lots of public dollars and a lot of money has been poured into Placer County portion of the basin to achieve environmental threshold gain. What we haven't seen is that same kind of investment on private lands. This is the intent here to try and bring those landowners in to improve their

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buildings and sites, and bring those environmental improvements that help achieve the goals of the Regional Plan.

Presentation: [Agenda-Item-No-VIIA-Economic-Sustainability-and-Housing-Amendments-to-Placer-Countys-Tahoe-Basin-Area-Plan.pdf](#)

Board Comments & Questions

Ms. Aldean referred to page 134 of the packet, third section of the ordinance. Under the TBAP Policy HS-P-7, item number vi, where it says, "Evaluate housing needs in the region in coordination with TRPA. Consistent with Regional Plan of housing policy, HS-3.1, update TRPA policies. Wouldn't it be more appropriate to say, "Encourage and support the updating of TRPA policies"? The county can't unilaterally update our policies. These are all a list of things that the county intends to do.

Ms. Setzer said staff could say "encourage."

Ms. Aldean said it's misleading because you can't do it unilaterally, it has to be done cooperatively.

Ms. Setzer said staff are working very closely with TRPA. For example, they are working together on the Tahoe Living Working Group. She agreed with the suggested change.

Ms. Jacobsen said that's correct. The County has a parking pilot program right now in place. It's a temporary program that would provide a waiver for parking if folks requested it, but only if they commit to contributing to transit, micro-shuttle, or other transit forms, commit to an annual contribution to transit, and commit to participating in our parking management program that we're preparing right now. As part of this amendment package, they've folded those in and memorialized them in the standards. But it's not mandatory. For example, a mixed-use project comes in that has a lodging component, housing component, and some retail. The lodging piece of it needs to have parking. There needs to have been enough stalls to accommodate the folks that are coming into the lodge. The developer might come in and ask for a waiver for whatever stalls they were required to put in for the retail piece.

There is a lot parking in our town centers and if someone's coming to the restaurant that's in that mixed-use site, they might ask for a waiver for that requirement to add a parking stall for that restaurant, for example. On the other hand, they're going to make sure that they're parking at their hotel. It's working with applicants on a case-by-case basis to ensure that we're addressing parking needs, but that also we're providing some flexibility for uses like the retail and commercial space. But only doing that if they're committing to a contribution to transit and if they're also participating in our parking management program. Because we're currently preparing parking management programs for our town centers, and we want private parcels to participate in that program and help address parking on a comprehensive community-wide level. It's not a blanket exemption.

Ms. Aldean asked if that would envision satellite parking areas. People are going to continue to come into the basin with their individual cars, that sort of behavior will not entirely stop. Her concern is that somebody accepts the exemption, and all of their customers park next door at an adjoining business and is not fair to the existing business because their parking is being monopolized by someone who chose to accept the exemption. And maybe they are participating in this more comprehensive parking management evaluation. But are you visualizing a place where people who come to Tahoe City, for example, and are fine using public transit, walking, or renting a bicycle, but they need to park their car somewhere?

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Ms. Jacobsen said absolutely. Their parking management program is currently being developed out of the Department of Public Works office and are taking public comment and having workshops on that. They are looking at those opportunities for interceptor lots or those parking facilities where people could park once and then shuttle in. All of those things are being fleshed out through that process. That parking management program also is looking at the opportunity for paid parking systems in our town centers where private owners can throw their stalls into the mix, into a paid system. So, it would be public and private.

Ms. Aldean said regarding design standards for multi-family dwelling units of less than 15 units. It says it would be exempt from design review, it's not the architectural design review, correct?

Ms. Setzer said they would be exempt from the Placer County design review process.

Ms. Aldean asked if that is site design or architectural.

Ms. Setzer said it's both. They still have to meet the development standards and design standards. The design review process is a separate, almost hearing-like process that.

Ms. Aldean asked if it's more like a major project review analysis.

Ms. Setzer said correct. It's more discretionary and you get more input that may change the project look and feel. It ends up adding time and cost to a project. They're hoping for these smaller projects that they meet our development and design standards and can fit into the neighborhood look and feel of the character and not have to go through that extra process but will still be reviewed by county staff.

Ms. Laine had a question around tourist accommodation units, but it starts as a question around short term rentals. Placer staff made a comment about "We're incentivizing tourist accommodation units in town centers and that will decrease short term rentals. How did you come to that conclusion?"

Ms. Setzer said staff would have to bring that to our board. It would probably occur on an annual basis if new commercial lodging products had been built. Their board makes a decision on our 3,900 cap. We do have a short term rental advisory group that helps provide input to staff and then staff brings those changes and proposed concepts forward to the board. It's a little challenging because short term rentals are not counted as tourist accommodation units, they use residential units. It's a little mix-matching, but we recognize that all of them are serving as tourism lodging. When you look at it as a holistic picture, we'd like to shift that more into the town centers. If we were to get new commercial lodging units built for example, it could be those kind of hotels that only allow the owner to stay there 90 nights a year, but the rest of the year they're in the hotel pool. Or it could be a new hotel or new hotel units. Staff could propose to reduce that cap of our short term rentals to compensate for the new lodging products that were brought online in the last year.

Ms. Jacobsen said this provides the policy support, the framework for staff to do that. The short term rental program and ordinance are separate from this plan. But this provides that policy framework that supports pulling those short term rentals out of the residential neighborhoods and into the town centers.

Ms. Laine said this affects all of us in the basin. The cap is currently 3,900, but what does Placer have as far as short term rentals?

Ms. Setzer said we have 3,404 right now.

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Ms. Laine said for example, if you built a traditional hotel with 100 units that you would go to the board and recommend that they decrease the cap?

Ms. Setzer said yes, we would. And even if the cap were reduced in the meantime, we could still go to the board and propose reducing it even further. And if we were at that maximum cap, it could be done through attrition.

Ms. Laine said attrition takes a long time. If the number were below what you actually had, are you going to wait for attrition or would you take some steps to eliminate some short term rentals in residential zones?

Ms. Jacobsen said there is a stakeholder working group that has been formed to help inform their board. Right now, we haven't had any hotels built since around the 1960s. The short term rentals in Placer County are serving as lodging and we are a tourist economy. Folks have been coming up to the Tahoe area to recreate, and they have stayed in summer cabins around the lake. They could look at reducing that cap and is something that she believes they're going to start to discuss soon.

Ms. Gustafson said the Board of Supervisors adopted these basin area plan amendments and would be developing a policy around that. We're just deferring to a stakeholder group to help us develop those policies that include hoteliers, property management firms, citizens, and environmental organizations. The stakeholder group is made up of a diverse voice for the community.

Ms. Hill is in admiration of Placer County's thoughtfulness with all of these amendments and appreciated the thoroughness and the vetting process with the community. Regarding the food trucks, please explain the functionality of the new code. The second question is on their single-family limitation zoning in the town center and how that would work.

Ms. Setzer said food trucks would be an allowed use in the town centers and would require a business license in Placer County and need to meet environmental health codes. A condition of a business license could be that they could be in certain locations for a specified amount of time and include their own trash receptacles. The County has the ability to refine how and when they're used.

Ms. Wydra said currently, they don't have any provision and basically a single-family could be developed in our town centers. With these amendments, we would prohibit any new single-family.

Ms. Jacobsen said what we have heard is we have very limited areas in the Placer County portion of the basin for commercial uses. The idea is to try to preserve the areas of commercial space along the frontage road.

Ms. Hill is curious how it will be implemented. Either 50 percent if it's deed restricted, and 25 percent if it's not deed restricted of the property needs to be mixed-use.

Mr. Hoenigman said there's a lot of great changes that Placer County made that hopefully will make it easier for businesses in the basin. He's disappointed, though, in how minor these changes are with regard to housing. Nothing really has been done here for affordable housing for so long and these are just kind of nibbling around the edges of the problem. If the board hadn't forced your hand in passing our recent proposals, he would vote no and say go back and do something for affordable housing." But you're going to have to go back and do something for affordable housing anyway. We have a serious problem that people can't afford to live here. He's looking forward to seeing what comes back within the year and your opt-in, opt-out strategy. On this, you increased the coverage but didn't change the density and commented that

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it might allow bigger units. We should switch to a form-based, this is the size of the building you get, and you can fit as many units into it as you can. Then we'll get small, affordable units. Right now, the only thing that works is to get those big luxury units that no one wants. The 50 percent requirement for changing over to condominiums feels like you want to stop any condominium conversions. But if what we want is to get affordable or achievable housing without providing any incentives like we gave for height, density, and reduced parking, then we need to do a little more study on what's economically feasible. He hopes they go big and make the changes that are needed so we get affordable housing in the next phase.

Mr. Bass said in response to Ms. Laine's question around the short term rentals and if a tourist accommodation unit is to be created, to clarify that wouldn't be a project eliminating a short term rental, it would be each hotel unit that was built. If we get 100 units out of the hotel, we're going to reduce the cap.

Ms. Setzer said it would be reducing the cap. If we had 100 new hotel units created, we would work with our advisory group and probably go to the board. And it would be the board's discretionary approval to reduce the cap by then 100 units.

Mr. Bass said that's a good start. He lives on the South Shore, and they dealt with the short term rentals years ago. But to hear 3,400 is pretty alarming in a sense of when we think about the workforce housing issue that we've had over the last decade and that many homes being overnight rentals. We need to revisit a residential unit of use being an overnight rental. He's not saying that we get rid of short term rentals necessarily but look at that 3,400 and how many of those are potential workforce housing units and create a policy that would eliminate those units and allow for units that are more applicable to being a short term rental. It does get into the original theory of a tourist accommodation unit which is our overnight capacity, and what do we want that to be? How do we create this policy to support the housing crisis? Even if we look at 10 percent of homes out of 3,400, that's 340 homes that we could have now instead of development that takes years and years to see the impact. He understands that this is not necessarily part of this amendment, but we need to consider switching from a residential unit of use to a tourist accommodation unit. We'd have to create new commodities, but thinks it gets to the point of trying to address this housing issue and is something that could be done now.

The second question is with regard to parking. A retail storefront that's on the bottom floor could have an exemption to have zero parking in front of it, is that accurate?

Ms. Jacobsen said yes, they can. If you're repurposing a building with a new use and there's currently three stalls but the use that you're proposing, you need to have five stalls. You might ask for a waiver or an exemption to not have to construct the other two because the parcels in our town centers are super small and it's hard to get the parking on the ground. This is to try to be flexible so that we can get that redevelopment on these constrained parcels. Maybe they have three, and they're supposed to put in five per the code and they ask for an exemption for the other two. In lieu of that, they are contributing on an annual basis to help fund transit. With the three they have, the county would ask them to participate in our parking program that we're developing, throw those other three into this comprehensive community-wide parking program mix.

Mr. Bass said if you drive around the lake, you may stop at different shops and need a place to park. He understands with parcel by parcel and trying to make the development happen, but it seems like we would want to make those three parking spaces at least identified somewhere in the area of the parcel within a walkable distance. It seems like we're creating a situation where there's nowhere to park. He has a commercial property in the center of South Lake and a public

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beach right next to it. They run into this all the time where people are just constantly on our parcel. It feels like the no-parking thing if we're not identifying other places for the parking to go because we're there yet with a transit.

Ms. Jacobsen said their parking management program is being developed in coordination with other programs such as the micro shuttle program that is hugely successful in the North Tahoe area. People use it to go into the town centers without having to get in their cars. They all work in concert together. You have to address it at multiple angles.

Mr. Bass said it gives them the flexibility for project by project and can say yes or no to the waiver.

Ms. Jacobsen said absolutely.

Ms. Aldean said Placer County is in a very difficult position. They're interfacing with members of the public who are their neighbors and people they do business with on a regular basis. She understands the inclination to try to reach some middle ground and believes they've done that with this proposal. It's impressive what the county has done with respect to affordable and workforce housing preservation. She feels they are on the right track and haven't ignored the issue.

Ms. Gustafson said the short term rental number staff is using includes Olympic Valley, Northstar, Serene Lakes, and the entire Eastern Placer County. Those are not all in the Tahoe Basin. There are a lot of condominiums in the Northstar Village and Olympic Valley also included in that number. So, we can get you the other numbers, but it's important to make sure, yeah.

Ms. Jacobsen said it actually goes over the summit and into the Cisco Grove area.

Ms. Gustafson said the majority are here in the basin, but there are significant numbers outside the basin. And people may not realize that cap is for that whole region. We haven't set a separate cap for in the basin. But that is, again, something the stakeholder group might look at as we move forward. Regarding parking, having worked in and around Tahoe City for decades, there are some properties in Tahoe City that have zero parking because of the way the lots are configured and are currently occupying restaurants and retail. When they come in for a project without a plan like this where we can look at alternatives, you've locked their hands on doing anything. Again, trying to incentivize reinvestment for water quality and walkability in our communities.

She asked the Fire Marshall to clarify his statement about the fire risk being minimal here. She doesn't think he meant to state it that way.

Assistant Chief Woessner, Placer County OEM said you're correct. He's comparing it to the Sacramento Valley versus the Tahoe Basin. The Tahoe Basin has the ambient air temperature of 30 degrees cooler than in the Sacramento Valley. The moisture, seasonal summer rains, and the humidity recovery is higher than it is on the west side in the Sacramento Valley, where it's sustained 100-degree days for months on end. And the humidity recoveries at night are less than they are up here in the Tahoe Basin. And the 1-hour fuels are more prominent down in the Sacramento Valley, where in the Tahoe Basin, it's more the 1,000-hour fuels and the evergreen vegetation.

Ms. Gustafson said they've recently heard a report that we've lost over 400 hotel rooms in our town centers through the conversion of units. Some have become housing, but others have just been boarded up or vacant. It's not that we haven't built anything new, but we've actually lost accommodations in our town centers.

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Ms. Jacobsen said we've done studies to show that. We're not getting any new units, we're losing units. And then the quality of the units that we do have are old and dated.

Ms. Gustafson said even with the removal of height and massing and trying to work with the public to reduce these potential impacts. The approach we've been trying to take even with short term rentals at the Board of Supervisors level is to look at adaptive management. This probably doesn't get us all the way, but let's see if these amendments will help trigger some reinvestment. If these don't, then we may have to come back for more. Adaptive management means if we don't achieve our goals and get the water quality dealt with downtown, that we may have to go to the next level and come back with new amendments.

Public Comments:

Christina Kind, Program Director with the Tahoe Truckee Community Foundation oversees the community collaborative of Tahoe Truckee and the Mountain Housing Council. Both collaborations represent more than 50 organizations in this region dedicated to solving its toughest problems, which gives the Community Foundation a unique perspective. While we are not here to tell our community what the right path is in regards to these amendments, we believe thoughtful leadership and respectful conduct are at the heart of community progress. In 2003, our community adopted Speak Your Peace as a framework for civility and civic engagement. She thanked the community and staff for being thoughtful in trying to solve these problems. She encouraged everyone to reflect on our own role that we play in fostering respect and constructive dialogue in this moment and encourage the following principles: To listen, be open-minded, show respect, give constructive criticism, and take responsibility as well as not shifting blame to others.

Doug Flaherty, TahoeCleanAir.org, representing four nonprofits; The Friends of the West Shore, TahoeCleanAir.org, North Tahoe Preservation Alliance, and the Sierra Club Tahoe Area Group, opposing adoption of the Tahoe Basin Area Plan amendments. The initial environmental checklist and TRPA's findings of no significant effect are highly controversial and do not represent a comprehensive cumulative environmental analysis and lack evidence to make such a finding. The finding is therefore arbitrary, capricious, and represents a scheme to avoid both a TBAP Comprehensive Subsequent Environmental Impact Report and a TRPA Comprehensive Cumulative Environmental Impact Statement. By continuing to fail to consider significant, substantial, new, changing, and cumulative information since the TRPA 2012 Regional Plan and the Placer County 2016 Tahoe Basin Area Plan. Lastly, you received a letter from our attorney, Don Mooney, stating he represents Friends of the West Shore, TahoeCleanAir.org, and North Tahoe Preservation Alliance, the conservation groups regarding the opposition to these amendments on grounds that the Initial Environmental Checklist fails to adequately address the potentially significant environmental impacts associated with wildfire, wildfire evacuation, land use, cumulative impacts, and substantive changes in growth.

Doug Flaherty representing TahoeCleanAir.org said Chair Gustafson and Ms. Hill had a chuckle while the lady was here speaking.

Ms. Gustafson asked Mr. Flaherty to continue.

Mr. Marshall asked the members of the public to address their comments to the full board and not individuals.

Ellie Waller said the chart in the packet called amendments to policy and implementing ordinances, scenic. Policy to support TRPA scenic evaluation to direct private investment. Does this still mean relaxation, which we've heard in other meetings? Policies to support adaptive reuse of underutilized retail space. County owns some of that, why hasn't that been fixed? And

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it says create new high-quality lodging, what is that definition? Does that mean luxury? Does that mean affordable to the average median? Whatever terminology we're using for what middle-class used to be. Policies to support streamline, affordable, moderate, achievable. Please update the policy to require that it's on site. This in lieu fee has barely built anything if anything at all. Affordable units are at \$800,000 these days, compared to whatever it costs Domus which is something that we should be proud of. Allows small-scale uses. Definition of small, small projects that generate low VMT. What is low VMT? Allow food trucks. If you are going to allow them to park, it says, cannot park on roadways. Where are they going to park, but are they still going to affect our current restaurants?

Allowed 20 units or less. May require design review. Design review was designed so everybody gets to participate in what's going on. It doesn't matter what size a project is. The word "may" is problematic. Allow projects if 100 percent units are deed restricted. Why aren't we mandating that these developments not pay in-lieu, build. We went through this with Martis Valley West. Shorezone requirements, add references to county code, lakeshore shorezone ordinances. We need to clarify that TRPA is more stringent. Allow groundwater intercept for below-grade parking isn't specific enough and needs to be studied. She doesn't want to stop projects and is not against refreshing and redevelopment. She's not familiar with community service zone district. There's lots that went into this documentation that looks somewhat new, modernized parking requirements. The 1997 community plans, before these area plans, she was a member of the North Tahoe West Plan Team. We had parking management plans that have done nothing since 1997. Remove sign requirements, refer to TRPA. Whose enforcement comes through? There's just lots of things that haven't been defined in enough clarity and conception of what is expected of these amendments to implement.

Robb Olson, resident of Alpine Meadows and Tahoe City business owner wearing a couple of hats. First is president of the Tahoe City Downtown Association. The Tahoe Basin Area Plan amendments touch on many things we've been asking Placer County to do for many years. We're finally seeing some progress that business owners need for the area. They recommend that this moves forward. It's never enough, we want more stuff but there's been some compromises that probably still will hurt businesses but at least is a step forward in the right direction. His other hat is as an architect and a contractor with 12 employees and it's challenging to hire people. Some drive in which is bad for the environment and traffic. It would be nice if they could live locally and help build a community. Maybe some big developers are going to benefit from this but doesn't see that.

Reading the document, it is favoring workforce housing and small boutiques, but it can do more. There are a lot of barriers in there for smart developers. Big developers are going to come regardless of what you decide. They're going to propose horrible projects and that is why we have design review and public input. But don't hold up small businesses from trying to do the right thing. We have too many curb cuts in Tahoe City and King's Beach. We do need to consolidate parking which is more efficient for snow removal. We need walkable cities. We need a lot more care put into our parking programs and the Downtown Association's really appreciated that Placer County's has presented on what they are looking at for parking. Please move forward on it and continue working on revision number two.

Erin Casey, CEO, Tahoe Housing Hub said they are an advocate for housing and are looking to leverage private investment in order to bring housing to our community, code changes and amendments like these are going to help make that possible. We support the proposed amendments because it's going to help leverage private dollars, work with homeowners who have an interest in building accessory dwelling units but don't know how to do it. Subsidizing

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units can be very expensive. We are not going to be as successful if we're not making these adjustments. This is not unique to our community. A lot of jurisdictions in the state and in the country are doing a lot of the things that you see in front of you today.

In a conversation with her high school senior daughter, she doesn't see that there's going to be a job for her, a place to live that she can afford, or an ability to raise a family.

The state of California does mandate that each jurisdiction build a certain number of new units to meet their workforce housing goals. Each of our jurisdictions in the state of California are required to build between now and 2029, over 1,000 new units. And what is the consequence if that doesn't happen?

Many of the jurisdictions now are being forced to rezone land within their jurisdiction, a minimum density of 20 units per acre. And if that doesn't happen, land use authority could be restricted or taken away. She applauded the county for looking ahead and attempting to try to address that. Her agency looks forward to working with TRPA to support the third phase of your housing code changes.

Tony Karwowski, President and CEO of the North Tahoe Community Alliance thanked Ms. Gustafson for shedding light on the number of 3,400 permits being spread across eastern Placer County versus right around the lake, which gives some reference for what we're looking at here when we look in the basin. To emphasize some 2020 census data from the Tahoe region is the fact that 70 percent of the homes in North Lake Tahoe are vacant. So, when we think about workforce housing and we have a 19 percent short term rental rate and then a 70 percent vacancy rate, there is a slim amount of houses in there that are actually plausible for workforce housing which is why we are where we are today. We can't do enough, and the proposed amendments today are minimal because we're trying to get something passed and there are voices out there that don't want to see that happen. Right now, North Lake Tahoe is in a crux moment in time that will determine how complex and interwoven themes like economic vitality, livability, environmental stewardship, build the future Lake Tahoe needs. These amendments will help promote community workforce housing opportunities and ensure a thriving future. We need to streamline the process for workforce housing and redevelopment in our town centers.

It's been 40 to 60 years since we've seen a hotel built in North Lake Tahoe. In the last 10 years, North Lake Tahoe has lost an incredible amount of hotel rooms, including the Cal Neva, Tahoe Biltmore, Tahoe Inn, and Falcon Lodge, combined loss of 450 hotel rooms. Some of those properties are in various phases of redevelopment, but we're dealing with this issue now. It's caused a dramatic impact in our community, putting disproportionate pressure on short term rentals and leaving local housing stock as the only backfill for lodging options to maintain our healthy economy. This is combined with macroeconomic influences creating more upward pressure on home values, furthering the affordability gap in rent and ownership for the local workforce. Many businesses still have ongoing reduced hours of schedules or are closed two days a week due to staffing shortages. Our issues are interwoven, housing is tied to workforce, which is tied to healthy and strong businesses, which provide funding back to the community to make improvements and support solutions to our most complex issues, including workforce housing, transportation, and tourism impact mitigation.

We need to allow for the streamlining of much-needed workforce housing and redevelopment of downtown cores to secure a future with a stable economy, vibrant community, and healthy environment.

Ann Nichols, North Tahoe Preservation Alliance said there's been no mention of the unresolved litigation happening. She clarified some things that were said that weren't true. There are just two parking lots in Telluride where you pay \$25 and \$35 a night. It's not free, and it's not what

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has been promoted here. Regarding short term rentals, they don't have to reduce any short term rentals and they can't do it because people are making \$80,000 a year from these rentals. The pushback and pressure are more than Placer County can do and would have to be something that TRPA would do. The food trucks, it's just laughable. Are they legal? The achievable housing is a giant loophole and now you've added "seasonal" to the definition in Chapter 90. That was never discussed in the housing amendment approval. She has a business license in Placer County and working 50 hours a week, she could buy an achievable housing unit. Mr. Olson is getting \$1.5 million for his project that hasn't been approved by the North Tahoe Community Alliance. How much more can we do? The Tahoe Housing Hub is funded by the Community Alliance, which is public money. The Tahoe Basin Area Plan environmental analysis was done in 2017. It's an old plan and never talks about surrounding growth in Reno and Carson City, which is huge. There were 35,000 building permits in Washoe County in one year. They have 1,000 people who have signed the petition, 3,000 have viewed the video, and hundreds of people attending the meetings, but it's just a couple of people complaining. The 400 units that are lost are created by TRPA. It's failed Commercial Core Improvement Plan plans, it's the Tahoe Inn, Laulima, etc.

This is self-inflicted TRPA rules. You allowed the Commercial Core Improvement Plan projects, which are too big, which nobody can finance, and nothing gets done. Then you blame it on the conservation groups. The only thing that makes any sense are luxury condominiums and then you blame it on us. It's your own rules and you should fix your own stuff first.

Niobe Burden commended staff for all the hard work done so far. She's concerned about language in the 2017 Tahoe Basin Area Plan, Section 2.09.A.3 that allows these entitlements to go across a mixed-use project, even if the housing component is non-contiguous to the project. This is concerning because there is a proposed project in Kings Beach which does exactly that and this language will allow that. As Mr. Hoenigman said, you have to approve these projects because it's in the amendments. She requested that it be reviewed. Section 2.09.A-3 for non-contiguous allowance of entitlements where there's a housing component and a mixed-use project. The current 50 percent of mixed-use projects for housing is good, but we need to just make sure that they are all in the same project, not separate. Regarding current short term rentals, this is something that's not in this Tahoe Basin Area Plan, but we are working towards reducing those short term rentals. It would make more sense to reduce the number from what it currently is, which has been between 3,300 to 3,400 for the last 1.5 years in Placer County. If we could reduce the number versus the cap, we would be getting somewhere. How about a consideration of eliminating fees in lieu of housing? The fees don't meet the amount it costs to build the housing. So, why do we have them at all? Can that be discussed and brought forward as an amendment?

Alan Miller, Professional Civil Environmental Engineer is familiar with TRPA's groundwater protection requirements and sued TRPA for violating their own requirements. His comments are on groundwater protection. The Tahoe Basin Area Plan amendments allow for taller buildings, which often means larger, deeper foundations and more interference with groundwater. TRPA wants to invite additional variances to its groundwater interference prohibitions for underground parking. And there's already an exception for accommodating underground structures and foundations and various other things. His lawsuit in the Federal District Court for Eastern California, Miller v. TRPA, makes clear that TRPA doesn't understand its own groundwater protection requirement regulations, doesn't implement them properly, and doesn't have the staff expertise to implement their own groundwater protection ordinances. And if they do, that expertise has been corrupted by the system. Every reference in your agenda

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to groundwater is for allowing groundwater interception for mixed-use projects in town centers, for projects proposing underground parking. The plan is for more groundwater interference from new foundations and underground parking. The references all say that all impacts to groundwater from interference will be mitigated when such impacts are proposed by having the applicant demonstrate that project impacts have been mitigated to be equal to or better than the original impacts. That language has no clear objective meaning. There are no criteria, no methods proposed by which impacts may be mitigated. This is just a ruse for the incompetent to approve development with no analysis. An environmental impact statement was needed for these TBAP amendments, and the initial environmental checklist fails as usual for groundwater protection.

Adam Wilson acknowledged the amount of work of both organizations put forward to not only engage the public, but to even potentially withstand comments that we've even heard today and comments that we've heard throughout these processes. It's unfortunate that personal attacks are made. That does not move anything forward and is not helping to find solutions. These amendments have engaged the community and have brought back changes that we've heard from both sides aren't enough, but it is something. And we are trying to move something forward for the betterment of our communities, environment, visitors, tourism, and economy, which is, again, over 70 percent. We keep hearing people talk about tourism, but that is what drives the activities and services that we enjoy. If we did not have that in our economy, you would not have any restaurants and the resorts would be closed. We all love living up here and those are all at the cost, unfortunately, of a tourism economy, which is what provides the services, infrastructure, and the Transient Occupancy Tax dollars, Tourism Business Improvement District (TBID) dollars, and investments that private and public entities are making in this area.

Specifically, the benefits of the Tahoe Basin Area Plan include the opportunity to redevelop responsibly using mixed-use properties and small-scale lodging for visitors. It creates new workforce housing opportunities in our core downtown areas and generates the opportunity of vibrancy and economic development. Secondly, the additional infrastructure to protect the lake is important.

He grew up here and has seen the same buildings in the same places with no environmental work around it. And it's amazing that when we talk about environmental stewardship and so forth, we're not thinking about the fact that we have very old infrastructure that needs to be improved and can be improved with responsible redevelopment. Lastly, in order to affect housing and create workforce housing, we are going to have to figure out solutions. Several people have said that this doesn't go far enough. While he agrees with that, it is at least a step in the right direction.

Judith Tornese, President of Friends of the West Shore said they support affordable housing, but we need to make sure the housing is 100 percent affordable. No luxury tourist accommodation units or visitor units to make sure that we make the most of the building. We can get subsidies, land donations, or whatever it takes. She also mentioned the consideration of community land trusts like the St. Joseph Community Land Trust in South Lake Tahoe. The organization owns the land, and the family leases the home. They can sell the home, but it remains affordable permanently. She wants to ensure that other options are considered. They're also concerned that the Placer amendments will be superseded by the TRPA housing amendments, which are much more onerous. TRPA amendments have no limits on density or coverage and possibly no required parking along with other items. Can Placer County justify using its amendments versus the TRPA amendments?

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Rhonda Gramanz loves hearing all the smart people who know what they're talking about. She'd like to know more about Kings Beach, but her heartbeat is in Tahoe City. TRPA is a difficult board for her because it's all appointed. Nobody's been voted in and has a hard time with that. She had a hard time with it many years ago when she fought with TRPA. She was told behind closed doors that if you have the money then they weren't worried about her because she's just a small person fighting something. We lost businesses for so long because TRPA didn't allow so many things. At one time, there was a moratorium on housing here and now TRPA is just letting every development go through because it makes money for everybody. Legal bribery. Are we looking at actual people who are living here or are we looking for the future of developers? Even though we are a resort town and all of the people who work here know that we rely on tourism. Her business here relies on tourism but also relies on locals. She relies on them knowing that they have a place here and that they have a say here in Tahoe but feels like we don't have that anymore. No matter how long we've lived here, no matter how long our families have lived here, she doesn't feel like we have a say. Items like parking should be taken care of now before we start developing more things. Why can't we fix what we have now? Let's get the developments that are supposed to go through now and then move on and see what's realistic for our space. She doesn't see the realistic part of everything that's being spoken about because if you're not living here then you don't know the reality of walking down the street and having to pay, we don't need meters in Tahoe City. There's a disconnect here.

Staff response:

Ms. Jacobsen said regarding the comment about the non-contiguous project site, the housing versus mixed-use. That is a section of the Placer County code that exists today. That was adopted as part of the 2017 action that the TRPA Governing Board took on the Placer County Tahoe Basin Area Plan document. In town centers, it allows you to have non-contiguous parcels as part of your project site. They currently have a project that is working its way through the process in Kings Beach that does just that. It's got housing on one site, and it's got a hotel, commercial lodging component on another but it is one project. There is a provision in the code that exists today that allows for that.

Ms. Gustafson asked staff for further clarification on the question that would benefit the town center height, of course, there is no height in this. So, the question might be more about TRPA's height rules on the housing component, but not about the project. The concern might have been that the commercial project could go higher, but you've repeatedly said the commercial project would stay the same.

Ms. Jacobsen said as part of this package, we are not proposing any height amendments that would allow additional height for anything.

Ms. Jacobsen said regarding the question about food trucks. They do have an allowance for food trucks in the county, but they do have to go through permits from the Health and Human Services Department. Another question was about the Telluride parking. Ms. Setzer has done a lot of research on this parking program that could be developed in parking lots. There might be a minor cost for an overnight stay on a public lot. This is a policy in our document that sets a framework for us to come forward in the future to develop a program. At that time, is when we would get into discussions about whether or not there needs to be a paid component to that. Next was sign enforcement. They were referring earlier to the TRPA sign ordinance. In terms of enforcement, we do active enforcement out of our Tahoe City office. We have a code compliance team that enforces all aspects of the code, including our short term rental ordinance. They do enforce signs and is one of the most common types of enforcement that they handle. The Community Service Zone District is an existing zone district in the plan and has

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very limited areas with that district. It's where we see some sort of light industrial uses. For the groundwater interception, they are proposing to reference the existing TRPA code and allowances around groundwater interception. Underground parking can be proposed as long as you're mitigating the impact. That's what we've done here is to try and take advantage of the TRPA's existing code related to groundwater interception. Regarding shorezone, Placer adopted their own shorezone ordinance. It looks at county-owned properties and what we do with the Shorezone, and it references TRPA's Shorezone ordinance. TRPA's ordinance supersedes Placer County. The question regarding eliminating use permits and design review. We have proposed those here for small-scale uses or housing uses as a way to promote small-scale redevelopment and achievable workforce housing. While they might not need to go through design review or through a discretionary process, they do still need to meet County's design and development standards in the ordinance. There's a plan check review process, it's just not a discretionary review where you're having to go before a hearing body. They've set that up to try and encourage those types of uses.

For allowed uses, there was some question about the low vehicle miles traveled. The small scale that we talk about, how we characterize that is that those are the uses that would screen out through your VMT screening tool. It's these uses that we know have low VMT associated with the trip generation for that use. That's the threshold that we came up with in terms of screening out those small-scale uses.

There's been a lot of questions about the in-lieu fees. Placer has an ordinance that allows certain projects of a certain size to propose an in lieu fee for housing. We try to encourage the construction of housing for all our sites. What we find in our town centers is that they're constrained. But on small-scale projects like that, there is a provision in Placer County code that does allow them to propose an in-lieu fee. It's not ideal, and larger projects have to actually do housing on-site. But that is a current provision through the Placer County Code. They revisit that from time to time, and it might be something that our board decides at a later date to take up. But right now, that is an allowance. Those monies then go to construct or help fill the gap for other housing projects that come forward.

Ms. Setzer said Placer County has a policy in the Tahoe Basin Area Plan proposed to coordinate with TRPA staff on reevaluating scenic standards in town centers. The reason for that is the scenic standards are equally applied across the lake, and we are trying to push and shift our redevelopment into the town centers and sometimes those scenic standards do prohibit that redevelopment in the town center. There's nothing changing with the scenic standards at this time.

Ms. Gustafson asked staff to address the comment regarding the insertion of "seasonal" in the TRPA definition of achievable. Ms. Nichols has left, and staff can follow up with her concern on that.

Ms. Jacobsen said there's nothing in this set of amendments that point to that.

Ms. Gustafson said the reason we have a stakeholder group is to look at further modifications, meaning further restrictions on short term rentals.

Board Comments & Questions:

Ms. Aldean asked if the proposed amendments are in compliance with TRPA's amendments to the housing policy.

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Mr. Hester said Placer County can have different policies. The way TRPA's new amendments that were adopted in December go is they can adopt what TRPA has put in place or they have the opt-out provision. Say they wanted less height, but they could subsidize it with land, for example, to get the same financial effect for a home builder. Placer has not in this particular set of amendments addressed TRPA's new amendments. So, he can't really answer that yes or no.

Ms. Aldean said Placer County basically has 60 days. The TRPA amendment went into effect 60 days after adoption and then they either have to opt in or opt out. They have to adopt the amendments as modified in the TRPA code or propose a program within one year that either meets or exceeds the expected benefits that the amendments to our code were to achieve.

Mr. Hester said where TRPA's amendments are stricter and Placer County doesn't have one, in 60 days, TRPA's goes into effect. But they have one year to do the other set of amendments. TRPA has been talking with Placer staff about what approach they want to take, and they haven't decided yet.

Ms. Gustafson said Placer County needs to meet with the community on this. These amendments started at least three years ago to bring forward. They don't fully address the new housing amendments for TRPA. And they now need to start another process if we're going to opt out to make further amendments.

Mr. Marshall said that's correct. There is nothing inconsistent in these proposed amendments. For example, a lower height, they're not touching their existing height.

Ms. Aldean said by taking this action, we are not saying that they are in compliance.

Mr. Marshall said correct.

Mr. Bass said it seems like there has been a lot of public outreach and consensus and compromise made. There's always going to be two sides. It seems to me that the North Shore has a need for redevelopment and to look at how to improve our business environment. We're not getting everything we want, but it is a start in that direction. They've done this on the South Shore for decades now. When we started with the gondola project in 2003 and we still have a major project to finish that started in 2009. It provided benefits to the South Shore that have been long-lived. However, we have to finish with what we started. Part of me feels like he should abstain, however, he doesn't want to stall progress. There seems to be both sides of the story, which is natural in the process. He's ready to support this, even though he's not all filled in because he's brand new on the board.

Ms. Hill said the community engagement is incredible that you've done, and the compromises made and is in support of these amendments. Washoe County is going to have the same thing come before the board in the next year.

Ms. Conrad-Saydah said one of the most exciting and challenging things with policymaking where you have a lot of stakeholders engaged and a lot of passionate people is that progress can be iterative and can feel slow but it's still progress. We're learning as we go and seeing how our communities are changing and making decisions that reflect the changes to those communities and the desired end goals in those communities. She enjoyed hearing about all of the outreach over the last three years, but hearing it summarized today and the progress that the staff made in incorporating those comments are appreciated. She echoed that it feels like these can be minor, but they're major when you think about the staff time that it took to do this work and the public comment. Thank you to staff and the public who commented on and

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attended these meetings over the last several years. That's the thing with policy setting, we'll keep going and trying to keep improving.

Ms. Gustafson said there was a comment on what is high-quality lodging. When Placer County started this process, we were just trying to get new lodging to current standards and perhaps that term.

Ms. Jacobsen said she doesn't know that there's a definition of high-quality lodging. In the studies that they did it's looking at the dated lodging that we have. And maybe high quality is not the right word, but sort of improved lodging.

Ms. Gustafson said she remembers some of those economic studies and it was full-service hotels versus the motels that we have had from the 1960s development kind of thing. She asked staff to address the comment about the litigation.

Mr. Marshall said first, there is a state lawsuit against Placer County for their adoption of the Tahoe Basin Area Plan amendments as part of the state process. There's been no order entered that the Placer County approval of those amendments has been overturned. Same with the Mountain Area Preservation litigation against TRPA's Phase 2 Housing Amendments. There's no reason why you should delay if you want to proceed.

Mr. Marshall said regarding seasonal, that was part of the existing achievable definition that was adopted or last amended a couple of years ago, he believes. It focuses on seasonal work or achievable housing can be met for 30 hours per week per season for seasonal work as part of the definition of what satisfies achievable.

Ms. Gustafson said, for example, they're full-time workers, and we use 30 hours because if you want to qualify teachers, they don't work 40 hours a week. They work 30 hours a week year-round and that is why the 30 hours. And then seasonal in that we do have many people that come and need to work here but may make more than affordable salaries because they may be a single person. And that's the achievable.

Mr. Marshall said on page 134 of the packet and page 119 of the PDF of the Tahoe Basin Area Plan policy document, the motion should include Ms. Aldean's suggested change to HS-P-7, which would read, "Evaluate housing needs in the region in coordination with TRPA consistent with regional plan housing policy HS-3.1, recommend updating TRPA policies and ordinances," etc. This was on page 134 of the packet, 3.A.vi.

Mr. Hoenigman made a motion to approve the Required Findings as described in Attachment D, including a Finding of No Significant Effect for adoption of the Area Plan Amendment as described in the staff summary.

Ayes: Ms. Aldean, Mr. Bass, Ms. Conrad-Saydah, Mr. DiChiara (for Mr. Aguilar), Ms. Faustinos, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Ms. Laine, Ms. Leumer, Mr. Settlemeyer

Members absent: Ms. Diss, Mr. Rice, Ms. Williamson

Motion carried.

Mr. Hoenigman made a motion to adopt Ordinance 2024-___, amending Ordinance 2021-02, to amend the Tahoe Basin Area Plan as shown in Attachment C and including the changes detailed in Exhibit A to the staff report and recommended changes by Ms. Aldean.

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Ayes: Ms. Aldean, Mr. Bass, Ms. Conrad-Saydah, Mr. DiChiara (for Mr. Aguilar), Ms. Faustinos, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Ms. Laine, Ms. Leumer, Mr. Settelmeyer

Members absent: Ms. Diss, Mr. Rice, Ms. Williamson

Motion carried.

VIII. REPORTS

A. Executive Director Status Report

1) Annual Report

2) Update on Transportation and Sustainable Communities Threshold Standard 1 (and associated VMT Regional Plan policies)

Ms. Regan said the role of the Compact is intentional to attach us at the hip to the community and partners in the form of a collaborative governance model for Tahoe. None of the accomplishments in the basin are possible without our staff. She appreciated the representative from the Tahoe Truckee Community Foundation. She's mentioned the speak your PEACE before and it's important that when we have these controversial items to recognize that there is common ground, and we can work through it.

The Lake Tahoe Restoration Act is very important to the health of the basin. And we had a high watermark in terms of our federal funding to support the Environmental Improvement Program, \$34 million last year. That act is in danger of expiring and there's a group in Tahoe that's advocating for an extension for 10 years to keep those funds coming for restoration projects that benefit our communities and the health of the lake. Mitigation funds, we're going to be talking about that more in future meetings that often goes unnoticed. But when project applicants pay mitigation funds as part of a project, sometimes there're perceptions that those monies just go to TRPA. We hold those in trust, and that's part of the balance sheet that people look at and think we have a big balance sheet. Millions of dollars are in mitigation funds that go back to local governments or Environmental Improvement Program partners for environmental projects.

Regarding a comment that was made about saying no to projects. Our staff are saying no to projects every single day. We are managing growth and development responsibly at the agency and our staff are doing an amazing job.

We're coming up on the year that this board voted unanimously to approve a 100-bed student housing project at the Lake Tahoe Community College. Construction is underway and will take some pressure off the affordable housing crisis. The 100 beds are not going to solve the problem, but is a big help for the college on the South Shore.

Clarity hasn't been as high since the 1980s as it was last year. We're not naive enough to think that trend's going to hold, but that was certainly good news. But it's a very complex story of clarity and what's going on with the lake and climate change.

Being in the executive director's position for just over a year, we've only lost one person since she took over and that person made the decision to leave before she came on board.

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In an area that's emerging around microplastics, staff wants to bring in some scientists to present to the board. We all make presentations in local schools continually. She went to Jacks Valley Elementary School, fourth-grade class a year or two ago for a presentation and afterwards the fourth graders formed the plastic patrol and they're looking to recycle and be aware of microplastics at that school. This is an emerging area of research and science and global attention is being put on plastics and microplastics and it's complicated. It's a very new area of science and the Tahoe Science Advisory Council has formed a working group. This group will be looking at literature review on the state of science around microplastics, where the gaps are, and they're going to bring a report back in October. There's been a couple of studies that point to the need for more research at the lake because it's not just what's going on in terms of litter on the shoreline, it could be what fabrics we're wearing. Our team is looking at our shoreline regulations.

We had a lot of concern about a Styrofoam floating platform that washed up in Incline Village. We won't be permitting any styrofoam facilities at the lake. We are evaluating all of that and looking very carefully to ensure that we're not exacerbating what could be a growing problem.

The Destination Stewardship Working Groups have formed a waste management action team. It's about how we collect the resources we put into collecting trash, education, and awareness, give the city a great deal of credit for the single-use plastic water bottle ban that's coming online this year. Water bottles could be a source of microplastics making their way into the lake. Toys that kids use building sandcastles could be making their way into the lake, and the breakdown of the plastic. We're actively working together as a partnership to address waste management and to have a very active strategy for July 4th for waste removal and litter abatement and even treating the July 4th like an incident in terms of a wildfire incident command where we work with all of our partners to attack this, well before the holiday. It's going to take everybody to row in the same direction.

Over the course of the last few years, we've had around 20 to 30 staff that have engaged around topics of growing an inclusive culture, not only within our organization, but in our communities and looking strategically at issues of equity. TRPA staff Kira Richardson has done a great job through the lens of transportation in our transportation equity study explaining equality in the graphic is getting everybody a bike, but equity is getting everyone a bike that fits them for all people from all walks of life. A shout out to Katherine Huston and Victoria Ortiz for helping with the work of this group to come together to look at our own policies and how can we grow a more diverse workforce and ensure that the policies that we implement in the basin being the leader that we are inclusive. That they're fair and accessible and growing access around the community.

A couple of highlights of things that we've done in the strategic plan that grew out of this work and having staff trainings to be more aware of issues around diversity, equity, and inclusion. We've updated our policies, to be a respectful workforce, looking to foster more inclusivity, how we attract candidates that want to come to Tahoe and to build diversity within our workforce. We've made a lot of strides in bilingual education; they've translated Tahoe Keepers and invasive species materials into Spanish. We have targeted lots of content in the Tahoe in depth, around these issues. We now have a translator on our website. We've improved technology and access for our meetings.

We do have a land acknowledgment that we worked with the Washoe Tribe of Nevada and California in the TRPA front office and a map of their ancestral and current homelands. And we are doing some heavy lifting with our Tahoe partnership to more meaningful engagement with the Washoe Tribe in projects and in the future of the lake.

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We're going to be bringing some improvements to our threshold standards in some very important natural resource areas like stream environment zones, wetlands, and invasive species, and modernizing our methodology of how we look at thresholds. We have the Climate Smart Code that many of you have talked about that we've vetted through Regional Planning Committee. We also have a big solar project on the South Shore that's going to be coming forward. Meeks Bay restoration coming this summer is a joint partnership with the Forest Service and the Lahontan Water Board. We don't have a revised project application for the Homewood Master Plan but that will come forward when it's been submitted.

Deed restrictions were extensively addressed during the Housing Amendments discussion in December. The conversation delved into policy amendments, and subsequent to that, a thorough analysis and audit of deed restrictions has been underway. We anticipate the release of a comprehensive report by the first week of the upcoming month, which will be accessible on the housing page of the TRPA website. Remarkably, the staff has demonstrated commendable efforts in enhancing our commitment to enforcing deed restrictions, allocating additional legal and staff resources to this initiative.

Wednesday, May 22nd, will be the regular business of the Governing Board and the 23rd will be our strategic planning session.

Ms. Regan welcomed Graham St. Michel and Marsha Burch, new associate attorneys for the legal team. We'll have another attorney joining later this summer.

In January, the Governing Board had a discussion around our transportation and communities threshold standard known as the VMT standard. Staff was asked to work with partners and bring back a proposal within two months and we're coming back to you in March to deliberate and take some action. What staff heard from the board was that we should celebrate the success of the 7-7-7 funding strategy progress, breaking the logjam of not moving the dial on improving funding for transportation. In 2022, we all committed to raise an additional \$20 million for transportation projects in the region. In the last fiscal year, everyone around the table, our community, our partners raised \$23 million for transportation projects. That puts us three years ahead of the Regional Transportation Plan schedule and will result in more tangible on-the-ground benefits. The silver lining comes with a touch of gray and that is our work here isn't done. When we looked at the total cost of the Regional Transportation Plan of \$2.5 billion over the 20-plus years, we set that goal for an annual \$20 million of new revenue. We have exceeded our target, as we discussed last month, but want to acknowledge that because some of those funds are one-time grants, they are not ongoing as the policy calls for.

The second thing that we heard is that we need to be realistic with the funding milestones and recognize the obstacles of the landscape like state and federal budgets, needing to align, and budgetary timelines for leveraging the funds from all the various sectors, federal, state, local, and private. This starts with acknowledging that the vision that we had when we started this funding journey is we are going to need this ongoing sustainable revenue source in order to build more transportation infrastructure and reduce VMT per capita in Tahoe. The one source that we maybe envisioned some years back that we might be able to achieve has not become manifested as feasible. What can we do in the meantime to develop more ongoing funding solutions? Being realistic about the milestones doesn't mean that we won't set high goals.

Staff heard that we should continue to use milestones to push what's possible and get more forcing functions and put more pressure on raising those dollars. We want those milestones and

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frameworks to recognize and reward progress that we have made over all the sectors. Any updated policy brought forward will call for a full accounting of progress and provide incentives for sectors that have delivered new funding because we've got new funding online that we didn't have five years ago. In addition to taking a fresh look at funding milestones, we will look at the consequences of not meeting those milestones and to ensure that we're not blocking progress on other goals or preventing beneficial and much-needed projects that drive environmental benefits. We're contemplating revisions that would address the concerns raised about public safety and other public service projects. We also heard the board's concerns about the potential impact of VMT policy changes on redevelopment projects that would contribute to the benefits of other categories of our thresholds like scenic resources, water quality, and other natural resources.

We want to honor our agreements and recognize that the board took action in 2021 which included the language around a trigger. The existing trigger is not a moratorium on development. The current trigger was designed to affect larger projects, and there are none immediately in the queue that would be affected. Smaller projects like those that don't hire a traffic engineer to perform a VMT analysis would continue or just pay a fee like normal and not be impacted. No single-family homes or projects with a few residential units would be affected in this interim. And affordable housing was exempt from that VMT trigger. That doesn't mean that the trigger was written would not impact any projects. To forecast VMT generated by projects that aren't fully baked yet is very difficult.

The best sense of those larger projects that would be impacted are those in town centers that generate more than 1,300 new vehicle miles traveled or outside town centers that generate more than 715 new VMT. Staff reviewed about 20 projects that are in the pre-application phase at this point and identified about four that could be impacted. What we've been able to analyze is that had the trigger been pulled at the time of the Latitude 39 project on the South Shore that was a mixed-use infill redevelopment project probably wouldn't have been affected by the trigger. However, the Tahoe City Lodge project might have been impacted.

Staff is continuing to work with the community and stakeholders to design a new framework that can bring forward environmental benefits that we can implement.

Presentation: [Agenda-Item-No-VIIIA-Executive-Director-Report.pdf](#)

Board Comments & Questions

Ms. Conrad-Saydah thanked Ms. Regan for summarizing that robust discussion the board had last month. She committed to going back to the state and bringing folks together to look for multiple funding resources. They are trying to bring in the transportation agencies, their Strategic Growth Council and Office of Plan and Research colleagues and others to think about funding resources beyond resources agency and look at opportunities for the state of California to support the Tahoe

Ms. Gustafson said as you're discussing this with our partners, we excluded affordable, achievable housing from VMT counts. But actually, she finds it's a reduction in VMT because these people are no longer driving into the basin every day. She would like to find ways to incentivize jurisdictions to invest more because they're reducing VMT. And if there are incentives for housing then allow for the VMT to be banked. If we invest in Tourism Business Improvement District (TBID) and we are dedicated to micromass transit, that's reducing VMT. Are there banking mechanisms within our systems too? She likes carrots versus sticks, and we have a lot of sticks.

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B. General Counsel Status Report

Mr. Marshall said the Legal Committee discussed the new lawsuit filed by Mountain Area Preservation against TRPA over the Phase 2 Housing Amendments. Staff will be working on the administrative record within the next couple of months. They'll be pursuing aggressive defense of the action, and we look forward to handling that case with our new attorneys.

Board Comments & Questions

Ms. Aldean asked if it were correct that Governing Board members only have to transmit to TRPA their personal interactions with people from the public on this issue.

Mr. Marshall said yes, that's correct.

Mr. Settlemeyer asked staff to send out the keywords for searching their emails.

IX. GOVERNING BOARD MEMBER REPORTS

No reports.

X. COMMITTEE REPORTS

A. Local Government Committee

No report.

B. Legal Committee

No report.

C. Operations & Governance Committee

No report.

D. Environmental Improvement Program Committee

No report.

E. Transportation Committee

No report.

F. Regional Planning Committee

No report.

XI. PUBLIC INTEREST COMMENTS

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Doug Flaherty, TahoeCleanair.org said the executive director's long list of information is probably a lot of what's wrong with the Tahoe Basin. A lot of verbalization, hyperbole, very little data. TRPA has been negligent on allowing the East Shore to be overrun along with approving the East Shore Trail. You're not monitoring the environmental degradation over there. It's the last part of Tahoe that's old Nevada, and it's tragic what's happening. You keep encouraging more trails, more visitors, and it's got to stop. He's looking forward to the US Supreme Court decisions on the Chevron deference because that's going to put an end to a lot of what you have been doing. You've lost your vision of your mission, which is the environment and public safety. If the public is going to be expected to have meeting decorum, then you all should do that as well. He noticed some chuckles and eye-rolling while a person was speaking online. We're not doing cumulative impact on mass grading. With all this underground parking, we need a cumulative EIS, EIR on mass grading. Is your website ADA-certified? Have you done a study on BMP effectiveness? Lastly, you need to address the issue of 500,000 to 700,000 burn piles in the Lake Tahoe Basin, which you and your partners have supported.

Erin Casey said Ms. Regan's report is excellent. It's impressive the amount of work that you and your team have done in partnership with the jurisdictions in the region. She noted the number of accessory dwelling units permits processed and she thinks that with the organization that she's now helping to bring forward, that there's opportunity for partnership with the TRPA and the local jurisdictions. The approach that we're looking at is aligned with a lot of the comments and the sentiment in this community around housing. She offered to provide additional information to the Governing Board on the Housing Hub.

Robb Olson, Alpine Meadows resident and Tahoe City business owner said the commenters shouldn't be calling out individuals and talking about unfounded information about other people and don't know the facts. There are a lot of lawsuits going on, stop paying the lawyers, and let's take those dollars and find solutions instead of problems. We need to do fuel reduction in our basin, we need to have workforce housing, etc., and when people are fighting and not communicating, we're not going to get anything done. His son at seven years old would like to live here as an adult but doesn't know if he'd be able to afford a house. We need to resolve this issue so that we can have multiple generations living here. People and government are not perfect, but we have to try and have dialogue and work through these issues.

Elisabeth Lernhardt, Zephyr Cove resident said the senior citizens she talks with can afford to have a house. They bought them 50-plus years ago but are thinking of leaving because they don't have neighbors. There's no sense of community. In her neighborhood of Skyland, every third house maybe is seasonal or all-year-round person, but the rest of them are unoccupied. The people who come in and out during the holidays block the roads, leave trash, feed the bears, etc. We are the people who live here, listen to us.

Melissa Soderston, Tahoe Forests Matters said how many millions have been spent in recent years on fuel reduction, forest health, and thinning? Driving through our populated areas, does it seem as though our communities are more protected from fire? Do we see adequate progress being made towards home out defensible space or infrastructure hardening? Have we improved our evacuation routes or our ability to evacuate those quickly without transportation? The answer no. These projects have left us at even greater risk. The scientific consensus is clear that thinning and fuel breaks are not a solution to climate-driven fire. No amount of logging will prevent wind-driven embers from destroying our community, nor is it encouraging forest health. Our insurance companies, the Forest Service, lead scientists, Cal Fire, the Missoula Fire Lab, and numerous others agree that home and infrastructure hardening are the only solution in a rapidly changing climate. We cannot fight fires, which can cover miles in mere minutes, creating their own weather. Believe it or not, fire is actually good for the forest. Bob Horton, Research and

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Policy Director of the Western Fire Chiefs Association, said investing in home and community hardening is the best option state leaders have to lessen the pain of a chaotic insurance market and increasing wildfire risks with climate change. Yet the vast majority of federal, state, and local funding is still directed towards these destructive fuel reduction and thinning projects.

A significant portion of our population cannot afford the work necessary for community-wide home business and infrastructure hardening without an exponential increase in available grant funding. Recently, the Biden administration announced a halt on old-growth logging in order to assess current policy against the newest science, recognizing trees as our best first line of defense against a changing climate. This won't take effect until at least next year and leaves plenty of these logging loopholes. It also fails to consider mature trees, like our Tahoe Basin trees. A forest filled with trees is vital not only for our climate goals but also for our tourism-based economy. We have little time left to prepare for the growing effects of climate change. We urge this board to be proactive and forward-thinking. It's not the time for business as usual, which is what we are seeing from the TRPA. With trees dying at unprecedented rates, we need to, at the very least, pause on the intentional destruction of our forests and to focus on what we know will work to protect life and property.

During the Placer County presentation, their fire marshal said it best in that the Tahoe Basin is at much less risk compared to most of California thanks to our unique topography and climate. This leaving us well posed to implement the right projects rather than the easy projects.

Niobe Burden said the idea of story poles which has been around and utilized in Europe as well as cities in the United States. Architectural drawings and elevations plans can be deceiving, and it seems like a logical way for review committees to assess a project and address transparency for the public when visualizing proposed projects and upholding scenic resource thresholds. She suggested that there be a discussion of this item and how a budget can be adopted to acquire them for developers to utilize. These are just plastic poles with flags and would be positive for transparency by TRPA and local jurisdictions. Examples of the Santa Barbara and Solano Beach information sheet and application have been included as attachments to her public comment. This item has been proposed in public comment previously with no response.

Amanda Johnson on behalf of the California Attorney General's office in his independent capacity said as you continue to work on the VMT threshold item for next month, they wanted to reiterate their comments from January. While we applaud the success of the stakeholders in securing additional one-time sources of federal, state, and local funding, TRPA has not commenced implementation of an ongoing self-perpetuating source of funding as was required by the Governing Board under the label regional revenue when it adopted the amended VMT threshold in 2021.

And as it is still required under the current Regional Plan, regional revenue was intended to be a self-perpetuating source of funding that leveraged dollars from visitors to offset their environmental and transportation-related impacts. This funding source was intended to be separate from traditional local, state, and federal funding sources that rise and fall with economic tides, even though visitation may remain steady or rise. We support a renewed focus on establishing a self-perpetuating visitor-based funding source or sources with the caveat that we are not advocating for a base and entry fee, but rather some other type of fee(s) designed to leverage dollars from visitors that are equitable and constitutional.

Alan Miller, Civil Environmental Engineer is concerned about microplastics in Lake Tahoe from shorezone structures. Thank you to Mr. Bass for his comments on the Styrofoam spill and for requesting that TRPA further investigate the potential sources of microplastics. Mr. Bass suggested contacting each owner of shoreline property by letter to request pertinent information

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related to microplastics to determine their presence and to provide for amortized replacements. This is a needed first step to begin to understand and address a growing microplastics problem at Lake Tahoe. No one has refuted the information he's put in the public record. TRPA has already collected and reviewed the information from its records to contact each shorezone property owner for the desired information pursuant to a public records request he made last year. And that includes a listing for every recent pier application in the last five years and a historic listing and inventory of the total number of shorezone projects with plastic decking. He requested that TRPA furnish him with that information and then pursue with public involvement opportunities for policies going forward so that we don't miss the opportunities to save Lake Tahoe. His initial policy recommendations have been long known to TRPA. Briefly, an immediate moratorium on the placement of new plastic materials in the shorezone over Lake Tahoe waters and in the stream environment zones as needed. A regulatory plan for phasing out and removing existing plastics from the environments, abatement and removal of deteriorating plastic shorezone and shoreline structures, and criteria for removal of deteriorating plastics, and regulations prohibiting the further use of plastics for any structure that may affect water quality. TRPA and the other multiple shorezone structure approvers are dooming Lake Tahoe with microplastics for the benefit of a minority of Lake Tahoe stakeholders. They're trading water quality for recreational boating with no analysis of the effects.

XII. ADJOURNMENT

Mr. Bass made a motion to adjourn.

Ms. Gustafson adjourned the meeting at 4:43 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.