

TAHOE REGIONAL PLANNING AGENCY
REGIONAL PLAN IMPLEMENTATION COMMITTEE

TRPA/Zoom

January 25, 2023

Meeting Minutes

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Interim Chair Ms. Aldean called the meeting to order at 12:05 p.m.

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

Members absent: Ms. Hill

II. APPROVAL OF AGENDA

Ms. Aldean deemed the agenda approved as posted.

III. APPROVAL OF MINUTES

Ms. Aldean submitted her clerical changes to Ms. Ambler. Ms. Gustafson moved approval of the December 14, 2022, as amended.

Motion carried.

IV. Item 3: Election of Interim Chair

Ms. Gustafson nominated Ms. Aldean as the Interim Chair.

Committee Comments & Questions

None.

Public Comments & Questions

None.

Ms. Gustafson moved approval.

Voice vote.

Motion carried.

V. Item 4: Possible recommendation for Amendments to Douglas County's South Shore Area Plan to Allow Religious Assemblies as a Permitted Use in the Tahoe Mixed-Use Zone

TRPA staff Mr. Stock and Ms. Moroles-O'Neil, Douglas County provided the presentation.

Mr. Stock said Douglas County is proposing to change Religious Assemblies from a special use to an

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allowed use in the Tahoe Mixed-Use Zone on lower Kingsbury Grade. TRPA staff has reviewed the findings in the Initial Environmental Checklist and found the Amendment to have no significant environmental effect and to be in conformance with the Regional Plan. This amendment is important to ensuring that the area plan's conformance with Federal law.

If the Regional Plan Implementation Committee recommends approval, it will be heard this afternoon at the Governing Board meeting for final approval.

(Presentation continued)

Ms. Moroles-O'Neil said Douglas County staff is recommending approval for a zoning modification in the Tahoe Mixed-Use (TMU) Zoning District. Currently Religious Assemblies require a special use permit they believe that it is imperative that they eliminate the need for this special use permit.

In November 2021, a synagogue located in the TMU zoning was required to get a special use permit in order to hold their religious assemblies. While staff was processing the application, it became apparent that the definition of Religious Assembly and membership organizations were very similar. Both of these definitions promote the interest of its respective group and both are consistent with the zones use.

Staff also discovered religious assembly use is consistent with the Tahoe Mixed-Use Zoning District which specifically allows public service use.

Religious Assemblies are required to obtain a special use permit while membership organizations are permitted as an allowed use in the Tahoe Mixed-Use Zoning District.

This amendment would eliminate any perception of discrimination based on the Federal Law of RLUIPA, The Religious Land Use and Institutionalized Persons Act. Staff believes that it is imperative that they stay consistent with area plan regulations and Federal Law.

PowerPoint can be found at: [RPIC-Item-4-Douglas-County-Amendments.pdf](#)

Committee Comments & Questions

Ms. Aldean asked if there was any opposition to these proposed amendments.

Mr. Stock said they have not received any public written comment letters on this item.

Public Comments & Questions

None.

Committee Comments & Questions

Mr. Hoenigman made a motion to recommend approval of the Required Findings as described in Attachment D, including a finding of no significant effect for the adoption of the Plan Area Statement amendment as described in the staff report.

Ayes: Ms. Aldean, Ms. Diss, Ms. Gustafson, Mr. Hoenigman

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Absent: Ms. Hill

Motion carried.

Mr. Hoenigman made a motion to recommend adoption of Ordinance 2023-___, amending Ordinance 2013-05 to amend the Douglas County South Shore Area Plan as shown in Attachment C.

Ayes: Ms. Aldean, Ms. Diss, Ms. Gustafson, Mr. Hoenigman

Absent: Ms. Hill

Motion carried.

- VI. Item 5: Possible recommendation of an Amendment to Plan Area Statement 146 (Emerald Bay) and Plan Area Statement 147 (Paradise Flat) to incorporate six (6) parcels into the boundary of the Paradise Flat Plan Area Statement, (currently located in the Emerald Bay Plan Area Statement), Assessor's Parcel Numbers: 017-041-017, -018, -025, -027, -029, -031 located in El Dorado County

TRPA staff Ms. Bettinger provided the presentation.

Ms. Bettinger said both the amendments are map corrections to the boundaries of the local plan documents which means an amendment to the Regional Plan maps. The reason for this is that the Governing Board has taken action on the Regional Plan maps, therefore, any boundary adjustments have to be approved by the Governing Board.

With the 1987 Regional Plan, TRPA adopted a set of plan area statements that specify how particular areas should be regulated to achieve land use and environmental objectives. Plan area statements and community plans are the original zoning documents that predate the area plans that they're moving towards today. Both amendments are focused on plan area statements and community plans and are not proposing any changes to area plans.

The original plan area maps were drawn based on Mylar maps and the technology has been updated quite a bit since then.

Overtime, during the transition of the old Mylar maps to the new system, there were various errors that occurred. Today's presentation will show two examples that staff has identified when moving between the two systems. The first was that they omitted one of the original Mylar maps when they were digitizing the West Shore.

The proposed amendment would move six parcels from the Emerald Bay Plan Area Statement into the Paradise Flat Plan Area Statement. This is north of the D.L. Bliss State Park boundary and south of the Rubicon Residential Subdivision.

Because one of those original Mylar maps was omitted from the record when the West Shore area was digitized, these parcels were mistakenly included in the Emerald Bay Plan Area Statement which has a conservation land use designation. Currently, all six of these parcels are built with single-family homes that are being used year round. They've been there for a long time and have been grandfathered in and are considered legally non-conforming. But because they are included in the Emerald Bay Plan Area Statement, they are classified as summer homes because that's the only residential designation that's allowed in the Emerald Bay Plan Area Statement. The proposed Amendment would move these

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parcels into the Paradise Flat Plan Area Statement which has the primary land use of residential. None of the allowable uses in the either of the plan area documents are changing, it's just moving these six parcels from one plan area to the other.

The Advisory Planning Commission recommended approval on January 11, 2022.

PowerPoint can be found at: [RPIC-Agenda-Item-No-5-Plan-Area-Statement-146-147-Amendment.pdf](#)

Committee Comments & Questions

Ms. Aldean asked if this was an outgrowth of a request for a permit and it was then discovered that these parcels were associated with an incorrect plan area statement.

Ms. Bettinger said yes.

Ms. Gustafson asked if most of the properties along the ridge in the Emerald Bay Plan Area Statement are on leased land or privately owned land.

Ms. Bettinger asked if she was referring to the ones that are being proposed to move.

Ms. Gustafson said no, the ones that are considered summer homes only.

Ms. Bettinger said primarily they are public parcels. State Parks owns D.L. Bliss and is a large component of that area. There are quite a few Conservancy properties in that plan area statement.

Ms. Gustafson said on the ridge above Emerald Bay are some homes, are those on long term leases or private land?

Ms. Bettinger said the ones that are south of what they're discussing are cabins on Forest Service land.

Public Comments & Questions

None.

Committee Comments & Questions

Ms. Gustafson made a motion to recommend approval of the Required Findings, as described in Attachment B, including a finding of no significant effect, for adoption of the Plan Area Statement amendment as described in the staff report.

Ayes: Ms. Aldean, Ms. Diss, Ms. Gustafson, Mr. Hoenigman

Absent: Ms. Hill

Motion carried.

Ms. Gustafson made a motion to recommend adoption of Ordinance 2023-___, amending Ordinance 1987-9, to amend the Plan Area Statements as shown in Attachment A, Exhibit 1.

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Ayes: Ms. Aldean, Ms. Diss, Ms. Gustafson, Mr. Hoenigman

Absent: Ms. Hill

Motion carried.

- VII. Item 6: Possible recommendation of an Amendment to Plan Area Statement 100 (Truckee Marsh) and the Bijou/Al Tahoe Community Plan to incorporate one parcel into the boundary of the Bijou/Al Tahoe Community Plan as originally approved by the City of South Lake Tahoe, 2833 Lake Tahoe Boulevard, South Lake Tahoe, CA (currently located in the Truckee Marsh Plan Area Statement), Assessor's Parcel Number: 026-221-029

TRPA staff Ms. Bettinger provided the presentation.

Ms. Bettinger said this a map correction to the Truckee Marsh Plan Area Statement 100 in the Bijou/Al Tahoe Community Plan boundary. Similar to the previous amendment, this is a boundary adjustment to both plan areas. This amendment would move one parcel from the Truckee Marsh Plan Area Statement to the Bijou/Al Tahoe Community Plan. This vacant parcel is along US Highway 50 bike path across the street slightly south of Denny's Restaurant and the Ross shopping center and just across from Trout Creek Meeks Lumber.

This amendment is proposed because the parcel was originally included in the Bijou/Al Tahoe Community Plan boundary when the community plan was adopted in 1996. It's also been included within the boundary of the community plan in some subsequent amendments. At some point, a mapping error occurred which moved this parcel into the Truckee Marsh Plan Area Statement. According to a land capability verification that was done in 2001, this parcel is about 50 percent Class 1b or stream environment zone and the other half is Class 7. If the amendment is approved, the parcel would be eligible for the permissible uses in the Bijou/Al Tahoe Community Plan but the parcel would still be subject to all TRPA standards including coverage and stream environment zone protections.

This parcel is currently included in the conservation designation of the Truckee Marsh Plan Area Statement and staff is proposing to move that into the Bijou/Al Tahoe Community Plan. In slide 5, the map on the left was included in the 1996 adoption and on the right is an amendment to the Bijou/Al Tahoe Community Plan which also includes this parcel in 2020. These maps can also be found on pages 279 and 281 of the packet.

The Advisory Planning Commission recommended approval on January 11, 2022.

PowerPoint can be found at: [RPIC-Agenda-Item-No-6-Plan-Area-Statement-100-Amendment.pdf](#)

Committee Comments & Questions

Ms. Aldean asked if there were any concerns from members of the public.

Ms. Bettinger said staff received one public comment about looking at the cumulative impacts of both these changes.

Ms. Aldean said even though it was an error?

Ms. Bettinger said yes. There are no changes to the Regional Plan limits or rules and therefore, are not

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any cumulative impacts with these changes.

Public Comments & Questions

John Hitchcock, Planning Manager, City of South Lake Tahoe said they supported this amendment. This will bring TRPA and the City zoning consistent with each other.

Committee Comments & Questions

Mr. Hoenigman made a motion to recommend approval of the Required Findings, as described in Attachment B, including a finding of no significant effect, for adoption of the Community Plan and Plan Area Statement amendment as described in the staff report.

Ayes: Ms. Aldean, Ms. Diss, Ms. Gustafson, Mr. Hoenigman

Absent: Ms. Hill

Motion carried.

Mr. Hoenigman made a motion to recommend adoption of Ordinance 2023-___, amending Ordinance 2022-03, as previously amended, and Ordinance No. 1987-9, to amend the Community Plan and Plan Area Statement boundaries as shown in Attachment A, Exhibit 1.

Ayes: Ms. Aldean, Ms. Diss, Ms. Gustafson, Mr. Hoenigman

Absent: Ms. Hill

Motion carried.

VIII. COMMITTEE MEMBER REPORTS

None.

IX. PUBLIC INTEREST COMMENTS

None.

X. ADJOURNMENT

Ms. Gustafson moved to adjourn.

Interim Chair Ms. Aldean adjourned the meeting at 12:37 p.m.

Respectfully Submitted,



Marja Ambler
Clerk to the Board

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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.