

TAHOE REGIONAL PLANNING AGENCY
REGIONAL PLAN IMPLEMENTATION COMMITTEE

TRPA/Zoom

September 27, 2023

Meeting Minutes

CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Mr. Hoenigman called the meeting to order at 3:41 p.m.

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

I. APPROVAL OF AGENDA

Mr. Hester stated that there are no changes to the agenda.
Mr. Hoenigman deemed the agenda approved as posted.

II. APPROVAL OF MINUTES

Ms. Aldean said she'll provide Ms. Ambler with her edits and moved approval of the August 23, 2023, minutes as amended.

Motion carried-voice vote.

III. Informational Update and possible direction to staff on the Phase 2 Housing Amendments, including proposed changes to Code of Ordinances Chapter 13, Area Plans; Chapter 36, Design Standards; Chapter 37, Height; Chapter 31, Density; Chapter 30, Land Coverage; Chapter 34, Parking Policies; Chapter 52, Bonus Unit Incentive Program and Chapter 90, Definitions; and changes to the Goals and Policies, Land Use and Housing Sections; that would only apply to projects applying for deed-restricted bonus units

Mr. Hoenigman said the committee has received written public comments on this item.

Mr. Hester said in July 2022, staff held a workshop with the committee to solicit feedback on what they wanted staff to work on which came from recommendations from the Tahoe Living Working Group. They heard from the committee that this is a big problem, and they need to go bold. They also told staff that they don't want to do things that sound like good policy, that wanted it to have some basis in what the market can actually do. One of the things staff did was to hire Cascadia Partners who work with developers for affordable housing. Cascadia provided them with a scale that took them from where they are now to certain sets of policies that would reduce the prices by certain amounts. They were able to get a set of recommendations that got them into 120 to 180 percent Area Median Income (AMI) range and that includes changes to some of TRPA's policies as well as changes related

to parking which they have the authority to address but never have. Where they are today is that they put together a package that is in the 120 to 180 percent range. There are some options within that range that go with a little less parking, etc. This is where we want to finalize that set of recommendations to then go to the final hearings at the Advisory Planning Commission, back to the Regional Plan Implementation Committee, and then the Governing Board.

Ms. Bettinger provided the presentation.

Ms. Bettinger said like many communities across the country, Tahoe is suffering from a crisis of affordability. The median home size in the past 50 years has more than doubled and along with it so has the price. Many can no longer afford to live in the region. When people cannot live here, we not only lose our community, but we get further from meeting the goals that are outlined in the Regional Plan.

For the last couple of years, TRPA has been looking at our role in the housing crisis and how we could reshape certain policies that get us closer to meeting our thresholds and the goals of the Regional Plan. These include more concentrated development close to town centers, implementing stormwater treatment systems built along with the housing that better meet the water quality standards. Higher density along the transit corridors helps achieve transportation, specifically transit goals, housing that is smaller, denser, and more affordable.

In 2020, they kicked off the Tahoe Living and Community Revitalization Strategic Initiative. Staff have worked closely with the Tahoe Living Working Group to develop these policy changes. Phase 1 was focused on making changes to allow accessory dwelling units on smaller lots within the basin as well as encouraging older motels to convert to long term residential housing. Phase 2 will be discussed today which is focused on making it more financially feasible to build bonus units in the basin. It also helps local jurisdictions be more competitive for grants and for the California jurisdictions to achieve their Regional Housing Needs Allocations (RHNA) requirements. Phase 3, which will begin in 2024, will use our recent grant to take a larger look at how some of our long standing policies like our development rights system, permitting, and fees to make them more equitable.

TRPA sets a cap on the amount of development that can happen which were approved under the 1987 and 2012 Regional Plan. Those caps are not changing with this proposal. They are specifically looking at how they can make our existing pool of bonus units more financially feasible. Three important numbers to keep in mind; that 50,000 is the total amount of residential units that were allowed under the Regional Plan. The majority of that has already been built out. There are about 3,500 residential units remaining to be distributed and within that 3,500 number about one quarter of those, 946 are bonus units. Bonus units are residential units that are distributed to projects that are deed restricting the unit to affordable, moderate, or achievable housing.

Development standards influence what gets built on the ground. One of the ways that they can get more concentrated development in and near the town centers that is beneficial for the environment and communities is through changes to the development standards. When they talk about development standards it's coverage, height, and density that are set at the TRPA level as well as parking and setbacks that they defer to the local jurisdictions to set.

We are not unique in looking at whether we can make changes to these development standards to increase the affordability of housing. This is happening across a lot of mountain towns across the west as well as at the state level. If we allow higher density for example, how much do those changes influence the cost to build? As Mr. Hester mentioned in the past year or so, since they did the housing workshop with the Governing Board, they've done another analysis with Cascadia Partners to help answer those questions. They found that making changes to development standards specifically height, density, coverage, and parking can reduce rents by nearly 40 percent. By making these changes they can produce housing units at a lesser cost without the huge subsidies that are required today and have seen often in previous months.

In addition to the Cascadia analysis, they've been meeting with a variety of local groups and attending a lot of community events this summer where they've received a lot of good ideas for solutions. They've used the Cascadia analysis as a baseline, but the proposal has evolved and been shaped by the engagement that they've had along the way.

The proposal would only apply to deed restricted units. TRPA currently has three deed restriction levels. The affordable and moderate are income based and need to be below 80 or 120 percent of the AMI. They also have higher deed restriction level called the achievable level. This is new since 2018 and is targeting that local worker requirement so there isn't an income limit with the achievable deed restriction. It needs at least one occupant within the unit working at least 30 hours per week for an employer within the Tahoe Basin. There are 946 bonus units left in our pool under the 2012 Regional Plan. This is not changing with this proposal; these units will likely be developed regardless of whether they make these changes or not. They are hoping to get these units out the door quicker and concentrated in and near the town centers.

The proposal would apply in two distinct locations throughout the basin. The first is within the town centers. The town centers are within walking distance to shops, grocery stores, bike infrastructure, transit. There is a lot of commercial right now within the town centers. They want to incentivize residential growth in the town centers for people to live and not drive a car everywhere.

Within these town center locations, they are proposing to allow an additional nine feet of height. Currently, 56 feet is allowed which is about four stories. The proposal would take it to 65 feet or five stories. This is specifically for deed restricted housing. They currently allow up to 70 percent coverage and are proposing to allow coverage over 70 percent in the town centers when water quality standards can be met through stormwater infrastructure. The proposal includes removing density maximums from deed restricted units. This is to encourage smaller units. The density standards now are relatively low for urban areas, and they contribute and result in these large units. They are proposing to remove the density maximum and leave it to the overall building footprint to dictate how many units can be built. Lastly, they are proposing to cap the amount of parking that local jurisdictions can require to no more than .75 spaces per unit. This doesn't mean that the developer can't provide more, it means that the local jurisdiction can't require more. Right now, the local jurisdictions require between one or two give or take spaces per unit and that would be reduced to .75 spaces per unit on average.

Height can be a little abstract when you talk about it in terms of feet. Some of the buildings that are higher than 56 feet are Heavenly Village, the Hilton Vacation Club at Ski Run Boulevard, South Lake Tahoe, and the Pepper Tree Inn, Tahoe City.

Committee Comments & Questions

Ms. Aldean referred to page 266 of the packet states that the total number of remaining bonus units is 862 and Ms. Bettinger stated in the presentation that it was 946.

Ms. Bettinger said the number is influx because it's coming out of the pool of bonus units where projects are coming in and trying to reserve bonus units. The 946 number is currently the amount of bonus units that haven't been fully reserved.

(presentation continued)

Ms. Bettinger said the proposal would also apply to areas that are zoned for multi-family. These are shown in lighter orange on slides 15 and 16. These areas are directly adjacent to the town centers where they already allow for multi-family. Because of the development standards, among other factors, it makes it hard to build more than one unit in these areas.

Within these areas they are proposing more flexibility with roof pitch. Chapter 37 has specific requirements that dictate height based on roof pitch and slope of the parcel. These amendments would be more flexible with a shallower roof pitch. This leads to more energy efficient buildings and more livable space. They're not necessarily increasing the amount of height that you can get but they are allowing a shallower roof pitch. Deed restricted projects would be exempt from the density maximums that they currently have in an effort to encourage smaller units. The proposal also includes transition areas between town centers and multi-family areas by looking at parcels that are directly adjacent to town centers and allowing a bit more height on those specific parcels to avoid having an abrupt transition between town centers with height up to 65 feet down to 36 feet. The transition areas are new.

This proposal would apply to both accessory dwelling units and mixed-use developments. Mixed-use projects that have commercial on the ground floor and then 100 percent deed restricted units above could qualify for the coverage, height, density, and parking incentives. If accessory dwelling units are deed restricted could qualify for the additional coverage incentives.

Since 2012, TRPA has been delegating certain authority to the local jurisdiction partners through the area plans. Height, density, and parking are standards that are listed in area plans. Because of the regional need for housing, they are proposing that these changes would supersede standards in local area plans. These would go into effect within 60 days of approval by the Governing Board. This is only for deed restricted units and not all development. Local jurisdictions would not need to go through an area plan amendment process for these changes. If a local jurisdiction wanted to opt out through an area plan amendment, they can do so but they would need to demonstrate that any changes to coverage, height, density, and parking would facilitate the construction of housing. There are a number of ways they could do this, but one option could be providing a direct subsidy to housing if they were reducing the allowable height from 65 feet for example.

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In the recent past there's been an opportunity for public input with a public webinar last Tuesday as well as releasing a flash vote survey with a third party to receive input on these housing amendments. They've been asking whether people are okay with taller and denser buildings in and near town centers if it meant that more affordable housing options were available. Both the public webinar and the flash vote survey showed that people are split. That shows that some think that we need to do much more and some think that we need to do much less. This proposal is to find a balance between those two. The results of the flash vote survey are available on the TRPA website. They also received over 100 questions and comments from the webinar last week and the answers to those questions can also be found on the website.

Today, staff is asking for input from the committee before they start the final hearing process around November with the Advisory Planning Commission and the Regional Planning Implementation Committee before going to the December Governing Board meeting. October 8 is the anticipated release date for the Initial Environmental Checklist. That IEC is based on the proposal that is being presented today and anytime that proposal changes that analysis will change.

Presentation: <https://www.trpa.gov/wp-content/uploads/Regional-Plan-Implementation-Committee-Item-3-Phase-2-Housing-Amendments-2.pdf>

Committee Comments & Questions

Mr. Hoenigman said this has been a long process with a lot of public input gathered. Staff has come up with something exciting that hopefully allows us to solve the problem.

Mr. Hester said they were pleasantly surprised with the poll outcome of approximately 50 percent in support, 30 percent against.

Mr. Hoenigman said it's known from studies that sometimes those who speak at the public meetings are often not completely representative of the general sentiment in the public and is good to see some polling done.

Ms. Aldean said the idea of increased height by right concerns her only in that height, especially at six stories can have a shadowing effect on adjacent properties. Now, many urban areas require a shadow analysis. New buildings could cast shade on adjacent buildings, have an impact on the quality of the life, and interfere with the line of sight to commercial properties that rely on people passing by.

Ms. Bettinger said yes, they can take that into consideration for a shadow analysis requirement. It's important to consider that any time you are putting additional requirements on projects has pros and cons.

Ms. Aldean said on the other hand she has sympathy for the people who may be negatively impacted by a tall building in a relatively confined area. Do we know where these opportunities are within these various communities? She doesn't want this to be more difficult for the developers but also doesn't want it to become a detriment to the people who have already invested in properties and businesses.

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Mr. Hester referred to page 280 of the packet, there is a note on the bottom. When you get to four stories, the building has to start being set back.

Ms. Aldean said it can still cause shade. The buildings in back of a building, regardless of whether you step it back addresses the zero lot line set back.

Mr. Hester said this is when you get to height. It's to prevent a tall building from casting a shadow. At four stories it sets back so there is no additional shade.

Ms. Aldean asked if that is on the buildings behind the building.

Mr. Hoenigman said that's how they generally do it. Right now, if it steps back at that level, it shouldn't cast any more shadow than an existing building.

Mr. Hester said that is exactly what that note A at the bottom of the page is for is because they were concerned about that same thing.

Ms. Aldean asked if there is an example of that in the presentation.

Ms. Bettinger said yes, the Heavenly Village building on slide 14.

Ms. Aldean said there's a step down on the right hand side. If there were a business behind that building, it's not only interfering with the line of sight to that business but it's also casting some sort of shadow.

Mr. Hester said currently a four story building is allowed you'd get the same.

Ms. Aldean asked what about interfering with the line of sight. Without a map, she doesn't know where these eligible parcels are. Conceivably there could be a parcel that's in the middle of a commercial district and someone builds a six story affordable housing project and it's between the road and the commercial establishment behind the building. She doesn't have an issue with density and parking as she does with height being a matter of right. It really depends on location.

Mr. Hester said if you were on a street or sidewalk and want to see a building that's back behind the new building whether it's four stories or six stories with a setback, he doesn't think you are going to see that building.

Mr. Settlemeyer said for example, if your house could currently see the lake but someone builds an extra story then you might not be able to.

Mr. Hester said you are currently allowed four stories. He's not sure that going from four to six is going to block a single-family home lake view in a town center.

Ms. Aldean said for example, if you had a lot in the middle of town and the developer decides to build a six story affordable housing project on it and whether it's four or six stories, it could interfere with lines of sight to existing buildings, businesses, or homes. She doesn't want to lose control of the review process by saying someone could build a six story building regardless of the impacts to surrounding properties.

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Mr. Hester said scenic standards would still have to be met.

Ms. Aldean said scenic with respect to Lake Tahoe.

Mr. Hester said there are also points where you also have to be able to see the ridgeline.

Ms. Aldean asked if it were correct that it wouldn't exceed the height of the ridgeline or tree canopy.

Mr. Hester said probably not. Anywhere that's a scenic spot in the scenic system for example, where the Board walked during the tour in Placer County there was a proposal to go higher with this kind of height and they checked that you could still see the ridgeline.

Ms. Bettinger said they are proposing to go from four to five, not six for deed restriction. There are quite a few findings in the Code of Ordinances Chapter 37 that would still apply. Any developments over four units would go to the Hearings Officer as well as whatever discretionary process it goes through with the local jurisdiction. There are safeguards in place that will prevent us from getting buildings that won't fit into the community character.

Ms. Aldean said the parking standards are being reduced to .75 but the developer can opt to have more parking. The issue of evacuation keeps coming up and if people don't have cars and public transportation isn't running, how would those people get out?

Mr. Hester said they talked to some of the law enforcement and what they do is mobilize a fleet of school or shuttle buses, for example for people that don't have cars. This type of development along transit ways and evacuation routes with higher density is what they recommend as the most fire safe development. California also has some guidance that they put out for the California Environmental Quality Act that states that. Another point is that with 950 units and reducing it to .75 from 1.5 is only 700 parking spaces around the basin. From working in other jurisdictions where they have reciprocal parking agreements, there will be space for cars, but it won't be required to be part of this new development. For example, there might be a reciprocal agreement if you are in a development with a grocery store next door.

Ms. Aldean said there is a reference that a developer will have to develop a parking management program.

Mr. Hester said they are recommending that the local governments do that.

Ms. Aldean asked if that would be on behalf of the developer.

Mr. Hester said just in general.

Ms. Aldean asked if that would be in connection with a specific project. If you are bringing in a lot of additional residents and those residents have cars and only affording .75 spaces per unit, is that the responsibility of local government to be developing a parking management plan for a specific project?

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Mr. Hester said they aren't saying they have to do that; they are suggesting that the local governments may want to develop parking management plans within the town centers anyway. But a developer can build more than .75 spaces per unit.

Ms. Aldean said if it's a matter of economy, they don't want to add to their financial burden in developing a parking management plan that identifies alternate parking for people who may be occupying a unit in their building. It's not something they would do voluntarily and then that burden falls on someone else even though they've created the problem. They have solved a problem with respect to providing affordable housing, but they may have created a problem because there is insufficient parking to meet the needs of the tenants.

Mr. Hester said he's worked where they actually removed parking requirements. The developers will put in what they need to make their project financially viable.

Ms. Gustafson said for most of them in local governments they understand that the only way they are going to get the much highly valued local workers back here is to develop situations to help developers do this. Even at these heights, she feels that there is going to be public subsidy, public involvement, and public mitigations that are coming forward to try to make this work. Placer County is looking at parking management and a pilot program in the Kings Beach grid area where they have seen a lot of overflow from our state recreation beaches and people avoiding paying for that and parking in the grid. They are aware that they are going to have to be part and parcel making these projects work because the highest and best value for anyone's property is single-family residential condominiums with no deed restrictions. They are going to have to put a combination of factors together to make a work. She does share Ms. Aldean's concern about how that's going to work right now, she's less concerned with that because she's been working on it with staff. The local jurisdiction is going to have to step in and deal with those problems that may occur if they are under parked and that can't be on the developer, or it won't happen.

Mr. Hester said they are not proposing that developers do parking management.

Ms. Gustafson said or even providing additional public parking in areas where people can have a parking pass overnight because they do see that most people at least in North Shore no matter how much they've invested in transit, they don't have the type of shopping or facilities that people don't need to have a car to get to Costco or Home Depot, etc. Many of the people that are in the lower income brackets are going to need some sort of transport out of the region for shopping or medical appointments. How are other local governments looking at this and is it something that they should put more on the local governments to ensure participation in these sorts of programs because they don't want every developer doing their own thing with parking management or transit service. Each developer having their own shuttle van is not going to solve the VMT issues.

Mr. Hester said they are not recommending developers do parking management or provide transit.

Ms. Gustafson asked should that be part of what local governments have to do to get these incentives.

Mr. Hester said there's the items that TRPA can do and what they can do working with local governments and still only get to 170 to 155 percent. Maybe local governments do provide parking lots or garages or build stormwater infrastructure. Maybe the California Tahoe Conservancy would provide the land. Maybe the local governments provide subsidies to the housing builder or income subsidies to the renters. There is a whole plethora of financial assistance that is going to be needed to get the developer to provide housing below that 155 to 170 percent level. This is about as far as TRPA can go in changing their regulations. But agreed that there is more that has to happen to go to the lower income levels.

Ms. Aldean said you could enter into an agreement with local government that if we make these code amendments which are dramatic changes to the Code of Ordinances that this is what we expect from local government. It needs to be obligatory that they partner with us. If they want to see this affordable housing built, then they need to accommodate some of the needs that are going to be created by some of the changes that we make in code. Maybe it's done with a Memorandum of Understanding with local government.

Ms. Gustafson agreed having an MOU with the local government. It's our obligation to maintain the community's health and wellbeing with looking at those factors.

Mr. Hester said this is Phase 2 of the entire housing program designed to look at height, density, coverage, and parking.

Mr. Hoenigman said he was looking at pushing the requirement back down to zero as long as the developer can show how they are going to park the expected need. If they are building a building for J-1's those people don't typically have cars. We know that four percent of our population at the lake doesn't have a car now. These represent about 25 percent of the new units, so it's a greater percentage than that. There are a lot of people who exist here without cars. The two things that drive the price of units are the density and the amount of parking. As a developer, what you are selling is not a house, you are selling square footage, and you have to maximize that and if you can only put a couple of units in a place then they are all huge. We're getting rid of that.

The next greatest driver of density is parking. It's geometrically to fit parking on a sloping strange, shaped lot or almost any lot. It takes up more space than a unit. We don't have a parking shortage in the basin, we have five to six as times as many spaces as we have cars. We have a resource that's being underutilized that is a lot of coverage and a lot of runoff already that we can reuse. His feeling is to allow it to go as low as possible, say zero, as long as the person can show that they are dealing with the cars. They are doing that on a project in San Diego where it's not possible to park that many cars on the property and still have retail and everything else that is required. So, they are leasing it from a garage that's underutilized. It's not going to be many cases where it's possible, but if they want to get down to achievable housing to the lowest levels, they are going to have an intersection of a place in the basin that already has stormwater management systems. That can park cars close by because there is an underutilized lot at a grocery store and that has a place for excess snow coverage. There will be a couple of those places where they could get some of these buildings at very low affordability levels with no subsidy. He doesn't think we should preclude that; it won't be the majority of projects but would hate for us to cancel something that could work when it's not a problem.

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Ms. Aldean said .75 parking space per unit is a pretty low bar to cross. This is going to add to the cost of the development. If the city or county isn't acquiring the parking lot or parking adjacent to the affordable housing development, then someone has to front that cost and will add to the developer's expense. If they are capable of doing that or persuade local government to make those arrangements to provide the parking necessary to meet that .75 parking space per unit. She doesn't feel it's realistic to assume that everyone occupying these buildings is not going to have a car.

Mr. Hoenigman said they will usually get their parking somewhere. We also need to decouple the parking from the unit. If you want parking, then you pay for it. The developer does a master lease for a set of parking spaces at another facility and charge tenants who want to use them.

Ms. Aldean said then it makes it less affordable.

Mr. Hoenigman said yes, but if you don't need a car, you don't have to pay. You can't provide the most affordable housing and have two parking spaces. This is giving us the option to try to reach that lowest level of affordability without subsidy. It won't be that many projects or units that will qualify for this and be able to make it work. Most of the units and people are going to want to have a car per unit.

Ms. Aldean said then you are foreclosing the right for them to occupy that building.

Mr. Settelmeyer said the general average for commercial space is usually one parking space for 200 feet or one for 500 feet, the number varies across the board. How many times in Tahoe are there situations where people take residential housing and convert them to commercial? In Douglas County it's rather common. If you create situations where you don't have any parking, and later those establishments change to commercial they may not be able to because there are not enough parking spots per the county code.

Mr. Hester said they started allowing that about five years ago for people to convert one type of development right to another. That situation is around the range of about 50 units. They've seen it happen before the development right exchange happens, but they always make sure they have parking.

Mr. Hoenigman said these will be deed restricted affordable housing units in perpetuity and can never be converted.

Mr. Hester said yes, that is correct.

Mr. Settelmeyer asked what the minimum requirement is for parking spots right now.

Mr. Hester said TRPA does not have parking standards, it's the responsibility of the local governments.

Mr. Settelmeyer said currently we are at zero and your suggestion is that we should be at .75?

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Mr. Marshall said we're not at zero, TRPA doesn't have parking requirements. Mr. Settelmeyer is asking what the current regulation is. We don't have a standard for that.

Mr. Settelmeyer said if no standard exists then it's zero.

Mr. Marshall said no, then it's driven by what the local requirement is.

Mr. Settelmeyer said if we establish one then we are telling the counties that this will hereby become the minimum. Do we know what the current county laws are?

Ms. Bettinger said she doesn't know what they are for commercial but for residential it's between one and two spaces per unit depending on the jurisdiction. In Washoe County and the City of South Lake Tahoe it's dependent on the unit size. Studios and a one bedroom, require less parking than a two bedroom plus. Placer, El Dorado, and Douglas Counties require two spaces per unit.

Mr. Hester said what they are recommending is not a minimum but a maximum. If someone wanted two spaces for every residential unit, they are saying that they cannot require more than .75 but the developer could go beyond that.

Mr. Settelmeyer said that is more comforting to him with this discussion. But he's also seen situations where the written rule would be one, but a county might base their approval on more. He tends to lean on the concept of how you build .75 parking spaces. He likes the idea of one better because it's easier to build one. Building .75 means you have to build two homes to get 1.5, etc.

Mr. Hoenigman said that's one thing they need to look at because the levers that we can control are height, density, coverage, parking, and subsidies. We know all how incredibly high the subsidies have been for affordable housing in the basin. They've approved \$800,000 single bedroom dorm rooms. They've approved \$500,000 for housing units in South Lake Tahoe. Both of those came with free land because a subsidy was put in by a different organization. The costs are astronomical and that is why we have to be bold in pushing these things as far as they can for the couple hundred units that they've got. And a smaller percentage that they are even going to be able to make use of that change.

Ms. Gustafson said there have been quite a few letters received is the concern that the achievable numbers that they are talking about without having an upper limit are too high. She's been told repeatedly that the lowest income levels don't exist here. Very few people are in those categories. We're paying too much for employees, at least on the North Shore. They don't have people that meet those categories where state and federal funding can subsidize their rents economically. That's why Placer County has come up with more achievable and deed restriction programs. There's been concern expressed that then you have doctors in some of these deed restricted units. That's there hope in North Lake Tahoe that doctors, nurses, public safety workers, and teachers can live here and many of them do make too much to qualify for those. When you say this is affordable at 80 percent, how many people in that family at \$82,000? That's high from her understanding.

Ms. Bettinger said that is based on a three person household income. A one person household income would be lower.

Ms. Gustafson said she might go with zero parking too as long as there is a Memorandum of Understanding or an agreement with the jurisdiction that they are addressing transit and parking management in the region. Local governments have to step up and be part of the solution or they won't have local employees here.

Public Comments & Questions

Seth Dallob, Next Generation Housing Partners said they have built several affordable workforce housing by design buildings in metro Seattle that would work well with most of these rules. The main obstacle is that construction financing has gone from five percent to nine percent. Aside from that, a lot of what they did in Seattle would work in the Tahoe Basin with these rule changes and is supportive of them. Mr. Hoenigman has an excellent grasp of the cost drivers of multi-family housing and what's been discussed here is positive and productive. The compliance with deed restrictions, in an earlier presentation staff recommended streamlining some of the auditing of permits because it took up so much staff time and money. The current proposal has that for every lease, every unit, every time and that is a tremendous burden on TRPA or wherever it gets delegated to. It's also a burden on the developer.

They have a full time employee in Seattle that does nothing but communicate with the City on the 20 percent of deed restricted units that they have. He encouraged them to use sampling instead of 100 percent auditing on the deed restricted units. Lastly, some clarifications would be helpful because there is a bit of a coordination mismatch between TRPA's efforts and at least the City of South Lake Tahoe's efforts. The City is pursuing area plan amendments that are similar but not the same as TRPA. They are spending a significant amount of time talking about parking specifically, but they also have a maximum density of 65 units per acre whereas here it's unlimited. There are several other things where the themes are similar, but the details are different. He doesn't know whose rules supersede whose, if you haven't tackled parking but the City has, how does he plan for that? Also, within the TRPA proposal he is unclear as to the bonus units. If there are 900 bonus units, are some set aside for affordable or achievable, or each bucket, or is there one bucket for all three? He doesn't know if there are more incentives to develop affordable versus achievable, versus moderate.

Amalia Richmond, South Lake Tahoe resident and President of Locals for Affordable Housing said many members in the community are interested in maintaining the status quo and preserving neighborhoods. Many of these community members purchased their homes long ago and housing is not a personal struggle for them. If we want to live a meaningful life on this earth, we cannot care only about the issues that impact us directly. We have to care about our neighbors and community at large. Even if we personally have housing, we can afford, we need to consider the tens of thousands of members of our community who are working multiple jobs struggling to keep a roof over their heads and find a way to raise families here. We need to acknowledge that local businesses are struggling to find employees and local employees are desperately struggling to find and afford housing.

We need to acknowledge that our population is declining, our school enrollment is declining, and more long time locals are leaving the lake every day because they can no longer afford to live here. Further for those concerned about preserving neighborhoods, she asked that they consider the current state of their neighborhoods they are fighting to preserve. How it

feels to be surrounded by vacant homes, used as second homes and short term vacation rentals. For those concerned about preserving neighborhoods, consider if you want to own home in a community without local families and a local workforce or you show up to your favorite coffee shop or restaurant to find them closed early due to the lack of staffing. Where fire fighters responsible for protecting your home have to commute from an hour away. She asks that those that are concerned about preserving neighborhoods to consider the possibility that your voice here today is harming families and local businesses. To consider that we need to change how we develop housing in order to save our neighborhoods. She's grateful to TRPA Governing Board and staff for their efforts to make housing more accessible and affordable, especially the work to increase density and remove parking minimums. Will the housing amendments include changes to comply with California Senate Bill 9 allowing duplexes in single-family zoning.

Gavin Feiger, League to Save Lake Tahoe said they submitted written comments. They've worked with staff and the Tahoe Living Working Group and feel like a lot of their concerns have been addressed over the past couple of years. They're getting more comfortable with coverage as it's written now with the requirements that all these items only apply to deed restricted. In addition, the requirement that's basically government monitored and managed area wide treatment makes them more comfortable. They don't really see the need for additional height, although some case could be made. Maybe it's not by right, rather it's a special use to get a few more feet but that's not their biggest issue. The two items remaining that they want to see addressed is parking. It's a good step in the right direction with the .75 per unit parking. There will be growing pains as we transition away from the car centric culture, communities, and built environment. Transit and alternatives before limiting parking, it needs to be done in tandem step wise. They would like to see no parking minimums for deed restricted housing, let the developers decide.

They're unclear if the .75 is a minimum or maximum. It's described as a minimum in the staff report but the way the Code is written it seems like a maximum. They prefer maximum but understanding that they are taking steps, the minimum would be okay. The .75 would be appropriate for the multi-family and the bonus unit boundary area and then the zero minimums within town centers. A lot of thought and time went into the town center boundaries and why do we have boundaries if we just start blurring them. They'd rather see that go to Phase 3 and take a more holistically look. For example, if you look at South Lake Tahoe there is a block that is a town center in Sierra Tract here and there. Just expanding every parcel around there might not make sense. Although, they support the transition zones in theory but those could be within the edges of town centers instead of outside of them.

Ann Nichols, North Tahoe Preservation Alliance said the flash vote was vague and un-descriptive that it was like asking if you wanted to eat if you are hungry. Do you mind height if there's affordable housing? It didn't say how much height, how much parking, or how much parking. It was unfair and unrepresentative. How would the person taking the survey know? Thank you to Ms. Aldean for having skepticism and discussion. Once again, she wasn't discouraged by Mr. Hoenigman's cheerleading and calling those of them that speak up the minority. They have 3,000 views of their video, almost 900 signatures on their petition to determine a carrying capacity, 800 on their mailing list. These are people that count. She knows that Mr. Hoenigman has done a lot of developing in Southern California and San Diego and is very familiar with that. There is so much, where do you start? No parking,

it's like magical thinking. The people that you supposedly want to help, even doctors need nursing assistants, people to help clean, etc. We need to help these other people; they are the people who can't afford it and achievable housing is not affordable and they will provide those numbers because you are not looking at that. People need cars to go to work and we don't have a good transportation system, headway times, and the TART connect costs \$16.00 per ride and you want the public to pay for it. Is that a good solution? Parking at zero is shocking. She's disappointed in the League to Save Lake Tahoe.

Judith Tornese, President of Friends of the West Shore who submitted written comments. These are significant amendments. TRPA has the responsibility to protect the lake and its residents and visitors. It's important to review the environmental impacts of these amendments especially the wildfire emergency evacuation, traffic congestion, scenic views, parking, cumulative impacts, and other environmental impacts. Therefore, it's crucial that a new environmental report be issued to identify and analyze these impacts. Also, TRPA would need to meet the requirements of the California Environmental Quality Act which require an updated analysis when there is significant new information or changes since the previous analysis. She would like to know how the TRPA housing amendments will interact with the proposed amendments under the Placer Tahoe Area Basin Area Plan. If the Placer amendments are less restrictive and broader than TRPA amendments, can Placer expand and apply their amendments in addition to whatever TRPA amendments state. Which rules and jurisdictions supersede and are applicable?

Nick Speal, South Lake Tahoe resident thanked everyone for their hard work on this project. The housing crisis is devastating the community and TRPA needs to act with urgency to enable more affordable housing development. He's on the City of South Lake Tahoe Planning Commission but is making comments in his personal capacity. He's seen how the strict restrictions requiring sparse housing development have stymied affordable housing and led to a dynamic where the only housing that the private sector builds are large second homes that locals can't afford. He's passionate about transit and what they can do to push mode share away from cars to enable more people to take the bus. A problem in South Lake Tahoe is that too many people live too far from a bus stop for transit to be viable for them. By enabling greater density and building heights in our town centers more people will be able to live closer to the bus stop, closer to their job, and live more sustainably. This will also help prevent further sprawl of mansion development into sensitive forest lands and keep the development in the town centers.

Some might not like the aesthetics of taller buildings, but they'll appreciate the maintenance of open space on the outskirts of town. He appreciated the reduction of the burden of minimum parking requirements that forces developers to construct more parking spaces than they would choose otherwise. He encouraged TRPA to eliminate these requirements altogether. Most projects would still end up building parking. Don't forget that many of the poorest in the community don't have cars now. Right now, local governments are forcing them to pay to rent a parking spot. He doesn't have a car but does have a parking spot which he has to pay for. He would love to rent an apartment without a parking spot. It would probably be cheaper and closer to transit. He supported moving forward with the proposal.

Kristina Hill, former TRPA employee and 40 year environmental planner in Tahoe. This is a problem that was created by TRPA by designating short term rentals as a residential use. When in fact they are an income based use that is more like a mini hotel. They are

encroached in the neighborhoods and have taken up all the housing in her neighborhood and the owners don't live in Tahoe. They used to be long term rentals that were rented for ski instructors, lift operators, and other workforce housing and now they are gone. It's unbelievable that you are going to do an environmental checklist for this environmental evaluation. You should be doing environmental impact report, environmental impact statement. She doesn't understand the unlimited density, height up to 65 feet, and no parking requirements. As a planner it seems ludicrous and can't believe you are considering it when the environmental impacts have not been evaluated.

TRPA was directed in the Compact to establish environmental threshold carrying capacities and adopted and enforce Regional Plan and implementing ordinances which will achieve and maintain such capacities while providing for orderly growth and development consist with such capacities. There is no consideration for the environment. She was glad to see Ms. Aldean bring up the height issue because as demonstrated when they talked about this in Kings Beach, 65 feet of height will make all those roads going east and west shaded and icy with this height. It's creating unsafe conditions and doesn't see how people are going to get around in the winter months on the bike paths and sidewalks with all of the snow. She asked that they stay away from the affordable housing concept because it's not affordable to our local workers who work at the ski areas and beaches. If this is approved, it will change the character of our communities and the health of our environment forever.

Amanda Johnson, Deputy Attorney General, California Attorney General's Office said they generally support the amendments. Affordable housing is desperately needed in the basin and supports the chairman's proposal to not include a minimum parking requirement. They are receptive to concerns about continuing this proposal on an environmental checklist, however, they think that the broader impacts will likely be encompassed with the general program guidelines. It would be helpful to understand exactly what the definition is going to be for a mixed-use structure. They can see that becoming a loophole for allowing commercial development under these new standards. It would be helpful to know where all sewer and stormwater catch basins are so they can see the extent of where these changes will take effect in the near term without a larger municipal development.

Leah Kaufman, former TRPA employee and land use planner in the Tahoe Basin said while a triplex, duplex, an accessory dwelling unit, a junior accessory dwelling unit, or a tiny home has a very different impact. When you allow an unbridle density and extra height in every area of the North Shore that extends from Incline Village to Tahoma, that's hundreds of parcels. This is the Kings Beach grid, Tahoma residential, and two miles of Tahoe Vista. TRPA's examples were used on 12,000 square foot lots but what we have are two, three, four, and five acres in many of these areas and there is no checklist. She doesn't know if the Attorney General's Office would be happy seeing five acre parcels with this same type of density, height, and coverage. In Placer County, 35 people spent four years crafting height amendments and it's the majority of people that aren't happy about heights of more than 56 feet that were approved and agreed upon.

TRPA has not done any proposals showing heights that fit and conform within the guidelines of 56 feet. The 56 feet could be on more than a 12,000 square foot lot. She's repeatedly asked for developers to take a look at that. TRPA never made short term rentals as tourist accommodation units and that was a mistake. Those impact our neighborhoods; the vacant lots and houses impact the neighborhoods. There are studies that say if there were less short

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term rentals, 10 to 15 percent would go back into long term rentals. In Placer County, 3,900 short term rentals would free up 600 to 800 housing units. If there are 960 bonus units' area wide, they can get 800 more long term rentals that would accommodate families just by limiting short term rentals. She agreed with Kristina Hill and are pretty much united in their community that they don't want to see 65 feet of height.

Pamela Tsigdinos said if TRPA wants to support workers in our communities, immediately cap short term rentals basin wide. If going bold with these amendments means putting lives in danger then sadly you have succeeded wildly. After Lahaina's tragedy its chilling that TRPA persists with a single minded focus to pack more building density and more people into our already visitor overwhelmed basin. This plan tailored for developers and investors sets the table for another Paradise or Lahaina tragedy where many cannot escape. She attended Washoe County's evacuation exercise, the one calling for a small group of Incline residents to shelter at the recreation center a mile away. Rather than instilling confidence, this exercise filled her with dread as it simulated nothing resembling a real life evacuation. The difference between previous tragedies and today is you have greater public safety knowledge and lessons at your fingertips.

TRPA possesses authority to establish responsible land use roles that protect, not endanger. It makes no sense to increase building density and population when experts including those on your board admit that Tahoe lacks reliable integrated systems to ensure the safety of those already in the basin. To understand why public trust in TRPA has eroded so badly it doesn't help that all the slides you've shown today, and website renderings don't adequately reflect reality. Where are the 10 and 20 foot snowbanks we endured months on end this past winter blocking bus stop access and multi-use paths. If the latest community poll responses are any indication if you read the comments, the presentation has succeeded in unifying public sentiment against this ill-conceived plan. No visitor, worker, or resident supports manufactured gridlock or threats to public safety. Tahoe's infrastructure and environment cannot support these amendments.

Doug Flaherty, President of TahoeCleanAir.org said a new or supplemental environmental impact statement to the 2012 Regional Plan must be prepared, circulated, and certified in accordance with these rules in the same manner as a Draft EIS. TRPA must require preparation, circulation, and certification of either a new EIS or supplemental EIS to the 2012 Regional Plan. Any reasonable person would conclude that these far reaching proposed amendments may have a significant effect on the environment and public safety especially within dense town centers and multi-use areas. This is based on a cumulatively significant number of amendments, past projects, new information, recent safety and pollution events, and continued degradation of Lake Tahoe since the 2012 Regional Plan adoption. In the interest of prudent life safety wildfire evacuation planning,

TRPA must utilize the best available California Attorney General best practices for analyzing and mitigating wildfire impacts of development projects when it comes to evacuation planning. This includes the prudent development of a variety of concentrated town center and mixed-use planning scenarios to help inform planners, the public, and emergency responders regarding potential options during a wildfire evacuation including identification of significant impacts that the amendments will have on wildfire evacuation. This includes a complete roadway by roadway wildfire evacuation capacity evaluation using modern data collection tools. An Initial Environmental Checklist, you are kidding me, you are endangering

the lives of more to come dense town centers proven today to be evacuation choke points. There will be vehicles and foot traffic in a sudden surge impacting already overcapacity roadways, thereby further and significantly impacting the current evacuation assumptions and timing which are almost non-existent. Please look at the body cam link for the evacuation from Paradise and the photos and descriptions of where all the senior citizens and 80 plus people died in their homes because they didn't have a car, where they died because they were walking, and where they died because of evacuation choke points. He's not sure why TRPA is pursuing this, it's unsafe.

Melissa Soderston said she's excited about this plan and the staff did a wonderful job. She doesn't own a car or bike by choice. These plans will incentivize our communities to improve our evacuation routes. It allows us to build new updated construction within our town centers that allow the people that live here and would like to stay here to have affordable housing. We need to stick to the affordable housing aspect of it. We can build these new buildings with complete updated fire wise practices rather than logging the forest. Everything about this plan sets us up in a wonderful position for the future. It will help us achieve grant funding for transportation if we leave out the requirement for parking spaces. Leaving that at zero and allowing the developer to make the choice on their own is a good addition to this plan. Cars are not necessary, and the less people drive the more we can push for decent public transportation and evacuation routes can be planned for these things.

A lot of the problems that people have with the building height; the evacuation routes would have been solved had any of our communities been in the first place with a master plan. The Regional Plan, area plans make up for some of those deficiencies and brings us into where we need to be for the future. There's no doubt there is a housing issue here and is not going to be solved by simply removing those vacation rentals and stuff that are still in the neighborhoods. That's a start but we need these larger buildings in our town centers without the focus on cars. That's where we want to be for our climate goals for the future and low income community members which is the vast majority. Unfortunately, most of them are working and do not have the time to attend these meetings, they are never held on the weekends or more than one time and are things that should be changed so everyone in the community has a chance to attend and speak for themselves. A lot of the people here are not affected by the housing issues.

Sophia Heidrich, Advocacy Director for Mountain Area Preservation said they understand where the proposed amendments are coming from and agree that there is a critical need for housing to support the workforce. These are dramatic proposals and are concerning for a variety of reasons especially in the transition and multi-family zones adjacent to town centers. The additional height raises serious concerns about degradation of view sheds and community character as well as increased safety risks related to shading adjacent roads and buildings. Second, it's concerning that you are contemplating establishing a parking requirement that is less than one space per unit without having parking management plans already in place. Most people need to drive, and most units will have at least one associated car.

There is discussion of future parking management plans being developed by the local jurisdictions, this is putting the cart before the horse. Those plans should be in place before these parking requirements are considered. Third, the amendments related to density and massing would concentrate more people in a smaller geographic area. Wildfire risks are

growing with each passing year and wildfire evacuation is a critical concern. Before moving forward on amendments like these they need to understand how the amendments will impact wildfire evacuation and how the increased risks will be mitigated. Full environmental review under the California Environmental Quality Act needs to be completed. Staff mentioned during the presentation that other mountain towns are already doing these things and are working in those communities. It would be helpful to know what other mountain towns are doing these things and how they are working. This is a unique community and what works other places cannot always be applied here. Please provide examples during future presentations.

Erin Casey works with several organizations on the North Shore including the North Tahoe Community Alliance as well as a workforce housing agency that is an organization that is soon to be launched in our community. She's lived in the community for over 20 years and is committed to its well-being, its prosperity, and sustainability. She supported the proposed amendments, and the staff work that's gone into this. She appreciated in attempting to respond to the dire needs that we have in the community to provide housing. The proposed height and density adjustments for deed restricted properties serve a dual purpose. They not only optimize land use in our town centers but also ensure that the heart of our community is educators, health care workers, service industry professionals, and others have access to homes and housing. We also have to remember that addressing our housing needs is not a singular path but a multi-faceted approach. She's heard other references today to things like short term rentals and potential challenges that some believe and, in some cases, may have impacted housing. She believes that many of our jurisdictions and partners are addressing those challenges through other methods and other policy adjustments.

These proposed code changes represent just one strategy among many and believe that their impact could be substantial in our community. When we talk about the addition of workforce housing in our community, particularly in the basin, there seems to be this assumption that it is going to increase the number of individuals living in our communities thereby increasing traffic and congestion. If you look at many of the housing studies in our region, there are a number of individuals who are living in our community already, but the housing is inadequate. This is not only the opportunity to provide housing to those that may be commuting in but also to ensure that they have appropriate housing for themselves and their families. There is significant investment happening in the North Shore around transportation to address some of the comments she's heard on parking.

Tobi Tyler, Sierra Club Tahoe Area Group is opposed to the proposed changes without a thorough environmental analysis beyond the checklist. She echoed comments from Judith Tornese, Sophia Heidrich, Doug Flaherty, Kristina Hill, Leah Kaufman, and others who have expressed opposition, and her comments are similar to theirs.

Mr. Hoenigman said he received an email from Brendan Ferry, Chair of the Tahoe Living Work Group, who had to leave for another hearing. On behalf of Mr. Ferry "Generally El Dorado County is supportive of the proposed height, density, and coverage standards and applaud TRPA for continuing to work to address affordable and workforce housing issues in the basin. These amendments can help the county meet its regional housing needs assessment, RHNA requirements from the state. The proposed water quality language looks better but we still have some concerns about the statement like "County owned and or operate" Mr. Hoenigman assumes that's the stormwater management system. In all likelihood we will not

own and or operate BMPs for private development. On parking they suggest bringing down the minimum standard from 1.5 per unit to 1 per unit with an option to add in some additional ratio of guest's spots. On Mixed-use do these standards only apply for projects in the same building or could the housing component be built offsite. Also, there is no ratio of housing that is required, could this lead to more Nine 47 Tahoe type projects?

Committee Comments & Questions

Ms. Gustafson said there was a comment made that these amendments would extend all the way down the west shore. She thought Tahoe City was the furthest south that it went but wasn't sure about the multi-family.

Mr. Hoenigman said he believes that there is a multi-family in Homewood.

Ms. Gustafson wanted to ensure that we look at the limitations in the areas and be clear with the public about that. It defeats the purpose to have these amendments apply all the way around the lake and need to be limited to town centers. There was also a comment about which rules apply. Her understanding that the most restrictive rules by any agency apply. If the local government is more restrictive than TRPA, the local government rules would apply and vice versa.

Mr. Marshall said that's correct. With these rules it may not be always clear what is the more restrictive. For example, with parking requirements, the lower number is the more restrictive. In density, it's probably the opposite way. The TRPA rule would preempt any inconsistent local law. It's not necessarily restrictive but whether or not the TRPA rule is being accomplished. In density, it effectively would be a floor.

Ms. Aldean said it states that local jurisdictions may propose height and density allowances below what is permitted in sections A and B above if they demonstrate that the alternative standards will facilitate the construction of sufficient affordable workforce housing. If the local jurisdictions can provide sufficient affordable housing without using these increased densities and the increased heights, then they are permitted to do so, is her interpretation of what's being proposed.

Mr. Marshall said that's correct, in general. That's an out to say that these minimums or maximums don't apply if you can't present an alternative mechanism to accomplish the same thing, which is affordable housing.

Ms. Aldean asked what constitutes sufficient.

Mr. Hester said if they can show that you can generate the same number at the same price with a different set of rules, that's fine. They've been in close contact with the City of South Lake Tahoe, and they said there is a little different way they can achieve the same thing. TRPA has allowed them to substitute an alternative set of standards.

Ms. Aldean said they haven't allocated a specific number of bonus units to South Lake Tahoe or the various other jurisdictions and is like comparing apples and oranges. What is the bar for these local jurisdictions when they don't know how many units can be reasonably developed within their jurisdiction.

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Mr. Hester said they haven't put in a numerical standard yet and doesn't know if they'll need to but the number, they've been contemplating is ten percent.

Ms. Aldean asked if that was ten percent of the existing housing stock.

Mr. Hester said ten percent of the total units. There are roughly 50,000 units in the basin and 5,000 affordable. They need to accommodate ten percent of their housing stock needs to accommodate affordable.

Ms. Bettinger said that the bar is what is shown in the Cascadia analysis that they've used as a base line for this proposal. They've showed that these changes can get down to the 155 to 170 percent area median income levels. If the local jurisdictions want to come in and reduce those heights for example, they could do that, but they'd also need to show that they are providing direct subsidies coming from an inclusionary housing requirement for example that would be going to a dedicated housing fund that could fill that gap.

Ms. Aldean said some of the comments from the public had concern with putting all of our eggs in one basket, instead of looking at alternative ways of generating affordable housing. Major employers have helped create this problem but are not doing as much as they can to solve it. There should be some way if they make an application to expand their footprint or their operation, they have to provide a certain number of workforce housing units onsite or a reasonable distance from their business if they are offsite. In addition, the local jurisdictions need to increase the licensing fee for short term rentals and use the revenue to subsidize rents for property owners who elect to convert their short term rentals to workforce housing. She feels that they want to look at a variety of other methods besides increasing density, height, and eliminating parking. This needs to be multi-faceted and would hope that we would look at these other alternatives, so we are not relying solely on one solution.

Mr. Hester said they agreed and is why they wrote in the option for them to present a different program. For example, on the North Shore there is a Joint Powers Agreement with the airport, school district, hospital district, county, public utility districts. Inclusionary is a tool along with the housing mitigation fee, there's a whole laundry list and they want to see people put together the best they can. If they don't put one together, this is what they get.

Mr. Hoenigman said this is just the first piece, this is not the only approach.

Ms. Gustafson said everything Ms. Aldean said, Placer County is doing. Major employers are investing significant dollars into acquiring properties and converting. Millions have been spent through a TBID which the businesses assess themselves and they are putting that money and have dedicated it to transportation and housing solutions as well as the Transient Occupancy Tax money coming from the short term rentals. The real issue is the price of second homes. That have a local's program that they just put another \$500,000 into in a temporary manner because the amount of money they're spending buying down rents and giving incentives to people to rent their house long term could better be spent putting into investments on permanent solutions. Her earlier comments on parking and cars were more directed at the situation on North Shore. The South Shore has much more availability of shopping and services in a compact area and is more accessible because you don't have to leave the mountain to get to certain services. She takes back her comments on parking

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because she heard great comments from the League to Save Lake Tahoe and the Attorney General's office supporting that concept.

Ms. Bettinger said there is a small portion of Homewood that allows for multi-family and would apply there as well as Tahoma.

Ms. Gustafson said there were comments made that there are all these acreages of property that are vacant where this could apply. She's cognizant that is what the community is hearing, feeling, and wants to understand how large these areas are that this might apply to.

Ms. Gustafson said the other fear she's heard is that somehow these will be converted with developers saying one thing and then convert or have a mixed development project that will end up being higher end condominiums.

Ms. Bettinger said the proposal applies to only 100 percent deed restricted developments. They do have compliance on those units annually and have recently hired a third party consultant to help with that. They audit ten percent of the total deed restricted units by requesting pay stubs showing where someone works and their incomes limits. They don't audit 100 percent because that is too time intensive for TRPA and the property owners. In terms of these incentives potentially being applied to mixed income developments, part of the proposal is to allow local jurisdictions through an area plan amendment to come in and change some of these standards. For example, the City of South Lake Tahoe is looking at increasing their density for market rate to 65 units per acre. They are also looking at an inclusionary housing requirement. Any new development that comes forward a certain percentage would have to be deed restricted. There are opportunities to get deed restricted housing through market rate and it's on a case by case basis for the jurisdiction. They are allowing them to come back to TRPA through an area plan amendment process and put in different standards that fit the needs of their community.

Ms. Gustafson said while TRPA may only audit a certain number, it's critical to their investment in public dollars from the local jurisdiction that they are auditing 100 percent in Placer County. Every year, they have to show their local employment in order to continue to have that. They copied Vail, Colorado's program and that had to be annual.

Mr. Hester said they copied Vail's also and they are getting 100 percent reporting but auditing ten percent. The City of South Lake Tahoe is working on their program and have requested that what TRPA is proposing has an option for them to come with something that does the same thing but with a different mix.

Ms. Hill thanked staff for their work on this and appreciated the flash vote to get some consensus and understanding from the community. For Washoe County who are just starting to embark into programs like this and looking at changing their area plan amendment, this is a helpful guide. She's aligned with Mr. Hoenigman in dropping the parking standard to zero but will go with what the Board wants to see. Washoe County has been working on a contract with Placemate that will hopefully be in place soon and have upped their short term rental fees as well. They also looked at a cap, but it wasn't passed by their board. The local jurisdictions are also looking at many different pieces. With all of the new large employers coming online in her district are looking for ways to build housing and this is an opportunity

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for them because they want to house their workers. They have many seniors who cannot stay in their community anymore and have relocated off of the hill.

Ms. Aldean said given the declining number of residential units that remain, we need to examine whether or not we should permit the importation of coverage onto single-family lots. These are buildable lots, so they are probably at 30 percent coverage. Being able to import additional coverage is one of the things that gives the ability for the owner to build these larger homes. In most cases, these larger homes are not going to be used as affordable housing and possibly not short term rentals either. If they are building more modest homes, it may even attract investors who are willing to build these homes for local workforce.

Ms. Bettinger said in the Code of Ordinances half of the 1,400 bonus units as of 2018, would go towards the affordable income category and then half would go towards the moderate and achievable income category. They amended the Code a few years ago to pull from those higher income pools. Senate Bill 9 would not apply to this proposal and is not proposing any changes to neighborhoods that only allow single-family. The local jurisdictions cannot require more than .75 spaces per unit on average. For example, if they required two spaces per unit now, they would be reducing that requirement to no more than .75 but the developer could provide more than .75 on average.

Mr. Hester said there's guidance from the California Attorney General on the California Environmental Quality Act work where there is high probability of wildland fires. It would put more dense housing concentrated on evacuation routes is one of the strategies they recommend in California when you are doing a CEQA analysis.

Mr. Hester summarized the committee's direction as everything staff has proposed except there's one question of whether to proceed with zero or .75 for parking.

Ms. Regan said TRPA from a policy standpoint has not been involved and has deferred to the local jurisdictions. Based on conversations of this committee in the past, staff did a lot of research. The chicken and egg problem of we don't have 100 percent transit service today, but we'll never get there unless we start pushing some of these policies forward and more transit will be coming in the future. That is how they arrived at the .75 but is up to this committee to provide direction on how staff should roll this into the recommendation.

Mr. Hoenigman asked if they could take the League to Save Lake Tahoe's proposal as a starting point for discussion which is zero in core if you can show how you are going to meet your parking need and .75 in the multi-family zone. Parking is a big concern because it drives so much of coverage. There's lots covered with cars and reduces the affordability.

Mr. Settelmeyer said he understands the concept of saying if you can demonstrate you can go to zero, that's a good concept. Again, they have to substantially demonstrate how they'll do that. He'd be remiss without going to at least one.

Mr. Hoenigman said they would have to define the rounding.

Mr. Hester said the rounding would be if it's over .5, it's 1.

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Ms. Regan referred to page 293 of the packet, Attachment A is the parking management for housing affordability and complete communities. Staff did a great job of explaining why they're bringing this to them in the first place.

Ms. Gustafson said Ms. Hill stated her support for zero, she could live with zero as well with the caveat that they are looking at a complete program in the town centers to address that.

Mr. Hester said he assumed it would be .75 for the multi-family.

Ms. Aldean said she's not comfortable with anything less than .75. There are people that don't have cars and walk everywhere. We also have older people living in this community that don't have the luxury of walking or biking and if they are not comfortable taking public transportation, they'll need a car. The .75 is a very low bar across.

Mr. Hoenigman said his parents give him grief about this because they see it in Santa Barbara. This is for a small segment of society, and we have to deal with the other parts of that. This is not meant to satisfy the needs of everyone in the basin. This is a small segment and will be working on other segments. He'd imagine a lower income elderly person who needs a car may be in more subsidized housing which will be a lower level of affordability most likely that will require subsidy like the Sugar Pine Village.

Ms. Aldean said for all intensive purposes, it's not subsidized with cash payments but rather it's subsidized with incentives.

Mr. Hoenigman said yes. They're exchanging money for height, density, and reduced parking but are targeting a certain group that doesn't necessarily need a car. We can give those people this without any public money and can save that public money to help another group of people who have greater needs. This is one part of the huge problem of affordable housing in the basin.

Mr. Hester said staff will take the package as proposed with zero parking in town centers and .75 in multi-family areas. If it's less than .75 they'll have to show how they'll meet the parking need.

Ms. Aldean asked if the .75 is still the bar they have to cross or is it per unit or per unit with a car.

Mr. Hester said it will be in the Code that if they are doing parking below .75, they'll need to show how they are going to meet it. They could go below .75 in town centers if they can demonstrate when they are getting their permit how they will meet the parking needs of their tenants. It could even be a shuttle.

- IV. Informational presentation on the proposed amendment to the Washoe County Tahoe Area Plan to add "Schools – Kindergarten through Secondary" as a permissible land use (as a special use) within the Wood Creek Regulatory Zone, for those parcels equal to or greater than three acres in size

Mr. Hoenigman said they've received comment letters both for and against this project.

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

Mr. Stock said Washoe County is considering an amendment to their area plan. The proposed change would allow additional land use that uses K – 12 schools on sites of three acres or larger with a special use permit in the Wood Creek Regulatory Zone. Washoe County is seeking early Regional Plan Implementation Committee input on potential issues related to this amendment but not to any specific project. For example, RPIC may indicate that traffic in the surrounding neighborhood and safety related to access on Mount Rose Highway should be addressed as a consideration of the amendment but should refrain from speaking directly to any specific projects to the extent possible.

There are two applications for projects that would be affected by this area plan amendment. The first is Saint Clare's School Tahoe on the Saint Francis of Assisi Catholic Church property. They requested a temporary use permit last year and a six month extension following that which were both approved. A second extension was requested and was granted on the condition that the applicant would pursue an area plan amendment.

The second application is the Village Presbyterian Church who has an application to create a Village Christian Academy on their site. Should the County decide not to move forward with the area plan amendment, staff would be forced to deny this application. If the amendment is approved, then a special use permit will be required for the school to be created.

(presentation continued)

Ms. Weiche said this is an applicant driven request to Washoe County to consider amending the Tahoe Area Plan. For the County, the request is processed as a development code amendment to Article 220. At this time, the County has not taken any action or made any recommendations on the request. This is the first of many future potential public hearings and outreach on the request.

Comments have been expressed concern over traffic patterns, specifically safety concerns associated with neighboring streets, maximum speeds, and the nearby truck runaway ramp, increased parking demands, and associated impact. Increased noise, fire safety, assertions that schools are perhaps inappropriate or incompatible use within the Wood Creek Regulatory Zone. And an acknowledgment that enrollment at Washoe County School Districts is down. Many in support have expressed a strong desire to have expanded school options specifically for religious education opportunities for local families.

The next step would be staff recommendation to the Washoe County Planning Commission.

Presentation: <https://www.trpa.gov/wp-content/uploads/RPIC-Item-No-4-Washoe-County-Wood-Creek-Regulatory-Zone-Amendments.pdf>

Committee Comments & Questions

Mr. Settelmeyer said on the map where State Route 28 meets the Mount Rose Highway, the bottom lot that says the State of Nevada, he believes that's where the Washoe County Sheriff's Department and Washoe County yard is and the top one labeled as Washoe County is where the Nevada Department of Transportation Maintenance Yard is.

Ms. Aldean said enrollment is down and people are looking for other options other than public instruction. She assumes that the applicants have done their homework to determine that there would be a sufficient number of students to enroll in this institution to warrant the investment. She would like to listen to public comments about concerns such as the traffic generation.

Ms. Hill disclosed that she has spoken with the applicants as well as many of the neighbors on this project. She asked Ms. Weiche to clarify what other areas in the Tahoe Area Plan for Washoe County allow for schools.

Ms. Weiche said their school use type is permitted outright in two of the 27 regulatory zones in the Tahoe Area Plan and that's in the Incline Village Commercial Regulatory Zone. It is also allowed in the Incline Village Residential Regulatory Zone and would be subject to a special use permit. Overall, there would be three regulatory zones that allow this use type.

Ms. Hill asked for other areas, do they have more areas in Tahoe or generally in Washoe County where they allow schools. In Washoe County for example, the idea of allowing a school at other church sites. Is that something that's common with an SUP?

Ms. Weiche said she'll have to look into that. More broadly in the greater Washoe County area there is typically more flexibility for zoning in the school use in certain zoning districts. Mr. Stock may be able to share information about other areas of the basin where those school use types are allowed if it's unique that there are so few in the Tahoe Area Plan.

Mr. Stock said he can look into that for other areas in the basin.

Mr. Hoenigman said in reading the comments it seems problematic that some of these properties border two busy roads. If you were going to plan this from the beginning, would you plan to put small children and parents trying to drop them off and pick up their children. He's concerned about that and doesn't think it something that they can't overcome but it would require good traffic management plans to be put in place and enforced. His children went to a private school where there were three private schools on two blocks next to each other in San Francisco with many many families trying to pick up and drop off students. They had strict rules and put out cones around the neighborhood and traffic was highly controlled and made it work. So, it can happen. This is being driven by someone asking for it and to him doesn't seem like a place that you'd want this to happen. He would like to know if this is something the County feels is a good idea.

Ms. Weiche said at this time, she cannot speak on behalf of the County until they go to the Planning Commission and receive a recommendation either in support or not. As part of the process of considering the request they are taking all the comments today into consideration and going to be looking at many of those concerns from neighbors and community members for the potential impacts then they'll make a recommendation.

Ms. Aldean said the Saint Francis parcel, which is one of the two parcels being looked at and asked if their main point of access was off the old Mount Rose Highway or is off the street that bifurcates their property.

Ms. Cornell, TRPA said Saint Francis has access both onto Mount Rose Highway as well as onto Kelly Drive below the property. Saint Francis owns both those parcels. Also, part of the overflow parking is on the lower parcel.

Public Comments & Questions

AnnMarie Lain, Senior Planner with DOWL, is representing two clients; both the Village Church and Saint Clare's to put in the original application to Washoe County. This item has received 48 written comments in support and 20 in opposition. She'll address some of those in her comments today. First, are comments related to commercial use in residential areas. The Wood Creek Regulatory Zone is one of 16 residential regulatory zones in the Tahoe Area Plan. The area plan states that these regulatory zones focus primarily on single-family dwellings but are intended to allow other use types such as multi-family and a broad scope of public services to serve the residential communities. School use is categorized as a public service use in the Tahoe Area Plan and that clearly indicates that it is an appropriate use to serve the residential communities around them. Second, is the preservation of neighborhood character. The applicants have proposed an acreage restriction to preserve the existing neighborhood character throughout the internal corridors of Wood Creek. In addition, any application for a school would require a special use permit process which requires neighborhood notification, neighborhood meeting, and public hearing.

The six parcels that were highlighted on the map all have frontage along the major corridor in the area. While the code amendment provides the acreage restriction to preserve the internal corridors of the neighborhood but there are other factors that can impact the character of a neighborhood. One of those includes an estimated 48 percent vacancy rate of single-family homes in the area. Third, the proposed amendment would not alter requirements related to noise levels, single noise events or ground vibrations, nor would it alter the community noise equivalency level standards set forth in the existing area plan. The plan would continue to apply and any application for a special use permit would be required to comply with those requirements. Lastly, traffic in relation to congestion and traffic safety on Mount Rose. Functionally, Mount Rose is identified as an urban minor arterial through the Nevada State standards. Notably the corridor has a low injury crash rate of .22 crashes per million vehicle miles traveled contrasted to the state average of 1.27 injury crashes per million vehicle miles traveled for the urban minor arterial function classification. The Tahoe Area Plan and Mount Rose scenic highway corridor management plan has identified three future improvement projects on Mount Rose highway. One which includes creating a center turn lane along Mount Rose Highway and County Club Drive and investigating possible additional turn lanes on the corridor.

Ms. Aldean asked if this was K – 12 being proposed.

AnnMarie Lain said for the development code amendment the way that uses are defined by Washoe County school use is primary and secondary combined and are not separate. What's being proposed for the development code amendment is K – 12. Outside of the development code amendment what these two schools are proposing eventually if the amendment were to go through, is K – 8.

Tim Gilbert, Village Church said what they want to accomplish at the two churches is to be able to raise their kids in a faith space environment and teach them to know Jesus Christ.

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They like that there is a lot of energy put into safety. The reason churches are used for alternative education is because they are open and have big parking lots. The schools typically use as much of the parking space and everything that's needed for the regular assemblies on Sunday's. This seemed like a really good idea. In our community, this option isn't provided for.

Patricia Moser Morris, Incline Village resident echoed the previous commenter. Unfortunately, K – 12 public education in Nevada consistently ranks 49th or 50th in the nation. Throwing more and more money at the problem has not changed the situation. Only more competition will because giving parents an alternative to the dysfunctional public education system is the only way to truly incentivize the public schools here to improve. Our children deserve an education that will prepare them to succeed in life.

Anibal Cordoba Sosa, has lived in Incline Village for over ten years with his wife and children. He's also the director of a local non-profit serving families in need in the entire North Tahoe region. He supported the implementation of regulatory zone amendments in the Wood Creek Zone that will allow permanent operation of the Saint Clare school. This is critical to our community thriving and the health that the kids need. It allows families to have a school choice for their children. Expanding education opportunities will ultimately reflect on a healthier and safer community. School options in the area are extremely limited and for many Latino and working families is hard to access due to different factors that act as barriers creating serious inequality in our community. The presence of Saint Clare's will contribute to fulfilling the founding principle of religious freedom in the form of an educational project that serves the brown population. Saint Clare's offers support and assistance to access services to literally every family interested in providing faith-based education to their children. Without an expanded educational offer, the Incline Village community will not be able to offer its year round residents, its workforce sustaining the community a place to live and raise their families. Reinforcing its concerns, social and economic disparity and sadly pushing them to leave the area to seek new opportunities.

Will Phillips said they are a local working class family. We're the people you were talking about today with affordable housing and its impacts. That is important along with having a school to send your kids. Without having schools to go to, affordable housing isn't enough to support a family. He's a combat disabled veteran from Iraq and Afghanistan and is fortunate to be in Lake Tahoe to raise a family and hopes they can continue to do that. A committee member mentioned a busy road on Mount Rose Highway. Both of these locations can be accessed off the side road and don't have to be accessed directly from Mount Rose Highway. To prove this, both of these locations already have children there with schooling and daycare and there haven't been any issues. It's a good spot because you want to be next to an artery like Mount Rose Highway for fire evacuation and away from the center of a neighborhood, so you don't have the neighborhood traffic. It's a perfect location because these properties are adjacent to Mount Rose Highway but where these kids are coming in and out of the school and playing isn't anywhere near the road. This major highway can handle the minor amount of traffic increase that these schools will provide. Their one year old has been on a wait list since before he was born and are still unsure, he'll get in when he's ready. It's a community that needs to have faith based education. Public schools cannot provide this. One location you can get to without passing any houses and one of them has one house that is already on Mount Rose Highway.

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Gia Rauenhorst eight year resident of Incline Village and a Parishioner of Saint Francis for eight years. Her son is one of the original students of Saint Clare's Tahoe starting in 3rd grade and is now in 8th grade. She supported this proposal even though it will move forward without her family because she doesn't have any more children to send there. It is a gift to the community. For reasons that others have brought up, it's a wonderful option to have a faith based school choice. Both of these schools came into creation because parents were looking for a different option. Saint Clare's trains all the parents on the traffic patterns on where to enter to drop a child off, where to park to walk your child to the school, and where to exit and how not to impede traffic coming to or from the neighborhood. Using the Mount Rose Highway and Kelly Drive, there is a traffic pattern that ensures that there are no cars going towards the houses on Kelly Drive. She can appreciate wanting to protect the peacefulness of a neighborhood but cannot understand how the sounds of children laughing and playing in the beautiful setting be in any way disruptive.

Doug Flaherty Incline Village resident said he's disappointed in our representative from Washoe County on the committee. Rather than asking some very positive questions about how this will be able to enhance your children's education or your school choice. Or even saying I think this may enhance religious freedom. The only thing that the representative could ask is oh do we have other schools in the area that are near highways. That's unacceptable. He hopes when you get to voting next year, you will remember that. He supports this because the school scores in Washoe County are in the toilet, and it promotes our right to religious freedom and to vote against it would be religious discrimination which is what they found out in South Lake Tahoe when they tried to prevent the Jewish school. There are ways of expressing support if you are an elected or appointed official to this committee that would embrace and speak for the community. He hopes you recognize these positive arguments and is going to do nothing but enhance the community. Traffic plans will take care of the traffic concerns.

Paige Roodhouse, Executive Director of Saint Clare's Tahoe said she's been here for about ten years. And after serving as Naval officers, they spend their time serving their community. After home schooling for a couple of years, they saw the need for a Catholic School in our area. They spent the first four years in Tahoe Vista. They've been in existence as a school serving Incline and the greater North Tahoe community for 5.5 years. They currently serve 22 families and 45 students. The reason they don't want to go somewhere else is because Saint Francis is our spiritual and religious home and have right as Americans to raise our children in our faith. The Catholic Church in its existence, we have to be in it to participate in our sacraments. Our children have to be able to come up and go to mass. Many of our families attend mass daily and is part of practicing our faith in its fullness. We are not the only Catholic school in the basin. It's over a 40 minute drive over Mount Rose Highway to get to the nearest Catholic school. Until Village Church joined us in this effort, they have been the only Christian K – 8 options in the area as well. We provide not only religious education but also provide schooling through the Montessori method which is a unique approach that encourages learning important skills like conflict resolution, responsibility, and self-agency from an early age These hands on method includes using special manipulatives to learn critical skills and allows each child to learn at their own pace. Because of our individualized learning process, they are able to serve students with learning differences who do well in our classrooms. They are committed to providing this kind of education to all members of our community. Our model of education is in high demand and has filled the incoming preschool class for next year and have an extensive waiting list. Because they believe this kind of

education should be available to all members of our community, they set reasonable tuition rates for half the price of the local private schools. They offer sibling discounts to help families with multiple children and have never turned away a family who have requested assistance. Currently, 25 percent of their families receive full financial aid assistance. The proposed zoning amendment would optimize the use of a building that's already serving hundreds of members of our community and those hundreds are coming on the weekends and after school hours. The 22 families are not affecting traffic flow in a negative way. They have a traffic plan in place to ensure safety and all the different noise and other considerations can be worked out together to address to be good community members and good neighbors.

Mike Skeehan said he has three kids at Saint Clare's school. He echoed many of the comments that others have made in support of the amendment. This school Saint Clare's and assuming the same can be said for the school at the Village Church, does contribute positively to the community overall. The family is the fundamental building block of society. These schools are focused on creating good human beings that contribute both within the family and outside of it. He is in support of these amendments.

Debbie Larson Incline Village resident for 25 years who has raised four sons going through Incline's public schools. They believe that Saint Clare's is a gift to the community, one that she wishes her kids could have enjoyed. Christian education in general and Saint Clare's in particular emphasizes caring for others. It means more Catholics and Christians and more community building events and activities. She heard concern that permitting another school would take kids away from the public schools, but this is an entirely different market. The people interested in Saint Clare's home school or are seeking a private school, not necessarily a religious one. In fact, 50 percent of the 40 students at Saint Clare's are not Catholic. It's important to remember that we are talking about a small school. With a zoning amendment containing size restrictions but ensure the integrity of the neighborhood. This is a neighborhood that the church has been in since 1965. The church has been teaching religious education classes for decades. The church's capacity is over 300 people and there haven't been any accidents. This school isn't a new use in terms of traffic and safety. There are weddings and funerals, and again this is a much greater volume than at this small school. Please consider beyond expanding our limited education options at the lake. The future of our community depends on the kids.

Committee Comments & Questions

Ms. Aldean said she supported this code amendment. In Carson City and other communities, it's not unique to have residential uses around schools. She doesn't believe that there have been many instances when people have been concerned about the children's behavior. This does make a difference that it is kindergarten through the 8th grade. Having a choice in the education of your kids is very important and doesn't believe this use would be disruptive.

Ms. Gustafson said she is also supportive of this agreement.

Mr. Hoenigman said he didn't like these being on the highway, but they are a lot smaller than he thought they were.

Ms. Hill said she doesn't want her earlier questions to be mistaken. It was to show that there

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are not a lot of areas that have schools in the area plan and have found in Washoe County that there were a lot of misuses when they went through the original area plan update. She also doesn't see any major issues with this.

V. UPCOMING TOPICS

Mr. Hester said future items are the housing amendments, this item if it comes to fruition. There are a series of amendments coming for the Placer County Tahoe Basin Area Plan but first need to go to the Placer County Board of Supervisors in October. Douglas County will be bringing amendments to their area plan in the future along with general updates to the Barton Health project. Washoe County has some potential amendments coming forward also.

VI. COMMITTEE MEMBER COMMENTS

None.

VII. PUBLIC INTEREST COMMENTS

Doug Flaherty said you were misled by the Attorney General's California Environmental Quality Act best practices. While there exists an opinion that more concentrated development within town centers versus development outside of town centers may prevent ignitions, the reality is that all businesses and residential population areas within the basin including dense concentrated town centers and mixed-use areas exist within the Nevada and California Wildland Urban Interface and specifically on the California side for the State Fire Marshall, most of the built environment geographical area is classified as a very high fire hazard severity zone. The intent of the comment by the Attorney General was to say generally applied throughout California if you are going to build let's say in an area that doesn't have wind and slope and you are not in very high fire hazard severity zone or the entire community is not in the Wildland Urban Interface, maybe there might be an argument about reduced ignitions within dense town centers. However, the reality is that the Paradise fire came from outside the community.

The Maui fire started on the outskirts of the community not in the dense town center. The Little Valley control burn on the part of the Nevada Division of Forestry started up on the mountain and the wind swept it down the mountain and wiped out ranches and homes. Mr. Hester's comments, while he appreciates the thoroughness of the staff, it doesn't apply here. Ignitions come from all different aspects. He made a public records request to the Forest Service asking what are the fires in the Tahoe Basin caused from which their response was campfires. He then found a note that somebody had replied within the Forest Service and said they know that's all bull..... We have some problems out there but ignitions within town centers, which is not an argument not to do a complete thorough evacuation analysis and follow all the items within the California Attorney General's best practice.

Ann Nichols, North Tahoe Preservation Alliance said the achievable is not affordable. This is just an adjustment to more development and it's social engineering to solve the traffic problem and there is no evidence or proof. You throw this around that it worked in Vail or wherever. She would like to see some evidence of where it worked. It's a problem all over the country and is sorry to see that the League to Save Lake Tahoe is signing on with TRPA,

VIII. ADJOURNMENT

Ms. Aldean moved to adjourn.
Motion carried.

Mr. Hoenigman adjourned the meeting at 6:52 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.