

From: [Diane Heirshberg](#)
To: [Marja Ambler](#)
Subject: Re: Opposition to proposed amendments to Washoe County's Tahoe Area Plan to allow single family condominium uses in Special Area 1 of the Incline Village Commercial Regulatory Zone, Item V.A. March 8, 2023 APC Meeting
Date: Monday, March 6, 2023 9:27:01 PM

Dear Marja,

Please convey this opposition to the members of the APC and please make this part of the public record.

Thank you,

Diane Becker

Re: Opposition to proposed amendments to Washoe County's Tahoe Area Plan to allow single family condominium uses in Special Area 1 of the Incline Village Commercial Regulatory Zone, Item V.A. March 8, 2023 APC Meeting

Dear Members of TRPA's Advisory Planning Commission, Regional Planning Commission and Governing Board,

I oppose the proposed amendments to Washoe County's Tahoe Area Plan to allow single family condominium uses in Special Area 1. TRPA should not look at the proposed Amendment to the Washoe County Tahoe Area Plan as a question of whether to allow formerly commercially zoned property to be developed into mixed use projects consisting of commercial and luxury single family condominiums, instead of the current zoning of mixed commercial and multi-use units that are work force housing, on the basis of whether the change will result in different development standards or different environmental impacts. That is not the issue. The issue is what is best for the Incline Village Crystal Bay community that is in desperate need of workforce housing, and that should be the focus of APC in considering this proposed Amendments. In 2020 when the Tahoe Area Plan allowed for increased height, density and concentration, and reduced coverage requirements in the Town centers to encourage re-development of properties into workforce housing, those changes were accepted by the community. Now those changes are just allowing higher, more dense luxury condominiums, with less coverage requirements, to be built by developers. The intent was to cause workforce housing to be built. Now that will not occur in Special Area 1.

Currently the zoning of Special District 1 does not allow luxury single family condominiums to be built in Special Area 1 and it is in an area zoned for mixed use commercial and work force housing. Before you vote to approve the proposed Amendment, please be clear on what is at issue here. In the long run, Lake Tahoe needs workforce housing or the area is not sustainable as a place for people to live or for tourism. Over ½ of the residences in Incline Village Crystal Bay are already condominiums, mostly luxury, and while that is not to say that we could not benefit from more housing, Incline Village Crystal Bay desperately needs workforce housing.

In 1964 the California Law Review recognized that TRPA would be pressured by the politicians looking for increased tax bases and by the developers looking for greater profits, when it explained at page 571:

“It should be readily apparent that the Lake Tahoe basin does not fit into any one of these counties as part of a cohesive unit. A potential danger is that politicians somewhat removed from Tahoe may be tempted to capitalize on Tahoe's tax base. One of the greatest weaknesses of present county zoning in the basin is its underlying aim-to regulate so long as nothing is done to stop tourists from coming to Tahoe. Increased

development leads to increased business and the county treasuries are filled. While this type of planning may be better than none at all, it falls far short of what is needed to preserve the magnificent natural asset that is Lake Tahoe.”

TRPA needs to consider

What is the problem that needs to be solved: Incline Village Crystal Bay needs workforce housing.

What are the possible solutions? Surely one of the solutions is not to remove the limitation that Special District 1 be only workforce housing. Or at least please get a list of possible solutions for this problem before you lift the limitation.

What are the tradeoffs?

What are the best solutions?

The staff report ignores the vocal expressions of the needs and wants of the Incline Village Crystal Bay community entirely. The change benefits developers and local governments which will receive increased revenues from the change. TRPA has one of its goals to increase workforce housing. I respectfully urge that that should at least be the focus of some analysis by Staff.

Thank you in advance for your consideration of this public comment.

Very truly yours,

Diane Becker

Full Time Incline Village Crystal Bay Resident

March 7, 2023

To: TRPA Advisory Planning Commission

Re: Written Public Comment – TRPA APC Meeting 3-8-23 - **Opposition** to Agenda Item V. A. Possible recommendation on proposed amendments Discussion to Washoe County's Tahoe Area Plan to allow single Possible Action family condominium uses in Special Area 1 of the Incline Village Commercial Regulatory Zone

Dear TRPA APC Chair and Members,

Please make this public comment part of the record and minutes in connection with Agenda Item V.A of your 3-8-23 meeting.

As a resident of Incline Village, NV, I am opposed to the adoption of Agenda Item V.A. as written.

Living just down the street from the "F" traffic rated intersection of Southwood and Hwy 28, as well as the proposed 947 project, I am generally opposed due to the height, scale, and public safety issues as well as additional issues discussed below.

However, I would encourage the APC to delay ruling on this item and encourage Washoe County and the developer of the original 2 parcels (941-947 Tahoe), to work out a process to address more narrowly only the original 2 parcels that started this quagmire in the first place, i.e., Assessor's Parcel Numbers (APN) 132-231-09 and -10.

From the outside looking in, it appears that there seemed to be some sort of misstep connected with the original multi-Family project definition, which has led to a highly controversial and far-reaching Special Area 1 amendment, **which now extends well beyond the original 2 parcels, thereby impacting over 35 parcels** within Special Area 1. It is poor public policy and further erodes public trust to allow 35+ parcels to be affected, because 1 developer or the County somehow procedurally erred.

I am sure if the County and the developer came to an understanding regarding mitigation of the "F" rated intersection as well as modifying the mere 925 sq feet of office space, (obviously in order to be able to minimally claim "mixed commercial"), and took a step further to create deed restrictions to prevent STR's, the TRPA and the County could find a way to negotiate this issue forward, leaving the balance of Special Area 1 and the Area Plan intent and goals in place.

However, the County needs to close the loophole of allowing only 925 feet of office space to meet the definition of "mixed commercial", and the County needs to restrict STR's within future affected projects.

This proposed Area Plan amendment establishes a barrier throughout all of Incline Village Special Area 1, thereby **preventing opportunities** for the construction of long-term rental properties that could assist in alleviating the workforce housing crisis.

In June 2022, TRPA issued a development permit for a mixed-use (multi-family and commercial) development at 941 and 947 Tahoe Boulevard (APN 132-231-09 and 132-231-10) in **Special Area 1** of the Incline Village Commercial Zone.

The permitted project included 40 multi-family units (originally placed in the Washoe Tahoe Area Plan to help provide rental units to help ease the Workforce Housing issue) and **925 square feet of commercial space**, all in compliance with the TAP implementing regulations.

Following permit approval, the developer requested the conversion of the multi-family rental units into owner-occupied condominiums. This request could not be granted because single-family condominium (residential) uses are not permitted in Special Area 1.

So, currently, an original developer request to build multi-family rentals limited to **two parcels (941 and 947 Tahoe Blvd)**, in compliance with current the Tahoe Area Plan, has now disproportionately ballooned into a precedent setting Washoe County proposed amendment and process, which not only will allow a change of use to build single family condominiums (residential) **on the original 2 parcels** in question, but also arbitrarily and capriciously **extends this change in use to up to 35+ parcels throughout the entire** Special Area 1 of the Incline Village Commercial Zone.

This developer driven code change, in essence, seals any likelihood whatsoever that multi-family dwelling rentals will ever be built on any of the **additional 35+ parcels** in Incline Village Special Area 1. Basically, any incentive to build cost achievable rental units, which could support workforce housing, will be eliminated throughout the entire Special Area 1.

This proposed far reaching change is a gift to developers, since they will surely opt to build four story residential condominiums up and down Hwy 28 in the middle of Incline Village, with a minimal amount of commercial space, wiping out many restaurants and shops along highway 28, and increasing the likelihood of **exploding Short Term Rental opportunities in Incline Village**. This, further ensuring that any hope of assisting with alleviating the workforce housing crisis in any way is wiped out.

Sincerely,
Doug Flaherty
Incline Village, NV

Ellie Waller

Please provide this e-mail and depictions and attachments to the Placer County Board of Supervisors, Planning Commissioners and NTRAC members. Also provide to TRPA Advisory Planning Commission and TRPA Governing Board before the March 9, 2023 Tahoe Basin Area Plan workshop. It will be held in person (No Zoom) at the North Tahoe Event Center in Kings Beach from 4-6pm

<https://www.placer.ca.gov/3342/Tahoe-Basin-Area-Plan>

Be sure to read **red-lines** for both the Implementing Ordinances where that document gets into the weeds for each community 343 pages Oct 2022

https://www.placer.ca.gov/DocumentCenter/View/64725/Proposed-TBAP_Implement-Regs_Track-Changes-102022

And Goals and Policies 200 pages Oct 2022

https://www.placer.ca.gov/DocumentCenter/View/64725/Proposed-TBAP_Implement-Regs_Track-Changes-102022

And 44 page Nov 2022 NTRAC Presentation

https://www.placer.ca.gov/DocumentCenter/View/65081/TBAP_Presentation_110922_NTRAC

I'm hoping to see TRPA, League to Save Lake Tahoe, etc. representatives at this workshop.

I cannot discern if opening public comment is on the agenda for the March 9 meeting so I am sending this to cover my concerns for the record and to apprise those that may be making recommendations or voting in the future. As well as informing the public how to find documents to assist in providing meaningful and comprehensive input.

I completely understand that Placer County and TRPA have separate approval processes.

No disrespect intended but I have concerns about how the District 5 Supervisor can advocate for many of these changes for future projects in the the review process where she may need to recuse herself both in her role as Placer County Supervisor and TRPA Board member.

HOW DO YOU CALL THESE EXAMPLES MINOR????

1). Height depictions from a 2022 meeting packet enclosed below. Not just increased height but scenic degradation will occur. Future TRPA review on scenic highways, lakeshore visualizations, more incentives in village centers

that change the community character, are just a few issues that seem more major than minor.

2). The definition of "achievable housing" is in flux and based on analysis from the Mountain Housing Council (MHC) and adopted ? by TRPA. MHC members are not voted in by the constituents of Lake Tahoe. The Mountain Housing Council of Tahoe Truckee (MHC) is a project of the [Tahoe Truckee Community Foundation](#) and brings together 29 diverse partners to accelerate solutions to [achievable local housing](#).

Have the states of California and Nevada adopted the MHC "achievable" housing definition?

3). Envision Tahoe: Additionally, the Tahoe Prosperity Center prepared and released several reports documenting the economics of the Tahoe Basin from Fall 2021 to Summer 2022: the Baseline Report for the Tahoe Basin in September 2021, the Community Report for the Tahoe Region in March 2022, and the Envision Tahoe Playbook June 2022. The Tahoe Prosperity Center team is NOT chosen or elected by citizens either; however, it appears the TPC will self-monitor progress and report to County Officials.

Page 78 of the Playbook" states: " Envision Tahoe is an initiative of the Tahoe Prosperity Center (TPC) which serves as the community and economic development agency coordinating regional action across the Basin. To learn more, visit www.tahoeprosperty.org"

Did the TRPA relinquish their REGIONAL role to TPC? This non-profit is an agency????

https://tahoeprosperty.org/wp-content/uploads/JUNE-2022_Prosperty-Playbook_Web.pdf

A supplemental EIR is necessary and should be required. If staff is confident and doesn't have any concerns then the proper level of environmental review through the supplemental EIR process will prove their assumptions. It has been touted that these amendments are not project specific so what's the hurry? Hire an environmental consultant and do it right.

My perspective is that the citizens and environmental groups concerns should be weighted equally to the stakeholder groups input. Staff acknowledged spending two years with stakeholders. Not sure who those stakeholders were while the public at-large was engaged in October 2022 and expected to play catch-up and provide comments.

From the workshop notification: The workshop is planned to be interactive, where folks can move from station to station to learn about and provide input on the following: 1) Building Form, 2) Town Center Reinvestment, 3) Density and Development Rights, and 4) Achievable Housing. We are not

sending out information prior to the workshop but will have information at each station that we will discuss with folks and seek input.

My opinion: This selected workshop format is a disingenuous process to silence the public. It doesn't necessarily capture the public's comments for future reference. The lack of credible, accessible documentation and capturing clear intent is not done. Moving from station to station, a few people at a time, doesn't promote collaboration or consensus among the community members most affected. Furthermore, many do not even understand topic matter i.e. "achievable housing" definition, development rights, etc.

What happened to the good old Q&A interactive sessions that allowed open and robust dialog exchanges? Placer conducted four recent meetings with 100's of people. What concerns has the County captured? A 56 foot cap was a loud and clear and resounding message to staff.

My opinion: Stakeholder groups that Placer leads or participates in get more respect than the residents that will be affected.

In closing:

As the plan heads into the approval process, familiar contention has surfaced: economic stimulus versus protecting resources and existing community character as was evidenced at the 3.5-hour NTRAC meeting on November 30th, 2022 with approximately 40 people in attendance and 20 on Zoom.

I often consider shorter comments and less information but this proposed amendment package requires that those concerned to have a fundamental understanding that this is not just "minor changes" being proposed and will forever change Placer County.

Respectfully, Ellie Waller

Tahoe City Town Center (View Angle: W-facing on SR 28 in front of Pepper Tree Inn)

Average mature conifer (J. Pine) height is 80-120 feet.

71 feet

61 feet

56 feet

80 feet

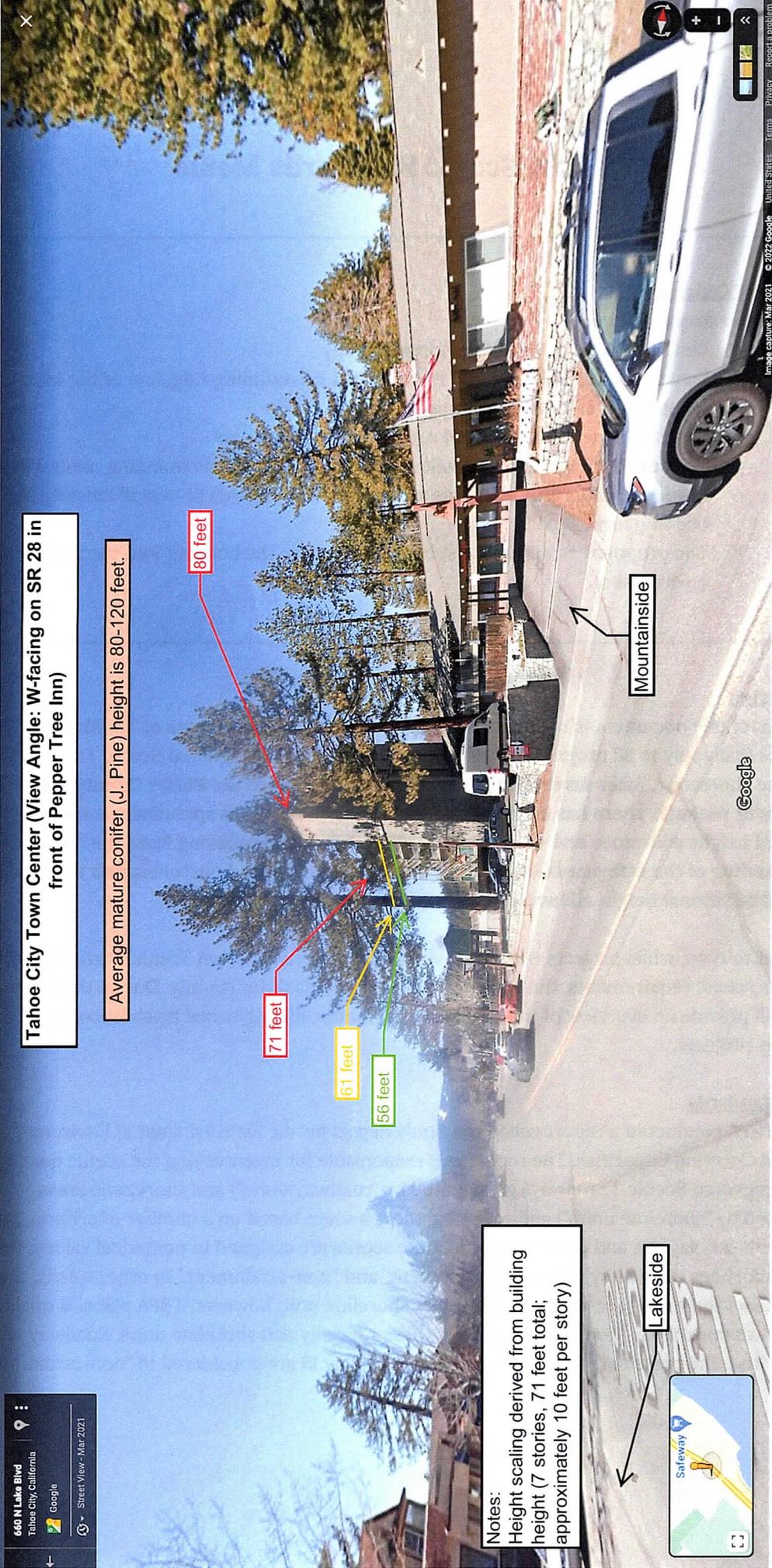
Notes:
Height scaling derived from building height (7 stories, 71 feet total; approximately 10 feet per story)

Lakeside



Mountainside

Google



8612 N Lake Blvd
Kings Beach, California
Google
Street View - Apr 2022

Kings Beach Town Center (View Angle: E-facing from
Raccoon Street Roundabout on SR 28)

Average mature conifer (J. Pine) height is 80-120 feet.

61 feet

56 feet

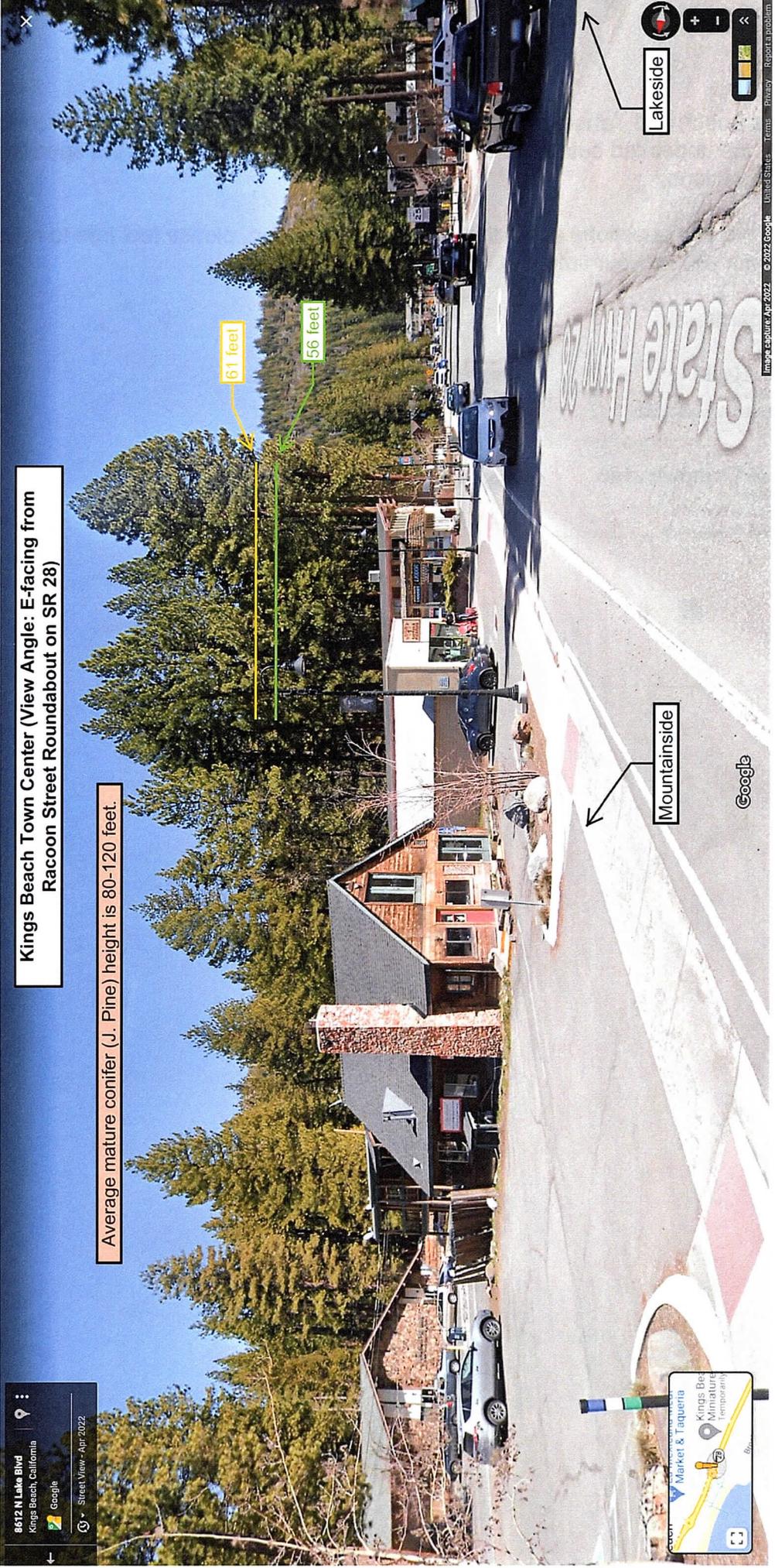
Mountainside

Lakeside



Google

Image capture: Apr 2022 © 2022 Google United States Terms Privacy Report a problem



Tahoe City Town Center (View Angle: N-facing on SR 28 in front of Pepper Tree Inn)

Average mature conifer (J. Pine) height is 80-120 feet.

71 feet

61 feet

56 feet

80 feet

Notes:
Height scaling derived from building height (7 stories, 71 feet total; approximately 10 feet per story)



Google

Mountainside

Lakeside

The Tahoe Basin Area Plan (TBAP) proposed amendment package is too complex and often confusing. I am asking the Planning Commissioners to not provide a recommendation today and request this be heard at a future date when the following is provided. If you must make a recommendation, revisions require additional criteria, public input, illustrations depicting proposal, etc. This is not ready for prime-time. We do not have a blank slate to work from so many constraints affect the outcome of the proposed amendments. “very few vacant sites exist within the Town and Village Centers as these areas are generally built out.” BAE

The following reasons below explain why you should not provide a recommendation today. This is a piece-meal approach to targeted changes.

- 1).** Placer County has chosen to categorically exempt the Tahoe Basin Area Plan (TBAP) proposed amendments. It was suggested Tahoe Regional Planning Agency (TRPA) will require an Initial Environmental Checklist (IEC). This seems like the cart before the horse. There is a December 14th “For Information Only” agenda item to be heard by the Regional Plan Implementation Committee (RPIC).
- 2).** I am asking Placer County to conduct a couple more public meetings, provide TRPA the Initial Environmental Checklist and then conduct Planning Commission and Board of Supervisors meetings to be followed up by the TRPA RPIC , Advisory Planning Commission and Governing Board meetings for possible action and direction.
- 3).** I am asking you as Planning Commissioners to carefully review the documentation so when asked to provide a recommendation you are fully aware of the implications of implementation of the proposed changes and required approvals from both Placer County and TRPA. I am requesting that Placer County take a step back and conduct a couple more meetings to gather community input as the developers have been provided ample opportunity to share their requests.
- 4).** The public, planning commissioners and other agencies were provided approximately 830 pages to review in just a couple of weeks. Add previous reports like the 2013 Existing Conditions Report and other references that would assist in providing meaningful and comprehensive comments: it’s a lot of info to consume. Staff stated the TBAP revision has been two years in the making at the November 30 North Tahoe Regional Advisory Council (NTRAC) meeting. Tell me why the public, commissioners, other agencies get less than a month to review documents that will forever change the completion of Placer County, North Lake Tahoe if approved?

Approximately 830 pages TBAP Amendments, Implementing Regulations and Staff Report

1) <https://www.placer.ca.gov/DocumentCenter/View/65650/SR-F-PC-22-00490-TBAP-AMENDMENTS-ALL> 291 pages Staff Report dated November 22, 2022

2) https://www.placer.ca.gov/DocumentCenter/View/64725/Proposed-TBAP_Implement-Regs_Track-Changes-102022 343 pages Track changes/redlines Implementing Ordinances document provided to the public mid-November 2022

3) https://www.placer.ca.gov/DocumentCenter/View/64724/Proposed-TBAP-Goals-and-Policy-Documents_Track-Changes-102022 200 pages Track changes/redlines Goals and Polices document provided to the public mid-November 2022

5). The amendments propose substantial changes in nature and magnitude, including adding new activities not anticipated in the original scope of the 2017 TBAP. Projects in the queue, just waiting to come forward, WILL prove that some of these proposed amendments are project specific. There are new circumstances and environmental conditions which may affect the entire TBAP geography or have a bearing on its impact, such as concealed or unexpected conditions discovered during the implementation.

6). The Staff Report cites the following: It's more than just a few tweaks this is to repeal and replace the TBAP in its entirety. TAHOE BASIN AREA PLAN – ECONOMIC SUSTAINABLE AND HOUSING AMENDMENTS TAHOE BASIN AREA PLAN AMENDMENT (PLN22-00490) **STATUTORY AND CATEGORICAL EXPEMPTIONS** Consider a request from the Placer County Planning Services Division to consider a recommendation to the Board of Supervisors to adopt a resolution and ordinance **to repeal and replace the Tahoe Basin Area Plan (TBAP) in its entirety** and to consider adoption of an ordinance amending Placer County Code Chapter 12, Article 12.08, section 12.08.020 A to remove outdated zoning area references, clarify where countywide street improvements are required, and add single-family detached dwellings as subject to street improvement requirements to align with Tahoe Basin Area Plan pedestrian mobility goals. **The proposed replacement of the TBAP would amend Parts 2.6, 2.7, 3.4, 3.5, 4.3, 4.7 and 8.2 of the Placer County Tahoe Basin Area Plan (TBAP), and Chapters 1, 2, and 3 of the TBAP Implementing Regulations to refine policy and code sections aimed at supporting workforce housing, as well as encouraging lodging and mixed-use redevelopment in Town Centers.** The amendments focus on diversifying land uses across a variety of sectors, streamlining land uses and new businesses in the Town Centers, and provide additional opportunities for a greater variety of housing types, including workforce housing, throughout North Tahoe. The Tahoe Basin Area Plan encompasses the portion of Placer County within the jurisdiction of the Tahoe Regional Planning Agency, an area of 46,162 acres (72.1 square miles) and includes the communities of California North Stateline, Kings Beach, Tahoe Vista, Carnelian Bay, Dollar Point, Tahoe City, Sunnyside, Homewood, and Tahoma. Additionally, the Board of Supervisors will consider the Planning Commission's recommendation on a finding of a Statutory Exemption pursuant to Sections 15061(b), 15282(h), and Categorical Exemptions pursuant to Sections 15301, 15303, 15305, and 15332 of the California Environmental Quality Act Guidelines.

7). You as Commissioners must answer the following: Has Placer County sufficiently analyzed the impacts related to the proposed amendments? Does the original TBAP programmatic EIR and 2012 Regional Plan Update (as amended) in the context of the TBAP proposed amendments, adequately analyze the up-to-date cumulative impacts from 2017-2022?

8). I request that a more refined examination of the potential impacts needs to be provided. Possible solutions to burden of proof 1). A supplemental EIR to the 2017 TBAP and Implementing Ordinances 2). A Mitigated Negative Declaration. Both these options allow public engagement.

Examples requiring more detailed analysis: 1). The significant changes in proposed height must be reviewed in light of what is reasonably feasible, given the nature, scope and complexity of the amendments. Consideration on how they will be applied to future projects in the queue must be considered.

Placer should supply a list of queued projects in pre-application.

2). Increased height and additional massing (by increasing lengths of buildings) will create significant scenic changes to the built environment.

3) Proposed setback changes on frontage roads another scenic significant change.

Examples 1-3 must be consistent with the TRPA Scenic Quality Improvement Plan (SQIP) and TRPA scenic thresholds .

4). Proposed ground water intercept changes could be significant to utility providers.

9). Where in the TBAP amendment documentation does the County prove there are no new impacts on the surrounding environment, community, and population that will occur with the proposed TBAP amendments? There will be localized impacts to a Village Center where proposed massing allowances will come into play. TABLE 2.04.A-4: BUILDING FORM GUIDELINES GREATER TAHOE CITY MIXED-USE SUBDISTRICTS Village Center sub-districts MUN-DH 200 ft; 75 ft (1); 250 ft (3) with conditions and MUN-LFG 200ft as proposed in the red-lines. Localized impacts are just as important as the overall TBAP geographic region.

10). Placer County should provide a neighborhood capacity study for each sub-district identified to assure localized impacts are addressed. This gives fair-share assessments to Town Centers versus Village centers, etc.

11). I believe the TBAP amendments are also encroaching on new territory from a regional perspective as well. Should Placer County be able to take action before the TRPA completes their current threshold update underway? Through that process any number of changes could have any number of impacts.

12). I request Placer County staff must provide a matrix identifying where (page number and cite text) in the 2012 Regional Plan Update and its amendments along with the 2017 approved TBAP and Implementing Ordinances that shows proof the impacts of the previous environmental documents analyses cover newly proposed changes. Just saying the requirements are met, doesn't make it so.

13). New Placer County building standards code goes into effect Jan. 1, 2023. The newly MANDATED California Building Standards Code changes, also known as Title 24 should have to be incorporated into the analysis and possible code changes completed.

<https://www.sierrasun.com/news/new-placer-county-building-standards-code-goes-into-effect-jan-1/>
Excerpts: The California Building Standards Code, also known as Title 24, will soon mandate energy storage system readiness on all new home construction; accessory structures such as sheds and barns will need to be built out of fire-resistive material when located within 50 feet of a property line; and builders must pre-install safety features to accommodate aging occupants among many other changes coming in the new year.... Affecting Placer County's higher elevation communities such as Lake Tahoe, the code will also require structures be designed to restrict the shedding of snow on walkways, exits, decks or adjoining structures.

14). It is evident that the 2019 Placer County Tahoe Basin Town Center Economic Sustainability Needs Analysis (Attachment E) conducted by Placer County and BAE is driving many of the TBAP amendments. I request that examples with illustrations be provided to help guide the public, planning commissioners, TRPA and other agencies reviewing this document. BAE provided a few examples but no illustrations are available to understand the proposed changes and potential impacts.

15). Furthermore, be reminded that Placer County HAS BEEN providing financial aid to the developers for several years.

Examples below.

1. Placer County wants to develop these lakeshore Tahoe properties: Excerpt “We’re expecting a fair amount of interest,” she said. The county has spent about \$50 million improving Kings Beach infrastructure, so the properties start off better than they did a few years ago. “We really assembled the infrastructure to have an impact.”

<https://www.bizjournals.com/sacramento/news/2016/05/02/placer-county-wants-to-develop-these-lakeshore.html>

2. Dollar Creek Crossing County Placer County land acquisition \$3.4 million. Funding for the land purchase comes primarily from the county’s Housing Trust Fund, local transient occupancy tax revenues and a \$500,000 contribution from the Tahoe Truckee Airport District. <https://www.placer.ca.gov/6153/Placer-closes-on-34M-land-deal-near-Taho>

3. The Clarke Group/Kings Barn Placer County land acquisition 4.3 million. Mortgage bank loans for \$4.3 mil and a \$500K loan for engineering and planning expenses provided. The property was sold for \$3 million and a purchase and sale agreement with developer Kings Beach Center LLC, represented by Craig Clark. If a project is approved, Placer and Kings Beach Center LLC will share responsibility for relocating existing tenants of the property. The county would retain reversion rights to the property for three years after the closing of escrow, affording an opportunity to buy back the property at the \$3 million sale price if a project is not begun within that time.

<https://www.placer.ca.gov/491/Kings-Beach-Center-property-purchase-app>

4. Tahoe City Lodge: Bechdolt Building Placer County purchase for \$4 million, \$879 in Tourist Accommodation Units not required to be paid back, shared parking with the Tahoe City golf course to name a few.

16). This is a Reality Check: Placer County CANNOT have it both ways.

Tahoe Vista is the playground for private amenities

- 1). Martis Camp Beach Shack. A single family residence converted to a clubhouse under the auspicious of TRPA Beach Recreation use for an out of Tahoe Basin property.
- 2). Ritz Carlton Beach House. A Bed and Breakfast was demolished and became a private amenity for an out of Tahoe basin property (Beach Recreation use ?)
- 3). EKN Lake Tahoe Resort (formally Boulder Bay) purchased Beeslys Cottages and has stated it will be a private amenity.
- 4). EKN purchased the Cedar Glen Lodge, not sure what is proposed for that property?
- 5). And most recently rumored , Palisades Tahoe is or has purchased The Vistana, use unknown.

17). Is the March 13, 2020 FINAL EVALUATION the same as the 2019 report within the Planning Commission packet ? (The Placer County Tahoe Basin Town Center Economic Sustainability Needs Analysis (Attachment E) conducted by Placer County and BAE in 2019) Placer County should provide the public, planning commissioners, other agencies the 2020 final evaluation document as part of the review process.

bae urban economics

March 13, 2020

Jennifer Merchant
Deputy CEO
County of Placer
175 Fulweiler Dr.
Auburn, CA 95603

Dear Jennifer:

BAE is pleased to submit this final evaluation of the economic sustainability needs for the Town Center and Village Center areas in Placer County's Tahoe Basin region. We have enjoyed working with you and other County staff in developing this analysis, and we look forward to seeing the results as the County follows up on the report's recommendations.

Sincerely,



Matt Kowta
Managing Principal



Amanda Wallace
Associate

18). Previously mentioned: Placer County staff should provide ILLUSTRATIONS. The BAE prototypes that were included in the report could provide a starting point for what a project would look like on the ground. Include a few more details showing a 200ft + building length, an approvable rooftop bar, appurtenances (flues, mechanical room, etc.), and examples of a 36' versus 48' versus a 56' building height for comparison. As this is stated to be a repeal and replace amendment, MANY still believe the Area Plan Teams proposed heights of 36' shorezone and 48' mountainside for most of the Area Plan is sufficient and should be re-considered as the maximum heights allowed. Tahoe City needs to speak for itself.

From BAE report: A key tool for evaluating the potential for private investment in the Placer County Tahoe Basin area was a set of pro-forma financial feasibility analyses for four different prototype development projects, including a mixed-use project with rental apartments over retail, for-sale condominium project, a limited service hotel project, and a "condotel" project, which is a hybrid of for-sale condominiums and a hotel. The financial feasibility analysis models the costs to a developer to acquire property and develop the prototype projects and then projects the income the completed projects could generate and evaluates whether the projects would be sufficiently profitable to attract developer and investor/lender interest. While the pro-forma analysis results provide a general assessment of the financial feasibility of the different prototype projects, the results should not be interpreted to be indicative of the feasibility of any specific project that may be proposed, as each project will have its own specific set of circumstances, any of which may vary from the assumptions used for pro-forma modeling.

None of the pro forma provided are for workforce housing: A pandoras box of categories. Low-income, affordable, achievable, etc. Addressing the demographic is necessary. Placer County needs to address units for all income levels in the TBAP.

Prototype Formulation

The following prototypes provide a rough estimate of project design, density, and coverage yields associated with the four prototypes. These prototypes were developed in consultation with Placer County staff and are informed by requirements of the TRPA Code of Ordinances and the Tahoe Area Basin Plan, as well as input from real estate development professionals active in the area. These prototypes are based on general assumptions which would allow each project to build out to maximum density and coverage requirements allowed by the Code of Ordinances and Area Plan in Core Town Centers (see

Table 5) given the assumed parcel sizes. As discussed previously, additional site and project specific requirements pertaining to various overlay districts, site and building design, view preservation, environmental remediation, and proximity to natural resources could limit a potential project's ability to build out to these maximum allowable standards.

I strongly urge the prototypes be accompanied by visual representations to assist the public, planning commissions and other agencies in understanding what a project will look like "as built". What it looks like in the proposed environment and location: Town Center, Village Center, Industrial, etc. Estimate and provide price points for the units the public will pay after project is built.

Placer County Planning Commission 12-8-2022 item # 3 Proposed TBAP Amendments
Ellie Waller for the Record

Prototype 1: Mixed-Use Residential

This first prototype is a three-story mixed-use residential project with ground floor retail on a two-acre site. As envisioned, the project will consist of 50 apartment units - including 20 studios, 20 one-bedroom, and ten two-bedroom units - built to a density of dwelling 25 units per acre. The net leasable residential floor area will total 31,000 square feet. Assuming internal hallways and an elevator, the gross residential floor area would total 35,960 square feet after accounting for a circulation factor of 16 percent. The project will accommodate another 5,000 square feet of ground floor commercial space, including a 2,500 square foot restaurant space and a 2,500 square foot retail space. The commercial space would be built to shell condition. Combined, the total building area equals 40,960 gross square feet. For multifamily development, the Area Plan requires one parking space per bedroom for the first two bedrooms, and 0.5 parking spaces per additional bedroom. Based on this, the multifamily component of the project requires 60 parking spaces. For retail uses the Area Plan requires 3.33 parking spaces per 1,000 square feet of floor area, resulting in the need for eight spaces to service the retail component of the project. For eating and drinking establishments, the Area Plan requires either ten parking spaces per 1,000 square feet or 0.25 parking spaces per customer seat, whichever is higher. This analysis utilizes the higher parking ratio based on the number of customer seats. Assuming a 1,500 square foot dining area and approximately 15 square feet per customer seat, the proposed restaurant space yields 100 customer seats, resulting in the need for 25 additional parking spaces. In total, the project would require 93 parking spaces to serve the residential and commercial components, which would be provided as surface parking. Assuming 375 square feet per parking space (inclusive of drive aisles), this results in 28,744 square feet of surface parking area.

Given the total building height (i.e., number of stories) and the required surface parking area, the project's total site coverage would amount to 66 percent after adding an additional ten percent of the site area for hardscaping (i.e., walkways, patios, pathways, etc.).

Table 6: Prototype 1 - Mixed-Use Residential Development Summary

Site Size (acre)	2.0						
Site Size (sf)	87,120						
Res. Density (du/ac)	25						
Building Height (stories)	3						
Residential			Parking (a)				
Unit Type	Units	Avg. sf	Leasable Res. Sf	Use	# of Stalls		
Studios	20	500	10,000	Residential	80		
1-Bed	20	650	13,000	Restaurant	25		
2-Bed	10	800	8,000	Retail	8		
	50		31,000	Total Required Parking	93		
		%	sf	Parking Configuration	Stalls	Avg. sf	Parking Area (sf)
Circulation Factor		16%	4,960	Surface Parking	93	375	34,997
Gross Residential Area (sf)			35,960	Coverage			
Commercial				Building Footprint (sf)	13,653		
Restaurant			2,500	Surface Parking (sf)	34,997		
Retail			2,500	Hard Landscaping (% / sf)	10%	8,712	
Gross Commercial Area (sf)			5,000	Total Coverage (sf)	57,362		
Total Building Area (sf)			40,960	Coverage Ratio	66%		

Note:
(a) Based on the following parking ratios defined in the Placer County Tahoe Area Basin Plan:
Multifamily Dwelling: 1 space per bedroom for the first two bedrooms and 0.5 per additional bedroom
General Merchandise Store: 3.33 per 1,000 square feet
Eating or Drinking Place: 1 space per 0.25 customer seats. Assumed 1,500 square feet of dining area and 15 square feet per customer.

Sources: Tahoe Area Basin Plan, 2017; TRPA Code of Ordinances, 2012; Interviews with local developers and real estate professionals; BAE, 2020.

Prototype 1: Placer County proposing height in feet only: not stories. Prototype 1 is using 3-stories. What is the proposed height associated with this prototype? When providing a visual representation utilize the proposed feet this project would require to be financially feasible.

Provide a list of the local developers and real estate professionals interviewed in 2020 after this report was released. Stated above in Sources (and stated in all prototypes).

Prototype 2: Condominium

The second prototype is a three-story townhome-style for-sale condominium project, similar to the ten-unit Tahoe Beachfront Residences built at 8303 North Lake Boulevard in King’s Beach in 2017. The prototype consists of eighteen 1,500 square foot three-bedroom units on a 0.7 acre site. Given this site size, the 18-unit prototype would be built to the maximum allowable multifamily residential density of 25 units per acre. Based on the required multifamily parking ratio the project would be required to provide 45 parking spaces. Each unit would have 400 square feet of open-air tuck under parking on the ground, which would accommodate two parking spaces each, or 36 parking spaces total. Surface parking would accommodate the remaining nine required spaces. Assuming that the ground floor of each residential unit consists of the tuck under parking and an additional 100 square feet of living space, total building coverage would equal 9,000 square feet. Combined with another 3,375 square feet of surface parking to accommodate the remaining nine parking spaces (assuming 375 square

feet per space including drive aisles), the total site coverage would amount to 51 percent after adding ten percent of the site area for hardscaping (i.e., walkways, patios, pathways, etc.).

Table 7: Prototype 2 - Condominium Development Summary

Site Size (acre)	0.7
Site Size (sf)	30,492
Res. Density (du/ac)	25
Building Height (stories)	3

Residential				Parking (a)			
Unit Type	Units	Avg. sf	Res. Sf	Parking Configuration	Stalls	Avg. sf	Parking Area (sf)
3-Bed	18	1,500	27,000	Tuck Under Parking	36	200	7,200
				Surface Parking	9	375	3,375
Total Building Area (sf)			27,000	Total Required Parking	45		10,575
Coverage							
				Building Footprint (sf)			9,000
				Surface Parking (sf)			3,375
				Hard Landscaping (% / sf)		10%	3,049
				Total Coverage (sf)			15,424
				Coverage Ratio			51%

Note:
 (a) Based on the following parking ratios defined in the Placer County Tahoe Area Basin Plan:
 Multifamily Dwelling: 1 space per bedroom for the first two bedrooms and 0.5 per additional bedroom

Sources: Tahoe Area Basin Plan, 2017; TRPA Code of Ordinances, 2012; Interviews with local developers and real estate professionals; BAE, 2020.

Prototype 2 uses 2-stories not feet. What would the intended height be (almost double Peak 10 units density) to optimize maximum density? Provide a visual representation, a similar project, if it was to be built in the shorezone with scenic ordinances applied and a mountainside version. TYPO: The address in the narrative is incorrect: it should be 8308 not 8303. This could go in many directions for price-point: High-end beachfront condos or neighborhood residential type development.

Prototype 3: Limited Service Hotel

The third prototype is a three-story limited service hotel. The project consists of 100 hotel units on 2.5 acres built to the maximum allowable density of 40 units per acre. With an assumed room size of 400 square feet, the building area totals 56,000 square feet after factoring in a circulation factor of 25 percent and another 15 percent for walls and shafts. Parking ratios identified in the Area Plan require hotel developments to provide one parking space per initial hotel bedroom, and then 0.25 parking spaces for every additional bedroom above the initial bedroom. Based on this parking requirement, the project would be required to provide 100 parking spaces. At 375 square feet per space (inclusive of drive aisles) the required parking area would total 37,500 square feet assuming all parking would be accommodated via surface parking. Based on the building height and parking requirements, the project's site coverage would total 62 percent after adding ten percent of the site area for hardscaping (i.e., walkways, patios, pathways, etc.).

Table 8: Prototype 3 - Limited Service Hotel Development Summary

Site Size (acre)	2.5						
Site Size (sf)	108,900						
Hotel Density (room/ac)	40						
Building Height (stories)	3						

Hotel			Parking (a)				
	Keys	Avg. sf	Leasable sf.	Parking Configuration	Stalls	Avg. sf	Parking Area (sf)
Hotel Keys	100	400	40,000	Surface Parking	100	375	37,500

	%	sf.	Coverage	
Circulation Factor	25%	10,000	Building Footprint (sf)	18,667
Walls and Shafts	15%	6,000	Surface Parking (sf)	37,500
Total Building Area (sf)		56,000	Hard Landscaping (% / sf)	10%
			Total Coverage (sf)	67,057
			Coverage Ratio	62%

Note:
 (a) Based on the following parking ratios defined in the Placer County Tahoe Area Basin Plan:
 Hotel/Motel/Other Transient Unit: 1 space per bedroom and 0.25 per additional room above the initial

Sources: Tahoe Area Basin Plan, 2017; TRPA Code of Ordinances, 2012; Interviews with local developers and real estate professionals; BAE, 2020.

Prototype 3 uses 3-stories not height. What would the intended height be to optimize maximum density? This project will have an additional 1+ acre to accommodate the proposed 100 rooms as compared to the Tahoe City Lodge 118 unit condo-tel project on 1.4 acres that utilizes shared-parking with the TC Golf Course. 400 sf rooms are a typical name-brand hotel sized room. Provide a visual representation, a similar project, if it was to be built in the shorezone with scenic ordinances applied and an additional visual representation on the mountain-side of the highway. Coverage will analyzed dependent on site identified. This is your typical mid-class hotel up to \$200 a night.

Prototype 4: Full-Service Condotel

The fourth prototype is a four-story full-service hybrid hotel and for-sale condominium project known as a condotel. Condotels consist of traditional hotel rooms and for-sale condominiums which are purchased by private owners who are obligated to return their units to the vacation rental market when not occupied by the owners. Typically unit owners return their units to hotel pool, though some choose to lease their unit through privately manage rentals companies. The prototype consists of a total of 34 traditional hotel rooms and 66 condominium units built to the maximum allowable density of 40 units per acre on a 2.5-acre site. At 400 square feet each, the traditional hotel component would total 18,983 square feet after factoring in 25 percent for circulation and an additional 15 percent for walls and shafts. The condominium portion of the project would feature 23 one-bedroom condominiums averaging 800 square feet each, 33 two-bedroom condominiums averaging 1,050 square feet, and 10 three-bedroom condominiums averaging 1,250 square feet. After factoring in 25 percent for circulation and 15 percent for walls and shafts, the condominium portion of the project would total 91,770 gross square feet. Based on feedback from local hotel developers and industry professionals, the project would also feature a 2,500 square foot restaurant and a 2,500 square foot conference space. These elements are considered essential to marketability of the condominium units and for sustaining necessary occupancy levels.

Based on the parking requirements for hotels and other transient dwellings defined in the Area Plan, the project would be required to provide 146 parking spaces. This includes one parking

space per hotel room and condominium unit, and 0.25 parking spaces per additional bedroom above the initial bedroom in each of the hotel and condominium units. Per the Area Plan, additional parking for the restaurant is provided at a ratio of one space per 1,000 square feet of commercial space over 1,000 square feet, and four parking spaces per 1,000 square feet of meeting or conference area. Of the required parking, 117 parking spaces will be provided in a 43,725 square foot one-story podium structure which will be located on the ground floor of the project, with 10,931 square feet of additional surface parking provided for the remaining spaces. Including the hotel, condominium, restaurant, meeting space, and podium parking, the project building area totals 115,753 square feet. Assuming the parking podium as the maximum building coverage area, with the remaining building square footage distributed above at three stories, the project's total site coverage would amount to 60 percent after adding in the additional surface parking and additional ten percent of the site area for hardscaping (i.e., walkways, patios, pathways, etc.).

19). BAE 2019 Report cites: “Land Acquisition: For prototypes which are not financially feasible, this analysis assumes a land acquisition cost of \$20 per square foot for a vacant commercial site within a Town Center. This cost is comparable to recent commercial land in contract or sold in the Placer County Tahoe Basin Town Centers, including the Kings Beach Center and the recent sale of the Boatworks shopping mall in Tahoe City. Assuming a vacant site allows for greater comparability of feasibility between the various prototypes; though, as documented elsewhere in the report, **very few vacant sites exist within the Town and Village Centers as these areas are generally built out.**”

2022 has seen an increase in interest rates (and still may be on the rise) that must be taken into consideration. Bigger isn't always better: the acreage of the site, coverage restrictions, possibly shared-parking opportunity but not guaranteed, scenic restrictions, etc.

20). <https://www.tripsavvy.com/what-is-a-boutique-hotel-definition-and-examples-4172980>

Suggested project type: Boutique Hotels: It's Rich in Local Flavor : Often, **the small size of a boutique hotel** in a city affords it a stylish, dead-center location **in the heart of town**, and its spirited ambiance suits its lively location. **You'll find boutique hotels in fashionable resort towns, too. But whether urban or rural, a good boutique hotel reminds you of where you are. Often, it conveys a strong sense of place and pride in its location's heritage.**

Example of a Boutique Hotel in Tahoe Vista is the Cedar Glen Lodge
<https://www.tahoecedarglen.com/>



In Truckee the Gravity Haus (formerly the Cedar House Sport Hotel)
<https://gravityhaus.com/locations/gravity-haus-truckee-tahoe/>



21). The depiction below is for Soaring Ranch in Truckee 2023. Is this what Placer County is envisioning for the TBAP? Questions: stories versus feet what is the goal: greater height? Why isn't 36 feet and 48 feet as requested by most teams enough. Ok give Tahoe City 56 feet as proposed for the Tahoe City Lodge. That should be enough!



This depiction is at South Stateline, Nv. WAKE-UP TRPA. Where are the ridgeline protections? Scenic violations abound. This is 5-stories and probably 70 feet tall. Is this what the Placer County TBAP is envisioning?



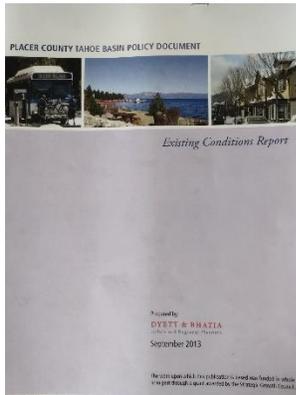
A rendering of The Peak project.
Provided

STATELINE, Nev. — A new luxury condominium development under construction on top of Kingsbury Grade is accepting reservations for residences that range from \$1.5 million to \$3.7 million.

Violating scenic a theme with a proposal coming forward: The Boatworks Mall redevelopment will be challenged in achieving no threshold violations.

22). When was the last existing conditions report completed : 2013?

Since 2013 what has been built no matter the size? Example traffic patterns have changed with the installation of two roundabouts in Kings Beach “slowing” the traffic down as intended. And of course, the regional effects of growth in Truckee, Carson City, The Carson Valley, Douglas County, Reno, Sacramento, etc. must be taken into consideration for cumulative impacts.



23). Be reminded the League to Save Lake Tahoe had a study completed during the analyses of the Martis Valley West Project and then Squaw Valley (Palisades Tahoe) proposed expansion projects which concluded the Tahoe Basin was within 3 % of exceeding Vehicle Miles Travelled (VMT) Tahoe Basin threshold.

<https://www.tahoedailytribune.com/news/opinion/letter-league-condemns-placer-county-approval-of-martis-valley-west-project/>

“Traffic is one of the most significant sources of pollution threatening the Lake’s clarity. This decision brings us too close to the threshold for car trips in the Tahoe Basin, a figure expressed in vehicle miles traveled. Cumulatively, traffic from the proposals at Martis and Squaw would bring Tahoe within 3 percent of Tahoe’s threshold for vehicle miles traveled.” **Sept 17, 2016** Darcie Goodman Collins, Ph.D. League to Save Lake Tahoe Executive Director

24). And of grave importance and not to be left out is EVACUATION. Project specific evacuation plans exist. Placer County should provide an overarching evacuation plan showing that collaboration with individual large projects like Homewood Mountain Master Plan, nearby out of basin Northstar and Palisades along first responders, etc. has been accomplished and can be implemented.

The Caldor Fire: News outlets provided visual proof that cars were backed up in excess of 30+ miles during evacuation. With that said, South Lake Tahoe has better evacuation routes. I believe North Lake Tahoe will be gridlocked for miles and miles. Pre-evacuation probably needs to be more mandatory because of the restrictive infrastructure.

25). November 30, 2022 North Tahoe Regional Advisory Council (NTRAC) question to staff: Why is this being pushed for early 2023? Answer because the staff has worked on it for two years. BAE provided a Stakeholders list (referenced at end of this comment) there is not a single member of the public not representing a business entity, tourist organization, etc. WHY ? There are approximately 18-20K people in Placer County North Lake Tahoe, surely a few would volunteer to be interviewed as members of the public for the TBAP amendments.

The October 13, 2020 NTRAC meeting was initially advertised as “For Recommendation”. It was ultimately changed because the public nor the NTRAC were provided adequate information to provide a recommendation. This Powerpoint presentation is difficult to find on the Placer County website. It contains details all should be aware of.

26). These are some of the previous documents and studies that led up to the 2017 TBAP approval. The efforts put forth to include the public was evident by providing this detailed information. The Area Plan teams spent several years before approval. The public should be entitled to participate a similar level with the proposed repeal and replace process and there are significant changes.

Kings Beach Vision Plan, September 2013

Tahoe City Visioning Options Report, September 2013:

Tahoe City Visioning Options Report, Vision Diagram, Tahoe City Principles

Existing Conditions Report, September 2013

Study on Economic Development Incentives for Town Centers , February 2015

Summary of Community Plan Performance Measures , March 2015

March 2015 North Tahoe Parking Study prepared by LSC Transportation Consultants as its findings were used for parking standards

27). I know Placer code is less restrictive than TRPA code but some of the elements should not be approved if they violate the TRPA code as proposed. Are map changes required in the 2017 Area plan to show new representations of proposed changes in zoning?

28). Confusing messages between the October 13 PowerPoints and the November 9 PowerPoints. Placer County Staff needs to provide a clear and concise PowerPoint for all to review and understand.

29). The BAE report is the framework for the new incentive program in framing the proposed amendments.” **Appendix A includes a listing of the individuals whom BAE interviewed as part of this study.**

Although no individual is specifically quoted in this report, the input from these interviews is reflected in the information, findings, and recommendations provided herein which are a synthesis of not only the interview results but also the findings from BAE's additional data gathering from secondary data sources such as published codes and regulations, building data furnished by Placer County, data from governmental data sources such as the American Community Survey, and data from private data vendors, such as Esri, STR, and CoStar"

Reference for developer and tourism related stakeholders. NO GENERAL PUBLIC PEOPLE: full-time/second homeowners not related to tourism or development as an example were included. The Area Plan team members are not adequately represented either.

Appendix A Stakeholders. APPENDIX A: STAKEHOLDERS AND TECHNICAL ASSISTANCE PARTICIPANTS The following is a list of stakeholders interviewed for this report, as well as Placer County, TRPA, and Public Utilities District staff who provided technical assistance with this analysis.

Stakeholders

Alyssa Reilly, North Tahoe Business Association
Andrew Ryan, PR Design and Engineering
Brendan Madigan, Alpenglow Sports
Bonnie Bavetta, North Lake Tahoe Chamber of Commerce
Brian Nelson, Pioneer Cocktail Club
Christian Strobel, Basecamp Motel
Craig Clark, Kings Beach Center
Kylee Bigelow, Tahoe City Business Association
Mike Schwartz, North Tahoe Fire Protection District
Rick McConn, Kings Beach Center
Samir Tuma, Tahoe City Lodge
Steve McNamara, North Tahoe Fire Protection District
Vinton Hawkins, MJD Development
Wyatt Ogilvy, Ogilvy Consulting
Jeremy Orenstein, GLA Morris Construction Company, Inc.

Technical Assistance

Alyson Borowski, Tahoe Regional Planning Agency
Amber Conboy, Placer County
Catherine Donovan, Placer County
Cindy Cole, Placer County
Emily Setzer, Placer County
Eric Simonson, Placer County
Maurice Robinson, Maurice Robinson and Associates, LLC
North Tahoe PUD
Ted Rel, Placer County
Truckee Tahoe Sanitation Agency

Below are a few of examples showing complexity or confusion and too many changes for the public, planning commissioners, other agencies and even the development committee to understand. These examples, without a doubt, require staff involvement to understand how they will be implemented. Staff time expected to assist developers may need to be increased. Please provide a list of any of these changes that may require code amendments to accompany the proposed TBAP and Implementing Ordinance changes.

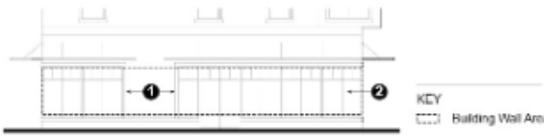
1). Page 115 Implementing Ordinances

TABLE 2.04.A-1: LAND USE REGULATIONS — GREATER TAHOE CITY MIXED-USE SUBDISTRICTS								
Use	Town Center Subdistricts					Village Center Subdistricts		Add'l Regs
	MU-TC	MU-N	MU-S	MU-NT	MU-REC	MUN-DH	MUN-LFG	
<p>Notes:</p> <p>(1) Parcels adjoining North Lake Boulevard or Highway 89 are encouraged to have non-residential uses on the ground floor along the North Lake Boulevard and Highway 89 building frontages.</p> <p>(2) Not allowed along Highway 89 frontage.</p> <p>(3) Limited to administrative offices.</p> <p>(4) Beachside only.</p> <p>(5) A Minor Use Permit is required for aboveground pipeline and transmission lines.</p> <p>(6) A Minor Use Permit is not required for a bus shelter.</p> <p>(7) Limited to establishments with a gross floor area of 5,000 square feet or less.</p> <p>(8) Facilities which are not visually obtrusive may be eligible for an Administrative Approval per Section 17.56.060.F.</p> <p>(9) Service Stations are not allowed between the State Highways and Lake Tahoe.</p> <p>(10) Subcategories of Eating and Drinking Places shall be allowed perup to the maximum Commercial Floor Area (CFA), as listed below. If the maximum CFAs below differs from the TRPA Project Impact Assessment (PIA), the PIA shall take precedence.*</p> <p>- Drinking Place – 15,300 square feet or less</p> <p>- Fast Casual Restaurant – 550 square feet or less</p> <p>- Quality Restaurant – 2,000 square feet or less</p> <p>- High-Turnover (Sit-Down) Restaurant – 1,540 square feet or less</p> <p>- Fast Food Restaurant without Drive Thru Window – 500 square feet or less</p> <p>- Food Truck, Mobile Vendor – allowed, no maximum square footage</p> <p>* Definitions of the subcategories above are from the Institute of Transportation Engineers Manual (ITE).</p> <p>(11) Must be completely enclosed inside a building of soundproof construction.</p> <p>(12) Allowed if 100% of units are deed restricted to affordable, moderate or achievable housing per TRPA Code of Ordinances Chapter 90: Definitions, for achievable, moderate-income or affordable housing.</p> <p>(13) Building Materials and Hardware uses: Allowed if the total commercial-floor-area CFA of the use is 9,500 square feet or less. If the maximum CFAs differs from the TRPA Project Impact Assessment (PIA), the PIA shall take precedence.</p> <p>(14) Nursery uses: Allowed if the total commercial-floor-area CFA of the use is 2,500 square feet or less. If the maximums differ from the TRPA Project Impact Assessment (PIA), the PIA shall take precedence.</p> <p>(15) Hotels, Motels And Other Transient Dwelling Units, shall be allowed provided the number of units proposed do not exceed 20 units and/or do not generate more than 1,300 daily vehicle miles traveled (VMT) within the Tahoe Basin and is located between Fairway Drive and the Tahoe State Recreational Area within the Town Center boundaries of Tahoe City.</p> <p>(16) New single family (if not part of mixed use development) over one unit, including townhomes and condominiums, shall only be allowed if at least 50% of the single family residential units are deed restricted to affordable, moderate or achievable housing per TRPA Code of Ordinances Chapter 90: Definitions, for achievable, moderate-income or affordable housing.</p> <p>(17) Accessory dwelling units are not allowed on the ground floor of North Lake Boulevard frontage. On a case-by-case basis, single-family residential uses may be considered when in conjunction with a mixed use project. Residential building features of new single family uses on the ground floor North Lake Boulevard frontage are limited to stoops, front doors, and recessed entries, landscaping and decorative elements subject to County approval. Except as specified and approved above, features such as patios, porches, decks, ground-floor balconies, fences, and driveways are prohibited.</p> <p>(18) New real estate and property management offices shall not be located on the ground floor frontage along Highway 28, but may be located on a second floor, side, or behind the building when located in a building fronting Highway 28.</p>								

2). Pages 123 and 124 Implementing Ordinances

are built to the edge of the public plaza.

TABLE 2.04.A-4: BUILDING FORM GUIDELINES — GREATER TAHOE CITY MIXED-USE SUBDISTRICTS



	Town Center Subdistricts				Village Center Subdistricts			#
	MU-TC	MU-N	MU-S	MU-NT	MU-REC	MUN-DH	MUN-LFG	
Maximum Length of Blank Wall	25 ft (ed)	40 ft (de)	75 ft (de)	25 ft (de)	40 ft (de)	40 ft (de)	40 ft (de)	1
Required Transparency (% of building wall area)	75% (ef)	50% (ef)	n/a	75% (ef)	40% (ef)	n/a	n/a	2
Building Modulation	Any building over 50 feet wide should be broken down to read as a series of buildings no wider than 50 feet each.							
Maximum Building Length	250 ft; 75 ft (1); 500 ft (2)	200 ft; 250 ft (3)		200 ft	200 ft; 75 ft (1); 250 ft (3)		200	

(1) Buildings consisting of commercial, mixed-use, or non-residential uses, shall be a maximum of 75 ft on all parcel frontages directly facing residential zone districts. Buildings consisting of residential uses directly facing residential zone districts may meet otherwise specified maximum building lengths.

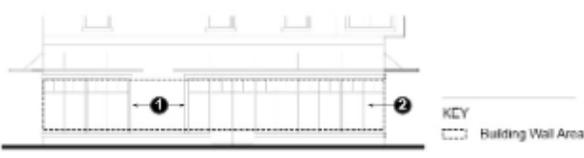
(2) In addition to compliance with the design standards and guidelines for building design in Section 3.09.A and additional design standards and guidelines for each Mixed-Use Subdistrict outlined in Section 2.04, building length may be doubled for mixed-use projects for which at least 15 percent of the project is achievable housing and includes at least one component of public art, as approved by the Tahoe Basin Design Review Committee. The building shall be separated in massing by dropping height at least once in the linear span for each 250 feet, to create visual separation in height and preserve light, air and open space. Projects meeting these criteria shall include features such as, but not limited to, entry courtyards, plazas, pedestrian paths or alleys, and outdoor eating and display areas located between the build-to line and building, provided that the buildings are built to the edge of the courtyard, plaza, or dining area to create visual separation on ground floor street frontage. One

123

#1 Buildings consisting of commercial, mixed-use, or non-residential uses, shall be a maximum of 75 ft on all parcel frontages. This proposal versus current frontages significantly change the scenic visual. Buildings consisting of residential uses facing residential zone districts may meet otherwise specified maximum building heights. Placer should provide examples of this zone district and their locations in a matrix .

#2 What is the maximum building length allowed in the TBAP? (may be doubled for mixed-use) As mentioned at the 11-9-22 NTRAC: why is Placer requiring a developer to install art components? The County should be responsible and also have public comment about the proposed art. Dropping height at least once in the linear span for each 250 ft doesn't change the massing.

TABLE 2.04.A-4: BUILDING FORM GUIDELINES — GREATER TAHOE CITY MIXED-USE SUBDISTRICTS



Town Center Subdistricts								Village Center Subdistricts		#
MU-TC	MU-N	MU-S	MU-NT	MU-REC	MUN-DH	MUN-LFG				
<p>feature shall be incorporated for each additional 100 feet beyond the base allowance, as approved by the Tahoe Basin Design Review Committee.</p> <p>(3) In addition to compliance with the design standards and guidelines for building design in Section 3.09.A and additional design standards and guidelines for each Mixed-Use Subdistrict outlined in Section 2.04, 250 feet of building length is allowed if at least 50% of building comprises housing that is 100% deed restricted to affordable, moderate, achievable or local workforce housing per TRPA Code of Ordinances Chapter 90: Definitions, for achievable, moderate-income or affordable housing.</p>										

#2 One feature shall be incorporated for each additional 100 feet beyond the base allowance, as approved by the tahoe Basin Design Review. With all this said and proposed, staff may need additional training to interpret the complexity and confusion.

3). Pages 141 and 142 Implementing Ordinances

Implementing Regulations

TABLE 2.04.B-1: LAND USE REGULATIONS — NORTH TAHOE EAST MIXED-USE SUBDISTRICTS

Use	Town Center Subdistricts				
	MU-MTC	MU-LTC	MU-R	MU-TOR	MU-WREC
Beach Recreation		A	A(4)		A
Boat Launching Facilities		A	A(4)		A
Developed Campgrounds					
Outdoor Recreation Concessions	MUP	MUP	MUP(4)	A	MUP
Marinas		CUP	CUP(3)(4)		CUP
Resource Management					
Reforestation	A	A	A	A	A
Sanitation Salvage Cut	A	A	A	A	A
Thinning			A	A	
Timber Stand Improvement			A		
Tree Farms			A	A	
Early Successional State Vegetation Management			A	A	A
Nonstructural Wildlife Habitat Management			A	A	A
Structural Wildlife Habitat Management			A	A	A
Fire Detection and Suppression	A	A	A	A	A
Fuels Treatment (Management)	A	A	A	A	A
Insect and Disease Suppression	A	A	A	A	A
Prescribed Fire Management	A	A			A
Sensitive Plant Management	A	A	A	A	A
Uncommon Plant Community Management	A	A	A	A	A
Erosion Control	A	A	A	A	A
Runoff Control	A	A	A	A	A
SEZ Restoration	A	A	A	A	A

Notes:

(1) Not allowed on the ground floor along North Lake Boulevard frontage.

(2) Limited to establishments with a gross floor area of 5,000 square feet or less.

(3) Beachside only.

(4) Not allowed west of Beach Street.

(5) Not allowed along North Lake Boulevard frontage. Must be completely enclosed inside a building of soundproof construction.

(6) Accessory dwelling units are not allowed on the street level along ground floor of North Lake Boulevard frontage. On a case-by-case basis, single-family residential uses may be considered when in conjunction with a mixed use project. Residential building features of new single family uses on the ground floor North Lake Boulevard frontage are limited to stoops, front doors, and recessed entries, landscaping and decorative elements subject to County approval. Except as specified and approved above, features such as patios, porches, decks, ground-floor balconies, fences, and driveways are prohibited.

(7) A Minor Use Permit is required for aboveground pipeline and transmission lines.

(8) A Minor Use Permit is not required for a bus shelter.

TABLE 2.04.B-1: LAND USE REGULATIONS — NORTH TAHOE EAST MIXED-USE SUBDISTRICTS					
Use	Town Center Subdistricts				
	MU-MTC	MU-LTC	MU-R	MU-TOR	MU-WREC
(9) Facilities which are not visually obtrusive may be eligible for an Administrative Approval per Placer County Code Section 17.56.060.F.					
(10) New Service Stations are not allowed between SR 28 and Lake Tahoe.					
(11) Building Materials and Hardware: Allowed if the total commercial floor area of the use is 11,100 square feet or less. If the maximums differ from the TRPA Project Impact Assessment (PIA), the PIA shall take precedence.					
(12) Must be completely enclosed inside a building of soundproof construction.					
(13) Allowed if 100% of units are deed restricted to affordable, moderate or achievable housing per TRPA Code of Ordinances Chapter 90: Definitions, for achievable, moderate-income or affordable housing.					
(14) Subcategories of Eating and Drinking Places shall be allowed per the maximum Commercial Floor Area (CFA), as listed below. If the maximums below differ from the TRPA Project Impact Assessment (PIA), the PIA shall take precedence.*					
- Drinking Place – 17,700 square feet or less					
- Fast Casual Restaurant – 630 square feet or less					
- Quality Restaurant – 2,400 square feet or less					
- High-Turnover (Sit-Down) Restaurant – 1,790 square feet or less					
- Fast Food Restaurant without Drive Thru Window – 580 square feet or less					
- Food Truck, Mobile Vendor – allowed, no maximum square footage					
* Definitions of the subcategories above are from the Institute of Transportation Engineers Manual (ITE).					
(15) Nursery uses: Allowed if the total commercial floor area of the use is 2,950 square feet or less. If the maximums differ from the TRPA Project Impact Assessment (PIA), the PIA shall take precedence.					
(16) New single family (if not part of mixed use development), over one unit, including townhomes and condominiums, shall only be allowed if at least 50% of the single family residential units are deed restricted to affordable, moderate or achievable housing per TRPA Code of Ordinances Chapter 90: Definitions, for achievable, moderate-income or affordable housing.					
(17) Hotels, Motels And Other Transient Dwelling Units, shall be allowed provided the number of units proposed do not exceed 20 units and/or do not generate more than 1,300 daily vehicle miles traveled (VMT) within the Tahoe Basin and is located between State Route 267 and the California/Nevada Stateline within the Town Center boundaries.					
(18) New real estate and property management offices shall not be located on the ground floor frontage along Highway 28, but may be located on a second floor, side, or behind the building when located in a building fronting Highway 28.					

This subdistrict used to have 10 notations, 8 more have been added. Staff may need additional training to interpret the complexity and confusion.

Have definitions been added to Placer and TRPA for uses above, they should be for ease of interpretation by developers? # 14 Drinking Place, Quality Restaurant, High Turnover (Sit-Down) Restaurant, just to mention a few. Just stating they are from the Institute of Transportation Engineers doesn't provide criteria for the lay person to understand. I'm sure it will make it easier for a parking requirement analysis when understood what the use means.

#17 Hotels, Motels, and other transient dwelling units shall be allowed provided the number of units do not exceed 20 units and/or do not generate more than 1,300 daily VMT within the Tahoe Basin and is located between SR267 and the California/Nevada Stateline within Town Center boundaries. Basically this is Kings Beach Town Center and not really sure it's North Stateline Area Plan? Is the North Stateline portion actually identified in the 2017 or these amendments as a Town Center or Town Center overlay. Or is North Stateline to be evaluated in the future?

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Placer County

2.09 Overlay Districts

- A. **Town Center Overlay District.** The purpose of Town Center Overlay District is to promote environmental redevelopment and provide capacity for transfers of development in accordance with the Regional Plan.

Except as provided in the supplemental limitations in this Section 2.09, all property within the Tahoe City, Kings Beach, and North Stateline Town Center Overlay Districts shall be eligible for all programs in the Regional Plan and Code for Town Centers, including but not limited to: eligibility as receiving areas for transfers of development rights and existing development in accordance with Chapter 51, Banking, Conversion, and Transfers of Development, of the TRPA Code of Ordinances; land coverage provisions for Centers in accordance with Chapter 30, Land Coverage, of the TRPA Code of Ordinances; and development standards for Town Centers in accordance with Chapter 13, Area Plans, of the TRPA Code of Ordinances.

1. **Core Areas.**

- a. **Building Height.** Maximum building height within Town Center Core areas is ~~four stories and~~ 56 feet, subject to the findings listed below.

i. ~~Three- or four-story~~ Buildings in Town Centers shall meet ~~the findings listed in Section 37.7.16 of the TRPA Code of Ordinances; and~~

ii. ~~For Mixed-Use projects fronting SR 28 that include 50 or more Tourist Accommodation Units, deed restricted achievable housing, at least one public art components as approved by the Tahoe Basin Design Review Committee, and comply with the Design Standards and Guidelines of the Tahoe Basin Area Plan, the maximum building height may be increased by 10 percent when it can be shown that it meets TRPA scenic threshold standards.~~

iii. ~~For Mixed-Use projects that include criteria described in a.ii, an additional 18 percent in height may be granted to accommodate associated chimneys, flues, vents, antennas, mechanical conveyences, roof-top amenities, and similar appurtenances if the project is otherwise in compliance with the Design Standards and Guidelines and Noise Standards of the Tahoe Basin Area Plan and it can be shown that it meets TRPA scenic threshold standards.~~

2. **Transition Areas.**

- a. **Building Height.** Maximum building height within Town Center Transition areas is ~~three stories and~~ 46 feet, subject to the findings listed below.

i. ~~Three- or four-story~~ Buildings in Town Centers shall meet ~~the findings listed in Section 37.7.16 of the TRPA Code of Ordinances.~~

ii As mentioned at the 11-9-22 NTRAC: why is Placer requiring a developer to install art components. The County should and also have public comment about the proposed art. Confusing: so 50 units or more TAUs + deed restricted achievable housing: no number of units stated for this requirement + public art component requirement allows for up to a 10% height increase when meeting TRPA scenic thresholds. Placer should provide an illustrated example.

iii Add mixed-use and a project can have up to 18% in height by providing ii criteria to accommodate appurtenances (chimneys, flues, roof-top amenities, etc.) if the project is otherwise in compliance with the Design Standards and Guidelines and Noise Standards in the TBAP and can show it meets scenic threshold standards. Placer should provide an illustrated example and cite what design standards and Guidelines and noise standards must be met.

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3. ***Non-Contiguous Project Area.*** Projects within the Town Center Overlay District may utilize a non-contiguous project area with TRPA approval. To utilize a non-contiguous project area, all project components shall be located on developed mixed-use land within the Town Center Overlay District and all applicable development standards shall apply. Projects using a non-contiguous project area shall not increase the density of land coverage in any portions of the project area that are between SR28 or SR 89 and Lake Tahoe, beyond the limits that would apply to those portions of the project area without the use of a non-contiguous project area. All non-contiguous project areas shall comply with the setbacks within Town Centers.

B. Special Planning Area Overlay Districts

1. ***Tahoe City Western Entry Special Planning Area (TCWE-SPA).*** The purpose of the Tahoe City Western Entry Special Planning Area Overlay District is to promote SEZ restoration along the Truckee River in conjunction with any development utilizing Town Center redevelopment incentives. Property owners shall address the requirements listed below to be eligible for Town Center Overlay District standards.
 - a. **Restoration.** Projects with Truckee River frontage shall remove coverage and restore SEZs along the river frontage extending no less than 30 feet from the high water mark. Existing buildings in this area shall be removed or mitigated with additional restoration in other areas. Verified coverage may be relocated to other areas.
 - b. **Public Access.** Projects with Truckee River frontage shall provide public access and amenities along the river frontage, concurrent with development, extending no less than 30 feet from the high water mark. Riverfront amenities shall include, but not be limited to, a multi-use public trail extension or relocation connecting with the existing Truckee River Multi-Use Trail. Public trail facilities shall qualify as air quality mitigation in accordance with Section 65.2.4.C, Required Offsets, of the TRPA Code of Ordinances.
 - b.c. **Building Height. Special Planning Areas on the mountainside shall meet the height standards described in Section 2.09A.2.**

How will project (# 3 above) density for a project on non-contiguous parcels be calculated to ensure density requirements are not exceeded? Please clarify is this calculation required in the permit submittal and who determines density standard is not exceeded?

Placer County should provide a list or matrix of “[Special Planning Areas on the mountainside](#)” as well as the Shorezone, (if applicable) allowing the public and commissioners and other agencies reviewing the TBAP amendments understand where they are located.

With all this said and proposed, staff may need additional training to interpret the complexity and confusion.

Page 276 & 277 Implementing Ordinances

Placer County

Chapter 3 Area-Wide Standards and Guidelines

The standards and guidelines outlined in this Chapter apply to the entire Plan area. The district standards in Chapter 2 supplement these standards for each subdistrict or overlay district.

3.01 Permissible Uses

Permissible Uses are defined in Chapter 21 of the TRPA Code of Ordinances. Permissible uses for each zoning subdistrict are outlined in Chapter 2 of these Area Plan Regulations. Additional provisions for accessory dwelling units and moveable tiny houses are outlined below.

A. **Additional Accessory Dwelling Units Allowed.** ~~In addition to Accessory dwelling units (ADU) and junior accessory dwelling units (JADU), or what are referred to as secondary residences by TRPA, are permitted as an accessory use by Section 21.3.2.A.1 of the TRPA Code of Ordinances, ADUs and JADUs are also permitted on parcels less than one acre as accessory to a single family dwelling or multi-family dwelling primary use it serves under Section 21.3.2.A.2 of the TRPA Code of Ordinances, as this document, Placer County's Housing Element, and Placer County's Zoning Ordinance Section 17.56.200 serve as a TRPA-Certified Local Government Housing Program if the parcel is restricted to prohibit the secondary residence to be converted to a tourist use or utilized as a vacation rental. ADUs and JADUs shall not be considered in calculating single-family or multi-family density, however, shall be considered a Residential Unit subject to the residential allocation and transfer provisions of the TRPA Code of Ordinances. Consistent with the TRPA four-year Area Plan recertification process, the secondary residential unit program shall be evaluated for efficacy and necessary adjustments.~~

Note: Pursuant to State of California regulations that prevent local jurisdictions from imposing further restrictions on ADUs and JADUs, applicants for all ADU/JADU permits must obtain authorization from both Placer County (in accordance with Placer County Code Section 17.56.200 (including setbacks) and California Government Code Sections 65852.2 and 65852.22) and TRPA (in accordance with the Regional Plan, including requirements that the ADU be deed-restricted to affordable, moderate, or achievable housing). Delegated ADU permitting authority may be reassumed by Placer County when/if the State of California and/or TRPA regulations are changed.

B. **Moveable Tiny House.** ~~Moveable tiny houses are allowed in the Tahoe Basin as accessory dwelling units, single-family dwellings, and employee housing in any zones where those uses are allowed and per each zone district's development standards. Moveable tiny house communities are allowed as employee housing and multiple family dwellings in any zones where those uses are allowed and per each zone district's development standards. Moveable tiny houses and moveable tiny house communities shall comply with the definitions and development standards in Placer County Code, Chapter 17, Sections 17.04.030, 17.54.115, 17.56.090, and 17.56.400 excluding sections C.12, C.13 and C.14, as well as Section 50.3 of the TRPA Code of Ordinances regulating residential units of use. Additionally, moveable tiny houses and moveable tiny house communities shall meet the following criteria:~~

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1. ~~Defensible Space. A moveable tiny house or moveable tiny house community shall comply with any applicable requirements for defensible space as prescribed by local, county or state codes.~~

2. ~~Moveable tiny houses shall be constructed with ignition-resistant materials and glazed openings in compliance with Section R337 of the California Residential Code.~~

Moveable Tiny Houses: who is accountable for the number of MOVEABLE Tiny Homes when one or more moves? Is there a maximum number allowed in a Tiny Home Community? Lots of Placer Chapter 17 code references and TRPA 50.3 code to explore to understand the concept and code that applies. Defensible space hasn't been very enforceable.

Below is a sampling of comments from various meetings. I know that there are letters in complete support from agencies, groups like Sustainable Community Advocates, the development community, etc. 100's of people attended in person or via Zoom at several different meetings.



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December 7, 2022

Placer County
Planning Commissioners
CC: Emily Setzer, Placer County Principal Planner, Stacy Wydra, Placer County Senior Planner
Submitted via email to Andrea Dashiell: adashiell@placer.ca.gov

Re: Comments on Proposed Tahoe Area Basin Plan Amendments

Dear Placer County Commissioners and County Planning Staff,

The League to Save Lake Tahoe (League) appreciates the opportunity to comment on the proposed Tahoe Basin Area Plan (TBAP) amendments (Amendments). Because the North Tahoe Regional Advisory Committee (NTRAC) did not make a specific recommendation at their last meeting on November 30, 2022, our comments for that meeting are attached below and still valid, with one big exception:

We now believe that a full CEQA review must be conducted on the proposed Amendments.

1. Given the Village at Palisades Tahoe Specific Plan (VPTSP) Revised Environmental Impact Report (REIR) release, the TBAP needs to address the impacts from that project on the TBAP plan area. Impacts that will change, and need to be mitigated, with the approval of the VPTSP include VMT, GHGs, and cumulative impacts on water and climate, and TRPA's VMT threshold.
2. These impacts are reasonably foreseeable and significant.

The TRPA Code of Ordinances, Section 4.5 requires that any amendment to the Regional Plan (which Area Plans tier off of) must make written findings demonstrating that the proposed plan will not cause the environmental threshold carrying capacities to be exceeded. This must include impacts from the VPTSP. Page 10-2 of the VPTSP REIR correctly states that the "...EIR improperly ignored the expected addition of VMT from other anticipated projects, including another large development the County was itself considering approving," and includes the CEQA citation.¹ This is the same case with the TBAP – it must identify and mitigate for the impacts of other projects the County itself is considering approving.

Based on the above facts, a full CEQA review is needed, and at minimum a supplemental EIR to the 2017 TBAP and Implementing Ordinances.

Please do not hesitate to contact me directly with any questions.

Sincerely,



Gavin Feiger
Senior Land Use Policy Analyst
On behalf of the League to Save Lake Tahoe

¹ <https://www.placer.ca.gov/DocumentCenter/View/65494/Village-at-Palisades-Tahoe-Specific-Plan-Partially-Revised-Draft-EIR-PDF>

Excerpts from another League letter



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November 30, 2022

Placer County
North Tahoe Regional Advisory Committee Members
Emily Setzer, Placer County Principal Planner, Stacy Wydra, Placer County Senior Planner
Submitted via email: KHopkins@placer.ca.gov

Re: Comments on Proposed Tahoe Area Basin Plan Amendments

Dear NTRAC Members and County Planning Staff,

The League to Save Lake Tahoe (League) appreciates the opportunity to provide comments on the Draft proposed Amendments (Amendments) for the Placer County (Placer, County) Tahoe Basin Area Plan (TBAP).

The League is dedicated to protecting and restoring the environmental health, sustainability, and scenic beauty of the Lake Tahoe Basin. In connection with our mission, we advocate for the implementation of policies contained within regional land use and planning documents, including the Bi-State Compact, the 2012 Regional Plan Update (RPU), the Regional Transportation Plan (RTP), and Area Plans.

The League was a key stakeholder in the years leading up to the 2016 TBAP adoption and has tracked progress and amendments since. We have been closely following the proposed Amendments through public meetings, meetings with County Planning staff, and meetings with members of the public. We do not have an official position on the proposed Amendments yet but appreciate the opportunity to provide some high-level and specific comments, questions, and suggestions at this stage. League comments are focused on height requirements, cumulative impacts, transportation and parking, and affordable housing and mixed-use development.

Height

Increasing height has the potential to negatively impact the scenic quality in the TBAP plan area and the resulting localized increase in density may have transportation and water quality impacts. The proposed height increases appear extreme and are largely unsupported in the provided documentation. There may only be one potential project that would benefit from such a large (up to 72 feet allowable by special use) increase in height allowances. We have supported the change from "4 stories" to "56 feet" in other jurisdictions and would support that limit in Placer County, considering 56 feet is currently allowed in the TBAP. Additionally, the Tahoe Regional Planning Agency (TRPA) already allows an extra 10% in height for aperturances. *We currently do not support the proposed Amendments allowing heights above 56 feet + 10%, even in Town Centers with the conditions proposed.*

Other Suggestions

- Visual aids. Create examples of how the proposed Amendments will allow certain types of parcels to be developed and how height and length will look from the street view. These images could demonstrate the need for some of the Amendments such as parking, height, and setbacks; and what future conditions would look like. These could be based on or like the "pro formas" created for the TRPA Tahoe Living working group.
- Transition zones. To reduce scenic impacts and drive more orderly development, create transition zones in zoning and allowances for height/length/density and lot sizes and setbacks. The allowances and zoning would start with large buildings in Town Centers and transition down as you reach the edge of the Town Centers into mixed use and residential zones.
- Adaptive zoning/trigger zoning. This principle is built-in adaptive management that changes zoning and allowances for height/length/density and lot sizes and setbacks based on achieving goals and offsetting impacts, as the proposed Amendments aim to do. The idea is to start small and increase the amount and extent of zoning changes and allowances if the County is meeting performance measures.

We look forward to working with County staff, the community, and TRPA to ensure that the final amendments balance economic growth, affordable housing, and environmental impacts. As the County adjusts and refines the proposed Amendments, we will similarly adapt our comments.

Please do not hesitate to reach out to me directly with any questions.

Sincerely,

Gavin Feiger
Senior Land Use Policy Analyst
on behalf of the League to Save Lake Tahoe

<https://www.placer.ca.gov/DocumentCenter/View/65650/SR-F-PC-22-00490-TBAP-AMENDMENTS-ALL>

From: [doug.welch](#)
To: [Stacy Wydra](#); [Emily Setzer](#)
Subject: [EXTERNAL] TBAP proposed amendment
Date: Tuesday, November 8, 2022 9:14:03 AM

Emily Setzer, esetzer@placer.ca.gov
November 8, 2022

Stacy Wydra, swydra@placer.ca.gov

This letter is written in response to a proposed amendment to the Tahoe Basin Area Plan. As I understand, the TBAP was created over a period of two plus years with significant effort and thoughtful input and review from stakeholders and the general public. The purpose of this TBAP plan is to guide decisions and regulate development in the Tahoe area of Placer County from Tahoma to the northern Nevada – California stateline. The Plan itself provides assurance that decisions concerning development at Lake Tahoe, a national treasure, are made after full and careful consideration of the many competing factors unique to this area. For example, there exists a need for some affordable housing in the Truckee-Tahoe area. There also exists a desire to retain the exceptional beauty of Tahoe that exists no other place on earth. Emergency evacuation from Tahoe, an area that receives more visitors than the top three National Parks in the United States is of ever-increasing concern as we witness out of control fires rage across California's forests. Other concerns certainly are important as well such as the impact on the availability to provide water in an increasingly drought environment, increased need for police and fire protection as the population of the lake is increased, general traffic congestion, lake clarity, environmental impacts, etc. What is the proper balance between these concerns? How does a decision favoring one of these concerns impact the other concerns? Who are all the stakeholders? Have the concerns of all these stakeholders been consulted and taken into consideration?

Disturbingly, we have just learned that there is now a proposal to enact major amendments to the above-mentioned TBAP plan with little significant input from many of the stakeholders. A public presentation was made on or about October 13, 2022 in which business interests and developers were invited to present their views on Tahoe development. The presentation pushed for amendments to the TBAP plan that would scale back the need for public hearings for some projects which would have major implications for the concerns mentioned above. For example, the TBAP requirement for public hearings would be significantly diminished or curtailed for some high density projects if this proposal is accepted. Also, public views of the lake would be impacted by proposed relaxation of scenic guidelines to permit longer-wider-taller structures with decreased lot sizes, setbacks and parking requirements.

We believe any attempt to alter the TBAP plan should be accompanied by the same careful process that resulted in the creation of the original plan. The proposals now being considered for adoption are highly significant thus necessitating both meaningful participation by the public as well as an Environmental Impact Report prior to acceptance. The decisions we make today will impact future generations for years to come in one of the nation's most scenic treasures.

Doug and Valerie Welch

Excerpts from Sierra Club comment letter



Date: November 30, 2022

Stacy Wydra
Environmental Coordination Services
Community Development Resource Agency
3091 County Center Drive, Suite 190
Auburn, CA 95603
(emailed to swydra@placer.ca.gov, KHopkins@placer.ca.gov, sfox@placer.ca.gov,
Sherrington@placer.ca.gov and mwood@placer.ca.gov on November 30, 2022)

Subject: Placer County Proposed Amendment to the Tahoe Basin Area Plan

The Tahoe Area Group of the Sierra Club agrees that affordable housing is needed in the Tahoe Basin. However, Placer County's proposed Tahoe Basin Area Plan (TBAP) amendments will hopefully spur workforce housing development, but it also contains provisions to appease high-end developers that will exacerbate an already overcrowded Tahoe Basin. The amendments will intensify the ever-increasing gridlock on Tahoe's roads and cause further declines in Lake Tahoe's water quality.

The stated reason by Placer County staff on November 9, 2022 for the amendments are to "make it easier for the developers." When it becomes easier for the developers, the environment always loses. Our concerns are increased height, scenic view threats, bigger footprints and obviously more density. With that comes threats to the lake's clarity and air quality degradation.

The public opinion has been consistent: protecting the environment, concern for emergency evacuation in case of a wildland fire and workforce housing. The proposed plan calls for 50% deed restriction for local workforce for new development. Why only 50%? This will only encourage more tourist accommodations, more traffic, more air quality and traffic concerns.

The County's [PowerPoint presentation](#) on November 9, 2022 contains contradictions and statements that are unsupported by verifiable facts. While slide 9 states that the proposed TBAP amendments will not increase overall building height, slide 27 clearly states that heights are proposed to be increased. Slide 9 also states the TBAP amendments will not increase overall density and carrying capacity, which appears to be exactly what is being proposed. Just saying something does not make it so. If this is indeed the case, verifiable evidence and all details quantifying and substantiating this claim must be disclosed to the public. How does creating "new high-quality lodging," expediting building permits, increasing building length, and decreasing lot size so that more and more development can be squeezed into the area not lead to increases in both density and carrying capacity? And how does this increase workforce housing?

We are skeptical about the reduction of parking requirements for new buildings. It was suggested that public parking could be shared with current businesses. Although that sounds promising, what happens during business hours? Are residents and visitors expected to move their cars? How would local businesses feel about their lots being filled by non-customers? It was suggested that paid street parking could be instituted. Residents are already complaining that visitors are parking on residential streets to avoid parking fees. Instead of instituting additional parking fees that would penalize locals as well as visitors, street parking on neighborhood streets should be limited to vehicles with a "local's sticker" – and that restriction should be enforced!

One idea in the proposal that we support enthusiastically is reducing the short-term rental (STR) cap for each new lodging unit. We would like to see this concept expanded to cover not just "new lodging", but every new housing unit constructed. Let's get tourists out of the neighborhoods and free up neighborhood housing for the people who work and live here full time.

Excerpts from Mountain Area Preservation comment letter



mountain area preservation

November 30, 2022

Emily Setzer, Principle Planner
Stacy Wydra, Senior Planner
Placer County Planning Services Division
775 N Lake Boulevard
Tahoe City, CA 96145

Re: Tahoe Basin Area Plan Amendments

Dear Ms. Setzer and Ms. Wydra,

Thank you for the opportunity to provide input on the proposed Economic Sustainability and Housing amendments within the Placer County Tahoe Basin Area Plan (TBAP). On behalf of Mountain Area Preservation (MAP), I'd like to submit the following comments for consideration by the North Tahoe Regional Advisory Committee (NTRAC) members.

MAP, a thirty-five-year-old environmental advocacy non-profit, acts as a steward for sound land use planning and policy in the greater Truckee Tahoe region. We hope that by participating in the amendment process, we can help to better shape land uses and incentives for community needs such as workforce housing while guiding redevelopment to honor the mountains, natural resources, and public safety for residents and visitors.

It is our understanding that the amendments are largely based on two economic analyses from Bay Area Economics and Tahoe Prosperity, and on the input of the development and business community, with the overarching goal of removing barriers to streamline the development process. We certainly understand the critical need for desirable redevelopment projects and additional workforce housing, and there are a number of proposed policy and regulation amendments that may help to facilitate these kinds of developments. We also understand that the amendments are not proposing an increase in the densities that are currently allowed in the plan area, but will likely facilitate additional projects that will increase density from the baseline condition (what is currently built). We do support focusing the allowable density in town centers and core areas.

However, while incentivizing and streamlining development may be appropriate, it is crucial to ensure that we are incentivizing the kinds of development that the community truly needs—workforce housing being the top priority—and that the amendments do not adversely impact the environment and community character that defines North Lake Tahoe. Additionally, TBAP amendments must be based on the input of the entire community, not a small subsection with a

very specific perspective, and with the goal of improving the community in a holistic manner, including its resources and character.

Our biggest concern (and one that was echoed repeatedly at the NTRAC meeting on November 9th) are the proposed incentives that would allow for increased building heights in certain areas. Allowing for an additional 28% increase in height (from 56 feet to roughly 72 feet) is unacceptable and would degrade the North Tahoe viewshed. Several associated policy amendments would weaken scenic protections for ridgelines and lakeviews (e.g., Policy SR-P-9 and TC-P-5). These amendments are truly concerning and we urge you to consider removing them from the proposal moving forward. We are also concerned with other proposed amendments related to massing, building lengths, and setback reductions that could significantly alter the mountain environment. These modifications may be appropriate in certain locations, on a case-by-case basis, but impacts must be mitigated to preserve scenic resources, viewshed, and mountain character.

HILL PLANNING, INC.
P.O. Box 6139 Incline Village, NV 89450
Cell Phone: (775) 544-4345
e-mail: tahoehills@att.net

MEMO

Date: December 5, 2022
To: Andrea Dashiell, Clerk for Placer Co. Planning Commission
From: Kristina Hill, Land Use Planner
Subject: Placer Co. Tahoe Basin Area Plan Proposed Amendments

Dear Ms. Dashiell,

Thank you in advance for circulating this memo to the Planning Commission prior to their meeting on December 8th. The purpose of which is to voice my concerns regarding the above referenced subject matter. As a former TRPA employee and long time (40 years) planning consultant in the Tahoe Basin, the proposed TBAP amendments should not be approved by the Planning Commission for the following reasons:

1. The TRPA Code of Ordinances, Section 4.5 requires that any amendment to the Regional Plan (which this is) must make written findings demonstrating that the proposed plan will NOT cause the environmental threshold carrying capacities to be exceeded.

To my knowledge, this has not been done. In public meetings I've attended county staff states that the thresholds will not be exceeded but have not provided any substantive rational.

2. Staff has made assumptions that the CEQA level of environmental review for the proposed amendments will be "categorically exempt". Categorical exemption shall not apply if; a) there is a reasonable possibility of a significant effect on the environment; b) significant cumulative impacts will result, or c) they will have impacts on a uniquely sensitive environment.

Surely the planning commission recognizes that the Tahoe Basin in general is a uniquely sensitive environment. In addition, I have heard nor seen any documentation from the county re: cumulative impacts of the proposed amendments.

For your convenience, the following are pertinent excerpts from the TRPA Code:

4.5. FINDINGS NECESSARY TO AMEND THE REGIONAL PLAN, INCLUDING THE GOALS AND POLICIES AND PLAN AREA STATEMENTS AND MAPS

To approve any amendment to the Regional Plan, TRPA shall find, in addition to the findings required pursuant to subparagraphs 4.4.1.A and 4.4.1.B, subsection 4.4.2, and

Sections 4.2 and 4.3, that the Regional Plan, as amended, achieves and maintains the thresholds.

4.4.1. Findings Necessary to Approve Any Project To approve any project TRPA shall find, in accordance with Sections 4.2 and 4.3, that:

A. The project is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, plan area statements and maps, the Code, and other TRPA plans and programs;

B. The project will not cause the environmental threshold carrying capacities to be exceeded; and

C. Wherever federal, state, or local air and water quality standards apply for the region, the strictest standards shall be attained, maintained, or exceeded pursuant to Article V(d) of the Tahoe Regional Planning Compact

4.4.2. Making Specific Findings As part of the findings required by subparagraph 4.4.1, TRPA shall:

Placer County Tahoe Basin Area Plan Workshop March 9, 2023
Ellie Waller North Tahoe West Plan Area Team member Public Comment for the Record

A. Identify the nature, extent, and timing or rate of effects of the project, using applicable measurement standards consistent with the available information, on all applicable:

1. Compliance measures (Section 16.6);
2. Indicators (Section 16.4);
3. Additional factors (subsection 16.4.5); and
4. Supplemental compliance measures (subsection 16.3.8).

B. Quantify any contribution of the project to any of the cumulative accounts for the items listed in subsection 16.8.2 and record that contribution in the current cumulative account;

C. Confirm that any resource capacity utilized by the project is within the amount of the remaining capacity available, as that remaining capacity has been identified in any environmental documentation applicable to the project, including the environmental impact statement for the Regional Plan package;

D. Confirm that the project will not prevent attainment of any adopted target date (subsection 16.5.1) or interim target (subsection 16.5.2);

E. For project-specific mitigation measures relied upon to confirm the matters in subparagraphs 4.4.1.B and C, TRPA shall identify an adequate means, including setting a baseline status, by which the mitigation measure's effectiveness shall be evaluated; and

F. Except for recreation projects in the EIP for which an environmental assessment or an environmental impact statement is prepared, and that will use additional water supply, additional sewage capacity, or will create additional vehicle miles of travel greater than forecast in the environmental assessment for the most recent Evaluation Report, TRPA shall confirm that sufficient capacity remains in each of the respective capacities that are utilized by the project to permit development of recreation projects contained in the EIP.

4.6. FINDINGS NECESSARY TO AMEND OR ADOPT TRPA ORDINANCES, RULES, OR OTHER TRPA PLANS AND PROGRAMS To approve any amendment or adoption of the Code, Rules, or other TRPA plans and programs that implement the Regional Plan, TRPA shall find, in addition to the findings required pursuant to Section 4.4, and in accordance with Sections 4.2 and 4.3, that the Regional Plan and all of its elements, as implemented through the Code, Rules, and other TRPA plans and programs, as amended, achieves and maintains the thresholds.

<https://www.placer.ca.gov/AgendaCenter/ViewFile/Agenda/ 11302022-4629>

November 30, 2022 No meetings minutes on-line?

<https://www.placer.ca.gov/AgendaCenter/ViewFile/Minutes/ 11092022-4598>

The November 9, 2022 comments from the public are highly truncated. One must listen to the entire meeting to better understand the community outrage

<https://www.placer.ca.gov/AgendaCenter/ViewFile/Agenda/ 10132022-4554>

October 13, 2022

This item started out as RECCOMENDATION but changed to For Information Only after public and NTRAC members expressed concerns about not having enough information provided in a timely manner. No meetings minutes on-line?

We Are In A Battle To Stop The Urbanization Of North Lake Tahoe

Placer County is planning an update to the Area Plan. We don't know what's more disturbing, the proposed Placer Tahoe Area Plan changes or the County's characterization that they are "MINOR". The County claims allowing height up to 72', tripling density on single family lots, and increasing allowed coverage which results in larger buildings are "minor" changes to the Tahoe Basin Area Plan? These are major changes. Placer County reference loads of circular studies but doesn't provide any evidence that the changes are minor; the staff just declares they are.

Tahoe Defenders we need you once again. Placer County is refusing to accept the fact that hundreds of us have shown up at multiple meetings clearly objecting to building heights up to 72', allowing single family condos in town centers on SR 28, 500' long continuous building walls, development on Tahoe ridge lines, no parking requirements for multi-family, relocating commercial/industrial to outside of town centers, redirecting groundwater to allow underground parking/larger above ground projects and permitting food trucks to directly compete with area restaurants. An environmental analysis isn't required because, apparently, the agencies think there is no difference between South Shore and North Shore. And that's just a few highlights of their trash bin of bad ideas. Their claim is there will be no impact on Lake Tahoe.

Although news all over the Country touts Tahoe traffic gridlock and overdevelopment, Placer County and TRPA don't get it. The 2012 Tahoe Regional Plan's narrative was that large development will solve Tahoe's problems. It hasn't worked. Lake clarity, traffic and evacuation, wildfires, and invasive species are all worse. Now the justification for the new plan's additional height, density and coverage incentives is that it will solve the affordable housing crisis with deed restricted housing. Placer County's deed restricted definition includes "achievable housing" which encourages developers to build \$1m plus condos for those making up to \$250k/yr. Worse yet, there is no mention of any real controls over the proliferation of Short Term Rentals or their impact on affordable housing.

We know this is exhausting for everyone. We are unpaid and up against powerful special interest groups. Placer County has a \$1.2 billion budget. TRPA has a \$20 million budget and the Prosperity Center is trying to become a new self-anointed Tahoe development agency.

There are 13 North Shore projects approved or up for review: Boulder Bay, Cal-Neva, Tahoe Inn, 39 degrees, Laulima/Ferrari, Martis Valley West, Neptune Investment, Jason's, Alpine View Estates, Tahoe City Lodge, Boatworks Redevelopment, Tahoe City Lodge, Homewood and Palisades. 1000's more cars and 1000's people.

Redevelopment is great, but going from 110k sf at Boulder Bay to the new Waldorf Astoria plan at 800k sf is simply overdevelopment. This is not a difference in degree, it's a difference in kind.

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We know this is exhausting for everyone. We are unpaid and up against powerful special interest groups. Placer County has a \$1.2 billion budget. TRPA has a \$20 million budget and the Prosperity Center is trying to become a new self-anointed Tahoe development agency.

There are 14 North Shore projects approved or applied for: Boulder Bay, Cal-Neva, Tahoe Inn, 39 degrees, Laulima/Ferrari, Martis Valley West, Neptune Investment, Jason's, Alpine View Estates, Tahoe City Lodge, Boatworks Redevelopment, Tahoe City Lodge, Homewood and Palisades. 1000's more cars and 1000's people. But TRPA and the County don't plan on an environmental or cumulative impact analysis.

Redevelopment is great, but going from 110k sf original Boulder Bay project to the new Waldorf Astoria 800k sf plan is simply overdevelopment. That's not a difference in degree, but a difference in kind.

Make the large employers (Palisades, Northstar) build their own workforce housing on site and control the number of visiting skiers. The community shouldn't be footing the bill to millions of pass sales.

Placer County urbanization may be fine for Roseville, but it has no place on the North Shore. TRPA, Placer and the other Tahoe counties want to drown us in documents and meetings. Let's stand up for Tahoe. More is not less. Bigger is not better.

We've got to show up.

Thank you again,

<https://www.placer.ca.gov/3342/Tahoe-Basin-Area-Plan>



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"Helping preserve the natural beauty and rural character of North Lake Tahoe"

TikTok Video: https://www.tiktok.com/@northtahoepreservation?_t=8XCElbNFbSt&_r=1

Instagram Video: <https://www.instagram.com/northtahoepreservation/>