From: Sophia Heidrich <sophia@mapf.org>
Sent: 3/10/2026 2:11:11 PM
To: Public Comment <PublicComment@trpa.gov>
Cc: Alexis Ollar <alexis@mapf.org>;
Subject: MAP Comments Re: Agenda Item No. 4.A
Attachments: APC 3.11.26_Item No. 4.A_MAP Comments.pdf

Hello TRPA Staff,

On behalf of Mountain Area Preservation (MAP), please find the attached comments regarding Agenda Item 4.A for tomorrow's Advisory Planning Commission meeting. Please distribute them to the APC members and include them as part of the administrative record.

Thank you,

mountain area preservation

Sophia Heidrich
Advocacy Director

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mountain area preservation

March 10, 2026

Advisory Planning Commission
Tahoe Regional Planning Agency
128 Market Street, Stateline, NV
Submitted via Email

Re: Agenda Item No. 4. A, Cultivating Community, Conserving the Basin: Six Policy Concepts

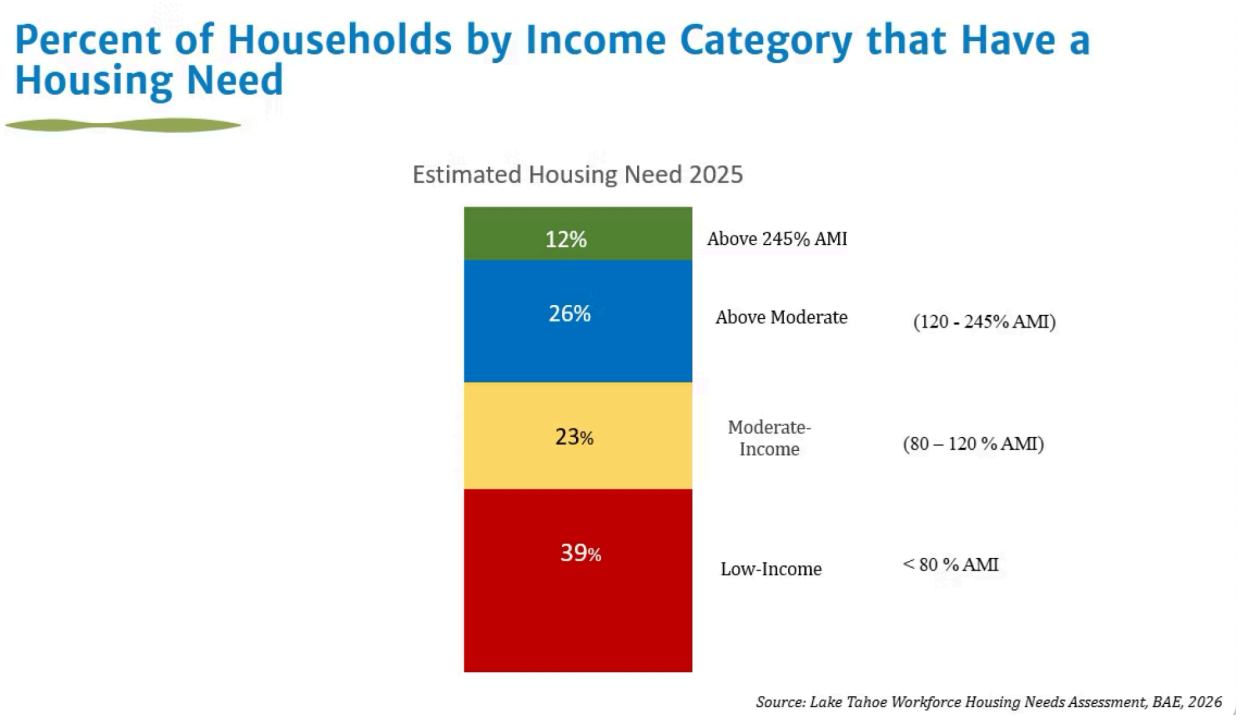
Dear Advisory Planning Commission (APC) Members,

Thank you for agendizing the six policy considerations outlined in the Settlement Agreement between the TRPA and Mountain Area Preservation (MAP) regarding the Phase 2 Housing Amendments, as part of the Cultivating Community, Conserving the Basin Process. MAP staff have appreciated participating in the Tahoe Living Working Group (TLWG) since early 2025, providing comments on the process, workshops, and proposed policies. During that time, there have been some conversations regarding the six policy considerations, but we feel that more robust, good-faith discussions are required under the Settlement Agreement, and we look forward to the TRPA honoring those conditions and engaging in meaningful policy discussions.

Similar to Attachment A of the Staff Report, please find MAP's analysis of each policy consideration below. Thank you for taking the time to review and consider these comments.

Policy Concept 4.1: Income limits on achievable housing, including but not limited to an income cap not to exceed 245% of the respective local jurisdiction's area median income (AMI), along with a local living/work requirement and enforcement/audit provisions.

MAP agrees that a variety of discussions have been held throughout the Cultivating Community process regarding various types of deed restrictions, but from our perspective, there has been little discussion specific to amending the Achievable Housing definition or to installing an income cap not to exceed 245% of the respective local jurisdiction's AMI. Pursuant to the 2025 Lake Tahoe Housing Needs Assessment prepared by BAE Urban Economics on behalf of the TRPA, 26% of the housing need in the Tahoe Basin is for those earning 120-245% AMI (see graph below).



It makes sense to focus housing incentives based on the needed housing types that do not pencil out under current market conditions. The greatest need overall (39%) is affordable housing, 23% of the need is for moderate housing, and only 12% of the need is for those earning an income greater than 245% AMI.

From our perspective, the most common-sense approach is to consider which developments currently pencil out under existing market conditions, determine which AMIs can be served without incentives, identify the gaps, and provide incentives to help fill them. For example, in Truckee, "achievable housing" is defined as housing for those earning up to 180% of AMI.

While this has been brought up on several occasions, the idea has largely been dismissed by staff. According to the staff evaluation, the staff considered the "administrative and compliance complications of layering eligibility requirements (income and employment)." What are those complications? There has yet to be a conversation about potential barriers to implementation.

Additionally, staff considered the Governing Board action in April of 2023 to remove income restrictions in favor of a local worker requirement. Three years on, this is an excellent opportunity to evaluate the change at the Governing Board level to ensure that the outcomes are as intended. For example, of the achievable housing built, what AMIs are they serving? What jobs does one need to afford them? How many of these deed restrictions have been audited, and of those that have been monitored, what is the rate of compliance?

Further, the staff report states that staff have evaluated the relationship between deed restrictions and the proposed tiered housing incentive structure. However, the proposed structure could remain the same with a modified definition for achievable housing (to include an income cap), or an additional tier could be created to incentivize achievable housing over "affordable-by-design" housing.

From our perspective, the existing definition of achievable housing is problematic for several reasons. First, there is concern that incentives could be utilized to build higher-end units catering to those with higher incomes, which does not satisfy or target the housing needs. The staff report states that the evidence to date does not support this. That said, there is nothing to prevent

incentives from being utilized to construct higher-end units in the future. We must prioritize the construction of the housing that is truly needed, based on the data.

Second, with the prevalence of remote work, there may be loopholes in the local worker requirement, especially without 100% deed-restriction auditing. Deed-restriction monitoring and compliance are critical and should be prioritized in the Cultivating Community process. MAP has advocated that all units, especially those approved with incentives governed by TRPA, need to be audited and monitored for compliance and reporting.

Third, the definition is confusing. One of TRPA's goals in this process is to build community engagement and expertise around land-use planning and policies, and build trust. A great way to do this is to increase transparency and simplify terminology when possible. The current definition is 120% AMI, ***or*** 30 hours of work from one person in the household, ***or*** retired. 120% AMI is moderate housing. Why include this as an option in the achievable housing definition? Has a single achievable bonus unit been utilized by complying only with the 120% AMI criterion? When we have had conversations with members of the public during Cultivating Community workshops, many have stated that they thought there was an income cap on achievable housing because the definition includes the aforementioned option. Should the definition remain as it is, it should be renamed as Market Rate for Locals, which is consistent with several other tourism-based communities.

Market Rate/Local Worker Deed-Restriction Issue Example - In Truckee, deed-restrictions for locals without an income cap have been problematic. For example, Coburn Crossing is a hotel and apartment project approved in 2015, with a local worker preference deed-restriction placed on the 127 market-rate rental apartments; where no tax credits were used (developer needed to set the rents at market rate to make it pencil). The units opened in 2018, and studios were rented for $1,500, the market rate at the time. The developer had a hard time renting them at the local-worker/market-rate rents, so they started renting to anyone, which, upon being audited in 2020, showed that ⅓ of units were not

being rented to workers in the TTUSD district; they were rented to anyone who could afford the units, i.e. market rate. The Town of Truckee audit, which MAP advocated for in 2019, revealed that the property manager was not upholding the local priority preference restriction. The Town revealed the audit in 2020, which found abuse of incentives and deed-restrictions that were not honored; the units went to those who could afford them, especially in Truckee Tahoe, where we have more affluent visitors and second-home owners who enjoy a weekend ski or summer lease. Market-rate rents are problematic for meaningful deed restrictions, and projects that receive benefits or incentives must be audited.

Overall, the lack of an income cap is questionable and does not align with the housing policy goals this package is directed at confronting. Others, including Governing Board Member, Shelly Aldean, at the November 19th, 2025, draft policy package workshop, have expressed concern that the Achievable Housing definition is indeed problematic. She indicated that there is too much flexibility. The requirement should be 30 hours of work in the basin with an income cap, and deed-restriction monitoring and audits. This is critical for ensuring that the incentives and benefits provided lead to the creation of the housing Tahoe needs: housing for the local workforce, seniors, low-income, and disabled communities.

Policy Concept 4.2: An assessment of criteria to address potential site-specific impacts, including but not limited to impacts to scenic resources and public safety (wildfire dangers and evacuation hazards) in the event that TRPA considers development incentives in areas outside of Town Centers.

This policy concept was included in the Settlement Agreement to ensure that the Environmental Impact Statement (EIS) fully analyzes site-specific impacts related to any proposed policy changes. Without including a specific proposal or alternative in the environmental review process, it will be challenging to understand the full scope of potential site-specific impacts. A model will need to be created to illustrate land use conversions and impacts on neighborhoods in

the basin. For example, one potential proposal is to allow the conversion of single-family dwellings into duplexes, triplexes, and fourplexes and to exempt them from project-level environmental review. To allow these projects to tier from the Cultivating Community EIS, all potential site-specific impacts must be evaluated under the EIS, and criteria to address such impacts, such as impacts on emergency evacuation, must be included in the process. We anticipate a more robust good-faith discussion on this topic once the final policy proposal is solidified and the Draft EIS is available for review.

Policy concept 4.3: Refining criteria for additional height outside of Town Centers.

According to the staff report, no new height allowances outside of Town Centers are currently proposed, and as such, no refinement of height criteria is proposed at this time. However, one policy consideration is to allow local jurisdictions to expand Town Center boundaries. In effect, this would allow for additional height outside of existing Town Centers. As such, MAP would argue that there should be good-faith discussions about refining the criteria for additional height beyond the current Town Center boundaries. It is important to have a more robust conversation on the impacts and potential benefits of height, so that TRPA can have baseline data to inform these policies. We are often met with land use applications and projects asking for height variances, that yield an economic benefit for the developer, yet we do not always take into account the environmental and public safety impacts/loss that tall buildings can create, and the loss of solar aspect for the built environment around the proposed structure, the frozen and icy streets and sidewalks that form around the dwelling, and the associated impact height can bring to a small town center or adjacent parcel. At the same time, we can identify site-specific parcels that warrant that height, adjacent to compatible surroundings, where we are not creating that visual or public safety impact, and, for Tahoe, with the limited land and growth cap, that is the best approach for planning.

We believe having these planning conversations around height is necessary. For example, without knowing whether local jurisdictions can expand their Town Center boundaries, we do not know whether additional height will be available outside the current Town Center boundaries. Thus, we do not know whether we need a good-faith discussion regarding the refinement of criteria for additional heights outside Town Centers. From our perspective, we don't see height variances going away from developers' plan sets; we need criteria and should study this for the EIS. Projects such as 39°N asked for two additional stories while policy changes were coming down the pipeline, with no consideration of the surrounding land uses and built environments. While that project has now changed its building height, it could come back or influence other developers to consider additional height in Town Centers or adjacent areas, warranting this process to analyze and study height criteria in and around Town Centers.

Policy Concept 4.4: Incentives/programs to unlock the existing housing supply, including but not limited to regulation of short-term rentals and investment in Lease to Locals, down payment assistance, workforce, or equivalent programs.

With approximately 50% of existing housing stock in the Tahoe Basin sitting vacant most of the year (and approximately 70% in Eastern Placer County), we believe that one of the fastest, most environmentally-friendly strategies for addressing the housing crisis is to unlock existing units through regulation of short-term rentals and investment in housing programs. From our observations, this has been one of the most widely supported strategies throughout the Cultivating Community process. Every dot exercise has illustrated this as the low-hanging fruit for addressing the housing crisis, quickly.

We are grateful that several policies related to unlocking existing units have been included in the Policy Recommendations Report for analysis in the EIS, and we encourage the TRPA to include them in the final Cultivating Community policy package.

That said, we would also encourage the TRPA to include the policy titled "Require that All STRs Acquire a TAU" in the Policy Recommendations Report for analysis in the EIS. In addition to monitoring and regulating STRs, this could also potentially provide a funding source to support other housing programs, thereby mitigating some of the impacts of STRs on the housing stock. MAP and others have been advocates for creating a workforce housing mitigation fund, and new policies created to garner funds for popular commodities such as VHRs and STRs. This new pool of funds could be used to offset the impacts created from tourism, i.e. funds from requiring STRs/VHRs to acquire a TAU, translates to funding for down-payment assistance and lease-to-locals programs.

This policy was not recommended by staff, but it is unclear why. The staff report states that staff evaluated the relationship between short-term rental activity and housing availability, and references potential concerns related to implementation and legal authority, but the information and details behind these statements have not been shared with the TLWG nor the public, as far as we are aware. The staff report further goes on to say that "such a requirement would warrant further analysis of environmental, legal, and implementation implications before advancing as a recommended policy." Isn't the point of this process to conduct an analysis of environmental, legal, and implementation implications for policies that could help further Cultivating Community goals? If ever there were a time to better understand the implications of regulating STRs at the TRPA level, now would be it. MAP is not the only organization supporting this, and we want to encourage TRPA to consider it for the Phase 3 package.

As noted in the staff report, additional short-term rental regulations received strong support at the South Shore public workshop and mixed support at the North Shore public workshop. In addition, Governing Board Member Laine expressed disappointment that this specific proposal was not included in the Policy Recommendations Report during the January 20, 2026, Governing Board meeting. Other Governing Board members have also expressed interest in further exploring short-term rental regulations. Given the broad interest in moving

this forward and potential benefits, MAP strongly urges TRPA staff to reconsider their position on this matter.

Policy Concept 4.5: Additional strategies for reduction of vehicle miles traveled ("VMT"), including but not limited to e-bike share programs at project sites or in Town Centers to offset summer/fall transit needs, and micro-transit programs tied to project approvals.

We understand that specific VMT-reduction strategies are expected to be discussed during the environmental review process and may be recommended to mitigate transportation-related impacts. That said, we do not believe there have been good-faith discussions on programmatic VMT-reduction strategies to date, which are important given that some proposals could increase basinwide VMT. We would like for the TRPA to host a targeted session for the TLWG and public on this topic, so that these elements may be fully incorporated into the process.

Policy Concept 4.6: A one spot per unit minimum parking requirement.

There has been limited discussion about parking during the Cultivating Community process. We understand that providing parking increases construction costs and we agree it's important to encourage a future in the Tahoe Basin that does not rely on the private automobile. However, we also understand that current conditions do not adequately facilitate the transition away from automobiles toward public transportation. We have to plan for both the future we want to see by investing in the Active Transportation Plan, and for the reality we live in, by not further burdening locals with increased congestion due to reduced parking requirements.

Under the Phase 2 Amendments, deviations from local parking standards must be supported by a parking study. However, it was never clear what needed to be included in the parking study. Additionally, local jurisdictions were told they could "opt out" of the amendments. However, again, it was unclear exactly

what was needed to opt out. At least one local jurisdiction attempted to "opt out" of the Phase 2 parking amendments based on input from its constituents, but was unsuccessful. It became apparent during the process that the barrier to opting out was incredibly high and improbable.

Further, during one of the community workshops in North Lake Tahoe, a group of Hispanic community members also stated that parking has become a social justice issue. Higher-income folks have access to parking, while parking for lower-income residents is not prioritized. Many low-income residents hold multiple jobs that require frequent travel, which is currently unavailable on Basin transportation networks. As such, they must utilize private automobiles. Not planning for the reality of the Tahoe Basin places a greater burden on lower-income residents, creating an equity issue. The Phase 3 process was intended to target solutions for social and environmental equity, not to create more barriers for the population to be supported. Given these considerations, MAP supports revisiting these discussions to determine the efficacy of any existing parking management plans and whether additional parking requirements may be necessary to support the community.

Conclusion

One of the challenges of this process is that the scope is broad, the potential impacts are many, the details have yet to be fully spelled out, and the timeline for adoption in the early part of 2027 is concerning. Without understanding the full implications, it is challenging to have good-faith discussions about the Settlement Agreement policy considerations. The current approach for the Environmental Impact Statement (EIS), as stated by staff, is to include a wide array of policy recommendations in the EIS and then to refine the proposal down the road. We have also heard Governing Board members state that the environmental review process is too late to change the policies, so it has been hard to understand when, where, and how the TRPA expects ideas and conversations to shape future innovative policies and programs to drive forward

the housing Tahoe needs. As stated by Governing Board members and APC members, the devil is in the details and right now, we don't have the details.

Moving forward, we hope that staff will further define the potential alternatives to be evaluated in the EIS and will continue to facilitate discussions around the Settlement Agreement considerations, as necessary.

Thank you for your time and consideration of these comments. Again, we appreciate the opportunity to discuss the Settlement Agreement in an agendized setting with the Advisory Planning Commission.

Sincerely,

Sophia Heidrich,
Advocacy Director, MAP

From: Tiffany Connolly <tiffany@inbloommarketing.com>
Sent: 3/3/2026 5:52:15 PM
To: Public Comment <PublicComment@trpa.gov>
Subject: Comments Re: MAP Settlement Points, APC 3.11.26 Meeting

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Dear Members of the Advisory Planning Commission,

I am writing to express my support for the policy priorities identified in the Settlement Agreement between Mountain Area Preservation (MAP) and the Tahoe Regional Planning Agency (TRPA) regarding the Phase 3 housing amendments, known as *Cultivating Community, Conserving the Basin.*

The Lake Tahoe Basin faces a complex challenge: providing housing for the local workforce while protecting the environmental health and public safety of the region. Addressing one need should not come at the expense of the other. MAP's settlement priorities provide a thoughtful and balanced framework to ensure that new housing solutions meet community needs while safeguarding the basin we all depend on.

I strongly encourage the Advisory Planning Commission to incorporate the following principles into the Phase 3 housing updates:

Establish clear income caps for achievable housing.
Housing policies intended to serve the local workforce should be clearly targeted to those who live and work in the basin. Income caps are a necessary tool to ensure these units remain accessible to the community members the policies are meant to support.

Evaluate public safety impacts, including wildfire risk and evacuation capacity.
The Tahoe Basin faces increasing wildfire threats, and evacuation routes are already limited in many areas. Any new development proposals should carefully evaluate these risks to ensure that housing policies do not inadvertently place residents in harm's way or worsen evacuation challenges during emergencies.

Ensure adequate parking and infrastructure.
Housing that does not account for realistic transportation needs can create unintended impacts for surrounding neighborhoods. Thoughtful parking and infrastructure requirements help maintain livability while preventing spillover impacts in already constrained communities.

Prioritize the use of existing housing stock.
Strategies that make better use of the housing already in the basin should be part of a comprehensive solution. These approaches can often provide housing more quickly and with fewer environmental impacts than relying solely on new development.

The Tahoe Basin is a globally recognized natural treasure, and decisions about housing policy must reflect both our environmental responsibility and our commitment to the people who make this community function every day. The MAP settlement priorities offer a constructive path forward that acknowledges both.

Thank you for the opportunity to provide input.

Sincerely,

Tiffany Connolly

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