

**TRPA
APC
PACKETS**

**DECEMBER
2001**

Palma
TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION
NOTICE OF MEETING

NOTICE IS HEREBY GIVEN that the Advisory Planning Commission of the Tahoe Regional Planning Agency will conduct its regular meeting at 9:30 a.m. on December 12, 2001, at the North Tahoe Conference Center, 8318 No. Lake Boulevard, Kings Beach, California. The agenda for the meeting is attached hereto and made a part of this notice.

November 26, 2001



Juan Palma
Executive Director

This agenda has been posted at the TRPA office and at the following locations: Zephyr Cove and Stateline, Nevada post offices, and South Lake Tahoe Library and AI Tahoe, California post office. The agenda has also been posted at the North Tahoe Conference Center in Kings Beach, the Incline Village GID office, and the North Lake Tahoe Chamber of Commerce.

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

North Tahoe Conference Center
8318 No. Lake Boulevard
Kings Beach, California

December 12, 2001
9:30 am

All items on this agenda are action items unless otherwise noted.

AGENDA

- I. CALL TO ORDER AND DETERMINATION OF QUORUM
- II. APPROVAL OF AGENDA
- III. PUBLIC INTEREST COMMENTS (No Action)

Any member of the public wishing to address the Advisory Planning Commission on any agenda item not listed as a Public Hearing or a Planning Matter item, or on any other issue, may do so at this time. However, public comment on Public Hearing and Planning Matter items will be taken at the time those agenda items are heard.

NOTE: THE ADVISORY PLANNING COMMISSION IS PROHIBITED BY LAW FROM TAKING IMMEDIATE ACTION ON, OR DISCUSSING ISSUES RAISED BY THE PUBLIC THAT ARE NOT LISTED ON THIS AGENDA.

- IV. APPROVAL OF MINUTES

November 2001

- V. PLANNING MATTERS

- A. Presentation of 2001 Threshold Evaluation Report. **Page 1**
- B. Presentation of 2004 Threshold Update. **Page 3**
- C. Recommendation on Findings that Local Jurisdictions have Demonstrated a Commitment to Providing Their Fair Share of Affordable Housing for Low and Very Low Income Families. **Page 5**

- VI. PUBLIC HEARINGS

- A. Scoping of Environmental Impact Report/Environmental Impact Statement for the South Tahoe Public Utility District "B" Line Replacement **Page 25**

- B. Lakeside Trail Supplement Environmental Impact Statement Notice of Preparation Request for Comments **Page 77**
- C. Amendment of Chapter 20 Land Coverage to Adjust Excess Land Coverage Fees **Page 115**
- D. Amendment of Chapter 33 of the Code and the Development and Implementation Subelement of the Goals and Policies Plan to Allow Up to 300 Residential Allocations for 2002 **Page 139**

VII. ADMINISTRATIVE MATTERS

Election of Chairperson and Vice-Chairperson for Two-Year Terms (2002 through 2003) to Start January 2003

VIII. REPORTS

A. Executive Director

- 1. Report on Governing Board Actions Relative To APC Recommendations

B. Legal Counsel

C. APC Members

IX. ADJOURNMENT

TAHOE REGIONAL PLANNING AGENCY

308 Dorla Court
Elks Point, Nevada
www.trpa.org

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Zephyr Cove, Nevada 89448-1038

Phone: (775) 588-4547
Fax (775) 588-4527
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MEMORANDUM

December 5, 2001

To: Advisory Planning Commission
From: TRPA Staff
Subject: Presentation of 2001 Threshold Evaluation Report

Proposed Action: The draft of the 2001 Threshold Evaluation Report (document enclosed with your packet) is being presented for APC review. Staff will present an overview, and summary of findings and recommendations at the meeting. Staff will be requesting recommendations from the APC on the document at the January and February meetings.

Proposed 2001 Evaluation Review Process: On December 4, 2001, TRPA released the 2001 Threshold Evaluation draft. The document will be presented at the December 12, 2001 APC meeting and the December 19, 2001 Governing Board meeting. At the end of December, specific recommendations related to the report will be drafted for public consideration.

TRPA will then hold public hearings at the January 9, 2002 APC meeting and at the January 23, 2002 Governing Board meeting to review the Report and Recommendation Package. There will be workshops open to the public to discuss the recommendations and the evaluations, tentatively set for January 10 and 17, 2002. The purpose of these hearings and workshops is to review the documents and provide input to the TRPA to assist in the preparation of final documents.

After the January 23 Governing Board meeting staff will consider the input and prepare final documents and recommendations for presentation at February 13 APC meeting and the February 23 Governing Board meeting.

If you have any questions please contact Gabby Barrett at 775-588-4547 or gbarrett@trpa.org.

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MEMORANDUM

December 5, 2001

To: TRPA Advisory Planning Commission
From: TRPA Staff
Subject: Presentation of 2004 Threshold Update

Proposed Action: Informative presentation only, no action proposed.

Staff Recommendation: Staff recommends that APC provide input to staff on the forthcoming development of a work program for the Threshold Update.

Background: The TRPA Governing Board adopted the Environmental Threshold Carrying Capacities (threshold standards) in 1982. The adoption of threshold standards (and indicators) was the first step in developing the TRPA Regional Plan, which currently governs environment planning in the Lake Tahoe region. Threshold standards are environmental standards for the Tahoe Region, which indirectly define the capacity of the Region to accommodate additional development. The TRPA Compact defines "environmental threshold carrying capacities" as "an environmental standard necessary to maintain a significant scenic, recreational, educational, scientific or natural value of the region or to maintain public health and safety within the region". There are three types of threshold standards:

- Numerical – a quantifiable index of resource or environmental condition relative to a defined baseline,
- Policy – a value statement eliciting general TRPA governing board support for a program or need, and
- Management – a standard by which an environmental component shall be managed.

One to several threshold standards is identified for each of nine threshold categories (e.g., wildlife, fisheries, water quality, air quality, etc.). For each threshold standard is an associated threshold indicator. Threshold indicators are measured to determine whether or not a threshold standard is being achieved. In total there are 36 threshold standards and associated indicators that are understood to measure environmental quality relative to land planning in the Lake Tahoe region.

The 2001 Threshold Evaluation identified that approximately 50% threshold standards and indicators are potentially in need of updating as a result of new information gathered over the last fifteen years. Additionally, TRPA needs to adopt a new Regional Plan in 2007. Correspondingly, US Forest Service (USFS-LTBMU) and Lahontan Regional Water Quality Control Board (LRWQCB) will update or revise their respective planning documents on a similar timeline. Consequently, there is an opportunity for the TRPA, USFS-LTBMU, LRWQCB and perhaps other agencies to align environmental goals. The

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AGENDA ITEM V.B

alignment of environmental goals can occur through the review of TRPA threshold standards and indicators. By aligning environmental goals, each respective agency will be on the same page with respect to drafting planning language in order to achieve the said environmental goals. This would effectively streamline relationships with partnering agencies because all would be working towards similar environmental goals.

Discussion: The purpose of this presentation is to inform the TRPA Advisory Planning Commission and the public that there is an impending need to initiate the process for updating a portion of TRPA's threshold standards and indicators prior to the development of a new Regional Plan in 2007. Additionally, TRPA believes that there is a unique opportunity for several basin agencies to identify common environmental goals through the review of TRPA threshold standards and indicators. By doing so, approaching revisions and updates to planning documents will be aligned amongst basin agencies.

Currently, TRPA is in the process of developing a work program for updating TRPA's threshold standards and indicators. Integral to this effort is engaging USFS-LTBMU, LRWQCB, and other agencies to 1) define roles 2) identify mutual goals and potential conflicts 3) establish points of communication, 4) ascertain staffing and funding needs, and 4) pinpoint research and monitoring efforts that could assist TRPA with refining threshold standards and indicators.

This item will begin with a staff presentation. If you have any questions please call Shane Romsos at (775) 588-4547 extension 216.

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MEMORANDUM

December 5, 2001

To: Advisory Planning Commission

From: TRPA Staff

Subject: Recommendation on Findings that Local Jurisdictions have Demonstrated Their Fair Share of Affordable Housing.

Proposed Action: To make the finding that the City of South Lake Tahoe, El Dorado County, Placer County, Washoe County and Douglas County have demonstrated a commitment to assume their fair share responsibility to provide low and very-low income housing. This finding is necessary to permit approval of subdivisions on vacant parcels within preferred affordable housing areas (see Code subsection 43.4.F below).

Staff Recommendation: Staff recommends that a final finding be made that the City of South Lake Tahoe, El Dorado County, Placer County, Douglas County, and Washoe County have demonstrated a commitment to assume their fair share responsibility to provide low and very-low income housing.

Background: At the January 2000 meeting, the Governing Board made the fair share finding for all of the jurisdictions, with a reconsideration scheduled in May 2000. Staff was directed to work with the jurisdictions to develop criteria by which each would be evaluated in the future. At the May meeting, the findings were not made for any of the local jurisdictions. This action was reconsidered during the June Governing Board meeting. At that meeting, the findings were made for each jurisdiction with a reconsideration using the Evaluation Criteria adopted by the Governing Board (see Attachment A) scheduled for December 2001.

In the TRPA Goals and Policies, the strategy for TRPA to influence the development of affordable housing is addressed within the Housing Subelement of the Land Use Element. It reads as follows:

HOUSING

The purpose of this Subelement is to assess the housing needs of the Region and to make provisions for adequate housing. The Compact does not specifically mandate this Subelement nor do the environmental thresholds address this topic. However, the states of Nevada and California both require housing to be addressed as part of a general plan. [It is the intent of this Subelement to address housing issues on a regional basis with local plans handling the specifics of implementation.

GOAL #1

TO THE EXTENT POSSIBLE, AFFORDABLE HOUSING WILL BE PROVIDED IN SUITABLE LOCATIONS FOR THE RESIDENTS OF THE REGION.

POLICIES

1. **SPECIAL INCENTIVES, SUCH AS BONUS DEVELOPMENT UNITS, WILL BE GIVEN TO PROMOTE AFFORDABLE OR GOVERNMENT-ASSISTED HOUSING FOR LOWER INCOME HOUSEHOLDS (80 PERCENT OF RESPECTIVE COUNTY'S MEDIAN INCOME) AND FOR**

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AGENDA ITEM V.C.

VERY LOW INCOME HOUSEHOLDS (50 PERCENT OF RESPECTIVE COUNTY'S MEDIAN INCOME). EACH COUNTY'S MEDIAN INCOME WILL BE DETERMINED ACCORDING TO THE INCOME LIMITS PUBLISHED ANNUALLY BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

The 1980 census data indicate that approximately 95 percent of the region's lower income households were paying more than the recommended costs for rental housing. There is a need to reverse the current trend of higher cost housing and to provide needed affordable housing.

2. LOCAL GOVERNMENTS WILL BE ENCOURAGED TO ASSUME THEIR "FAIR SHARE" OF THE RESPONSIBILITY TO PROVIDE LOWER AND VERY LOW INCOME HOUSING.

Current data indicate the City of South Lake Tahoe and Placer County are assuming more than their share of the responsibility as detailed in the Regional Plan EIS.

3. FACILITIES SHALL BE DESIGNED AND OCCUPIED IN ACCORDANCE WITH LOCAL, REGIONAL, STATE, AND FEDERAL STANDARDS FOR THE ASSISTANCE OF HOUSEHOLDS WITH LOW AND VERY LOW INCOMES. SUCH HOUSING UNITS SHALL BE MADE AVAILABLE FOR RENTAL OR SALE AT A COST TO SUCH PERSONS THAT WOULD NOT EXCEED THE RECOMMENDED STATE AND FEDERAL STANDARDS.

4. AFFORDABLE OR GOVERNMENT ASSISTED HOUSING FOR LOWER INCOME HOUSEHOLDS SHOULD BE LOCATED IN CLOSE PROXIMITY TO EMPLOYMENT CENTERS, GOVERNMENT SERVICES, AND TRANSIT FACILITIES. SUCH HOUSING MUST BE COMPATIBLE WITH THE SCALE AND DENSITY OF THE SURROUNDING NEIGHBORHOOD.

In addition to the Goal and Policy statements, affordable housing is addressed in 24 separate subsections of the Code of Ordinances, including Code subsection 43.4.F.

Staff recognizes that there is a certain degree of interpretation required by the existing code language, which reads:

- 43.4.F (2) Subdivisions in Preferred Affordable Housing Areas: Approval of Subdivisions after December 31, 1995 of post-1987 residential projects which do not qualify as affordable housing are prohibited until TRPA finds the city or county, with zoning jurisdiction, has demonstrated its commitment to assume its "fair share" responsibility to provide lower and very low income housing within the existing urban areas pursuant to Goal #1 of the TRPA Housing Subelement of the Regional Plan Goals and Policies.

This Code provision was the result of the Joint Settlement Agreement and Stipulation for Entry of Judgment, August 4, 1994, League To Save Lake Tahoe vs. Tahoe Regional Planning Agency, Eastern District of California, Case No. CV-S-94-0069.

Discussion: Code subsection 43.4.F (2) only applies to those residential projects that apply for subdivision, within preferred affordable housing areas. Existing multi-residential structures, regardless of plan area location, are exempt from this code section. Table 1 provides a listing of those Plan Area Statements and Community Plans that have the special designation of Preferred Affordable Housing Area. These areas are also represented in graphic form on Attachment B.

Table 1. Plan Areas With Preferred Affordable Housing Special Designation

Jurisdiction	Plan Area Statement	Number	Jurisdiction	Community Plan
Placer Co.	Tahoe City Industrial	001B	City of SLT	Stateline/Ski Run CP
Placer Co.	Fairway Tract	002	Placer Co.	Tahoe City CP
Placer Co.	Dollar Hill (1)	009B	Placer Co.	Tahoe Vista CP
Placer Co.	Kings Beach Residential	028	Placer/Washoe	North Stateline CP
Placer Co.	Tahoma Residential	154	Washoe Co.	Ponderosa Ranch CP
City of SLT	Pioneer/Ski Run	092	Washoe Co.	Incline Village Commercial CP
City of SLT	Bijou	093	Washoe Co.	Incline Village Tourist CP
City of SLT	Al Tahoe	099	Douglas Co.	Kingsbury CP
City of SLT	Sierra Tract	105		
City of SLT	South "Y"	110		
City of SLT	Tahoe Island	111		
El Dorado Co.	Camp Richardson	127		
El Dorado Co.	Fallen Leaf North (2)	129		
Washoe Co.	Incline Village Residential	046		

Notes: (1) Senior Citizen Only
 (2) USFS Employees Only

As has been previously discussed by the Governing Board, each jurisdiction has unique circumstances that warrant separate evaluative criteria. Although this may eliminate unrealistic expectations for some jurisdictions, it does make cross evaluation between jurisdictions very difficult.

It is important to remember that this Code section only applies to multi-residential projects on vacant land, which choose to subdivide. The reality is that there are very few locations where this type of activity will occur given the plan areas this Code provision applies to and the amount of remaining vacant land within those plan areas. Moreover, the prohibition of multi-residential subdivisions on vacant land is only one effort to preserve land for affordable housing development.

Staff sent a memo to the local jurisdictions in October requesting that they provide information demonstrating the jurisdiction's commitment to provide their fair share of affordable housing. Using the evaluation criteria listed in Attachment A, as these are the jurisdiction-specific criteria that were established by the Governing Board in the motions made at the June 2000 meeting. While Staff considered any and all information provided, Staff keyed on those milestones found in Attachment A. See Attachment C for copies of the memos given to staff for evaluation.

The City of South Lake Tahoe addressed all five criteria in Attachment A.
 El Dorado County addressed all six of the criteria in Attachment A.
 Placer County fully addressed five and partially addressed one of the criteria in Attachment A.
 Douglas County fully addressed two, partially addressed one and did not pursue four of the seven criteria in Attachment A.

Washoe County fully addressed three, partially one and did not address two of the six criteria in Attachment A.

Given that TRPAs Housing subelement of the Goals and Policies directs the implementation of housing specific programs via local general plans at the local level, in addition to the limited effect and influence that this specific Code section has in implementing housing programs (limited land in Nevada, aggressive programs in California), Staff is recommending that the findings be made for each jurisdiction.

Questions regarding this agenda item should be directed to Peter Eichar at (775) 588-4547, or recreation@trpa.org.

- Attachments A Jurisdiction Specific Milestones
B Map of Preferred Affordable Housing Areas
C Copies of memos from the local jurisdictions

Subdivisions in Preferred Affordable Housing Areas, 43.4.F (2)
Evaluation Criteria Adopted by the Governing Board, June 2001.

City of South Lake Tahoe

1. Continue pursuit of private/public partnerships for new unit construction;
2. Continue funding and implementation of multi-residential and single-family housing rehabilitation program;
3. Continue support and funding for first-time homebuyer programs;
4. Continue conversion of illegal unit program;
5. Maintain funding and staffing for the City's Housing and Economic Development Department.

El Dorado County

1. Implement the Affordable Housing Fee Structure Policy;
2. Continue Section 8, rental voucher program;
3. Continue Low Income Home Energy Assistance Program (weatherization);
4. Continue the various utility assistance programs;
5. Maintain the Mortgage Credit Certificate Program (MCC);
6. Pursue funding for housing rehabilitation programs.

Placer County

1. Implement the County Affordable Housing Strategy by following the Redevelopment Agency's Affordable Housing Implementation Plan;
2. Continue multi-residential and single-family rehabilitation programs;
3. Continue first-time homebuyer program;
4. Pursue private/public partnerships for the development of affordable housing units;
5. Support staffing and funding levels for the Housing Division of the County Redevelopment Agency;
6. Engage major local employers to address affordable housing for employees.

Douglas County

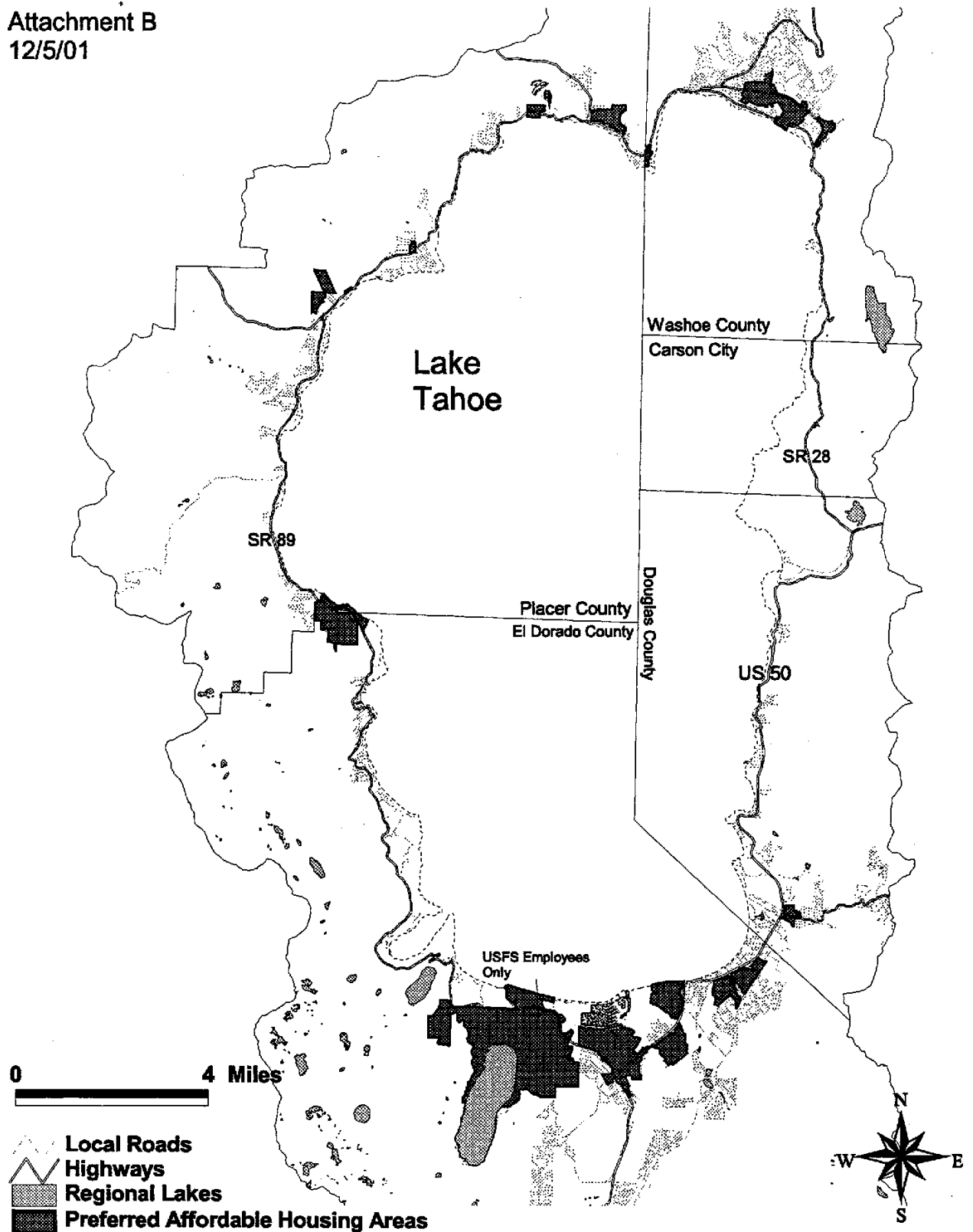
1. Continue first-time homebuyer program, and pursue additional funding;
2. Pursue and participate in funding for acquisition of vacant and developed property for affordable housing unit construction and/or development;
3. Support Douglas County Board of Commissioners approval of Development Application Fee waiver;
4. Participate in and pursue implementation of mass transit (CTS) and support facilities;
5. Engage major local employers to address affordable housing for employees;
6. Pursue funding for staff member dedicated to housing issues inside and outside of the Tahoe Region;
7. Pursue private/public partnerships for the development of affordable housing units inside the Tahoe Region.

Washoe County

1. Continue first-time homebuyer program, and pursue additional funding;
2. Participate in and pursue implementation of mass transit (CTS) and support facilities;
3. Continue working with CSA to implement housing rehabilitation programs, and pursue additional funding;
4. Pursue and participate in funding for acquisition of vacant and developed property for affordable housing unit construction and/or development;
5. Pursue private/public partnerships for the development of affordable housing units inside the Tahoe Region;
6. Pursue funding for staff member dedicated to housing issues inside and outside of the Tahoe Region.

Preferred Affordable Housing Plan Areas

Attachment B
12/5/01



City of South Lake Tahoe

"making a positive difference now"



Our Mission is:

Working

together to

create the

best future

for our

community

November 18, 2001

Mr. Peter Eichar
Associate Planner
Tahoe Regional Planning Agency
PO Box 1038
Zephyr Cove, NV 89448-1038

NOV 21 2001

RE: Affordable Housing Fair Share Update

Dear Mr. Eichar:

Per your request, I am providing you with an update on the efforts that the City of South Lake Tahoe has made towards providing its fair share of affordable housing since 1995 when the Tahoe Regional Planning Agency enacted its fair share ordinance. Also, included is a listing of our current activities for existing projects and programs. Lastly, there is a brief discussion of our staffing levels and funding sources.

Achievements

Since 1995, the City has created programs or assisted with the development of projects to produce the following number of affordable housing units available to low- and/or very low-income persons:

• New Construction	45 units
• Large Apartment Rehabilitation	162 units
• Single Family/Small Rental Rehabilitation	41 units
• Acquisition Assistance for First Time Homebuyer	21 units
• <u>Conversion of Illegal Units</u>	<u>23 units</u>
Total	292 units

In Progress

The following projects and programs are presently in some stage of development and will result in the creation of additional affordable housing units beyond what has already been accomplished above:

Housing and Economic Development
(530) 542-6047 • (530) 542-7955 FAX

1001 Airport Road Suite 107 • South Lake Tahoe • California 96150-7000


Mr. Peter Eichar
November 18, 2001
Page 2

- The City and the developer are in the process of obtaining grant funding and necessary zoning changes for an 18-unit new construction affordable housing project for very low-income persons with disabilities to be located on Emerald Bay Road;
- The City is presently working with affordable housing developers to locate another large apartment complex for an acquisition and rehabilitation project for low- and very low-income persons;
- The City is in the process of working with a City Council subcommittee to establish local policies for converting motels into deed restrictive affordable housing in accordance with the recent modifications to the TRPA Code;
- City staff is participating in on-going discussions with the US Department of Housing and Urban Development (HUD) to create a bi-state Community Housing Development Organization (CHDO) that would be able to provide additional resources for affordable housing into the Tahoe Basin;
- The City continues to generate new homeownership opportunities for low-income persons by providing subsidized financing under its First Time Homebuyer Program;
- The City continues to provide funding for essential repair work to owners of single family homes and small rental properties that are occupied by low- and very low-income persons under its Housing Rehabilitation Program; and
- The City continues to generate deed restricted affordable housing units, when possible, under its Illegal Unit Conversion Program.

The Housing and Economic Development Division of the City of South Lake Tahoe has the responsibility to produce the affordable housing. The Division has a staff of 5 fulltime positions and is funded through State and Federal grants and Redevelopment Low and Moderate Income Housing Funds. The City generates around \$500,000 to \$1,500,000 per year from these funding sources and often uses these monies to assist affordable housing developers in securing additional grant funding to construction and rehabilitate units for low- and very low-income persons.

If you have any questions regarding the above information, please feel free to contact me at (530) 542-6043.

Sincerely,



Patrick M. Conway
Housing and Economic Development Coordinator

Data/TRPA/Fairshare Letter November 18, 2001