

Placer County Planning Commission July 28, 2016  
 Ellie Waller, Tahoe Vista Resident - Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039

July 25,

**Letter  
100**

The public process has been an empty platitude to those that have participated for 3+ years. There is little to no community/team input translated into the proposed Tahoe Basin Area Plan (TBAP) or meaningful alternative that reflects what the Plan teams (for most sub-areas) requested without holding an alternative hostage to a 118 unit Tahoe City Lodge that requires extraordinary entitlements.

**I was given sage advice to focus on a few topics and not try to conquer the monster.**

That said it's still been an arduous task to find North Tahoe West information enabling a total comprehensive package for that sub-area to be reviewed. Land use Section 5 of Draft DEIR, then need to refer to Land Use Section 4 in Draft Area Plan as the DEIR does not have details by sub-area listed. Next district standards in the Implementing Regulations must be reviewed Table 2.01.A-1 for sub-district and overlay info. Next special policies and designations in the Implementing Regulations in another section. Yet another section: Mixed-Use sub-districts for what is allowed in those districts and required review level be it Allowed or require CUP or MUP, as well as building placement standards and guidelines and to understand for the lay person what a Minor Use Permit or Conditional Use Permit is another Section Chapter 1 of Implementing Ordinances in the Introduction, several maps and diagrams to be consulted in too many places to identify. Plus many more sections and documents....

I submitted 147 pages in Notice of Preparation (NOP) comments (attached) and many were not addressed, completely ignored and dismissed. This is shameful. I am now requesting all comments and questions within the 147 pages be addressed and answered and corrections made to all related documentation as part of the DRAFT TBAP EIR/EIS process for response to comments in the FEIR. (attached)

I made a reasonable request for each sub-area (North Tahoe East, North Tahoe West, Tahoe City Town City and West Shore) to have a section in its entirety for reviewers to be able to analyze at sub-area level. This request was ignored and not in the DEIR. To add confusion some information is listed as Tahoe Vista or Carnelian Bay. I am requesting the FEIR provide separate sections for what used to be the four (4) separate area plans now sub-areas. It took me several hours to find (if I did find) and am still looking for all references to the North Tahoe West Plan. The information is available just needs to be broken out into sections for each-sub-area to allow the public and agencies the opportunity to provide comprehensive, meaningful comments.

The Area Plan document for which the TBAP DEIR/EIS is derived is not consistent with other documents. I cited several inconsistencies in my NOP comments. My NOP comments were ignored. I went to great lengths to point out, by page number, which was and is a time-consuming effort but necessary for clarity and adequacy and accuracy of the environmental documentation. This should trigger and require a re-circulation of the Tahoe Basin Area Plan DEIR/EIS.

100-1

Placer County Planning Commission July 28, 2016  
 Ellie Waller, Tahoe Vista Resident - Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039

July 25, 2016

### **Example 1**

G. Upon adoption, the provisions of the Area Plan will supersede the six Community Plans and 51 Plan Area Statements that were previously adopted by Placer County and TRPA for the area. It will also replace two previously adopted Placer County General Plans. Page 2 **Chapter 1 Introduction and General Provisions Draft Implementing Regulations**

I stated in my NOP comments dated July 16, 2015 Page 1 of 48

In addition to community and general plans, Plan Area Statements (PASs) provide specific land use policies and regulations for individual "Plan Areas." The Placer County portion of the Region is divided into 57 separate Plan Areas. For each Plan Area, a "statement" is made as to how that particular area should be regulated to achieve environmental and land use objectives. Each PAS includes a description, land classification, management strategy, planning considerations, special designations, special policies, use regulations, and density limitations Page 3-29 Chapter 3: Land Use, Community Design and Development Potential Existing Conditions Report

G. Upon adoption, the provisions of the Area Plan will supersede the six Community Plans and 51 Plan Area Statements that were previously adopted by Placer County and TRPA for the area. It will also replace two previously adopted Placer County General Plans From Implementing Regulations document pgs 1-156 on page 9 of the document Page 2 at bottom of the page

*All reports, studies, documentation, figures, tables, etc. must report data consistently to insure environmental analysis is accurately completed. TRPA website confirms 57 Plan Area Statements in Placer County. The Draft Area Plan EIR/EIS must reflect the correct information as well as being consistently reported in all reference materials and the NOP.*

The Alternatives Chapter 3 and Project Introduction Chapter 1 in the Draft EIR/EIS is incorrect in stating 51 PAS which must be corrected in the FEIR for the TBAP. See Plan Area Statement List below for accurate count.

100-1  
cont

### **3.4.1 Organization of the Area Plan**

The Area Plan consolidates and replaces the following planning documents: six community plans; the Placer County Standards and Guidelines for Signage, Parking and Design; 51 PASs; and two Placer County General Plans. The Area Plan consists of a policy document containing eight parts and a separate volume of implementing regulations. Background studies and reference documents used to prepare the Area Plan (such as an existing conditions report and a study prepared to consider economic development incentives for town centers) are included as appendices to the Area Plan. The elements of the Area Plan are summarized below.

- ▲ **Part 1. Introduction:** Provides an overview of the regulatory framework, planning process, and Area Plan content.
- ▲ **Part 2. Conservation Plan:** Describes current environmental conditions and outlines policies and programs to protect, preserve, and enhance the natural and cultural resources of the Plan area. Implements the Regional Plan at the local level to achieve and maintain environmental threshold standards. Topics addressed include water quality, soil conservation and land coverage, stream environment zones (SEZs), air quality, scenic resources, vegetation, fisheries and aquatic resources, wildlife resources, noise, cultural resources, and natural hazards.

Placer County/TRPA  
 Placer County Tahoe Basin Area Plan and Tahoe City Lodge Draft EIR/EIS

3-7

Page 2 of 16

Placer County Planning Commission July 28, 2016  
 Ellie Waller, Tahoe Vista Resident - Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039

July 25, 2016

## 1 INTRODUCTION

### 1.1 PROJECT DESCRIPTION

Placer County and the Tahoe Regional Planning Agency (TRPA) are jointly proposing to adopt the Placer County Tahoe Basin Area Plan (Area Plan), which addresses the portion of Placer County located within the Tahoe Basin, including portions of the north and west shores of Lake Tahoe.

With adoption of the Lake Tahoe Regional Plan in December 2012, TRPA created a new planning instrument, the area plan. Unlike plan area statements (PASs) and community plans, which describe allowable land uses for specific areas in the Tahoe Basin, area plans allow local governments and regulatory agencies to implement the Regional Plan at a smaller scale and with greater flexibility, allowing TRPA to focus on issues of regional environmental significance. Under the new planning system, multiple requirements—TRPA, local, state, and federal are addressed in a coordinated fashion through the Regional Plan and area plans. The result is greater planning and permitting efficiency, while retaining essential oversight by TRPA of large-scale projects and projects in more sensitive Tahoe Basin environments.

The proposed Area Plan was prepared and initiated by Placer County as an update to its land use regulations in the Tahoe Basin. It is intended to implement and achieve the environmental improvement and redevelopment goals of the Lake Tahoe Regional Plan and the TRPA/Tahoe Metropolitan Planning Organization (TMPO) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The Area Plan would also satisfy California's comprehensive long-term general plan requirements, and would serve as the General Plan for the Tahoe Basin portion of Placer County (California Government Code Section 65300 et seq.). Adoption of the Area Plan would supersede the following general plans, community plans, PASs, and related planning documents adopted to implement the 1987 Regional Plan, and relevant sections of the Placer County Zoning Ordinance:

- ▲ West Shore General Plan;
- ▲ Tahoe City Area General Plan;
- ▲ North Tahoe Area General Plan;
- ▲ Tahoe City Community Plan;
- ▲ Carnelian Bay Community Plan;
- ▲ Tahoe Vista Community Plan;
- ▲ Kings Beach Community Plan;
- ▲ Kings Beach Industrial Community Plan;
- ▲ California North State Line Community Plan;
- ▲ 51 PASs adopted for Placer County;
- ▲ Placer County Standards & Guidelines for Signage, Parking and Design; and
- ▲ Placer County Zoning Ordinance, Sections 17.02.050(D) and 17.56.202, and Appendices B, C, D, and F.

The proposed Area Plan largely carries forward the details of these existing documents into a single consolidated Area Plan; proposed changes are primarily focused within the TRPA-designated town centers in Tahoe City and Kings Beach. The Draft Area Plan is available for download and review at:

<http://www.placer.ca.gov/departments/communitydevelopment/planning/tahoebasinareeplan>.

The proposed Area Plan contemplates one near-term redevelopment project, the Tahoe City Lodge, and one environmental redevelopment design concept, the Kings Beach Center, both identified as initial opportunities to incentivize and facilitate redevelopment in these areas. The Tahoe City Lodge is proposed by a private developer, Kila Tahoe LLC, and would redevelop an existing commercial complex into a 118-unit lodge with a mix of hotel rooms and 1- and 2-bedroom suites, hotel amenities, and parking. The project

Placer County/TRPA  
 Placer County Tahoe Basin Area Plan and Tahoe City Lodge Draft EIR/EIS

1-1

100-1  
 cont

Placer County Planning Commission July 28, 2016

July 25, 2016

Ellie Waller, Tahoe Vista Resident - Comments for The Record

DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)

Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039

Plans by Jurisdiction	
	Placer Washoe Douglas
1	001A - Tahoe City CP
2	001B - Tahoe City Industrial
3	002 - Fairway Tract
4	003 - Lower Truckee
5	004 - Burton Creek
6	005 - Rocky Ridge
7	006 - Fish Hatchery
8	007 - Lake Forest Glen
9	008 - Lake Forest
10	009A - Lake Forest Commercial
11	009B - Dollar Hill
12	010 - Dollar Point
13	011 - Highlands
14	012 - North Tahoe High School
15	013 - Watson Creek
16	014 - Cedar Flat
17	015 - North Star
18	016A - Carnelian Woods
19	016B - Carnelian Bay Subdivision
20	017 - Carnelian Bay Community Plan
21	018 - Flick Point/Agate Bay
22	019 - Martis Peak
23	020 - Kingswood West
24	021 - Tahoe Estates
25	022 - Tahoe Vista CP
26	023 - Tahoe Vista Subdivision
27	024A - North Tahoe Recreation Area
28	024B - Snow Creek
29	025 - Kingswood East
30	026 - Kings Beach Industrial CP
31	027 - Woodvista
32	028 - Kings Beach Residential
33	029 - Kings Beach CP
34	031 - Brockway
35	032 - California North Stateline CP
36	152 - McKinney Lake
37	154 - Tahoma Residential
38	155 - Tahoma Commercial
39	156 - Chambers Landing
40	157 - Homewood/Tahoe Ski Bowl
41	158 - McKinney Tract
42	159 - Homewood/Commercial
43	160 - Homewood/Residential
44	161 - Tahoe Pines
45	162 - Blackwood
46	163 - Lower Ward Valley
47	164 - Sunnyside/Skyland
48	165 - Timberland
49	166 - Upper Ward Valley
50	167 - Alpine Peaks
51	168 - Talmont
52	169 - Sunnyside
53	170 - Tahoe Park/Pineland
54	171 - Tavern Heights
55	172 - Mark Twain Tract
56	173 - Granlibakken
57	174 - 64 Acre Tract

100-1  
cont



Placer County Planning Commission July 28, 2016  
 Ellie Waller, Tahoe Vista Resident - Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039

July 25, 2016

## **Example 2**

I stated in my NOP comments dated July 16, 2015 Pages 1/2 of 48

**4.1 Land Use Strategy** Page 1 Land Use Plan: page 71 on bottom of page  
 This Land Use Plan promotes redevelopment of the built environment, multi-modal transportation options and enhanced economic conditions. Regional Plan incentives for compact and environmentally sensitive redevelopment are applied in the Town Centers of Tahoe City, Kings Beach and North Stateline. Incentives to transfer development from sensitive lands and outlying areas to these Centers are also provided.

Page 1 of 48

---

Comments for the Record: Placer County Tahoe Basin Area Plan Part 4 Land Use Plan July 16, 2015  
 Ellie Waller: Member North Tahoe West Team and Tahoe Vista Resident

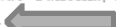
Additional amendments are implemented for the lower intensity Village Centers throughout the Plan area. In these traditionally commercial nodes, the Plan promotes mixed land uses, environmental gain and high quality design. Village Centers include Tahoma, Homewood, Sunnyside, Lake Forest/Dollar Hill, Carnelian Bay and Tahoe Vista.

*The Draft Area Plan EIR/EIS must disclose and list the specific amendments for lower intensity Village Centers and provide detailed criteria and environmental analysis for the amendments proposed for each of the Village Centers listed above.*

Below is what still remains in the Land Section Chapter 4 of the Area Plan. Tahoe Vista is now called a Community Center which adds much confusion. The FEIR should call it a Village Center as previously stated which is more in-line with other Village Centers: Page 71 as previously noted.

## **4.1 Land Use Strategy**

This Land Use Plan promotes redevelopment of the built environment, multi-modal transportation options and enhanced economic conditions. Regional Plan incentives for compact and environmentally sensitive redevelopment are applied in the Town Centers of Tahoe City, Kings Beach and North Stateline. Incentives to transfer development from sensitive lands and outlying areas to these Centers are also provided.

Additional amendments are implemented for the lower intensity Village Centers throughout the Plan area. In these traditionally commercial nodes, the Plan promotes mixed land uses, environmental gain and high quality design. Village Centers include Tahoma, Homewood, Sunnyside, Lake Forest/Dollar Hill, Carnelian Bay and Tahoe Vista. 

Another example of Tahoe Vista being cited as a Village Center but in Appendix B you also find Community Center. Community Center must be removed throughout the Area Plan, Draft EIR/EIS, Appendices, Implementing Regulations, etc. to provide clarity and consistency in FEIR.

100-1  
cont

Page 5 of 16

Placer County Planning Commission July 28, 2016

July 25, 2016

Ellie Waller, Tahoe Vista Resident - Comments for The Record

DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)

Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039

Appendix B Ascent Environmental

Change in Use Tables Associated with Mixed-Use Areas (Town Centers and Village Centers) - Key	
<p><b>Village Center Mixed Use Sub-Districts</b></p> <p>The smaller Village Centers of Tahoma, Homewood, Sunnyside, Lake Forest/Dollar Hill, Camellian Bay and Tahoe Vista contain a variety of uses but are not identified in the Regional Plan or eligible for its Town Center incentives. Village Centers face many of the same challenges as the larger Town Centers, including development in SEZs, excess land coverage, scenic non-attainment ratings and a general need for property upgrades.</p> <ol style="list-style-type: none"> <li>1. "MUN-" Mixed Use Neighborhood. Includes Dollar Hill (MUN-DH) and Lake Forest Glen (MUN-LFG).</li> <li>2. "MU-GW" Mixed Use Gateway West</li> <li>3. "MU-CCW" Mixed Use Community Center</li> <li>4. "MU-CCE" Mixed Use Community Center East</li> <li>5. "MU-NC" Mixed-Use Neighborhood Commercial</li> <li>6. Tahoma Village Center</li> <li>7. Homewood Village Center</li> <li>8. Sunnyside Village Center</li> </ol> <p><b>Use Category Symbols</b></p> <p>A = allowed use  C = subject to an Administrative Review Permit  S = requires a County Special Use Permit or TRPA special use  CUP = requires a Conditional Use Permit (CUP)  MUP = requires a Minor Use Permit (MUP)  (blank space) = prohibited</p> <p>Source: Placer County Tahoe Basin Area Plan Implementing Regulations Public Review Draft, Placer County, June 2015</p>	

**Example 3**

In the Implementing Regulations Section District Standards Chapter 2 Page 162-166 **TABLE 2.04.C-1: LAND USE REGULATIONS—NORTH TAHOE WEST MIXED-USE SUBDISTRICTS** confuses the reviewers as a header stating Town Center Sub-districts for North Tahoe West which is incorrect.

The table must be corrected for accuracy in all TBAP FEIR/EIS documentation.

Page 162 for example

TABLE 2.04.C-1: LAND USE REGULATIONS—NORTH TAHOE WEST MIXED-USE SUBDISTRICTS						
Use	Town Center Subdistricts					Add'l Regs
	MU-GW	MU-CCW	MU-CCE	MU-GE	MU-NC	
<b>Residential</b>						
Single Family Dwelling	MUP (2)	MUP (3)	MUP (3)	A (2)	A (1)	
Multiple Family Dwellings	MUP (2)	MUP (3)	MUP (3)	MUP (2)	MUP (1)	
Multi-Person Dwellings	MUP	MUP		MUP		
Employee Housing	MUP	MUP	MUP	MUP	MUP	
Residential Care		MUP		MUP		

Page 6 of 16

100-1  
cont

Placer County Planning Commission July 28, 2016  
 Ellie Waller, Tahoe Vista Resident - Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039

July 25, 2016

The number of inconsistencies alone should trigger re-circulation of the Tahoe Basin Area Plan DEIR/EIS (and other related documents) along with no environmentally superior alternative.

At a recent meeting on another Placer project a member of the Fast Tracks consultant group, to be hired by Placer to help the public navigate the TBAP, asked me where to find info. I suggested she spend several hours with a Placer staff person or Ascent. That speaks volumes to just how difficult the documentation is to navigate.

The Draft TBAP Environmental Impact documentation is basically focused on a singular project (The Tahoe City Lodge) which is precedent setting. That said, the environmental documentation assumes all proposed incentives and entitlements will be approved. I will have additional separate comments on the Lodge to insure they are adequately addressed.

The way in which the documentation is presented to reviewers is confusing. The Tahoe City Lodge project is an independent environmental analysis and should have been an appendix not co-mingled throughout the documentation. An appendix for the Tahoe City Lodge should be drafted and added to the TBAP FEIR/EIS for ease of commenting and clarity of the documentation, analysis performed and subsequent comments. Also triggering re-circulation.

### **CHAPTER 3 ALTERNATIVES**

Chapter 3 alternative descriptions do not identify or explain areas outside Town Centers in much detail but the TBAP DEIR/EIS provides in various chapters many anticipated changes even though the documentation has conflicting language that says the area outside town centers will be governed by the old Plan Area Statement information.

Examples:

Identification of Neighborhood Center: Carnelian Bay and Community Center (which should be Village Center) for Tahoe Vista or West Shore Village Center, etc. Implementing Ordinances adequately identifies those areas but the TBAP DEIR/EIS does not. The TBAP FEIR/EIS must include specificity.

This is not a Tahoe City Lodge centric proposal although most of the documentation is focused there. The rest of the Area Plan that is described in Table 3-6 Alternatives Comparison should be summarized in the alternative descriptions in the TBAP FEIR/EIS for clarity to the reviewers who may not review the project alternatives charts.

Alternative 1: Proposed Area Plan and Tahoe City Lodge: This alternative includes the proposed Area Plan as reflected in the June 2015 Public Review Draft and the refinements made in response to stakeholder input in the version released concurrent with this EIR/EIS, and the Tahoe City Lodge as submitted in the project application, with the exception of a more clearly defined project description, including details on the SEZ restoration area and a project scale of 118 lodge units (where 120 were included at the time of submittal) and proposed by the applicant.

Alternative 2: Area Plan with No Substitute Standards and Reduced Scale Lodge: This alternative applies the maximum development standards (e.g., height, density) allowed under the Regional Plan and

100-1  
cont

Placer County Planning Commission July 28, 2016

July 25, 2016

Ellie Waller, Tahoe Vista Resident - Comments for The Record

DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)

Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039

includes no specific Area Plan programs or substitute standards (e.g., special planning areas, commercial floor area [CFA] to tourist accommodation unit [TAU] conversion, non-contiguous project areas). Alternative 2 includes a modified and reduced-scale Tahoe City Lodge with a reduced number of lodging units.

Alternative 3: Reduced Intensity Area Plan and Reduced Height Lodge: This alternative would reduce the maximum coverage in town centers allowed under the Regional Plan and implement community-specific height standards with reduced lake side heights. Substitute standards would be implemented requiring higher environmental performance in some cases. The height of the Tahoe City Lodge would be reduced from four to three stories and the building footprint would be expanded to allow the same number of lodging units as the proposed project.

Alternative 4: No Project: This alternative would retain the existing community plans, PASs, and Placer County zoning with no changes; the Area Plan would not be implemented. This alternative does not include redevelopment of the Tahoe City Lodge project site, but reflects a condition in which the project applicant could renovate the existing commercial center to increase occupancy relative to existing conditions.

"Tahoe City Town Center Boundary: The Area Plan would modify the Tahoe City Town Center boundary to remove 7.12 acres of property surrounding the Fairway Community Center and the Placer County Tahoe City Wetlands Basin (a water quality wetland treatment area), and add 4.2 acres surrounding the Tahoe City Golf Course clubhouse. These changes would result in a net reduction of 2.91 acres in the town center. The Area Plan would also modify Regional Plan land use designations and zoning within the Tahoe City Town Center to change: (1) the land use designation of land added to the town center from Residential to Mixed Use; (2) the land use designation of the Placer County Tahoe City Wetlands Basin located adjacent to the golf course from Mixed Use to Recreation; and (3) the land use designation of the remainder of the Tahoe City Golf Course from Residential to Recreation. Exhibit 3-3 shows these proposed boundary and land use changes"

The net reduction allows for more coverage for the TC Golf Course clubhouse relocation as well as the TC Lodge. The environmental impact of the new clubhouse site and the TC Lodge has far more impacts than the net reduction touted. The TBAP FEIR/EIS must reflect the impacts versus the reduction if the boundary were to be changed and identify the baseline conditions before the boundary line change, clubhouse relocation and proposed TC Lodge. The clubhouse would not be moved or re-built if the boundary line adjustment is denied and a reduction in the TC Lodge project will also result with no boundary line change.

The TBAP FEIR/EIS must include individual tables reflecting impacts for (1) TC Golf Course clubhouse relocation and new construct (2) substitute standards (3) several special planning areas along with (4) Tahoe City community plan boundary line adjustment. Clearly identifying impact analysis for each of the four items listed above should trigger the need for re-circulation.

100-1  
cont

Placer County Planning Commission July 28, 2016  
 Ellie Waller, Tahoe Vista Resident - Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039

July 25, 2016

Implementing Regulations Chapter 1 (not to be confused with Chapter 8 Implementation Plan within the Tahoe Basin Area Plan DEIR)

1.02 **Authority**

Pursuant to the TRPA Regional Plan and Code of Ordinances, Chapter 13, Area Plans, the County adopts the regulations in this document to implement the Area Plan in the portions of Placer County located within the Lake Tahoe Regional Planning area.

1.03 **Applicability**

The provisions of this document apply to all land uses, development, and projects occurring within the Placer County Tahoe Basin Area Plan area. The boundaries of the Area Plan include all land within Placer County under the jurisdiction of TRPA.

- A. All development within the Tahoe Region is required by federal and State law to comply with the Tahoe Regional Planning Compact (Public Law 96-551), Regional Plan, Code of Ordinances, and other provisions of TRPA.
- B. No Area Plan may limit TRPA's responsibility to enforce the Tahoe Regional Planning Compact, Regional Plan, TRPA Code of Ordinances, or other plan or regulation adopted by TRPA.
- C. All regulations of the TRPA Code of Ordinances shall remain in effect unless superseded by the provisions of this Area Plan. This document supersedes Chapter 36, Design Standards, of the TRPA Code of Ordinances in the Mixed Use Subdistricts. This document supersedes Chapter 34, Driveway and Parking Standards and Chapter 38, Signs, of the TRPA Code of Ordinances in the entire Plan area.



## **36.2. APPLICABILITY**

### **36.2.1. General**

All projects shall comply with the standards set forth in this chapter, except as noted below. In addition, exempt activities, as identified in Chapter 2: *Applicability of the Code of Ordinances*, shall comply with Sections 36.6 (*Building Design Standards*), 36.9 (*Water Conservation Standards*), and 36.10 (*Standards for Combustion Appliances*).

### **36.2.2. Substitute Standards**

TRPA may adopt equal or superior substitute design standards pursuant to a community plan, redevelopment plan, specific plan, or master plan. Substitute design standards shall not apply to the review procedures and standards for projects in the shoreland. Appropriate provisions of TRPA's Design Review Guidelines and Scenic Quality Improvement Program may be considered as conditions of project approval. Substitute standards adopted by TRPA are listed below.



#### **A. Douglas County Substitutions**

The *Douglas County Community Plans, Design Standards and Guidelines*, August 1993, shall apply within the Round Hill Community Plan. The Douglas County South Shore Design Standards and Guidelines (August 2013) shall apply within the South Shore Area Plan.

#### **B. Placer County Substitutions**

The *Placer County Standards and Guidelines for Signage, Parking, and Design*, February 1993, shall apply to the Tahoe City, Carnelian Bay, Tahoe Vista, Kings Beach Commercial, and Kings Beach Industrial Community Plans.

100-1  
cont

Placer County Planning Commission July 28, 2016

July 25, 2016

Ellie Waller, Tahoe Vista Resident - Comments for The Record

DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)

Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039

TRPA Chapter 36 section 36.2.2 must be amended to add Area Plan(s) before substitue standards can be approved. The FEIR/FEIS must add that amendment to approvals.

#### REGIONAL PLAN IMPLEMENTATION MEASURES

The Area Plan includes redevelopment incentives and new development and design standards for mixed-use areas. These provisions are intended to implement Regional Plan policies promoting the redevelopment of existing town centers to improve aesthetic conditions, restore sensitive lands, enhance recreation opportunities, and improve multi-modal transportation options.

- ▲ **Maximum Building Height and Density:** The Area Plan designates Core Areas within town centers and Transition Areas along the periphery of town centers. As discussed below, the Area Plan includes additional scenic requirements that may reduce maximum building heights on the lake side of SR 28 or SR 89 (Table 3-2).

**Table 3-2 Area Plan Height and Density Standards**

	Town Center Core Areas	Town Center Transition Areas	Special Planning Areas	Outside of Town Centers
Height	56 feet and 4 stories	46 feet and 3 stories	No change unless performance standards are met. If performance standards are met the applicable Core or Transition area standards would apply, or other standards adopted through an Area Plan amendment.	TRPA Code Chapter 37
Tourist Density	40 units/acre	40 units/acre		Same as PAS or CP
Residential Density <sup>1</sup>	25 units/acre	25 units/acre		Same as PAS or CP

<sup>1</sup> Single-family residential is limited to one dwelling unit per acre.

Source: Placer County and TRPA 2015

- ▲ **Maximum Transferred Coverage:** Consistent with Regional Plan allowances within town centers, project sites that are greater than 300 feet from Lake Tahoe or on the mountain side of SR 89 or SR 28 could receive transferred coverage to a maximum of 70 percent coverage on high capability lands (land capability districts [LCDs] 4 through 7). Project sites within 300 feet of Lake Tahoe and on the lake side of SR 89 or SR 28 could receive transferred coverage to a maximum of 50 percent coverage on high capability lands.

Page 3-16 TBAP

There is NO TRPA Regional Plan analysis for height or density (tourist or residential) in what Placer County is calling a Town Center Transition Area. The TBAP FEIR/EIS must provide analysis of transition areas with further clarification that the lakeside side of the Area Plan in transition areas should not exceed 2 stories and mountainside 3 stories as requested by the North Tahoe West Area Plan team. A portion of the Kings Beach Town Center includes a transition area into Tahoe Vista where this must apply.

TRPA code specifically states Area of Community Plans outside Centers shall not be eligible for alternative height and density allowances. The undefined in current code of ordinances "transition area" is partially in Tahoe Vista and abuts to the North Tahoe West Plan and should have been part of that sub-district. Placer County never supplied information why the North Tahoe East and North Tahoe West boundaries were established and do not follow assessor recordation of the properties causing much confusion for realtors and developers.

Page 10 of 16

100-1  
cont

Placer County Planning Commission July 28, 2016  
 Ellie Waller, Tahoe Vista Resident - Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039

July 25, 2016

**CHAPTER 13: AREA PLANS**  
 13.5 Contents of Area Plans  
 13.5.3 Development and Community Design Standards for Area Plans

**TABLE 13.5.3-1: MINIMUM DEVELOPMENT STANDARDS FOR AREA PLANS**

TABLE 13.5.3-1: MINIMUM DEVELOPMENT STANDARDS FOR AREA PLANS											
Regional Land Use Districts	Wilderness	Backcountry	Conservation	Recreation	Resort Recreation	Residential	Mixed-Use	Tourist	Town Center Overlay	Regional Center Overlay	High-Density Tourist District Overlay
Height [3]	N/A	Sec. 37.4							Up to 4 stories (56 ft) max. [1]	Up to 6 stories (95 ft) max. [1]	Up to 197' max. [2]
Density SFD	Sec. 31.3										
Density MFD [3]	N/A	Sec. 31.3							With adoption of an Area Plan: - Residential: 25 units/acre (max.) - Tourist: 40 units/acre (max.)		
Land Coverage	Sec. 30.4 or Alternative Comprehensive Coverage Management System [See 13.5.3.B.1]										
Complete Streets	Sec. 36.5								[4]		

[1] With adoption of an Area Plan. To ensure compatibility with adjacent uses and viewshed protection, the findings in Sec. 37.16 shall apply.

[2] Limited to replacement structures, provided, the structures to be demolished and replaced are an existing casino hotel, with existing structures of at least eight stories, or 85 feet of height as measured from the lowest point of natural grade. Such structures shall also comply with Sec. 37.17.

[3] Areas of Community Plans outside of Centers shall not be eligible for the alternative height and density allowances authorized in Area Plans for Centers. Any existing project density approved pursuant to Section 31.4.3 may be retained in an Area Plan.

[4] Plan for sidewalks, trails, and other pedestrian amenities providing safe and convenient non-motorized circulation within Centers, as applicable, and incorporating the Regional Bike and Pedestrian Plan.

100-1  
cont

Placer County Planning Commission July 28, 2016

July 25, 2016

Ellie Waller, Tahoe Vista Resident - Comments for The Record

DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)

Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039

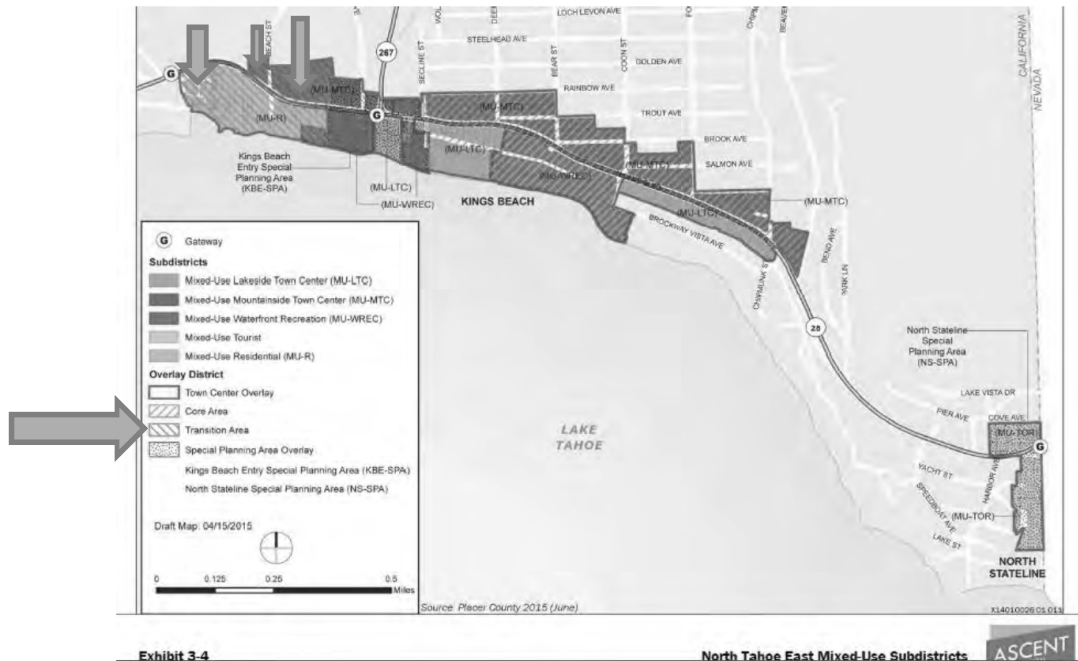


Exhibit 3-4

North Tahoe East Mixed-Use Subdistricts

100-1  
cont

The definition below states it's a lower-density sub-district and heights should be consistent with that definition and not at 46 on the lake side as the adjacent North Tahoe West sub-area recommends two (2) stories on the lakeside. Additionally, the tourist density should also be lessened as this area is not the center of the Town Center and abuts to the North Tahoe West sub-area and should reflect the current Plan Area Statements that have been adequately analyzed in the TRPA Regional Plan. Transition Areas were not defined or analyzed in the 2012 Regional Plan Update. The TRPA Code of Ordinances Chapter 90: Definitions must be amended to add "transition area".

- c. Mixed-Use Residential (MU-R). This subdistrict is intended to allow a variety of residential and nonresidential uses and provides a transition from surrounding, lower-density subdistricts to the Town Center. A mix of residential, tourist accommodation, retail, and recreational uses are allowed; however, nonresidential uses are limited west of Beach Street.
  - i. Special Designations. (See Section 3.14)
    - (1) Town Center
  - ii. Special Policies.
    - (1) Development is preferred in and directed toward Town Centers.
    - (2) This subdistrict should be maintained as a residential and tourist area.



Placer County Planning Commission July 28, 2016  
 Ellie Waller, Tahoe Vista Resident - Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039

July 25, 2016

**Project Description below on the Placer County web:**

**<https://www.placer.ca.gov/departments/communitydevelopment/envcoordsvcs/eir/tahoebasinap>**

**PROJECT DESCRIPTION:** The proposed Area Plan is a Placer County-initiated update to its land use regulations that apply in the Tahoe Basin. It would update the existing community plans, general plans, plan area statements, maps, and regulations in the Placer County portion of the Tahoe Basin and is being developed to implement the TRPA Regional Plan. Proposed amendments to existing plans, maps, and regulations are primarily focused within the TRPA-designated town centers in Tahoe City and Kings Beach. The proposed Area Plan contemplates one near-term redevelopment project, the Tahoe City Lodge, and one environmental redevelopment design concept, the Kings Beach Center, both identified as opportunities to incentivize and facilitate redevelopment in these areas. The Kings Beach Center design concept is a conceptual mixed-use redevelopment design on parcels owned by Placer County.

The Tahoe City Lodge would redevelop an existing commercial complex into a 118-unit lodge that would include a mix of hotel rooms and 1- and 2-bedroom suites, hotel amenities, and parking, as well as redevelopment of the existing clubhouse building and new shared-use parking at the Tahoe City Golf Course.

The language on the Placer County web and in the Draft TBAP EIR/EIS Introduction section is misleading to the reviewers stating the Tahoe City Golf Course clubhouse is redevelopment of the existing clubhouse when in reality it is proposed to be moved and re-built in its entirety at a different location. The language must be corrected in the TBAP FEIR/EIS and environmental analysis completed for the new location and building of the TC Golf Course clubhouse before approval of the FEIR/FEIS. The Draft EIR/EIS must be re-circulated as this is new information and analysis.

100-1  
cont

Project Description Page 1-1 and 1-2 of Introduction Draft TBAP EIR/EIS

The proposed Area Plan contemplates one near-term redevelopment project, the Tahoe City Lodge, and one environmental redevelopment design concept, the Kings Beach Center, both identified as initial opportunities to incentivize and facilitate redevelopment in these areas. The Tahoe City Lodge is proposed by a private developer, Kila Tahoe LLC, and would redevelop an existing commercial complex into a 118-unit lodge with a mix of hotel rooms and 1- and 2-bedroom suites, hotel amenities, and parking. The project

Placer County/TRPA  
 Placer County Tahoe Basin Area Plan and Tahoe City Lodge Draft EIR/EIS

1-1

Introduction

Ascent Environmental

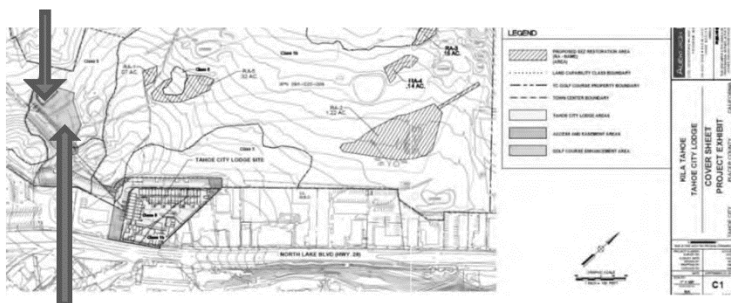


would also include redevelopment of the existing clubhouse building and new shared-use parking at the Tahoe City Golf Course. The Kings Beach Center is a conceptual mixed-use redevelopment design on parcels owned by Placer County.

Placer County Planning Commission July 28, 2016  
Ellie Waller, Tahoe Vista Resident - Comments for The Record  
DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039

July 25, 2016

NEW clubhouse location



Existing clubhouse location

The reason this article should be part of the public record for this hearing as future hearings on other projects that the public and agencies will be making is being compromised because there just isn't enough time being assessed between the projects released.

Please accept as public comment for the record July 13, 2016 TRPA Advisory Planning Commission and the July 27, 2016 TRPA Regional Plan Implementation Committee and Governing Board hearing on the Tahoe Basin Area Plan.

Opinion: Placer County needs to slow down its development process

<http://www.sierrasun.com/news/22576560-113/opinion-placer-county-needs-to-slow-down-its>

**Ellie Waller**  
**Opinion**

Back to: [News](#)  
June 21, 2016

## Opinion: Placer County needs to slow down its development process

To Placer County:

The citizens of North Lake Tahoe (along with environmental groups in Tahoe and surrounding region and local government agencies) are asking for your support for a fair public process.

We have been besieged with thousands of pages of environmental documentation and have responded in kind. We have asked that Placer slow down the approval process — to no avail — and give each project its due respect.

100-1  
cont

Placer County Planning Commission July 28, 2016

July 25, 2016

Ellie Waller, Tahoe Vista Resident - Comments for The Record

DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)

Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039

Final and draft environmental reports on three major projects that will affect the next 20 years in the Tahoe region have been released within a span 70 days.

The Placer County public process for responding to environmental documents is being abused by releasing several documents of several thousands of pages (EIR document, reference materials and studies add up) each for local government agencies, environmental groups and the public at-large to respond with comprehensive comments to inform the local elected officials.

I do not require a lot of sleep and can pass up a few meals but it's been hard to get a breath of fresh air trying to read all the documents. There are only 24 hours in a day.

Yes, the county is adhering to minimum requirements for response time but not taking into consideration the volume of information we are required to consume to provide comments.

What's the hurry? The three major projects listed below have been in the queue with one environmental consultant. The consultant completes their efforts and we get slammed!

The process is not allowing for a sufficient amount of time between each project. They are being overlapped with several meetings each month that we must attend or send in written comments to build an accurate record.

Furthermore, there are many other smaller, but just as important, projects in the pipeline for public comment and meeting attendance in Placer and Nevada County:

1) The Railyard Mixed-Use Development Master Plan in Truckee;

2) The Crown Motel (Laulima) redevelopment of 4.5 acres on lake and mountain sides of Highway 28 includes 117 lodging rooms, 34 residential units, and 5,500 square feet of commercial space in Kings Beach;

3) The Alpine-Squaw Gondola project: a new 8-person gondola (a design capacity of approximately 1,400 persons per hour in both directions) connecting the Alpine Meadows and Squaw Valley ski resorts;

4) And on-hold but will be released: The Brockway Campground — a 550-unit luxury camping experience with swimming pool and commercial space atop a Tahoe ridgeline at Brockway Summit abutting the Martis Valley West parcel Specific Plan.

Info on the three major projects can be found below. It's not too late to participate before the projects are approved, but beware — it's a time-consuming process just to address one project, let alone all three.

Meetings we know of:

July 7: Placer Planning Commission, subject TBD (Squaw or Martis Valley West) (Project DENIED)

July 13: TRPA Advisory Planning Commission will hear Tahoe Basin Area Plan

July 26: Placer Board of Supervisors Martis Valley West (tentative) now TBD

100-1  
cont

Placer County Planning Commission July 28, 2016

July 25, 2016

Ellie Waller, Tahoe Vista Resident - Comments for The Record

DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)

Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039

July 27: TRPA Governing Board and Regional Plan Implementation Committee (two presentations same day) on the Tahoe Basin Area Plan

July 28: Placer County Planning Commission, Tahoe Basin Area Plan

Aug. 9: Placer County Planning Commission, Squaw (tentative)

Aug. 11: North Tahoe Regional Advisory Council, Tahoe Basin Area Plan

Stay Tuned: Squaw and Martis Valley West will have meetings actually scheduled.

Below are shortened links to the environmental reports and more information on the three major aforementioned projects:

Tahoe Basin Area Plan (20-plus year update of community plans and a 120-unit hotel in Tahoe City) released June 15, Draft Environmental Impact Report: [bit.ly/28NfL9T](http://bit.ly/28NfL9T)

Martis Valley West Parcel Specific Plan Final Environmental Impact Report, released May 3: [bit.ly/28R5QPI](http://bit.ly/28R5QPI)

Village at Squaw Valley Specific Plan Final Environmental Impact Report, released April 7: [bit.ly/28LywvL](http://bit.ly/28LywvL)

Ellie Waller is a Tahoe Vista resident.

100-1  
cont

Placer County Planning Commission July 28, 2016

July 25, 2016

Ellie Waller, Tahoe Vista Resident - Comments for The Record

DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)

Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039

Tahoe City Lodge Specific comment

At the June 9, 2016 Placer Planning Commission meeting an owner (Aaron Rudnick) of the Bechdolt Building spoke during public comment requesting assistance from Placer staff on boundary line issues with the former Hendriksen Building and newly proposed Tahoe City Lodge by Kila Properties. Mr. Rudnick stated that the Tahoe City Lodge is now planning a difference entrance for the Lodge property which utilizes an encroachment for ingress and egress which is the Bechdolt property. Mr. Rudnick also stated this has been an issue for many years and now is the ripe for being officially corrected. A new survey of both properties must be completed and new Lodge proposal drawings done with corrected property boundaries before the TC Lodge can go forward. This is another cause that triggers the necessity to re-circulate the Placer Tahoe Basin Area Plan DEIR/EIS. The TBAP FEIR/EIS must include corrected and approved surveyed boundary lines for Tahoe City Lodge Project Area and all properties abutting the project to insure accurate boundary lines are being used and coverage calculations are accurate.

With all that said and other comments I believe the Tahoe City Lodge alternative for 56 units is the only alternative that correctly uses the current TRPA ordinances for density. The project site is 1.4 acres which allows 40 units per acre. 1 acre = 40 units + .4 acres = 16 units for a total of 56 units

**CHAPTER 13: AREA PLANS**

## 13.5 Contents of Area Plans

## 13.5.3 Development and Community Design Standards for Area Plans

TABLE 13.5.3-1: MINIMUM DEVELOPMENT STANDARDS FOR AREA PLANS											
Regional Land Use Districts	Wilderness	Backcountry	Conservation	Recreation	Resort Recreation	Residential	Mixed-Use	Tourist	Town Center Overlay	Regional Center Overlay	High-Density Tourist District Overlay
Height [3]	N/A	Sec. 37.4							Up to 4 stories (56 ft) max. [1]	Up to 6 stories (95 ft) max. [1]	Up to 197' max. [2]
Density SFD	Sec. 31.3										
Density MFD [3]	N/A	Sec. 31.3							With adoption of an Area Plan: - Residential: 25 units/acre (max.) - Tourist: 40 units/acre (max.)		

## Range of Alternatives

As described above, the Tahoe City Lodge is proposed in conjunction with the Placer County Tahoe Basin Area Plan, which assumes that the county and TRPA will adopt the Area Plan, thereby providing the incentives upon which the project relies. However, the Tahoe City Lodge could be approved even if the county and TRPA do not adopt the Placer County Tahoe Basin Area Plan. To do so, however, the Tahoe City Lodge would require amendments to the Regional Plan and Code of Ordinances, as well as several planning documents associated with the 1987 Regional Plan. It is anticipated that TRPA would need to amend PAS 002 (Fairway Tract) and the Tahoe City Community Plan to provide the same density

July 25, 2016

The Tahoe City Lodge Project requires the expansion of the TC community plan boundary line adjustment which is not a given and it depends upon utilization of acreage from public linear facility parking and golf course. The clubhouse further confuses the reviewers as it should be a separately analyzed project as it is being relocated and newly built and has not been analyzed in the TBAP DEIR/EIS. Furthermore, a parking needs assessment must include new clubhouse and uses, lodge parking, golfers, winter uses parking for ice rink, sled hill, etc. to accurately assess if parking is adequate for all uses and a table provided showing the assessment by season and use in the TBAP FEIR/EIS.

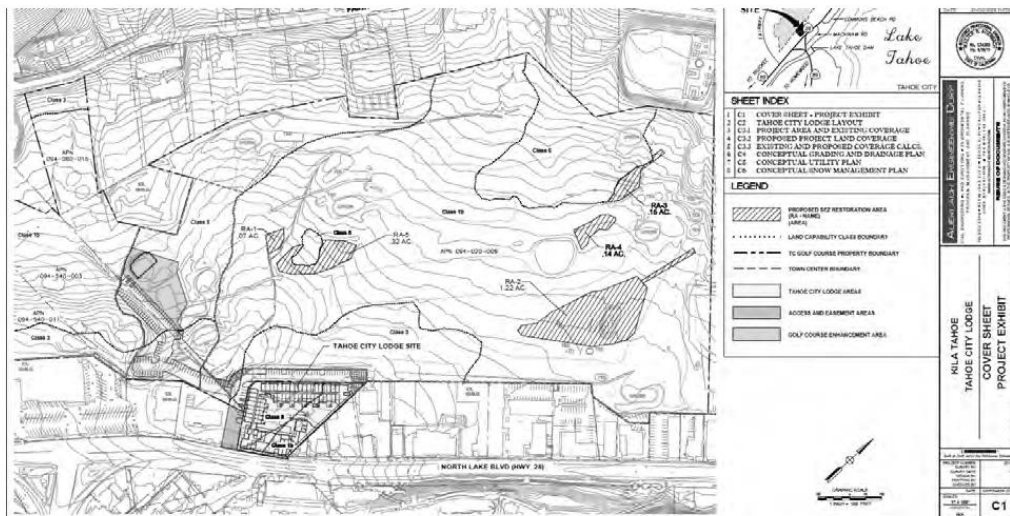
## Appendix D

100-2  
cont

The reduction in coverage does not take into account the actual science and functionality of the Stream Environment Zone (SEZ) that is being swapped and no environmental analysis was completed in the Draft TBAP EIR/EIS. The Draft TBAP EIR/EIS must be re-circulated to include analysis and proof that there is a net gain of 2.9 acres of **functioning** SEZ.

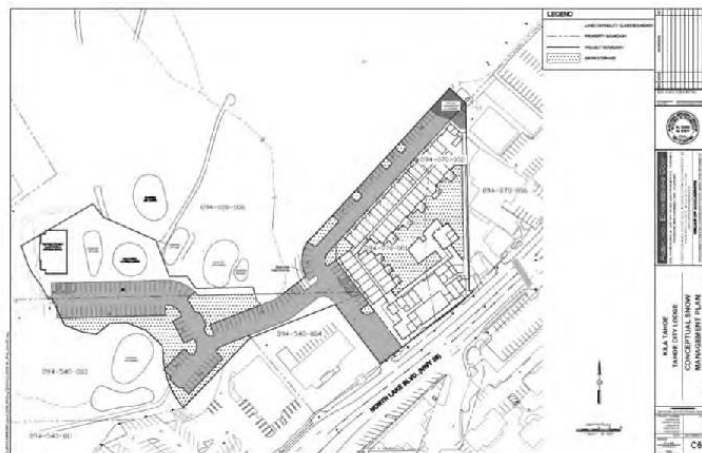
Placer County Planning Commission July 28, 2016  
 Ellie Waller, Tahoe Vista Resident - Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Tahoe City Lodge Specific comment

July 25, 2016



C1 above shows Access and Easement in turquoise. The snow storage map below shows using the access and easement. The project must store snow on project site and not shared parking lot. The TBAP FEIR/EIS must define ownership of access (ingress/egress proposed for TC Lodge and golf course) and easement and provide new diagrams not using that location for snow storage and that the project site can adequately store snow or remove and relocate to another location.

100-2  
cont



Placer County Planning Commission July 28, 2016

July 25, 2016

Ellie Waller, Tahoe Vista Resident - Comments for The Record

DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)

Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039

Tahoe City Lodge Specific comment

Background information: A land capability challenge was completed which ironically supports changes to stream environment zones in favor of additional coverage for the proposed Tahoe City Lodge and relocation of the Tahoe City Golf Course clubhouse. I attended the TRPA Hearings Officer meeting, on-site meeting at the golf course and expressed my concerns about the land capability challenge results and benefits to the proposed Tahoe City Lodge and Golf Course.

The Hearings Officer, Jim Batege: former Executive Director of TRPA, asked the applicant of the land use challenge why the maps I provided of the proposed Tahoe City Lodge (below) were not submitted as part of the review? All information should be provided. The land capability challenge was too conveniently completed prior to the Tahoe City Lodge and Golf Course clubhouse relocation proposals were released in the TBAP. The challenge was very specific to benefit both proposed projects.

Information below was provided to the TRPA Hearings Officer July 22, 2015

Comment for the Record Tahoe Basin Area Plan NOP Ellie Waller, Tahoe Vista Resident July 22, 2015  
Tahoe City Lodge Project and Special Planning Area # 2 ( GB board testimony July 22, 2015)



Land surrounding the proposed challenge has previously been changed with Tahoe City Golf Course challenge in April 2014 from 1b to Class 3 where proposed shared parking will be located. An approximation of where change was made is demonstrated- refer to actual change on PROPOSED Challenge map.

Other previous changes with the TCGC challenge will result in: 1). TCGC clubhouse being located in Class 5 entirely where it was partially Class 1b. 2) proposed shared golf course/lodge parking location changed from 1B and Class 5 to Class 3..

The TC Lodge project and golf course require detailed analysis and should not be part of the Draft Area Plan EIR/EIS.

The map provided above, with a professional engineered overlay, must be included in the Draft Area Plan EIR/EIS as well as the Tahoe City Lodge Draft EIR/EIS Area Plan to provide clarity for public/agencies comment and insure accurate and extensive environmental analysis.

The independent land capability challenge changes for the golf course and The Tahoe City Lodge project are intertwined but have not been reviewed as a proposed project. The letter of intent between the Lodge and TCGC should also be discussed for clarity.

Page 1 of 4

100-2  
cont



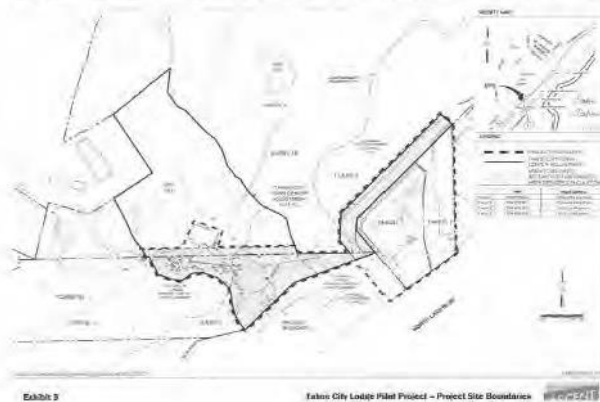
Placer County Planning Commission July 28, 2016  
 Ellie Waller, Tahoe Vista Resident - Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
**Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039**  
 Tahoe City Lodge Specific comment

July 25, 2016

Comment for the Record Tahoe Basin Area Plan NOP Ellie Waller, Tahoe Vista Resident July 22, 2015  
 Tahoe City Lodge Project and Special Planning Area # 2 ( GB board testimony July 22, 2015)

Allowing 120 units on a 1.4 acre site though calling the site 3.1 acres is confusing and misleading and too many units for less than 1.5 acres where only 1/2 of the units would be allowed without the additional acreage calculation.

The Tahoe City Lodge site includes 2 parcels as noted in the NOP documentation above and diagram below but will use acreage from off-site shared easement and call it 3.1 acres



### 1.2.1 Tahoe City Lodge Pilot Project

#### PROJECT LOCATION

The approximately 3.1-acre Tahoe City Lodge Pilot Project site is situated east of the intersection of SR 28 and SR 89 near the western entrance to Tahoe City (Exhibit 1). The site is located at 255 and 265 North Lake Boulevard and includes Assessor Parcel Numbers (APNs) 094-070-001 and 094-070-002, which comprise approximately 1.4 acres. The project site also includes two existing easements on adjacent properties (a 0.5-acre easement from the Tahoe City Golf Course and a 0.1-acre easement from the parcel to the west of the project site) and 1.1 acres of the Tahoe City Golf Course.

#### PROJECT OVERVIEW

The Tahoe City Lodge Pilot Project proposes to redevelop an existing commercial complex into a 120-unit lodge that would include a mix of hotel rooms and 1- and 2-bedroom suites, conference facilities, a lobby, an activity center, a roof-top swimming pool and hot tub, a recreation room (including workout equipment), food and beverage facilities, as well as parking. The project would operate as a "condo hotel" meaning that the 1- and 2-bedroom suites would be sold to private individuals. However, it is anticipated that nearly all of these units would be put into a rental pool and be rented out through the hotel, subject to Transit Occupancy Tax (TOT) like other hotel rooms. The Tahoe City Lodge Pilot Project site boundaries are shown on Exhibit 3, and Exhibit 4 shows the proposed site plan. Lodging unit sizes would range from approximately 300 to 1,000 square feet.

Page 2 of 4

100-2  
cont

Page 5 of 22

Placer County Planning Commission July 28, 2016

July 25, 2016

Ellie Waller, Tahoe Vista Resident - Comments for The Record

DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)

**Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039**

Tahoe City Lodge Specific comment

Comment for the Record Tahoe Basin Area Plan NOP Ellie Waller, Tahoe Vista Resident July 22, 2015  
Tahoe City Lodge Project and Special Planning Area # 2 ( GB board testimony July 22, 2015)

Tahoe City Lodge recent land capability challenge. I attended the Hearings Officer meeting July 9 for a requested change from SEZ 1b to Class 5 for the Lodge location. Staff included information that did not show the recent 2014 challenge info for the adjacent Tahoe City Golf Course which changed 1b to Class 3 bordering this project in April 2014 but instead showed the lands as all 1b surrounding the property. That challenge change will benefit this project and shared golf course and lodge parking.

I presented maps (handed out) to the Hearings Office who stated to staff that they should have been used for the challenge and when the project comes forth, should be the most up to date info. I'm bringing this to your attention as this is a highly unusual process with the proposed Lodge project that has an agreement and requests for easement acreage to allow up to 40 units per acre on approx. 1.4 acres.

The independent land capability challenge changes for the golf course and The Tahoe City Lodge project are intertwined but have not been reviewed as a proposed project and will have to be analyzed as part of the Placer Area Plan environmental documentation but should have been done as one challenge showing the project intent.

The agreement between the Lodge and TCGC should also be discussed for clarity.

I am requesting that the Tahoe City Lodge project come before you as a Board with more detail disclosing what is necessary to get this project on the ground i.e. Area Plan incentives from the Town Centers, The Tahoe City Golf Course Boundary line change to be included as a Community Plan Boundary change as well as a Special Planning Area #2 approval and much more. I believe the complexity of issues will get glossed over/frankly lost with the enormity of the proposed changes in the Placer County Area Plan approval process.

Also note the date of the TCPUD letter of intent to transfer assets is the same time as the TC Golf Course Land Capability Challenge approval.

100-2  
cont

Page 3 of 4

Page 6 of 22

Placer County Planning Commission July 28, 2016

July 25, 2016

Ellie Waller, Tahoe Vista Resident - Comments for The Record

DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)

Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039

Tahoe City Lodge Specific comment

Comment for the Record Tahoe Basin Area Plan NOP Ellie Waller, Tahoe Vista Resident July 22, 2015  
Tahoe City Lodge Project and Special Planning Area # 2 ( GB board testimony July 22, 2015)

#### TCPUD Policy Statement Regarding Transfer of Assets

TCPUD is willing to negotiate for use or transfer of Tahoe City Golf Course assets and consider entering into public-private partnerships to facilitate redevelopment of the Tahoe City commercial core under the following guidelines and understandings:

- ❑ TCPUD holds title to the Tahoe City Golf Course pursuant to the terms of a Memorandum of Understanding with Placer County, North Lake Tahoe Resort Association and the Truckee Tahoe Airport District (Partners). Any negotiation for use or transfer of assets must address the individual Partners' purposes for their financial contributions to the acquisition.
- ❑ Any proposal to transfer assets must also preserve a viable golf course and winter sports park, allow for additional public recreation, preserve water rights and not preclude the ability to construct a water treatment plant in the future.
- ❑ TCPUD will rely upon the Partners' recommendations for transfer of those assets that are unrelated to TCPUD's purposes.
- ❑ The public must benefit from the value of any assets used or transferred.
- ❑ Once the Partners' recommendations and goals are met, the buyout provisions in the MOU will be revised or eliminated to reflect the commensurate change in values.
- ❑ Any future agreements will be subject to public review and disclosure consistent with the Brown Act.

Approved by the Board of Directors 4/18/2014

#### References:

[http://www.trpa.org/wp-content/uploads/TCPUD-Golf-Course\\_Staff-Summary\\_UPDATED1.pdf](http://www.trpa.org/wp-content/uploads/TCPUD-Golf-Course_Staff-Summary_UPDATED1.pdf)  
Tahoe City Golf Course Land Capability Challenge March 2014 Hearings Officer Mtg

[http://www.trpa.org/wp-content/uploads/ITEM-NO.-V.C.-KILA-TAHOE\\_LCC.pdf](http://www.trpa.org/wp-content/uploads/ITEM-NO.-V.C.-KILA-TAHOE_LCC.pdf)  
Kila Properties Land Capability Challenge Hearings Officer Mtg July 2015

100-2  
cont

Page 4 of 4

Page 7 of 22

Placer County Planning Commission July 28, 2016

July 25, 2016

Ellie Waller, Tahoe Vista Resident - Comments for The Record

DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)

Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039

Tahoe City Lodge Specific comment

**Table 3-1 Area Plan Performance Standards for Special Planning Areas**

Special Planning Area	Performance Standards
Tahoe City Western Entry	<ul style="list-style-type: none"> <li>▲ Remove coverage and restore SEZ areas within 30 feet of the Truckee River high water mark.</li> <li>▲ Provide a multi-use public trail connection and other public access amenities within 30 feet of the Truckee River high water mark.</li> </ul>
Tahoe City River District	<ul style="list-style-type: none"> <li>▲ Demonstrate compatibility with SR 89/Fanny Bridge pedestrian operational plans.</li> </ul>
Tahoe City Golf Course	<ul style="list-style-type: none"> <li>▲ Restore disturbed SEZ at a ratio of 1 sq. ft. of restored SEZ for each sq. ft. of the SPA included in a project area. Half of the restored SEZ must be within 0.5 mile of the project area and the other half must be within the same Hydrologically-Related Area (HRA).</li> </ul>

Placer County/TRPA  
Placer County Tahoe Basin Area Plan and Tahoe City Lodge Draft EIR/EIS

3-15

The Draft TBAP EIR/EIS further confuses the reviewers requesting that the Tahoe City Golf Course be designated as a Special Planning Area as well as being an integral part of the Tahoe City Lodge Project. The TBAP FEIR/EIS must clarify if the disturbed SEZ restoration for the golf course must be completed by the Tahoe City Lodge project or the golf course independently. It is not clear that "a project area" is the Tahoe City Lodge as stated above.

100-3

### C. Allocations to Sensitive Lands

Allocations of commercial floor area to projects located in land capability districts 1, 2, 3, or 1b (Stream Environment Zone) shall not be permitted unless:

1. The allocation is matched by a transfer from an equal or more sensitive land capability district at a ratio of one square foot of commercial floor area allocation to two square feet of transferred commercial floor area; or,
2. The parcel receiving the allocation is in an area covered by an adopted community plan where one or more SEZ restoration projects have been completed and the local jurisdiction has submitted an EIP project list pursuant to the residential allocation requirements in subparagraph 50.5.2.E.

Placer County Planning Commission July 28, 2016  
 Ellie Waller, Tahoe Vista Resident - Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Tahoe City Lodge Specific comment

July 25, 2016

**CHAPTER 21: PERMISSIBLE USES**  
 21.5 Existing Uses  
 21.5.1 Right to Continue Existing Uses

**TABLE 21.4-A: LIST OF PRIMARY USES AND USE DEFINITIONS**

USE	DEFINITION
Stream environment zone restoration	The reestablishment of the natural functions of areas that, prior to modification, were directly influenced by the presence of surface water or near surface groundwater and that have been identified by TRPA as a stream environment zone. Reestablishment includes activities such as the removal of fill material or other encroachments, recontouring, revegetation, or restoration of physical, chemical, and biological attributes. The natural functions of an SEZ include the reestablishment of natural floodplains, the provision of wildlife habitat, protection of the soil resource, and filtration of nutrients and sediments from tributary or storm runoff.

100-3  
cont

The Tahoe City Lodge is proposing restoration at a 1:1 ratio. This project is asking for extraordinary measures and must be required to restore SEZ at a greater ratio and provide criteria and proof of restoration to a functioning SEZ. Furthermore, the Draft TBAP EIR/EIS does not clarify if commercial floor area is being transferred which requires it meet TRPA code section above.

The table below provides a reasonable request for the ratio to be changed (in the TBAP Final EIR/EIS) to a minimum of 1:2 restoration based on land capability and other extraordinary measures required to approve the Tahoe City Lodge and Tahoe City Golf Course clubhouse relocation and new building.

**CHAPTER 51: TRANSFER OF DEVELOPMENT**  
 51.5 Transfer of Existing Development  
 51.5.4 Limitations

**TABLE 51.5.3-1: TRANSFER OF EXISTING DEVELOPMENT TO CENTERS[1]**

Step 1: Determine applicable transfer ratio based on sending parcel.	
Sending Parcel	Transfer Ratio
SEZ	1:3
Other Sensitive Lands	1:2
Non-Sensitive Lands	1:1
Step 2: For transfers of existing residential development, determine additional transfer ratio based on distance from centers and/or primary transit routes.	
Distance	Additional Transfer Ratio
Less than ¼ mile, or on the lake-ward side of primary transit routes	1:1
¼ mile to ½ mile	1:1.25
½ mile to 1 mile	1:1.5
1 mile to 1½ mile	1:1.75
Greater than 1½ mile	1:2
Step 3: Multiply the applicable ratios from Steps 1 and 2 to determine the applicable transfer ratio.	

[1] The provisions of Step 2 only apply to residential development, not commercial floor area or tourist accommodation units. The multiplier in Step 3 only applies to the number of units, not to building size or coverage.

**51.5.4 Limitations**

100-4

Placer County Planning Commission July 28, 2016

July 25, 2016

Ellie Waller, Tahoe Vista Resident - Comments for The Record

DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)

Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039

Tahoe City Lodge Specific comment

The TBAP Draft EIR/EIS does not clearly identify how the project will obtain residential unit commodities for the condo units and what mitigations will need to be completed if the following TRPA code is being applied. The Final TBAP EIR/EIS must provide detailed clarification.

**B. Mitigation Measures**

Projects proposing the use of multi-residential bonus units shall receive a score only when one or more of the mitigation measures in Table 52.3.3-1 are proposed as part of the project. Any combination of the measures in the table may be proposed. Only those mitigation measures that would not otherwise be required by the Code shall be considered in determining the score received by a project. This subparagraph establishes the maximum number of points that may be awarded for each mitigation measure. If a proposed mitigation measure satisfies the requirements of two or more of the mitigation measures listed below, points shall be awarded based on the mitigation measure resulting in the highest score. The total point score shall be rounded down to a number that is a multiple of ten.

**TABLE 52.3.3-1: SCORE FOR MITIGATION MEASURES FOR RESIDENTIAL BONUS UNITS**

Mitigation Measure		Score
Participation in a transportation EIP project (see Chapter 15: <i>Environmental Improvement Program</i> )		(Project cost divided by \$8,000) x 10 points
Participation in a water quality EIP project (see Chapter 15: <i>Environmental Improvement Program</i> )		(Project cost divided by \$8,000) x 10 points
Provision of stream environment zone restoration pursuant to EIP Program (excluding restoration required as mitigation for new SEZ disturbance)		(Project cost divided by \$8,000) x 20 points
Retirement of an undeveloped parcel located in Land Capability Districts 1a, 1b (SEZ), 1c, 2, or 3 (see Chapter 51: <i>Transfer of Development</i> )	Parcel in 1a, 1c, 2, or 3	10 points per transferred unit
	Parcel in 1b (SEZ)	30 points per transferred unit
Transfer of existing residential unit and retirement of the parcel in accordance with Chapter 51	Parcel in 1a, 1c, 2, or 3	10 points per transferred unit
	Parcel in 1b (SEZ)	40 points per transferred unit
New access to public recreation areas, lakes, streams, or vista points to which access was previously nonexistent		(Project cost divided by \$8,000) x 10 points (maximum 50 points)
Projects proposing less land coverage than the maximum amount otherwise allowed in accordance with Chapter 30: <i>Land Coverage</i>		One point for each such reduction of 600 square feet onsite
Participation in projects identified in the TRPA-approved Scenic Quality Improvement Program and/or the EIP		(Project cost divided by \$8,000) x 10 points

**TRPA Code of Ordinances**

Adopted by Governing Board December 12, 2012 | Amended November 4, 2015 | Page 52-2

100-5

Placer County Planning Commission July 28, 2016  
 Ellie Waller, Tahoe Vista Resident - Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Tahoe City Lodge Specific comment

July 25, 2016

#### 4. Alternative Transfer Ratios for Development Rights

Within a Stream Restoration Plan Area as depicted in Map 1 in the Regional Plan, an Area Plan may propose to establish alternative transfer ratios for development rights based on unique conditions in each jurisdiction, as long as the alternative transfer ratios are determined to generate equal or greater environmental gain compared to the TRPA transfer ratios set forth in Chapter 51: *Transfer of Development*.

#### TRPA Code of Ordinances

Adopted by Governing Board December 12, 2012 | Amended November 4, 2015 | Page 13-5

The Draft TBAP EIR/EIS provides no clarity of alternative transfer ratio that provide equal or greater environmental gain and must be completed in the TBAP FEIR/EIS.

The Draft TBAP EIR/EIS fails to provide adequate information or a Table breaking down how land coverage and land capability of the various Tahoe City Lodge project components allow for 118 units in 1.4 acres versus including the Tahoe City Golf Course property boundaries to equal 3.9 acres. The TBAP FEIR/EIS must disclose this critical information to insure all environmental analysis has accurately been completed.

#### 30.4.1. Base Allowable Land Coverage

##### A. Base Allowable Land Coverage Coefficients

The base allowable land coverage shall be determined by using the coefficients set forth in *Land Capability Classifications of the Lake Tahoe Basin*, Bailey, R. G. 1974. These coefficients are:

TABLE 30.4.1-1: BASE ALLOWABLE LAND COVERAGE COEFFICIENTS	
Lands Located in Land Capability District*	Base Allowable Land Coverage
1a, 1b, 1c	1%
2	1%
3	5%
4	20%
5	25%
6, 7	30%

\* Lands located in Geomorphic Group I are classified Land Capability District 1 and are permitted one percent coverage.

##### B. General Rule and Exceptions

The coefficients shall be applied to the project area in accordance with subparagraph C, except as provided below.

##### 1. Parcels in TRPA-Approved Subdivisions in Conformance with the Bailey Coefficients

In TRPA-approved subdivisions where TRPA applied the coefficients on a subdivision-wide basis and allowable coverage was assigned to individual parcels, the assigned coverage shall be the base allowable land coverage for those parcels. The list of TRPA-approved subdivisions in conformance with Bailey coefficients is provided in Attachment D to the Goals and Policies.

#### TRPA Code of Ordinances

Adopted by Governing Board December 12, 2012 | Amended November 4, 2015 | Page 14-7

100-5  
cont

100-6

Placer County Planning Commission July 28, 2016  
 Ellie Waller, Tahoe Vista Resident - Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Tahoe City Lodge Specific comment

July 25, 2016

The Draft TBAP EIR/EIS fails to provide information on proposed CFA and TAU Bonus unit program. The TBAP FEIR/EIS must disclose this critical information to insure all environmental analysis has accurately been completed.

**50.10.8. Commercial Floor Area/Tourist Bonus Unit Conversion Pilot Program**

Notwithstanding any other contrary provisions of Chapters 50 and 51, this pilot program allows for the reservation, conversion, allocation, and transfer of Commercial Floor Area (CFA) and tourist bonus units.

**TRPA Code of Ordinances**

Adopted by Governing Board December 12, 2012 | Amended November 4, 2015 | Page 50-29

**CHAPTER 50: ALLOCATION OF DEVELOPMENT**

**50.10 Ection of Conversion of Use**

**50.10.7 Uses to Provide Deed-Restricted Affordable Housing Projects**

**A. Reservation of Bonus CFA or Tourist Bonus Units.**

1. Potential applicants may submit letters of intent to apply for bonus CFA or tourist bonus unit reservations upon TRPA Governing Board approval of this pilot program until March 27, 2016. All reservation letters received during this period shall be reviewed and ranked according to the criteria below by the Governing Board. The applicants with the highest ranked letters of intent will be allowed to reserve bonus units to the extent bonus units are available from TRPA. TRPA shall rank the letters of intent on the following criteria:
  - a. Amount of nutrient and fine sediment pollutant reduction and stream environment zone and other sensitive land restoration;
  - b. Additional Threshold or community benefits; and
  - c. Status of land acquisition and likely maintenance of restoration benefit.

Successful potential applicants shall complete their reservation applications pursuant to Section 50.10.8.B below within 18 months of Governing Board action on their letter of intent.

2. If the letter of intent process does not exhaust the available supply of bonus CFA or tourist bonus units, additional reservation applications may be submitted after March 27, 2016 and considered by the Governing Board under the criteria of Section 50.10.A.1 (a)-(c).
3. Sending site project areas for reservation requests shall be limited to contiguous parcels and requests shall describe the number of CFA and/or tourist bonus units that could be feasibly earned as a result of the sending site restoration according to Section 51.5: *Transfer of Existing Development*.

**B. All applicants for CFA and tourist bonus units either reserved per A.1 or submitted per A.2, above, shall provide the following within 18 months from the date of reservation approval per A.1.**

1. Submit a complete application for a TRPA permit for any demolition and restoration of the sending site project area; and

100-7



Placer County Planning Commission July 28, 2016  
 Ellie Waller, Tahoe Vista Resident - Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Tahoe City Lodge Specific comment

July 25, 2016

The Draft EIR/EIS fails to provide clarification if the the Tahoe City Lodge is using transfers of development as listed below and meet the 25% or greater reduction in existing land coverage and restoration. The project states it will increase local VMT, requires an increase in parking as a shared used use with the Golf Course and all it's associated recreational and clubhouse parking needs, will increase cubic volume of the existing buldings. The TBAP FEIR/EIS must disclose this critical information to insure all environmental analysis has accurately been completed.

CHAPTER 51: TRANSFER OF DEVELOPMENT  
 51.5 Transfer of Existing Development  
 51.5.2 Requirements

- H. The proposed transfer shall be evaluated for adverse impacts using the IEC and the addenda developed by TRPA for transfer and shall not be permitted if adverse impacts cannot be mitigated.
- I. The receiving parcel shall have a building site that is determined to be in Land Capability Districts 4, 5, 6, or 7; or, if applicable, in the top rank under IPES unless:
  - 1. There is a 25 percent or greater reduction in existing land coverage and restoration on the receiving parcel and there is no increase in vehicle trips, parking, cubic volume of the structures, or adverse impacts; or
  - 2. The transfer of units from a commercial, tourist, or residential use to a site inside a designated community plan area is from sensitive lands to an equal or less sensitive land capability district, and a reduction of land coverage and restoration occurs at the receiving site or sending site equal to 300 square feet of land coverage per tourist unit transferred, 1,200 square feet of land coverage per residential unit transferred, or one square foot of land coverage per square foot of commercial floor area transferred; or
  - 3. The transfer of commercial floor area from nonsensitive lands to a site inside a designated community plan area results in a reduction of land coverage and restoration on the receiving site or like sensitive lands in the watershed at a ratio of one square foot of transferred floor area to two square feet of land coverage reduced.
- J. Existing residential development shall not be transferred to any parcel that is below the initial level defining the top rank under IPES (726) unless the number of vacant parcels in the top rank at the time of the proposed transfer is less than one-half the total inventory in that jurisdiction.
- K. Transfers of tourist accommodation units (TAUs) shall comply with the conditions below.
  - 1. Transferred TAUs may be used to entitle, on a one-to-one basis, for the unit sizes described in subparagraph 2. below, provided the proposed project (receiving site) will be a professionally managed tourist accommodation facility containing three or more of the following on-site guest amenities or services:
    - a. Front desk/check-in/lobby
    - b. Business center
    - c. Spa services
    - d. Fitness facility
    - e. Restaurant
    - f. Bar
    - g. Conference space
    - h. Concierge's services

100-8

TRPA Code of Ordinances

Adopted by Governing Board December 12, 2012 | Amended November 4, 2015 | Page 51-5

Placer County Planning Commission July 28, 2016  
 Ellie Waller, Tahoe Vista Resident - Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Tahoe City Lodge Specific comment

July 25, 2016

The Tahoe City Lodge will not qualify for density or coverage benefits and be restricted to current TRPA RPU height and 56 units if the Tahoe City Golf Course is not brought into the Community Plan Boundary and will also not comply with non-contiguous project area benefits.

100-9

The TBAP DEIR/EIS did not provide consistent or enough information on the Tahoe City Lodge Project and Area. Furthermore, The golf course is not zoned mixed-use and will be zoned recreation if allowed in the town center boundary and is not already mixed-use so the Tahoe City Lodge does not qualify as a non-contiguous parcel for height and density. The TBAP FEIR/EIS must be corrected to provide an alternative that accurately reflects the Tahoe City Lodge per current TRPA ordinances and Tahoe City Community and Plan Area Statement restrictions.

100-10

Page 3-18 DEIR/EIS

- ▲ **Non-Contiguous Project Areas:** The Area Plan would allow projects within town centers to use a non-contiguous project area with TRPA approval. To use a non-contiguous project area, all project components must be located on already developed mixed-use lands within a town center and all applicable development standards would apply. TRPA currently permits the use of non-contiguous parcels for development projects that are linked to implementation of one or more EIP improvement projects (TRPA Code Section 15.6).

The Tahoe City Lodge and various uses (golfing, golf course clubhouse, sledding, ice skating rink, restaurant, condo-tel versus hotel visitors, etc.) require a minimum amount of parking which has not been disclosed in the TBAP Draft EIR/EIS. The TBAP FEIR/EIS must provide proposed parking minimum and if that minimum meets the needs of all combined-uses by season. The proposed snow storage location also comes in play with parking and must be analyzed and prove adequate parking is available for all uses.

Page 3-18 DEIR/EIS

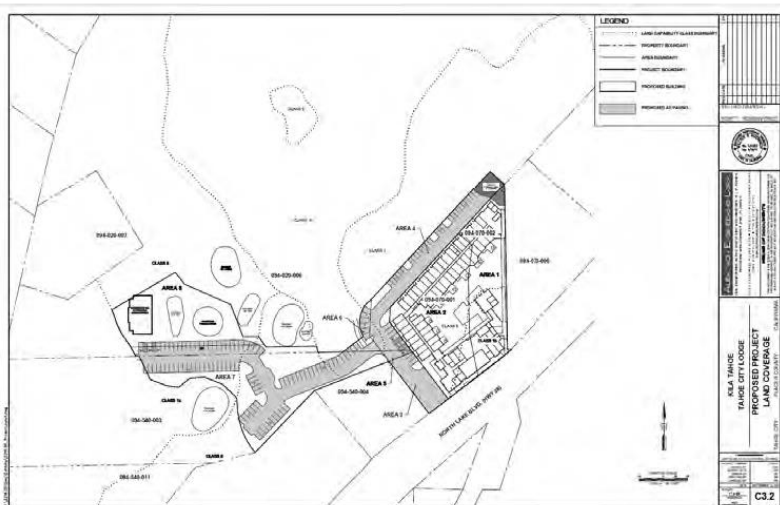
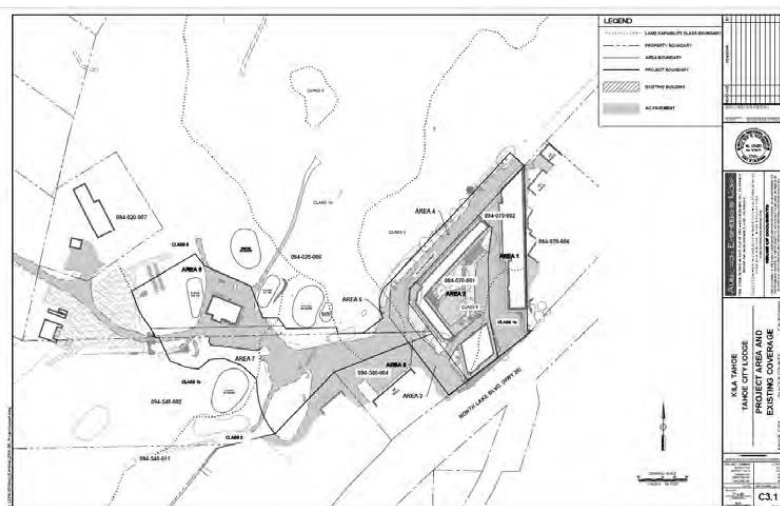
- ▲ **Revised Parking Regulations:** The Area Plan modifies parking standards to reduce the minimum number of parking spaces that must be provided by some development projects, promote shared parking, and to consider the future development of parking assessment districts and/or in-lieu payment systems. In addition, a parking waiver provision was added for town centers, where required parking for new development may be waived for projects on parcels less than 25,000 square feet which contribute annually to transit. Amendments to the parking regulations were developed as part of a comprehensive parking study and are consistent with Section 13.5.3.B.2 of the TRPA Code, which encourages the development of alternative parking strategies. These revisions are intended to reduce land coverage and make more efficient use of land for parking and pedestrian uses.
- ▲ **Implement Tahoe Area Regional Transit (TART) Systems Plan:** The Area Plan proposes to implement the April 2016 Placer County TART System Plan by: (1) funding public transit to make it a viable transportation alternative; (2) implementing transit improvements described in the 2016 TART System Plan; (3) implementing developer funding mechanisms (such as service area zones of benefit); and (4) linking increased transit services with increases in transit demand.

100-11

Page 14 of 22

Placer County Planning Commission July 28, 2016  
 Ellie Waller, Tahoe Vista Resident - Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Tahoe City Lodge Specific comment

July 25, 2016



The two diagrams above show existing coverage as more than the project actually owns and shares with Tahoe City Golf Course and proposed coverage is less taking into account coverage that does not belong to the project area on parcel 094-540-004 (Bechdolt Bldg) as well as Bank of America and Savemart parking not identified by parcel numbers. Furthermore, some coverage from outside the property boundary on the other side of the project area is identified as existing coverage and is not and belongs to: Autoparts, Pete and Peters and Office Building shown on Conceptual Site Plan .

Page 15 of 22

100-12

Placer County Planning Commission July 28, 2016

July 25, 2016

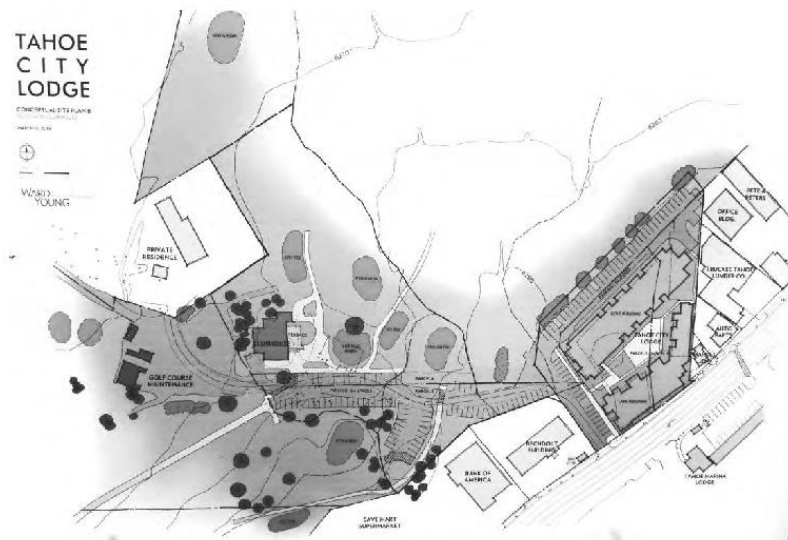
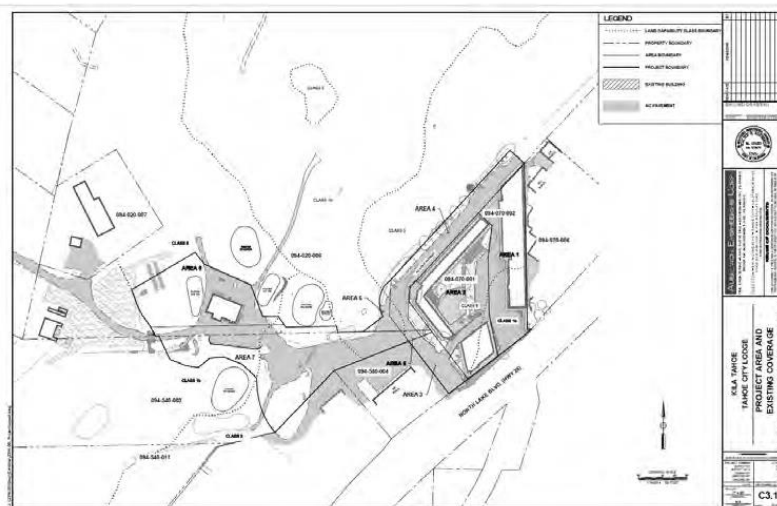
Ellie Waller, Tahoe Vista Resident - Comments for The Record

DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)

Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039

Tahoe City Lodge Specific comment

The TBAP DEIR/EIS inaccurately represents Tahoe City Lodge Project Area coverage. The use of described existing coverage is not factual and must trigger re-circulation. The TBAP FEIR/EIS must correct the existing coverage before proposed coverage can be calculated. The TBAP FEIR/EIS must define ownership of AC pavement and if the project is allowed its use. The TBAP FEIR/EIS must define AC acronym. The gray shaded areas do not entirely belong to the Tahoe City Lodge Project Area.

100-12  
cont

July 25, 2016

100-12  
cont

NOTE: PROJECT AREA AND LAND COVERAGE CALCULATIONS FOR AREAS 1 AND 2 TAKEN FROM THE APPROVED LCV DRAFT ALTERNATE; PROJECT AREA AND LAND COVERAGE CALCULATIONS FOR AREAS 3, 4, 7, 8 TAKEN FROM THE APPROVED LCV DRAFT ALTERNATE; PROJECT AREA AND LAND COVERAGE CALCULATIONS FOR AREAS 5 AND 6 TAKEN FROM THE APPROVED LCV DRAFT ALTERNATE; PROJECT AREA AND LAND COVERAGE CALCULATIONS FOR AREAS 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100 TAKEN FROM THE APPROVED LCV DRAFT ALTERNATE; PROJECT AREA AND LAND COVERAGE CALCULATIONS FOR AREAS 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200 TAKEN FROM THE APPROVED LCV DRAFT ALTERNATE; PROJECT AREA AND LAND COVERAGE CALCULATIONS FOR AREAS 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300 TAKEN FROM THE APPROVED LCV DRAFT ALTERNATE; PROJECT AREA AND LAND COVERAGE CALCULATIONS FOR AREAS 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400 TAKEN FROM THE APPROVED LCV DRAFT ALTERNATE; PROJECT AREA AND LAND COVERAGE CALCULATIONS FOR AREAS 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500 TAKEN FROM THE APPROVED LCV DRAFT ALTERNATE; PROJECT AREA AND LAND COVERAGE CALCULATIONS FOR AREAS 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600 TAKEN FROM THE APPROVED LCV DRAFT ALTERNATE; PROJECT AREA AND LAND COVERAGE CALCULATIONS FOR AREAS 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700 TAKEN FROM THE APPROVED LCV DRAFT ALTERNATE; PROJECT AREA AND LAND COVERAGE CALCULATIONS FOR AREAS 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 78

Placer County Planning Commission July 28, 2016  
 Ellie Waller, Tahoe Vista Resident - Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Tahoe City Lodge Specific comment

July 25, 2016

Page 3-23

### 3.6 TAHOE CITY LODGE

Kila Tahoe LLC, the project applicant for the Tahoe City Lodge and owner of the subject property at 255 and 265 North Lake Boulevard, is a member of a group of companies that owns and operates hotels in vacation destinations in Northern California.

The Tahoe City Lodge site currently includes a partially occupied 2-story commercial complex, comprised of three buildings. At the center of the site is a dilapidated outdoor glass enclosed pool area; the pool is now filled with dirt. TRPA has verified 26,304 square feet of existing commercial floor area at the site. Commercial uses at the site include three restaurants, three furniture stores, a massage studio, a coffee shop, a catering business, a building materials/lumber store, and two specialty retail stores. Other relevant characteristics of the site (e.g., history, land coverage, employees) are described under the header "Environmental Setting" in Chapters 5 through 18 of this EIR/EIS.

In addition to the lodge itself, the project includes elements on the Tahoe City Golf Course property, which is managed and operated by the Tahoe City Public Utility District (TCPUD). TCPUD is a party to a Memorandum of Understanding (MOU) signed in March 2012 with the other investment partners in the property, including Placer County, the Tahoe Truckee Airport District, and the North Lake Tahoe Resort Association. The MOU sets forth each party's expectations and goals for the property, including a cooperative understanding that their public acquisition of the property could provide numerous public benefits.

The TBAP Draft EIR/EIS fails to provide Memorandum of Understanding MOU (or equivalent documentation) information in regards to the partnership between the Tahoe City Golf Course and the Tahoe City Lodge project.

The TBAP FEIR/EIS must disclose approved MOU for shared coverage, parking etc. to insure coverage calculations are correct. That said, does an MOU between the TC Golf Course and Tahoe City Lodge constitute a legally binding purpose for coverage, etc.?

The Fonal TBAP EIR/EIS must disclose the joint MOU partners of the Tahoe City Golf (one being Placer County) all agreed to this new MOU.

The detailed MOU structure and agreement or equivalent documentation must be included in the TBAP FEIR/EIS for clarification.

The TBAP FEIR/EIS must disclose and delve into the potential for legal issues if one or the other MOU partners cannot perform required SEZ restoration, pay in-lieu fees, perform mitigation and monitoring, complete necessary Best Management Practices, etc. The MOU must have a joint surety-bond as part of project permit conditions to insure no "hole-in-the-ground". Stating an agreement will be finalized at a future date is not an insurance policy that the project will get off the ground. The TBAP Tinal EIR/EIS must include another project permit condition: BMP's and mitigation fees completed and paid in Phase 1 of project if more than one Phase.

The TBAP FEIR/EIS must provide a Phasing Plan for the Tahoe City Lodge Project if more than one Phase.

The Tahoe City Lodge Partners (Lodge and Golf Course + Golf Course partners) have had a sufficient amount of time to negotiate terms of the agreement.

Page 18 of 22

100-13

Placer County Planning Commission July 28, 2016  
 Ellie Waller, Tahoe Vista Resident - Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Tahoe City Lodge Specific comment

July 25, 2016

The TBAP FEIR/EIS must disclose why no binding agreement exists and does the agreement need to be completed before TRPA and Placer Board of Supervisor approvals?

Page 3-29



Pursuant to an agreement between the project applicant and TCPUD, to be finalized at a future date, the applicant's use of the space would have priority over other uses. Additionally, TCPUD would not hold events in the space during peak times to reduce parking demand. As a result, there would not be an increase in the peak parking requirements for events unrelated to the Tahoe City Lodge. The approvals for the Tahoe City Lodge would be conditioned accordingly. The final agreement language would be similar to the following:

100-13  
cont

The TBAP FEIR/EIS should also disclose why the Tahoe City Golf Course has not done proposed SEZ restoration prior to this joint project area proposal as the restoration is required for that property.

100-14

As illustrated in the schematic site plan in Exhibit 3-12, the project site would be accessed via a single main entrance driveway on SR 28, just west of the main lodge building. The driveway access also provides access to the golf course and clubhouse and is located on a private easement from the adjacent parcel immediately west of the proposed lodge that includes the Bechdolt building. The Bechdolt building is shown on the adjacent property to the west (Exhibit 3-13).

3-26

Placer County/TRPA  
 Placer County Tahoe Basin Area Plan and Tahoe City Lodge Draft EIR/EIS

100-15

The TBAP DEIR/EIS statement above is not factual. An easement with the Bechdoldt building owner has not been obtained. The TBAP FEIR/EIS must provide legally defensible documentation that the easement can be used for Tahoe City Lodge and golf course ingress and egress.

Placer County Planning Commission July 28, 2016

July 25, 2016

Ellie Waller, Tahoe Vista Resident - Comments for The Record

DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)

Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039

Tahoe City Lodge Specific comment

The primary sources of information used in preparation of this section are the U.S. Census Bureau 2000 and 2010 surveys, 2010-2014 American Community Survey 5-Year Estimate, California Department of Finance (DOF), California Employment Development Department (EDD), Draft Tahoe Basin Community Plan Economic and Market Analysis (Placer County 2013b), Placer County General Plan (Placer County 2013a) and Housing Element Background Report (Placer County 2013c), the *Tahoe Regional Housing Needs Program Report* (TRPA 2014), the Lake Tahoe Regional Transportation Plan and Sustainable Communities Strategy Draft EIR/EIS (Tahoe Metropolitan Planning Organization [TMPO] and TRPA 2012), and the Lake Tahoe Regional Plan Update Draft Environmental Impact Statement (DEIS) (TRPA 2012a).

The Area Plan is not proposing any specific projects that would result in the loss of very-low, lower-, or moderate-income housing or that would displace substantial numbers of people necessitating construction of replacement housing elsewhere. The analysis in this EIR/EIS tiers from the RTP EIR/EIS, which determined that the potential for the Area Plan to displace residents or businesses would be reduced to a less-than-significant impact after implementation of mitigation to minimize displacement impacts (TMPO and TRPA 2012:3.12-9 – 3.12-11). If any future projects subsequent to adoption of the Area Plan has the potential to displace residences or businesses, those projects would be required to undergo project-level environmental review in which any potential impacts on residences or businesses would be assessed and mitigated to the extent feasible. For example, the Kings Beach Center design concept would not replace any

Placer County/TRPA  
Placer County Tahoe Basin Area Plan and Tahoe City Lodge Draft EIR/EIS

6-1

Page 6-2

Ascent Environmental

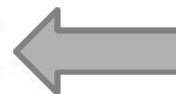
Population and Housing

100-16

recognized affordable housing. However, the parcels in which the Kings Beach Center design concept are located include some existing residential uses, which could include moderate-income units. Because of the mixed-use nature of the conceptual redevelopment related to the Kings Beach Center design concept, any displaced moderate-income units could be incorporated into the future project. The potential for displace and replacement would be analyzed during the subsequent environmental review for that future project.

Furthermore, future projects would be subject to TRPA requirements for in-kind replacement housing on a unit for unit basis for the loss of moderate-income housing (TRPA Code Section 39.2.3.B); consequently, there would be no net loss of housing. The Area Plan would not result in any new impacts from displacement of residences or businesses beyond those addressed in the RTP EIR/EIS; therefore, there would be no impact. These impacts are not discussed further.

The Tahoe City Lodge project site contains three commercial buildings and a small portion of the Tahoe City Golf Course. There is no housing on the site so no loss of very-low, lower-, or moderate-income housing would occur and no replacement housing would be required elsewhere. This issue is not discussed further. However, Placer County's requirement for providing workforce housing (General Plan Policy C-2) is discussed herein.



The Tahoe City Lodge will require employees. The Draft TBAP EIS/EIR fails to add an affordable housing component. The TBAP FEIR/EIS must include an affordable housing component and associated environmental analysis of new project component. The TBAP FEIR/EIS must disclose why the Tahoe City Lodge is exempt from an affordable housing requirement. Just because no loss of very low, lower or moderate-income housing would occur doesn't negate the projects responsibility to provide affordable units. There is no guarantee that the secondary dwelling unit incentives on less (or more) than one-acre will be built so no affordable component is being provided for this. The TBAP FEIR/EIS must add policies

Page 20 of 22



Placer County Planning Commission July 28, 2016  
 Ellie Waller, Tahoe Vista Resident - Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Tahoe City Lodge Specific comment

July 25, 2016

requiring all new developments provide their fair-share of affordable units thus the Tahoe City Lodge project must be revised to add the affordable component and DEIR/EIS re-circulated. The project will provide 29 FTE jobs as described in cumulative impacts. The project must provide a minimum of 50% of the units for employees which would be 14.5 units. Just because the Draft TBAP EIR/EIS mitigation states the cumulative effects of populaion are less-than-significant it doesn't negate the responsibility of the project to provide it's fair-share of affordable housing. (The approved 39 unit Sandy Beach timeshare project had a requirement of six affordable units. Boulder Bay and Homewood both are required to provide affordable units)

#### **Cumulative Impact 6-2: Cumulative population growth and housing demand**

Cumulative development in the region, to the degree that it is not offset by redevelopment projects, would generate a small increase in employment both within the Tahoe Basin (e.g., VOLTAIX Commercial Project, Boulder Bay, 6731 Tahoe Timeshare, Brockway Campground, and Homewood Mountain Resort Ski Area Master Plan), and outside the Tahoe Basin (e.g., Martis Valley West Parcel Specific Plan [MVWPSP], Martis Camp, Northstar Mountain Master Plan, Northstar Highlands Phase II, Joerger Ranch Specific Plan, Tahoe Expedition Academy, Village at Squaw Valley Specific Plan). A number of these projects would provide additional housing that could meet future demand associated with population and employment growth resulting from cumulative projects (e.g., MVWPSP, Northstar Highlands Phase II, and Joerger Ranch Specific Plan). Housing development projects in Placer County are required to set aside at least 15 percent of the total housing units for affordable housing (Placer County Code Section 15.65.130), and new development projects are required to provide housing for 50 percent of FTE employees of the project, either through constructing new employee housing, dedication of land for needed units, or payment of an in-lieu fee to the County (Placer County General Plan Policy C.2). Development of affordable housing within the Tahoe Basin is incentivized through the MRIP, which distributes bonus units for improving environmental conditions or through development of affordable or moderate-income housing. Because cumulative development would occur in accordance with land use plans in effect for the various jurisdictions, cumulative growth includes both jobs-producing and residential developments, and that TRPA and Placer County require compliance with employee housing programs, future demand for housing associated with the modest population and employment growth from cumulative development could be met through such housing programs and existing housing stock in the region. Cumulative projects would not induce substantial population growth, directly or indirectly, that would create additional demand for housing such that an adverse physical effect on the environment would occur. This would be a less-than-significant cumulative impact.

100-16  
cont

Placer County Planning Commission July 28, 2016

July 25, 2016

Ellie Waller, Tahoe Vista Resident - Comments for The Record

DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)

Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039

Tahoe City Lodge Specific comment

As described in Impact 6-1, Area Plan Alternatives 1, 2, and 3 would result in less-than-significant impacts on the location of population, housing, and employment in the region. Consistent with the Regional Plan, implementation of the Area Plan would result in modest growth in population, jobs, and housing along with the promotion of environmental improvements and increases in walkability, transit, and bicycle usage. Future development under Alternative 4, No Project, would be subject to Regional Plan policies and development limitations, but this alternative would not result in an increase in development density or adoption of additional policies to further incentivize development in Town centers that would encourage the level of environmental improvement or increases in walkability, transit, and bicycle usage that could occur under Area Plan Alternatives 1, 2, and 3. For the reasons described above, the Area Plan alternatives, in combination with cumulative projects, would result in a less-than-significant cumulative impact on the distribution and location of population, housing, and employment in the region. It follows, then, that the contribution of any of the Area Plan alternatives **would not be cumulatively considerable**.

The Tahoe City Lodge would not directly result in any permanent housing, and would generate approximately 66 full-time equivalent (FTE) employees, an increase of approximately 29 FTE as compared to baseline conditions. The project would conform to the Area Plan, and thus to the Regional Plan. Because the Area Plan, in combination with other cumulative development would result in a less-than-significant cumulative effect on population, employment, and housing, it follows that the contribution of the Lodge project **would not be cumulatively considerable**.

The Tahoe City Lodge project is just too large for the proposed area and cannot be built as proposed at 118 units: (1) only allow 56 units, (2) the clubhouse be a separate project and environmental analysis provided and (3) NO Tahoe City Community Plan boundary adjustment to add proposed golf course clubhouse to Area Plan boundary. The TBAP FEIR/EIS must include adequate and accurate environmental analysis is performed on the 3 items above and mitigation measures assessed.

100-16  
cont

Placer County Planning Commission 7-28-16

July 25, 2016


Ellie Waller, Tahoe Vista Resident - Comments for The Record

DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)

Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039

Issues with the Alternatives Chapter 3

A project application has been submitted to Placer County and TRPA for the proposed Tahoe City Lodge, which proposes to rely on certain Regional Plan incentives. Because a project application is under consideration and sufficient detail is known about the proposed lodge, project-level environmental review is included in this EIR/EIS for that project. The Kings Beach Center design concept, however, is just that—a conceptual proposal for which no project application has been submitted, and for which project-level detail is not available. Accordingly, the EIR/EIS offers a more general environmental analysis of the Kings Beach Center, and supplemental environmental review may be required as design and planning for this site progress.



As described above, the Tahoe City Lodge is proposed in conjunction with the Placer County Tahoe Basin Area Plan, which assumes that the county and TRPA will adopt the Area Plan, thereby providing the incentives upon which the project relies. However, the Tahoe City Lodge could be approved even if the county and TRPA do not adopt the Placer County Tahoe Basin Area Plan. To do so, however, the Tahoe City Lodge would require amendments to the Regional Plan and Code of Ordinances, as well as several planning documents associated with the 1987 Regional Plan. It is anticipated that TRPA would need to amend PAS 002 (Fairway Tract) and the Tahoe City Community Plan to provide the same density and height allowances that are provided in the proposed Placer County Tahoe Basin Area Plan. The amendments would be narrowly tailored to the Tahoe City Lodge project site.

Placer County/TRPA  
Placer County Tahoe Basin Area Plan and Tahoe City Lodge Draft EIR/EIS

3-1

100-17

The TBAP DEIR/EIS fails to provide adequate analysis. The Final TBAP EIR/EIS must include a Table of all TRPA Regional Plan amendments required to approve the Tahoe City Lodge and proposed new Tahoe City Golf Course Clubhouse relocation project if the Area Plan is not approved to provide clarity to the reviewers that all environmental analysis has been accurately and adequately completed and mitigations contribute to prescribed TRPA threshold attainment.

Essentially the TBAP DEIR/EIS is asking for a Special Area designation with extraordinary benefits and exceptions for the Tahoe City Lodge project and Tahoe City Golf Course Clubhouse relocation. The language must clearly state the amendments are Tahoe City Lodge and Tahoe City Golf Course Clubhouse are project/site specific if Area Plan is not approved and must be reflected in the Tahoe City Community Plan update accurately as project/site specific.

The Table must also include:

- 1). If proposed Tahoe City Community Plan Boundary line adjustment is necessary and being sought to achieve proposed changes to density, height allowances, etc. Provide a list of threshold attainment criteria measures proving 2012 TRPA Regional Plan goals and objectives are being met.

Placer County Planning Commission 7-28-16

July 25, 2016

Ellie Waller, Tahoe Vista Resident - Comments for The Record

DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)

Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039

Issues with the Alternatives Chapter 3

2). Proposed other changes to the Tahoe City Community Plan. Provide a list of threshold attainment criteria measures proving 2012 TRPA Regional Plan goals and objectives are being met.

3). CLEARLY state the independent Tahoe City Golf Course clubhouse proposal requirements (coverage, height, uses, etc.) and that all environmental analysis has been accurately and adequately completed and mitigations contribute to threshold attainment for the proposed new clubhouse location.

4). Proposed changes to Plan Area Statement 002 (Fairway Tract) and any environmental analysis required due to zoning changes.

5). A list of the "several planning documents" and proposed changes associated with those documents. Individually list documents and the proposed changes associated with the 1987 Regional Plan allowing for accountability for all required various agency approvals.

6) A list of any required Placer County and TRPA code, goals or definition changes.

7). Any TRPA Chapter 90 definition additions or changes required.

8). A Project description (without the extraordinary benefits/exceptions) per Tahoe City Community Plan and associated Plan Area Statements and TRPA code governing the proposed Tahoe City Lodge and Tahoe City Golf Course clubhouse project site location for baseline analysis versus comparison if project is granted exceptions.

Example: 1). TRPA code for currently approved Tahoe City Community Plan Page 37-8 TRPA code. The Tahoe City Lodge Project would be restricted to 48 feet and findings.

### **37.5.3. Additional Building Height for Tourist Accommodation Buildings Within Community Plan Areas**

In addition to the provisions set forth in subsection 37.5.2, TRPA may approve building heights greater than those set forth in Section 37.4 for buildings whose primary use is tourist accommodation and that are located within an approved community plan as set forth in Chapter 12: *Community Plans*. The maximum heights specified in Table 37.4.1-1 may be increased up to a maximum height of 48 feet in accordance with the following provisions, if TRPA makes findings 1, 2, 3, and 6 in Section 37.7.

100-17  
cont

Placer County Planning Commission 7-28-16  
 Ellie Waller, Tahoe Vista Resident - Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Issues with the Alternatives Chapter 3

July 25, 2016

Example 2) TRPA Community Plan Chapter 12 references and applicability if project is not granted exceptions.

**CHAPTER 12: COMMUNITY PLANS**  
 12.7 Community Plan Process  
 12.6.3 Code of Ordinances

**12.6.3. Code of Ordinances**

All standards of the Code apply to the community plans, except that the community plan may establish standards that provide equal or superior measures to achieve environmental thresholds in the following areas:

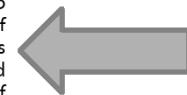
- A. Density of use (Chapter 31);
- B. Noise (Chapter 68);
- C. Driveway and parking (Chapter 34);
- D. Outdoor advertising (Chapter 38);
- E. Historic resource protection (Chapter 67); and
- F. Design standards (Chapter 36).

100-17  
cont

Within the Final TBAP EIR/EIS: The proposed Tahoe City Lodge/Tahoe City Golf Course Clubhouse relocation project, under current TRPA Community Plan code, must prove goals, targets and requirements, etc. are being achieved or TRPA can defer project approval if review indicates requirements are not being achieved.

**12.8. MAINTENANCE AND MODIFICATION OF COMMUNITY PLANS**

Adopted community plans shall be reviewed by TRPA at five-year intervals to determine conformance with approved schedules of development and adequacy of programs, standards, mitigation, and monitoring. TRPA may defer approval of projects within community plans if the review indicates approved goals, targets, and requirements are not being achieved. Community plans may be modified as a result of such reviews as deemed appropriate by TRPA to achieve environmental thresholds or



**TRPA Code of Ordinances**

Adopted by Governing Board December 12, 2012 | Amended November 4, 2015 | Page 12-7

Placer County Planning Commission 7-28-16  
 Ellie Waller, Tahoe Vista Resident - Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Issues with the Alternatives Chapter 3

July 25, 2016

Example 3) TRPA Chapter 11 Amendments to Plan Area Statement and associated maps if project is not granted exceptions. Pages 11-8/9 TRPA code

#### **11.8. PLAN AREA STATEMENT AND PLAN AREA MAP AMENDMENT**

The amendment of a plan area statement or plan area map shall be in accordance with the following procedures:

##### **11.8.1. Plan Amendments**

Modification of plan area boundaries, special area boundaries, plan area name and number, Land Use Classification, Management Strategy, Special Designations, Planning Statement, Special Policies, and Additional Recreation Development shall be by plan amendment. TRPA shall modify the plan area maps and statements pursuant to this subsection 11.8.1, and subsections 11.8.2 and 11.8.3, to reflect current data.

##### **11.8.2. Amendment by Ordinance**

Modification of Permissible Uses, Maximum Densities, and assigned Maximum Community Noise Equivalent Levels shall be by ordinance.

##### **11.8.3. Amendment by Resolution**

Modification of Description, Planning Considerations, and Improvement Programs shall be by resolution.

##### **11.8.4. Findings for Plan Area Amendments**

Prior to adopting any plan area amendment, TRPA shall find:

##### **A. General**

The amendment is substantially consistent with the plan area designation criteria in subsections 11.6.2 and 11.6.3; and

##### **B. Expansion of Urban Plan Area Boundary or Addition of Residential, Tourist, Commercial, or Public Service Uses to Non-urban Plan Area**

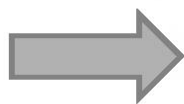
If the amendment is to expand an existing urban plan area boundary or to add residential, tourist accommodation, commercial, or public service as permissible uses to a non-urban plan area, TRPA shall find that the amendment will make the plan area statement consistent with an adopted policy or standard of the Regional Plan, and that the amendment will satisfy one or more of the following criteria:

#### **CHAPTER 11: PLAN AREA STATEMENTS AND PLAN AREA MAPS**

##### **11.8 Plan Area Statement and Plan Area Map Amendment**

##### **11.8.4 Findings for Plan Area Amendments**

1. The amendment corrects an error that occurred at the time of adoption, including but not limited to a mapping error, an editing error, or an error based on erroneous information; or
2. The amendment enables TRPA to make progress toward one or more environmental thresholds without degradation to other thresholds as measured by the Chapter 16: *Regional Plan and Environmental Threshold Review*, indicators; or
3. The amendment is needed to protect public health and safety and there is no reasonable alternative.



The proposed Community Plan Boundary adjustment will not meet Chapter 11 criteria especially 11.8.4.B.2

Page 4 of 16

100-17  
cont

Placer County Planning Commission 7-28-16  
 Ellie Waller, Tahoe Vista Resident - Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Issues with the Alternatives Chapter 3

July 25, 2016

## Page 3-18 TBAP DEIR/EIS

- ▲ **Revised Level of Service (LOS) Standards:** The Area Plan proposes to modify the current LOS standards as follows in Policy T-P-6:
  - Maintain consistency with LOS and quality of service standards identified in the Regional Transportation Plan (RTP), with the exception of intersections and roadway segments within the town center boundaries where LOS F is acceptable during peak periods. The RTP allows for possible exceptions to the LOS standards outside the town center boundaries including the use of alternative standards when provisions for multi-modal amenities and/or services (such as transit, bicycling and walking facilities) are incorporated and found to be consistent with policy T-10.7 of the RTP.
- ▲ **Revised Parking Regulations:** The Area Plan modifies parking standards to reduce the minimum number of parking spaces that must be provided by some development projects, promote shared parking, and to consider the future development of parking assessment districts and/or in-lieu payment systems. In addition, a parking waiver provision was added for town centers, where required parking for new development may be waived for projects on parcels less than 25,000 square feet which contribute annually to transit. Amendments to the parking regulations were developed as part of a comprehensive parking study and are consistent with Section 13.5.3.B.2 of the TRPA Code, which encourages the development of alternative parking strategies. These revisions are intended to reduce land coverage and make more efficient use of land for parking and pedestrian uses.
- ▲ **Implement Tahoe Area Regional Transit (TART) Systems Plan:** The Area Plan proposes to implement the April 2016 Placer County TART System Plan by: (1) funding public transit to make it a viable transportation alternative; (2) implementing transit improvements described in the 2016 TART System Plan; (3) implementing developer funding mechanisms (such as service area zones of benefit); and (4) linking increased transit services with increases in transit demand.
- ▲ **Secondary Residences:** The Area Plan would expand upon Section 21.3.2 of the TRPA Code to allow market-rate secondary residential units on certain residential parcels less than 1 acre in size, subject to BMP certification, TRPA Code compliance (including allocations and development rights), and supplemental design standards. To qualify for the program, properties must be located within 0.25 mile of a mixed-use zoning district or primary transit route. Secondary units may not be used as tourist units or converted to TAUs. The full text of applicable requirements for secondary units is provided in Section 3.01 of the Area Plan Implementing Regulations.

100-18

**Revised Level of Service:** The TBAP DEIR/EIS fails to provide adequate analysis. The Final TBAP EIR/EIS must include environmental analysis and mitigations not just in-lieu fees, plans and studies that prove allowing LOS F is acceptable during peak hours within and outside town centers that meet GHG criteria.

**Revised Parking Regulations:** The TBAP DEIR/EIS fails to provide adequate analysis. The Final TBAP EIR/EIS must include a table showing independent (by category) Area Plan, Tahoe City Lodge Project as well as Special Planning Area analysis and parking needs assessment data not just plans and studies that prove minimizing parking standards for some development projects (also provide criteria for "some" development projects) will not create unintended consequences of parking in neighborhoods and on the street. Stating sufficient parking or shared parking on-site is not analysis or provides any mitigation of the actual issues (air quality, lack of parking, water quality, scenic, etc.).

Placer County Planning Commission 7-28-16  
 Ellie Waller, Tahoe Vista Resident - Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Issues with the Alternatives Chapter 3

July 25, 2016

Provide criteria and analysis of structured parking versus ground parking. Providing in-lieu fees to future transit projects is not analysis and stating structured parking is financially prohibitive in the parking study is not analysis.

Implement TART Systems Plan: The TBAP DEIR/EIS fails to provide adequate analysis. The Final TBAP EIR/EIS must include analysis and solutions, not plans and studies. Implementing Tahoe Area Regional Transit Systems Plan with no time-line, secured funding or approved service zones of benefit is not analysis or provides any mitigation of the actual issues (air quality, lack of parking, water quality, scenic, GHG requirements, etc.)

100-18  
cont

Secondary Residences: The Area Plan has overlayed almost every area within the TBAP as mixed-use so qualifying for secondary dwellings anywhere is a given provided it meets Implementing Ordinances in section 3.01. The TBAP DEIR/EIS fails to provide analysis for increased growth for anticipated percentage of secondary dwellings that will be applied for. The TBAP FEIR/EIS must include analysis based on a model of percentage of anticipated secondary dwellings and possible mitigations required.

100-19

Page 3-19

Ascent Environmental

Proposed Project and Alternatives

- ▲ **View Corridors:** The Area Plan would add view corridor standards that require four-story buildings in town centers on the lake side of SR 89 or 28 to maintain 35 percent of the site as open view corridors, or increase existing view corridors by 10 percent.
- ▲ **Ridgeline Protections:** In accordance with TRPA regulation, the proposed Area Plan would require that all new buildings with three or more stories meet the TRPA Code Section 37.7 findings 1, 3, 5, and 9 for additional height. This provision would prevent buildings from projecting above the forest canopy or ridgelines and would protect viewsheds. These regulations are reiterated in the Area Plan to emphasize the importance of ridgeline protections.

100-20

View Corridors: The TBAP DEIR/EIS fails to provide adequate analysis. The Final TBAP EIR/EIS must include scenic simulations and proposed examples which would provide a better understanding and clarification and certainty of view corridor standards and criteria expected to be met. Stating 35% open view corridor for four story buildings is not clear. Is this statement referring to "new" structures only? The request is to only provide open view corridors for 4 story buildings. Consider same 35% requirement for open view corridor for any proposed new development on the lakeside regardless of number of stories.

If an existing lake side building only has 5% view corridor today and a project is redeveloped proposing two additional stories and expected to only increase view corridor by 10% the benefit of opening a view-shed is not achieved. The TBAP FEIR/EIS must clean-up language for clarity and proposed expectation of new versus redevelopment projects. Consider same 35%

Page 6 of 16



Placer County Planning Commission 7-28-16  
 Ellie Waller, Tahoe Vista Resident - Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Issues with the Alternatives Chapter 3

July 25, 2016

requirement for open view corridor for any proposed re-development on the lakeside regardless of number of stories.

The TBAP FEIR/EIS must include upland (mountain-side) view-shed criteria as well. Opening view-shed from main highway development upland is also a critical community character necessity to avoid the continuous wall of buildings effect. Some residential areas will be over-shadowed by building up-to 56 feet in height in town centers. The TBAP FEIR/EIS must provide shadow analysis simulations for upland buildings at varying heights when residential areas are affected.

Ridgeline Protections: The TBAP DEIR/EIS fails to provide adequate analysis. The Final TBAP EIR/EIS must provide view diagrams and criteria to accurately assess scenic ordinances are being met especially atop ridgelines. The TRPA code is inconclusive and vague. Both Placer and TRPA ridge-line protection codes must be updated to accurately assess view-shed protections. Provide TRPA language by number that refers to new buildings with three or more stories meet findings in 37.7.

What does otherwise detract from the viewshed mean? The TBAP FEIR/EIS must provide criteria.

**2. Building Height**

- a. Area Plans may allow building heights up to the maximum limits in Table 13.5.3-1 above.
- b. Building height limits shall be established to ensure that buildings do not project above the forest canopy, ridge lines, or otherwise detract from the viewshed.

**TRPA Code of Ordinances**

Adopted by Governing Board December 12, 2012 | Amended November 4, 2015 | Page 13-7

**Considering ridgeline and viewshed protection is not a requirement . TRPA Code must be amended to state **MUST PROTECT** by providing visual simulation analysis. The TBAP FEIR/EIS must provide detailed criteria for code below. Proving ridgeline viewshed protection is accomplished.**

**CHAPTER 13: AREA PLANS**  
 13.6 Conformity Review Procedures for Area Plans  
 13.6.6 Conformity Review for Amendments to Area Plans

**C. Additional Review Standards for Area Plans with Town Centers or Regional Center**

In addition to the requirements of subparagraphs A and B above, submitted Area Plans that contain Town Centers or the Regional Center shall include policies, ordinances, and other implementation measures to:

1. Include building and site design standards that reflect the unique character of each area, respond to local design issues, and consider ridgeline and viewshed protection;

100-20  
cont

100-21

Placer County Planning Commission 7-28-16  
 Ellie Waller, Tahoe Vista Resident - Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Issues with the Alternatives Chapter 3

July 25, 2016

Proposed Project and Alternatives

Ascent Environmental

Project design would adhere to TRPA height and mass standards with buildings ranging in height from 1 to 4 stories; the lodge buildings would be limited to a height of 56 feet. The buildings would be configured to have a reduced height and mass at the SR 28 street frontage, and would transition to increased heights further from the street and closer to the golf course. Proposed floor plans are included in Appendix C.

Table 3-5 summarizes development details of the Tahoe City Lodge tourist units. The total number of bedrooms associated with the proposed project would be 171.

**Table 3-5 Tahoe City Lodge Unit Development Summary by Alternative**

Lodge Unit Type	Alternative 1 (Proposed Project)		Alternative 2		Alternative 3		Alternative 4
	Number of Units	Average Size	Number of Units	Average Size	Number of Units	Average Size	
Hotel units	40	390 sf	20	375 sf	40		
1-bedroom suites	31	650 sf	16	676 sf	31		
2-bedroom suites	50	1,000 sf	20	1,014 sf	35		
1-bedroom with den/Type 1	-	-	-	-	3	68 sf	
1-bedroom with den/Type 2	-	-	-	-	3	1,036 sf	NA
2-bedroom with den/Type 1	-	-	-	-	3	1,310 sf	
2-bedroom with den/Type 2	-	-	-	-	3	1,333 sf	
<b>Total Units</b>	<b>118</b>		<b>56</b>		<b>118</b>		

Square feet - sf  
 Source: Kila Tahoe, LLC 2015

The Draft TBAP EIR/EIS has inconsistent Tahoe City Lodge room data in Chapter 3 as shown above and below. The TBAP FEIR/EIS must correct the data and reflect consistent information in all TBAP FEIR/EIS documentation related to lodge room counts to insure environmental analysis and mitigation is accomplished.

Proposed Project and Alternatives

Ascent Environmental

3-8

Table 3-8 Alternatives Comparison

	Alternative 1 Proposed Area Plan/ Proposed Lodge	Alternative 2 Area Plan with No Substitute Standards/ Reduced Scale Lodge	Alternative 3 Reduced Intensity Area Plan/ Reduced Height Lodge	Alternative 4 No Project			
MAP DESIGNATIONS							
Tahoe City Town Center Boundary Change	Yes	No	Yes	No			
Updated Uses in Mixed-Use Areas	Yes	Yes	Yes	No			
New Special Planning Areas	Yes	No	Yes (with additional environmental performance standards)	No			
CFA Conversion to TALs	Yes (with limitations; max 400 units)	No	Yes (Similar to Alternative 1, except limited to max 200 units and size of TAU)	No			
Non-contiguous project areas	Yes	No	Yes	No			
Secondary Housing on < 1 acre	Market rate within 0.25 mile of transit subject to limitations (requires allocation + dev right)	Deed-restricted affordable allowed with proposed TRPA-certified housing program (TRPA bonus unit incentive applies)	Market rate allowed wherever residential is allowed (requires allocation + dev right)	Not allowed (county does not have a TRPA-certified housing program)			
TAHOE CITY LODGE							
Uses on Lodge Property	Hotel rooms 1-bedroom suites 2-bedroom suites Total Restaurant and kitchen Food and beverage deck Lobby Terrace/pool/bar (Roof Top)	40 units 31 units 47 units 118 units 3,981 sf 1,163 sf 636 sf 6,587 sf	Hotel rooms 1-bedroom suites 2-bedroom suites Total Restaurant and kitchen Lobby Terrace/pool/bar (Roof Top)	20 units 16 units 20 units 56 units 2,625 sf 1,762 sf 1,304 sf	Hotel rooms 1-bedroom suites 2-bedroom suites Total Restaurant and kitchen Lobby Terrace/pool/bar (Roof Top)	40 units 37 units 41 units 118 units 2,625 1,762 -	Existing buildings are 2 stories
Number of buildings / Number of stories	3 buildings / all buildings are 4 stories, except the building fronting SR 28 is set back relative to other stories	2 buildings / both buildings are 4 stories, except the portion of the building fronting SR 28 is 3 stories	1 building / entire building is 3 stories	Existing buildings are 2 stories			
TAHOE CITY GOLF COURSE CLUBHOUSE							
Relocation and expansion?	Yes	No	Yes	No			
Clubhouse size	6,738 sf	Same as Alternative 4	Same as Alternative 1	2,880 sf			

Source: Placer County 2015

Placer County/ TRPA  
Placer County Tahoe Basin Area Plan and Tahoe City Lodge Draft EIR/ EIS

3-8

100-22

Placer County Planning Commission 7-28-16  
 Ellie Waller, Tahoe Vista Resident - Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Issues with the Alternatives Chapter 3

July 25, 2016

Page 3-26

Proposed Project and Alternatives

Ascent Environmental

Project design would adhere to TRPA height and mass standards with buildings ranging in height from 1 to 4 stories; the lodge buildings would be limited to a height of 56 feet. The buildings would be configured to have a reduced height and mass at the SR 28 street frontage, and would transition to increased heights further from the street and closer to the golf course. Proposed floor plans are included in Appendix C.

Table 3-5 summarizes development details of the Tahoe City Lodge tourist units. The total number of bedrooms associated with the proposed project would be 171.

Table 3-5 Tahoe City Lodge Unit Development Summary by Alternative

Lodge Unit Type	Alternative 1 (Proposed Project)		Alternative 2		Alternative 3		Alternative 4
	Number of Units	Average Size	Number of Units	Average Size	Number of Units	Average Size	
Hotel units	40	390 sf	20	375 sf	40	375 sf	
1-bedroom suites	31	650 sf	16	676 sf	31	676 sf	
2-bedroom suites	50	1,000 sf	20	1,014 sf	35	1,014 sf	
1-bedroom with den/Type 1	-	-	-	-	3	1,138 sf	
1-bedroom with den/Type 2	-	-	-	-	3	1,036 sf	
2-bedroom with den/Type 1	-	-	-	-	3	1,310 sf	
2-bedroom with den/Type 2	-	-	-	-	3	1,333 sf	
Total Units	118		56		118		
Square feet - sf							
Source: Kila Tahoe, LLC 2015							

Another clarification required in the FEIR is 1,333 sf is much more than approximately 1,000-sf as noted below. Even though the text below is speaking to the proposed Tahoe City Lodge it must be clear that another alternative with greater square footage is proposed.

Exhibit 3-12 shows the proposed site plan (concept plans for the lodge site, including a utility plan, snow management plan, drainage plan, and other details are included in Appendix D). Lodging unit sizes would range from approximately 390 to 1,000 square feet. The hotel units would not include kitchens, but each of the 1- to 2-bedroom suites would include a kitchen. The 2-bedroom units would also include two bathrooms and a TRPA-compliant, gas-burning fireplace. Fireplaces would also be located in the multi-purpose area of the main lodge building and potentially in the outdoor common areas, subject to final design.

100-23

Page 9 of 16

Placer County Planning Commission 7-28-16

July 25, 2016

Ellie Waller, Tahoe Vista Resident - Comments for The Record

DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)

Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039

Issues with the Alternatives Chapter 3

#### 15126.6. CONSIDERATION AND DISCUSSION OF ALTERNATIVES TO THE PROPOSED PROJECT.

- (a) Alternatives to the Proposed Project. An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason. (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553 and *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376).
- (b) Purpose. Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.

100-24

168

CEQA clearly states: "The "no project" analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. If the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

The Draft EIR/EIS clearly DOES NOT identify a "superior alternative" and must be re-circulated to analyze and provide a superior alternative.

Placer County Planning Commission 7-28-16  
 Ellie Waller, Tahoe Vista Resident - Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Issues with the Alternatives Chapter 3

July 25, 2016

*Association of Environmental Professionals 2014*

*CEQA Guidelines*

- (c) Selection of a range of reasonable alternatives. The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects. The EIR should briefly describe the rationale for selecting the alternatives to be discussed. The EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination. Additional information explaining the choice of alternatives may be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.
- (d) Evaluation of alternatives. The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project. A matrix displaying the major characteristics and significant environmental effects of each alternative may be used to summarize the comparison. If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed. (*County of Inyo v. City of Los Angeles* (1981) 124 Cal.App.3d 1).
- (e) "No project" alternative.
  - (1) The specific alternative of "no project" shall also be evaluated along with its impact. The purpose of describing and analyzing a no project alternative is to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project. The no project alternative analysis is not the baseline for determining whether the proposed project's environmental impacts may be significant, unless it is identical to the existing environmental setting analysis which does establish that baseline (see Section 15125).
  - (2) The "no project" analysis shall discuss the existing conditions at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. If the environmentally superior alternative is the "no project" alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.
  - (3) A discussion of the "no project" alternative will usually proceed along one of two lines:
    - (A) When the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the "no project" alternative will be the continuation of the existing plan, policy or operation into the future. Typically this is a situation where other projects initiated under the existing plan will continue while the new plan is developed. Thus, the projected impacts of the proposed plan or alternative plans would be compared to the impacts that would occur under the existing plan.
    - (B) If the project is other than a land use or regulatory plan, for example a development project on identifiable property, the "no project" alternative is the circumstance under which the project does not proceed. Here the discussion would compare the environmental effects of the property remaining in its existing state against environmental effects which would occur if the project is approved. If disapproval of the project under consideration would result in predictable actions by others, such as the proposal of some other project, this "no project" consequence should be discussed. In certain instances, the no project alternative means "no build" wherein the existing environmental setting is maintained. However, where failure to proceed with the project will not result in preservation of existing environmental conditions, the analysis

100-24  
cont

Placer County Planning Commission 7-28-16

July 25, 2016

Ellie Waller, Tahoe Vista Resident - Comments for The Record

DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)

Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039

Issues with the Alternatives Chapter 3

## 20.5 ENVIRONMENTALLY SUPERIOR ALTERNATIVE/ENVIRONMENTAL PREFERABLE ALTERNATIVE

The California Environmental Quality Act (CEQA) Guidelines require an EIR to discuss whether an environmentally superior alternative is apparent from the analysis. Often, alternatives have environmental advantages and disadvantages, but no clearly superior alternative becomes evident, because the relative importance of environmental impacts varies based on their different priorities and/or sensitivities. Section 15126.6 of the State CEQA Guidelines states that "if the environmentally superior alternative is the 'no project' alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives." The Draft EIR/EIS presents a detailed evaluation of the environmental impacts of each alternative. Based on that evaluation, the following discussion provides a summary of the key environmental advantages and disadvantages of the alternatives and whether any alternative emerges as a clear, environmentally superior alternative.

Table 20-1 identifies the number of potentially significant, significant, significant and unavoidable, and beneficial impacts identified under each action alternative for each environmental issue area evaluated in this EIR/EIS. The significance of impacts after mitigation is also identified. As shown in Table 20-1, based solely on impact significance conclusions after implementation of mitigation measures, the Area Plan element of Alternatives 1, 2, and 3 would result in five significant and unavoidable impacts related to traffic and greenhouse gas emissions, and Alternative 4 (the no action alternative) would result in these same significant and unavoidable impacts, plus an additional five impacts for which mitigation cannot be enforced, for a total of ten significant and unavoidable impacts. All action alternatives would result in five beneficial effects, with one beneficial effect for Area Plan Alternative 4. The Lodge portion of Alternatives 1 and 3 would result in two significant and unavoidable impacts related to traffic. Because Alternative 2 would marginally reduce site-generated trips, this alternative would result in modest beneficial impacts related to intersection and roadway LOS. Lodge Alternative 4 would result in the same traffic-related significant and unavoidable impacts as Lodge Alternatives 1 and 3, plus three additional impacts for which mitigation cannot be enforced, for a total of five significant and unavoidable impacts.

Environmental impact conclusions indicate that Area Plan Alternatives 1, 2, and 3 would have roughly equal environmental effects, and each would provide more environmental benefit than Alternative 4. Although the comparison of the Lodge Alternatives indicates that Alternative 2 would have fewer significant and unavoidable impacts, the margin between the beneficial traffic impacts shown for Alternative 2 and the significant and unavoidable traffic impacts shown for Alternatives 1 and 3 is minor. Additionally, Alternatives 1 and 3 would result in environmental benefits that are not indicated by the impact conclusions, such as restoration of SEZ areas, preservation of open space, and environmental enhancement requirements for development within special planning areas. Therefore, although the action alternatives are environmentally superior to Alternative 4, the potential environmental effects or benefits that would result from implementation of Alternatives 1, 2, and 3 are roughly equivalent.

20-4

Placer County/TRPA  
Placer County Tahoe Basin Area Plan and Tahoe City Lodge Draft EIR/EIS100-24  
cont

To suggest a reduced density (what is allowed on 1.4 acres) lodge Alt 2 and Alts 1 and 3 with significant and unavoidable impacts are minor is unsubstantiated and not proven through TBAP DEIR/EIS analysis. The TBAP Final EIR/EIS must provide substantiated proof through analysis that this statement is factual.

Placer County Planning Commission 7-28-16  
 Ellie Waller, Tahoe Vista Resident - Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Issues with the Alternatives Chapter 3

July 25, 2016

See proposed Alternative 5 below.

Reduced Density Lodge (what is allowed on 1.4 acres) with NO Substitute Standards: except updated Mixed-Uses in Mixed-Use areas, Less Height than TRPA Standards, No Special Planning Areas: no analysis proof will increase environmental threshold carrying capacity, etc. should be the "environmentally superior" alternative. Alternative 5 suggested to be added to TBAP Final EIR/EIS (below) for consideration and adoption.

PROPOSED ALTERNATIVE 5 REDUCED DENSITY LODGE W/ NO SUBSTITUTE STANDARDS PAGE 1

AREA PLAN	
Coverage Limits in Town Centers (Max Transformed Coverage)	Up to 50% within 300 feet of the lake; up to 70% elsewhere
Height Limits in Town Centers (Max Height)	Tahoe City Town Center: Similar to Alternative 1, except height limited to 48 feet lake side of SR 28 Kings Beach Town Center: 48 feet mountain side of SR 28 36 feet lake side of SR 28 California North Starline Town Center: 48 feet mountain side of SR 28 36 feet on lake side of SR 28; California at 48 feet
Max Number of Stories	Inside Town Centers: 4 stories in core areas Tahoe City Town Center: 4 stories in core areas Kings Beach/California North Starline Town Centers: 4 stories in core areas 48 feet mountain side of SR 28 36 feet on lake side of SR 28; Outside Town Centers: West Shore Village Centers: 2 stories for Sunnyside and Tahoe W 2 stories for Homewood, except 3 stories in specific areas Tahoe Vista/Carleton Bay: 3 stories mountain side of SR 28 2 stories lake side of SR 28
Density Limits in Town Centers	Tourist: 15-40 units/acre Residential: 15 units/acre

MAP DESIGNATIONS	
Tahoe City Town Center Boundary Change	No
Updated Uses in Mixed-Use Areas	Yes
New Special Planning Areas	No
CFA Conversion to TALs	No
Non-contiguous project areas	No <i>Further analysis required</i>
Secondary Housing on < 1 acre	Direct-restricted affordable allowed with proposed TRPA-certified housing program (TRPA bonus unit incentive applies)

TAHOE CITY LODGE		
Uses on Lodge Property	Hotel rooms	20 units
	1-bedroom suites	16 units
	2-bedroom suites	20 units
	Total	56 units
	Restaurant and kitchen	2,625 sf
	Lobby	1,762 sf
	Terrace/pool/bar (Roof Top)	1,304 sf
Number of buildings / Number of stories	2 buildings / both buildings are 4 stories, except the portion of the building fronting SR 28 is 3 stories	

TAHOE CITY GOLF COURSE CLUBHOUSE	
Relocation and expansion?	No
Clubhouse size	2,880 sf

100-25

Alt 1 as proposed 165 beds minus 76 beds (Alt 2) is 89 less beds (difference) is not minor. Alt 3 at 159 beds minus 76 beds is 83 less beds is not minor

Definition of "minor" <http://www.merriam-webster.com/dictionary/minor>

not very important or valuable

small in number, quantity, or extent

not very serious : not causing much trouble or damage

Page 13 of 16

Placer County Planning Commission 7-28-16

July 25, 2016

Ellie Waller, Tahoe Vista Resident - Comments for The Record

DRAFT Environmental Impact Report/ Environmental Impact Statement (EIR/EIS)

**Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039**

Issues with the Alternatives Chapter 3

Draft DEIR/EIS provides incorrect information and must be corrected in the Final TBAP EIR/EIS.

Page 3-26 below state there will be 171 units . Simple math shows this number is incorrect

40+ 31+ 70 = 141. (and as previously mentioned does not agree with numbers on Page 3-38)

Proposed Project and Alternatives

Ascent Environmental

Project design would adhere to TRPA height and mass standards with buildings ranging in height from 1 to 4 stories; the lodge buildings would be limited to a height of 56 feet. The buildings would be configured to have a reduced height and mass at the SR 28 street frontage, and would transition to increased heights further from the street and closer to the golf course. Proposed floor plans are included in Appendix C.

Table 3-5 summarizes development details of the Tahoe City Lodge tourist units. The total number of bedrooms associated with the proposed project would be 171.

Lodge Unit Type	Alternative 1 (Proposed Project)		Alternative 2		Alternative 3		Alternative 4
	Number of Units	Average Size	Number of Units	Average Size	Number of Units	Average Size	
Hotel Units	40	390 sf	20	375 sf	40	375 sf	NA
1-bedroom suites	31	650 sf	16	676 sf	31	676 sf	
2-bedroom suites	50	1,000 sf	20	1,014 sf	35	1,014 sf	
1-bedroom with den/Type 1	-	-	-	-	3	1,138 sf	
1-bedroom with den/Type 2	-	-	-	-	3	1,036 sf	
2-bedroom with den/Type 1	-	-	-	-	3	1,310 sf	
2-bedroom with den/Type 2	-	-	-	-	3	1,333 sf	
Total Units	118		56		118		

Square feet = sf  
Source: Kila Tahoe, LLC 2015

100-26

Furthermore the Draft TBAP EIR/EIS does not define the den room (type1 or 2) in Alt 3 which could be used as additional beds and cause additional environmental impacts if more people are within the unit. The TBAP FEIR/EIS must provide criteria for "den" and restrict it's uses for no additional beds.

100-27

Page 3-26

- ▲ maintenance and expansion of the Tahoe City Sidewalk Beautification Project,
- ▲ drainage and water quality improvements;
- ▲ reduction in land coverage on APNs 094-070-001 and 094-070-002 relative to existing conditions; and
- ▲ parking contained within the project area coupled with shared-use parking on the Tahoe City Golf Course (a total of 131 surface parking spaces are shown on Exhibit 3-12).

100-28

The Draft TBAP EIR/EIS total number of 131 parking spaces does not include a Table showing assessed needs of golf course (and other recreation uses identified by season) versus lodge at some occupancy percentage identified. The TBAP FEIR/EIS must include a table breaking down the parking needs by category to insure adequate parking has been assessed for shared use.

Page 14 of 16



Placer County Planning Commission 7-28-16  
 Ellie Waller, Tahoe Vista Resident - Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Issues with the Alternatives Chapter 3

July 25, 2016

Proposed Project and Alternatives

Ascent Environmental

This chapter describes the proposed Area Plan, including its policies, implementation plan, and implementing regulations, and a range of alternatives that would meet its basic goals and objectives. While each Area Plan alternative represents a comprehensive plan for the entire area of Placer County within the Tahoe Basin, many provisions of the proposed Area Plan are also reflected in the alternatives. Therefore, the description of each alternative focuses on those elements that are substantively different than existing plans and ordinances. This chapter also describes the Tahoe City Lodge and a range of alternatives that would meet that project's objectives.

The range of alternatives described in this chapter complies with Section 15126.6 of the State CEQA Guidelines, Article VII(a)(3) of the Tahoe Regional Planning Compact, and Section 3.7 of the TRPA Code of Ordinances. Each alternative is potentially feasible, based on relevant economic, environmental, social, technological, and legal factors. The alternatives were presented and accepted by the Regional Plan Implementation Committee (RPIC) at the RPIC Meeting at the North Tahoe Events Center in Kings Beach on September 24, 2015. A reasonable range of alternatives that best met the Area Plan and Tahoe City Lodge project objectives, and that offered an environmental advantage over the proposed project by avoiding or reducing at least one significant impact were selected.

Four alternatives are evaluated in this EIR/EIS, each of which is described in detail below. The proposed Area Plan and proposed Tahoe City Lodge are evaluated together as Alternative 1. Other alternatives include reasonable variations in features of both the Area Plan and Tahoe City Lodge. Because the Kings Beach Center design concept is more fluid at this stage, no specific design alternatives are offered and the concept is unchanged in each of the action alternatives. Alternatives include:

- ▲ **Alternative 1: Proposed Area Plan and Tahoe City Lodge:** This alternative includes the proposed Area Plan as reflected in the June 2015 Public Review Draft and the refinements made in response to stakeholder input in the version released concurrent with this EIR/EIS, and the Tahoe City Lodge as submitted in the project application, with the exception of a more clearly defined project description, including details on the SEZ restoration area and a project scale of 118 lodge units (where 120 were included at the time of submittal) and proposed by the applicant.
- ▲ **Alternative 2: Area Plan with No Substitute Standards and Reduced Scale Lodge:** This alternative applies the maximum development standards (e.g., height, density) allowed under the Regional Plan and includes no specific Area Plan programs or substitute standards (e.g., special planning areas, commercial floor area [CFA] to tourist accommodation unit [TAU] conversion, non-contiguous project areas). Alternative 2 includes a modified and reduced-scale Tahoe City Lodge with a reduced number of lodging units.
- ▲ **Alternative 3: Reduced Intensity Area Plan and Reduced Height Lodge:** This alternative would reduce the maximum coverage in town centers allowed under the Regional Plan and implement community-specific height standards with reduced lake side heights. Substitute standards would be implemented requiring higher environmental performance in some cases. The height of the Tahoe City Lodge would be reduced from four to three stories and the building footprint would be expanded to allow the same number of lodging units as the proposed project.
- ▲ **Alternative 4: No Project:** This alternative would retain the existing community plans, PASs, and Placer County zoning with no changes; the Area Plan would not be implemented. This alternative does not include redevelopment of the Tahoe City Lodge project site, but reflects a condition in which the project applicant could renovate the existing commercial center to increase occupancy relative to existing conditions.

100-29

3-2

Placer County/TRPA  
 Placer County Tahoe Basin Area Plan and Tahoe City Lodge Draft EIR/EIS

The TBAP DEIR/EIS clearly analyzes the Tahoe City Lodge Alt 2 as the environmentally superior lodge alternative with 56 units and less associated impacts and should be the chosen Lodge Alternative for all Area Plan Alternatives.

Page 15 of 16

Placer County Planning Commission 7-28-16

July 25, 2016

Ellie Waller, Tahoe Vista Resident - Comments for The Record

DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)

Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039

Issues with the Alternatives Chapter 3

The Tahoe City Lodge and combined Tahoe City Golf Course clubhouse will require employees. The Draft TBAP EIS/EIR fails to add an affordable housing component or payment of fair-share in-lieu fees for affordable units. The approved 39 unit Sandy Beach timeshare project had a requirement of 6 affordable units. Boulder Bay and Homewood both are required to provide affordable units. The TBAP FEIR/EIS must provide analysis and explanation why the Tahoe City Lodge is exempt from any affordable housing requirement. As stated in DEIR/EIS: just because no loss of very low, lower or moderate-income housing would occur doesn't negate the projects responsibility to provide affordable units. There is no guarantee that the secondary dwelling unit incentives on less than one-acre will be built so no affordable component is being provided for this project or the Area Plan. The FEIR must add policies requiring all new developments provide their fair-share of affordable units thus the Tahoe City Lodge project must be revised to add the affordable component.

100-30

Placer County Planning Commission July 28, 2016  
 Ellie Waller, Tahoe Vista Resident - Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Additional Information needed

July 25, 2016

I am requesting the following information be provided in the TBAP Final Environmental Impact Report/Statement (FEIR/FEIS) to provide clarity enabling the reviewers to adequately and accurately comment. In many cases I suggested this in my NOP comments (attached) and those requests were ignored or dismissed in the Draft Environmental Impact Report/Statement.

I requested Tahoe Basin Area Plan commodities be broken down by the 5 areas West Shore, Tahoe City Town Center, North Tahoe West, North Tahoe East, North Stateline to allow the public and agencies to better understand what is existing today and what is best for those area in the future. Table 5-2 Commodities Summary is a one page table not broken down. I am requesting the TBAP FEIR/EIS break down the commodities (and details provided at the Area Plan level on Table 5-2.) to insure adequate and accurate environmental analysis has been completed.

The TBAP FEIR/EIS must provide close up diagram of the Special Planning Areas for clarity of what exists there today, the proposed uses, how many TAUs, how much CFA, land capability to allow the reviewers clarity to comment on those individual areas.

I am requesting Figures, Tables, Diagrams be provided in the TBAP Final EIR/EIS that are not provided in the DEIR.

I found break down of vacant lots in Land Use Section of Area Plan but not DEIR. The information exists and should be in the TBAP FEIR/EIS.

100-31



In the case of Tahoe Vista with 100 vacant lots a focused map for Tahoe Vista is necessary to discern details. Each of the area on Table 4.3 vacant parcels must be provided in The TBAP FEIR/EIS.

Placer County Planning Commission July 28, 2016  
 Ellie Waller, Tahoe Vista Resident - Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Additional Information needed

July 25, 2016

**Table 4.3-A: Vacant Parcels with IPES  $\geq 726$**

<i>Community</i>	<i>Parcels</i>	<i>Acres</i>
Carmelian Bay	84	57.7
Tahoe Vista	100	34.8
Tahoe City	69	28.7
Homewood	56	22.7
Kings Beach	89	18.5
Dollar Point	26	8.9
Tahoma	17	5.2
<b>Total</b>	<b>441</b>	<b>176.5</b>

*Source: Placer County, 2013; TRPA, 2013.*

100-31  
cont

Page 81 of the Area Plan Land Use Chapter 4

**Special Planning Areas:** Special planning areas (SPAs) are, with limited exception, **subsets of town centers where projects must meet additional environmental standards to make use of the town center redevelopment incentives**. The proposed Area Plan designates six SPAs (four in or near the Tahoe City Town Center, one in the Kings Beach Town Center, and one in the California North Stateline Town Center) for more detailed future planning, or where additional environmental performance standards apply. SPAs include the following:

**Tahoe City Western Entry Special Planning Area** – the purpose of this SPA is to promote SEZ restoration along the Truckee River in conjunction with any development using town center redevelopment incentives.

**Tahoe City Golf Course Special Planning Area** – the purpose of this SPA is to promote redevelopment in the Tahoe City Town Center, shared-use projects, and accelerated SEZ restoration.

**Tahoe City River District Special Planning Area** – This area includes properties along the segment of SR 89 in Tahoe City that is being converted to a recreation-oriented county roadway as part of the SR 89/Fanny Bridge Community Revitalization Project. Planning and projects will support this area as an active, popular location with safety enhancements that encourage primary access by bicycling, walking, and transit.

100-32

Page 2 of 4

Placer County Planning Commission July 28, 2016

July 25, 2016

Ellie Waller, Tahoe Vista Resident - Comments for The Record

DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)

Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039

Additional Information needed

➤ Truckee River Corridor Special Planning Area – the purpose of this SPA is to improve the planning framework for two pockets of industrial and commercial use sites along SR 89 between Tahoe City and Alpine Meadows. Following adoption of the Area Plan, the county will develop an updated plan for these sites that recognizes existing industrial and commercial uses and establishes zoning designations and development standards that focus on environmental redevelopment, restoration, and consistency with the Regional Plan Goals and Policies. The plan for this SPA would be processed as a **future Area Plan amendment**.

➤ Kings Beach Entry Special Planning Area – the purpose of this SPA is to promote integrated development addressing land use, design, circulation, recreation, public services, and natural resources. Coordinated preparation of a SPA is encouraged and if developed would be processed as a **future Area Plan Amendment**.

➤ California North Stateline Special Planning Area – the purpose of this SPA is to maintain the validity of existing plans and development approvals, while encouraging the development of an integrated town center plan in coordination with property owners. Coordinated preparation of a SPA is encouraged, and if developed, **would be processed as an Area Plan amendment**.

No changes to existing development standards (e.g., height, density, and coverage) apply in these areas unless specific performance standards are met in which case town center redevelopment incentives would apply. Applicable performance standards for the six SPAs are summarized below (Table 3-1). The full text of SPA performance standards is included in Section 2.09.B of the Area Plan Implementing Regulations.

100-32  
cont

The TBAP is requesting Town Center incentives for non-Town Center areas with the SPA's as defined above and below and expanding the Tahoe City Town City Boundary line with the proposal to allow town center incentives which were not analyzed in the 2012 Regional Plan Update. The impacts of Town Center incentives is growth inducing and violates the TRPA growth management principles and must be removed and not allowed in the TBAP FEIR/EIS and proposed as amendments to the TBPA after approval and complete necessary environmental analysis and approval.

Tahoe City Western Entry Special Planning Area – the purpose of this SPA is to promote SEZ restoration along the Truckee River in conjunction with any development **using town center redevelopment incentives**.

➤ Tahoe City Golf Course Special Planning Area – the purpose of this SPA is to promote redevelopment in the Tahoe City Town Center, **shared-use projects**, and accelerated SEZ restoration.

➤ Tahoe City River District Special Planning Area – This area includes properties along the segment of SR 89 in Tahoe City that **is being converted** to a recreation-oriented county roadway as part of the SR 89/Fanny Bridge Community Revitalization Project. Planning and projects will support this area as an active, popular location with safety enhancements that encourage primary access by bicycling, walking, and transit.

Page 3 of 4

Placer County Planning Commission July 28, 2016

July 25, 2016

Ellie Waller, Tahoe Vista Resident - Comments for The Record

DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)

Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039

Additional Information needed

The TBAP FEIR/EIS must provide detailed environmental impact analysis from baseline (what is on the ground today) to proposed incentives for the three Tahoe City SPA's. The Fanny Bridge environmental documentation did not analyze, The Tahoe City Lodge Project did not analyze, and the RPU did not analyze these areas with Town Center incentives. A Regional Plan amendment must be submitted to expand the boundary line of the Tahoe City Town Center.

100-33

Chapter 19 Cumulative Impacts section in the Draft TBAP EIR/EIS fails to provide a table of the assessed impacts. Instead the documentation refers the reviewer to many sections.

Chapter 2 Executive Summary should include a summary to provide a Table in Chapter 19 cumulative effects. The TBAP FEIR/EIS must provide a Table similar to example from Martis Valley West parcel assisting the reviewers in determining the environmentally superior alternative.

Placer County Planning Commission Hearing June 9, 2016 (submitted June 5, 2016)  
Martis Valley West Project Specific Plan (PGPA 20130080), State Clearinghouse No. 2014032087  
Ellie Waller, Tahoe Vista Resident: Public Comments for the Record

#### Alternatives comparison of impacts

Ascent Environmental

Revisions to the Draft EIR

**Table 2-2 Summary Environmental Effects of the Alternatives Relative to the Proposed MWVSP**

Environmental Topic	Proposed MWVSP	Alternative 1: No Project - No Development Alternative	Alternative 2: No Project - MVCP Alternative	Alternative 3: Reduced Density Alternative	Alternative 4: Reduced Footprint, Hotel Alternative	Alternative 5: East Parcel Reduced Density Alternative
Land Use and Forest Resources	Less than significant (Project and Cumulative)	Less	Similar/Greater	Similar/Less	Similar/Less	Similar/Less
Population, Employment, and Housing	Less than significant (Project and Cumulative)	Less	Similar	Similar/Less	Similar/Less	Similar/Less
Biological Resources	Less than significant with mitigation (Project and Cumulative)	Less	Greater, potential for a new significant and unavoidable impact	Similar/Less	Similar	Similar/Less
Cultural Resources	Less than significant with mitigation (Project and Cumulative)	Less	Similar	Similar/Less	Similar/Less	Similar/Less
Visual Resources	Less than significant (Project); Significant and unavoidable (Cumulative)	Less, would avoid a significant and unavoidable impact	Similar, same significant and unavoidable impact	Similar/Less, same significant and unavoidable impact	Similar/Less, same significant and unavoidable impact	Similar/Less, same significant and unavoidable impact
Transportation and Circulation	Significant and unavoidable (Project and Cumulative)	Less, would avoid a significant and unavoidable impact	Greater overall, same significant and unavoidable impacts	Similar/Less, same significant and unavoidable impacts	Similar/Less, same significant and unavoidable impacts	Similar/Less, same significant and unavoidable impacts
Air Quality	Less than significant with mitigation (Project and Cumulative)	Less	Similar/Greater	Similar/Less	Similar	Similar/Less
Greenhouse Gas Emissions and Climate Change	Potentially significant and unavoidable (Cumulative)	Less, would avoid a potentially significant and unavoidable impact	Similar/Greater, same potentially significant and unavoidable impact	Similar/Less, same potentially significant and unavoidable impact	Similar, same potentially significant and unavoidable impact	Similar/Less, same potentially significant and unavoidable impact
Noise	Less than significant with mitigation (Project and Cumulative)	Less	Similar/Greater	Similar/Less	Similar/Greater	Similar/Less
Geology and Soils	Less than significant with mitigation (Project and Cumulative)	Less	Similar	Similar/Less	Similar/Less	Similar/Less
Hydrology and Water Quality	Less than significant with mitigation (Project and Cumulative)	Less	Similar/Greater	Similar/Less	Similar/Less	Similar/Less
Utilities	Less than significant with mitigation (Project and Cumulative)	Less	Similar/Greater	Similar/Less	Similar/Less	Similar/Less
Public Services and Recreation	Less than significant with mitigation (Project and Cumulative)	Less	Similar/Greater	Similar/Less	Similar/Less	Similar/Less
Hazards and Hazardous Materials	Less than significant with mitigation (Project and Cumulative)	Less	Similar	Similar/Less	Similar/Less	Similar/Less

Placer County  
Martis Valley West Parcel Specific Plan Final EIR

2-7

100-34

**Letter  
100**
**Ellie Waller**  
 July 25, 2016

- 100-1 The comment duplicates a portion of comment letter 99. Please refer to the responses to comments 99-1 through 99-16.
- 100-2 The comment duplicates a portion of comment letter 99. Please refer to the responses to comments 99-17 through 99-23.
- 100-3 The comment requests clarification as to whether the disturbed SEZ restoration for the Tahoe City Golf Course Special Planning Area (SPA) shown in Table 3-1 of the Draft EIR/EIS must be completed by the Tahoe City Lodge project or the golf course independently. The comment suggests that SEZ restoration should be at a greater ratio, that proof of restoration to a functioning SEZ be required, and requests clarification as to whether commercial floor area (CFA) is being transferred.
- The Tahoe City Golf Course SPA includes the Tahoe City Town Center boundary adjustment area shown on the proposed Zoning Map. Page 266 of the Draft Implementing Regulations addresses the requirements for property owners to be eligible for Town Center Overlay District standards. The SEZ restoration requirement applies to the Tahoe City Lodge project and any other project that would utilize remaining portions of the Tahoe City Golf Course SPA. The project area referenced in Table 3-1 refers to the project site area of individual projects, such as the Tahoe City Lodge project, that utilize the Tahoe City Golf Course SPA.
- The comment's suggestion that a greater SEZ restoration ratio is warranted is an opinion; it does not raise environmental issues or concerns regarding the adequacy, accuracy, or completeness of the Draft EIR/EIS. The comment is noted for consideration during project review. With respect to proof of restoration, both Placer County and TRPA would condition permit issuance or acknowledgement on completion of this element of the project.
- Page 3-30 of the Draft EIR/EIS discusses sources of allocations for the Tahoe City Lodge project. The lodge project does not propose to transfer CFA. Instead, as described on page 3-30, the project applicant proposes to obtain the required tourist accommodation units (TAUs) for the project in part through the Area Plan's pilot program allowed for the conversion of on-site CFA to TAUs.
- 100-4 The comment excerpts Table 51.5.3-3 of the TRPA Code (Transfer of Existing Development Rights to Centers) and asserts that the table provides a reasonable basis to change the minimum SEZ restoration requirement to 1:2 for the Tahoe City Lodge and Tahoe City Golf Course clubhouse relocation. The excerpted table refers to transferable development rights; it does not pertain to SEZ restoration.
- 100-5 The comment states that the Draft EIR/EIS must clearly identify how the Tahoe City Lodge project would obtain residential unit commodities for condo-type units. The Draft EIR/EIS described the ownership structure of the Tahoe City Lodge on page 3-23, as follows: "The project would operate as a condo hotel, meaning that the 1- and 2-bedroom suites would be sold to private individuals. For the proposed project, this means that 78 suites (66 percent of the total units) would be sold, and 40 hotel units would be retained by the lodge. The sold units would have restrictions on the number of nights a buyer can occupy the unit, which would be addressed in a deed restriction as a condition of project approval. A condo hotel is a building that is legally a condominium, but operated as a hotel, offering short-term rentals." Because the units would operate as hotel units providing short-term rentals, they would

require TAUs pursuant to TRPA Code, not residential commodities. The anticipated sources of the required TAUs are described in the Draft EIR/EIS in Section 3.6.2 on page 3-30.

- 100-6 The comment suggests that the Draft EIR/EIS provide a table detailing how land coverage and capability of the various Tahoe City Lodge project components allow for 118 units on 1.4 acres, versus including the Tahoe City Golf Course property boundaries to equal 3.9 acres. It is unclear what the comment is suggesting. Table 14-7 in the Draft EIR/EIS includes detailed coverage calculations by land capability district (LCD) for existing conditions and each of the Tahoe City Lodge project alternatives. The coverage calculations for Alternatives 1 and 3, each of which include 118 units, utilize a portion of the Tahoe City Golf Course SPA for a total project area (defined in Chapter 30 of the TRPA Code) of 3.9 acres. Alternative 2 reflects an alternative whereby the project area used to estimate the maximum TAUs (56 units) and to calculate coverage by LCD would be approximately 1.4 acres. The coverage by LCD for Alternative 2 is also shown in Table 14-7 of the Draft EIR/EIS.
- 100-7 The comment suggests that the Draft EIR/EIS provide information on the proposed CFA and TAU bonus unit program. The comment excerpts portions of Sections 50.10.7 and 50.10.8 of the TRPA Code. It is unclear what the comment is suggesting. Table 5-2 of the Draft EIR/EIS includes a commodities summary to include existing, banked, and remaining commodities; it includes residential units, CFA, and TAUs, as well as a summary of remaining bonus units. The proposed Area Plan program allowing for the limited conversion of CFA to TAUs is described on pages 3-17 and 3-18 of the Draft EIR/EIS, and evaluated in the Draft EIR/EIS resource chapters (Chapter 5 through 18), where relevant.
- 100-8 The comment states that the Draft EIR/EIS does not provide information on how the proposed Tahoe City Lodge project would meet the coverage reduction requirements for transfers of development as required by TRPA Code Section 51.5.2.I.1. TRPA Code Section 51.5.2.I.1 requires that one of several conditions be met for projects that transfer development commodities into a building site that is not within high capability lands (LCD 4 through 7). As shown in Exhibit 3-12, the building site is within LCDs 1b and 5. Prior to TRPA permit acknowledgement, the site plan must be refined and evaluated for consistency with TRPA coverage limitations, as required by Mitigation Measure 14-1. Furthermore, response to comment 100-3 and page 3-30 of the Draft EIR/EIS discuss sources of allocations for the Tahoe City Lodge project. The proposed lodge project does not propose to transfer CFA. Instead, as described on page 3-30, the project applicant proposes to obtain the required tourist accommodation units (TAUs) for the project in part through the Area Plan's pilot program allowed for the conversion of on-site CFA to TAUs. Other TAUs could be assigned to the site from the county's limited supply, or could be purchased and transferred to the site. Any transfers of development commodities would need to meet the requirements of TRPA Code Section 51.5.2.I.1 prior to TRPA permit acknowledgement.
- 100-9 The comment states that the Tahoe City Lodge project would not qualify for density and coverage benefits if the boundary line adjustment is not approved, and that it would not comply with non-contiguous project area benefits. The comment is acknowledged.
- 100-10 The comment states that the Final EIR/EIS must be corrected to provide an alternative that accurately reflects the Tahoe City Lodge per current TRPA ordinances, and Tahoe City Community Plan and PAS restrictions. Alternative 4 in the Draft EIR/EIS (described on pages 3-5 and 3-38) reflects a scenario in which the Area Plan would not be adopted and the existing Regional Plan, six community plans, 51 PASs, and Placer County zoning regulations would remain unchanged. Under this scenario, the lodge project applicant would not move forward with a lodge proposal, but rather would renovate the existing commercial center to increase occupancy relative to existing conditions.



- 100-11 The comment pertains to parking at the Tahoe City Lodge. Impact 10-8 of the Draft EIR/EIS identifies the summer parking demand by land use and activity, as requested by the comment. The response to comment 12-42 updates this analysis to include evaluation of winter conditions. See also the discussion in Section 2.1.1, "Description of Tahoe City Lodge Changes," in the Final EIR/EIS.
- 100-12 The comment expresses concern regarding the accuracy of the land coverage calculations prepared for the Tahoe City Lodge. The concern results from a misinterpretation of Plan Sheet C3.1 in Appendix D of the Draft EIR/EIS, which shows the project area and existing land coverage. This exhibit shows coverage outside of the project area for information purposes. Only existing land coverage located within the project area was included in land coverage calculations. Additionally, Area 3 identified on Plan Sheets C3.2 and C3.3 separately addresses the easement area.
- 100-13 The comment states that the Tahoe City Lodge project should provide an MOU demonstrating the partnership agreement between TCPUD and the project applicant. A Non-Binding Letter of Intent was entered into on April 21, 2014 between TCPUD and Kila Properties, the Tahoe City Lodge proponent (TCPUD and Kila Properties 2014). This letter indicates that the two parties are willing to negotiate a future agreement which addresses the development of the Tahoe City Lodge, deed restriction of portions of the Tahoe City Golf Course, shared parking, and shared or restored land coverage in order to comply with TRPA regulations. The Letter of Intent is a public document and is included in the administrative record of this Final EIR/EIS.
- 100-14 The comment inquires as to why the Tahoe City Golf Course has not done the proposed SEZ restoration prior to the joint project area proposal. The comment offers no specific information or evidence that the analysis presented in the Draft EIR/EIS is inadequate; therefore, no further response can be provided.
- 100-15 The comment questions whether the Tahoe City Lodge Project has an easement that allows for ingress and egress to the site. The lodge alternatives propose to make use of the easement on the Bechdolt property in a manner pursuant to the right granted under that easement. See responses to comments 54-1 and 54A-1.
- 100-16 The comment states that the Draft EIR/EIS does not address affordable and employee housing for the Tahoe City Lodge. The affordable and employee housing requirements for the Tahoe City Lodge are discussed on pages 6-17 and 6-18 of the Draft EIR/EIS. As described, the lodge project would be required to provide for employee housing for 50 percent of the project's increase in full-time equivalent employees (FTEE). Although FTEE at the project site is 36.94 under existing conditions, the FTEE of the site under full occupancy is 61.41 (see Alternative 4 in Table 6-9 below). Lodge Alternative 1 would increase FTEE by 4.78 over the employment potential of the project site under full occupancy. Consistent with the County's Housing Element Program C-2, the project is required to mitigate potential impacts to employee housing by housing 50 percent of the FTEEs generated by the project. Therefore, the applicant would be responsible for providing housing for the equivalent of 2.39 FTEEs which would be provided via in-lieu fees paid to the County in support of moderate and low income housing programs. The fee amount would be determined by the County and paid by the applicant prior to final permit approval.
- 100-17 The comment excerpts the last full paragraph on page 3-1 of the Draft EIR/EIS, which describes the mechanism by which the Tahoe City Lodge could be approved even if the County and TRPA do not adopt the Area Plan. The text describes that to do so, however, the Tahoe City Lodge would require amendments to the Regional Plan and Code, as well as several planning documents associated with the 1987 Regional Plan. The comment requests clarification as to the specific amendments that would be required to provide assurance to the reviewers that all environmental analyses have been accurately and adequately

completed. A scenario in which the lodge project would move forward absent an Area Plan alternative being approved is not included as part of any of the alternatives evaluated in the Draft EIR/EIS. If none of the Area Plan alternatives are approved, and the Tahoe City Lodge project applicant proposed to move forward with the aforementioned amendments, then such a proposal would be subject to a subsequent environmental review and approval.

100-18

The comment addresses LOS, Area Plan parking standards, and the TART Systems Plan. The comment regarding LOS pertains to the change in LOS standards in the proposed Area Plan policies (Policy T-P-6), and not to the adequacy, accuracy, or completeness of the environmental document. The Draft EIR/EIS does analyze LOS at key roadway elements (Impacts 10-1 and 10-3).

Regarding the analysis of parking at the Area Plan level, the actual parking demand and supply that would occur in each SPA would depend on specific project design, specific land uses (as specific types of commercial land uses, for example, have differing levels of parking demand), future shared parking arrangements, the degree to which future developers take advantage of in-lieu fee programs, and other factors. It would be speculative to identify a specific number of future parking spaces needed or supplied. What can be concluded at an appropriate Area Plan level of analysis is that the parking standards that would be adopted as part of the Area Plan would result in a lower number of additional future parking spaces in town centers associated with new development than would occur if the new parking standards are not adopted. Specific development proposals would be required to adhere to the standard county development review process, which would provide a review of parking impacts based upon detailed specific land uses and parking strategies. The provision of structured versus surface parking is also dependent upon project- and site-specific factors, and cannot be evaluated at the Area Plan level.

A detailed quantitative analysis of the traffic/parking/air quality impacts of the TART Systems Plan would be necessary if it were identified as fully mitigating a significant traffic impact. However, as Impact 10-1 (roadway LOS) is found to be significant and unavoidable even with additional transit funding that helps to support the TART Systems Plan, a detailed analysis of impacts would not change the findings of the environmental document.

100-19

The comment claims that the Draft EIR/EIS does not analyze the increased growth that could result from allowing secondary dwelling units, and requests that the EIR/EIS include an analysis based on a modeled estimate of the number of secondary dwelling units.

The Draft EIR/EIS (on page 3-18) summarizes the proposed Area Plan provision that would allow secondary dwelling units on certain residential parcels less than 1 acre in size, and the full text of the applicable requirements for secondary units is provided in Section 3.01 of the proposed Area Plan Implementing Regulations. As described in the Draft EIR/EIS and proposed Area Plan, secondary dwelling units would be subject to TRPA Code provisions including the requirement for each dwelling unit to receive residential development commodities under the TRPA growth control system. As a result, secondary dwelling units would not result in additive growth. Instead, they would represent a portion of the limited residential development commodities authorized by the TRPA Regional Plan and analyzed in the 2012 Regional Plan Update EIS.

The Draft EIR/EIS analyzes the effects of the secondary dwelling units in Chapters 5 through 20. The analysis summarizes the anticipated growth in residential units consistent with the TRPA growth control system as follows: "Development of commercial and tourist uses and residential units in the Plan area are limited by commodity allocations set forth by the Regional Plan. Between 11 and up to 37 residential units could be issued by TRPA each year for residential development in the Plan area. Through the Bonus Unit Incentive Program, TRPA has a limited number of bonus units that could be allocated for development of

affordable housing or to incentivize transfer of development rights into town centers (TRPA Code Section 52.3). Within these limitations, the maximum number of housing units, including bonus units that could be developed under the Area Plan by 2035, would be 12,206, an addition of 1,016 over the existing number of housing units (see Table 6-1).” (Draft EIR/EIS page 6-19). Notably, the analysis of the effects of secondary dwelling units in the Draft EIR/EIS is based on a modelled estimate that approximately five percent of these new residential units would be secondary dwelling units. This estimate is based on data on the actual development of secondary dwelling units under a similar program in the City of South Lake Tahoe, and from elsewhere in Placer County (see page 3 of Draft EIR/EIS Appendix G-1). As described above, the Draft EIR/EIS appropriately analyzed the effects of secondary dwelling units.

- 100-20 The comment requests clarification as to how view corridor standards in the proposed Area Plan would be applied, and suggests that the EIR/EIS should include simulations of future buildings that could be proposed in the Plan area to evaluate their effects on scenic views. The comment also suggests additional view corridor requirements for inclusion in the proposed area plan.

Please refer to the responses to comments 12-44 and 12-46, which provide clarification on how the proposed view corridor standards would be applied, and address the suggestion to include simulations of possible future buildings that could be proposed within the Plan area.

The comment’s suggested additional view corridor requirements are noted for consideration during finalization of the proposed Area Plan, but these comments refer to the content of the Area Plan, not the Draft EIR/EIS.

- 100-21 The comment excerpts a portion of Chapter 13 of the TRPA Code and asserts that “considering” ridgeline protection is not a requirement and that TRPA Code must be amended to include language that “must protect” by providing visual simulation analysis; the comment also states that the Final EIR/EIS must provide detailed criteria to meet the requirements of Section 13.6.6.C.1 of the TRPA Code, which requires that:

Area Plans that contain town centers... shall include policies, ordinances, and other implementation measures to:

1. Include building and site design standards that reflect the unique character of each area, respond to local design issues, and consider ridgeline and viewshed protection;

Area Plan Policies SR-P-1 through SR-P-9 meet the requirements of Code Section 13.6.6.C.1. Policy SR-P-9 specifically addresses ridgeline and viewshed protection. The comment is noted for consideration during project review.

- 100-22 The comment suggests that there is an inconsistency between the lodge room counts presented in Tables 3-5 and 3-8 for Alternative 3. The total unit count for Alternative 3 is correctly shown in both tables as 118 units. Table 3-5 presents the information in a slightly different way than Table 3-8, and is intended to show the unit sizes for comparative purposes. Table 3-8 combined the units with dens with the traditional 1- and 2-bedroom suites. While Alternative 3 is correctly shown in both tables, it is true that the numbers are shown incorrectly for Alternative 1 in Table 3-5. The table has been revised in this Final EIR/EIS. The change is presented in Chapter 2, “Corrections and Revisions to the Draft EIR/EIS.” The correction does not alter the conclusions with respect to the significance of any environmental impact.

Table 3-5 on page 3-25 is revised as follows:

**Table 3-5 Tahoe City Lodge Unit Development Summary by Alternative**

Lodge Unit Type	Alternative 1 (Proposed Project)		Alternative 2		Alternative 3		Alternative 4
	Number of Units	Average Size	Number of Units	Average Size	Number of Units	Average Size	
Hotel units	40	390 sf	20	375 sf	40	375 sf	NA
1-bedroom suites	31	650 sf	16	676 sf	31	676 sf	
2-bedroom suites	<del>50</del> 47	1,000 sf	20	1,014 sf	35	1,014 sf	
1-bedroom with den/Type 1	-	-	-	-	3	1,138 sf	
1-bedroom with den/Type 2	-	-	-	-	3	1,036 sf	
2-bedroom with den/Type 1	-	-	-	-	3	1,310 sf	
2-bedroom with den/Type 2	-	-	-	-	3	1,333 sf	
Total Units	118		56		118		

Square feet = sf

Source: Kila Tahoe, LLC 2015

- 100-23 The comment requests clarification of the text on page 3-23 of the Draft EIR/EIS where the text describes the lodging unit sizes depicted in Exhibit 3-12 as ranging from approximately 390 to 1,000 square feet, which is true for the project as proposed. Table 3-5, which depicts unit sizes contemplated in all alternatives, includes unit sizes up to 1,333 square feet.
- 100-24 The comment questions the Draft EIR/EIS conclusion that the environmental impacts associated with the Tahoe City Lodge alternatives are roughly equivalent. As described on page 20-4 of the Draft EIR/EIS, Tahoe City Lodge Alternatives 1 and 3 have significant and unavoidable traffic-related impacts, while Alternative 2 is projected to have beneficial traffic impacts. However, the margin between the beneficial impacts of Alternative 2 and the significant and unavoidable impacts of Alternatives 1 and 3 are small. For example, at the Grove Street/SR 28 intersection, Alternative 2 would result in a 1.3 percent decrease in traffic volume while Alternatives 1 and 3 would increase traffic volume by 1.6 percent. While Alternative 2 would be considered to have a beneficial impact, Alternatives 1 and 3 would be considered to have a significant and unavoidable impact, even though the difference between the alternatives is less than 3 percent. Additionally, Alternatives 1 and 3 would result in environmental benefits that are not shown by a review of the impact conclusions such as restoration of SEZ areas, preservation of open space, and environmental enhancement requirements for development within special planning areas. Therefore, as described in the Draft EIR/EIS, although the action alternatives are environmentally superior to Alternative 4, the potential environmental effects or benefits that would result from implementation of Alternatives 1, 2, and 3 are roughly equivalent.
- 100-25 The comment proposes the consideration of a fifth alternative for inclusion in the Final EIR/EIS. It is difficult to read and understand the handwritten notes included in this comment. The features described for this fifth alternative appear to be the same as Alternative 2 (see Table 3-8 of the Draft EIR/EIS), except as it relates to building height. The comment does not raise environmental issues or concerns regarding the adequacy, accuracy, or completeness of the Draft EIR/EIS and does not provide evidence that the suggested alternative would avoid or substantially lessen any of the significant effects (CEQA Guidelines Section 15126.6) of the alternatives considered in the Draft EIR/EIS. The comment is noted for consideration during project review.

- 100-26 The comment suggests that the sentence preceding Table 3-5 in the Draft EIR/EIS should be corrected; however, the bedroom count number provided in the comment is not correct. The sentence has been revised in this Final EIR/EIS. The change is presented in Chapter 2, “Corrections and Revisions to the Draft EIR/EIS.” The correction does not alter the conclusions with respect to the significance of any environmental impact.

The sentence preceding Table 3-5 on page 3-25 is revised as follows:

The total number of bedrooms associated with the proposed project is ~~474~~165.

- 100-27 The comment notes that Tahoe City Lodge Alternative 3 includes 12 lodging units that would include dens. The comment suggests that if additional beds were placed in the dens it could result in additional environmental impacts from additional people.

The number of individuals staying in any lodging unit can vary substantially from night to night. The Draft EIR/EIS analyzes the effects of the Tahoe City lodge alternatives using assumptions imbedded in the TRPA transportation demand model. This model includes estimates of typical occupancy rates for hotels in Tahoe Region. This analysis accounts for the actual monitored variation in the number of occupants. Thus, if a den were occasionally used to accommodate an additional guest, it would not affect the environmental analysis, because the analysis already accounts for this type of variation in the number of occupants.

- 100-28 The comment cites the need for a detailed inventory of parking needs for the Tahoe City Lodge. The requested details are provided for peak summer conditions (at 100 percent lodge occupancy) in Tables 10-17 through 10-22 of the Draft EIR/EIS. The response to comment 12-42 provides similar information for peak winter conditions.

- 100-29 The comment states that Tahoe City Lodge Alternative 2 should be the chosen lodge alternative for all Area Plan alternatives. The comment is noted for consideration during project review.

- 100-30 This comment repeats the concerns stated in comment 100-16 regarding the analysis of employee or affordable housing for the Tahoe City Lodge. Please refer to the response to comment 100-16 above.

- 100-31 The comment requests additional data related to five subareas within the Plan area, as well as information related to land uses in portions of the Plan area that would not experience changes through implementation of the Area Plan. While the information requested would provide an interesting assessment of various conditions throughout the Plan area, it is not necessary for evaluating the potential environmental effects of the changes in policies, land uses, and regulations proposed by the Area Plan that collectively represent the whole of the action consistent with Section 15378 of the CEQA Guidelines.

- 100-32 The comment refers to Draft EIR/EIS page 3-15 and suggests that Special Planning Areas (SPAs) proposed in the Area Plan alternatives would allow town center height, density, and coverage standards to apply outside of town centers, which is not analyzed in the Draft EIR/EIS.

The Draft EIR/EIS summarizes the SPAs on pages 3-15 to 3-16, and the full text of regulations governing SPAs is included in the proposed Area Plan Implementing Regulations in Section 2.09.B. The majority of the SPAs are within town centers and would only allow the applicable town center height, density, and coverage standards to apply to projects that meet specific performance standards related to restoration and mobility. One SPA is located outside of town centers (the Truckee River Corridor SPA). This SPA would not allow town center standards to apply outside of the town centers. Instead, this SPA calls for the county

to prepare a focused plan for the Truckee River corridor area that recognizes existing uses and establishes zoning and development standards that promote Regional Plan goals and policies.

This comment has identified language in the last full paragraph on page 3-15 of the Draft EIR/EIS that is inaccurate and this language has been corrected in this Final EIR/EIS. This change is presented in Chapter 2, “Corrections and Revisions to the Draft EIR/EIS.” The correction does not alter the conclusions with respect to the significance of any environmental impact.

The last full paragraph on page 3-15 is revised to read as follows:

“No changes to existing development standards (e.g., height, density, and coverage) apply in these areas unless specific performance standards are met in which case town center redevelopment incentives would apply to the SPAs within town centers. Applicable performance standards for the six SPAs are summarized below (Table 3-1). The full text of SPA performance standards is included in Section 2.09.B of the Area Plan Implementing Regulations.”

- 100-33 The comment states that the Final EIR/EIS must assess impacts of the proposed incentives for the three Tahoe City SPAs as compared to existing physical conditions, the baseline for analysis. The impact of the project (including the incentives included in the SPAs) is compared to an existing conditions baseline. Because the Area Plan is a long-term guidance document, the document also discloses comparisons to the no project alternative, that is, continuation of existing policies and zoning.
- The comment also states that the modification of the Tahoe City Town Center would require a Regional Plan amendment. This statement is correct. If TRPA and Placer County approve an Area Plan alternative that includes a town center modification, an amendment to the TRPA Regional Plan would be required. This Draft EIR/EIS would support the amendment process.
- 100-34 The comment requests that the Draft EIR/EIS executive summary include a summary table to assist reviewers in determining the environmentally superior alternative. Table 20-1, on page 20-5 of the Draft EIR/EIS provides a summary of impact conclusions by alternative for each resource. An additional table is not necessary.

**Letter  
101**

**From:** Ellie <tahoellie@yahoo.com>  
**Sent:** Wednesday, July 27, 2016 4:04 PM  
**To:** Steve Buelna  
**Cc:** Lucia Maloney; John Marshall; Shannon Eckmeyer; Pat Davison Tahoe Communtiy CATT; Tiffany Good; Nanette Hansel  
**Subject:** Re: Reference in DEIR/EIS to no affordable component for Lodge Specific

Thank you for the quick response.

I referenced this section also in my detailed comments and the math does not make sense to me. The affordable component must be project specific numbers not Area Plan cumulative numbers as all other recent (past 10 years) projects in Placer have had to provide fair-share project specific affordable units or in-lieu.

The expectation that affordable will ever be built with in-lieu fees is questionable and secondary units also being an actual solution also questionable.

The Tahoe City Lodge Project is not providing a solution for the affordable issues plaguing Placer County and the Tahoe Basin thus not supporting the requirements of the Regional Plan Update.

Using the table below the Tahoe City Lodge must be required to provide 50% of FTEE which is  $36.94/2 = 18.47$  units. My previous comments suggested 14.5 units was necessary.

FOR THE RECORD I am now stating 18.5 affordable units are required by the Tahoe City Lodge Project or at the very least the applicant (by choice) pays an equivalent in-lieu mitigation fee for 18.5 units based on info provided to me by Placer County.

Not sure what existing conditions of Hendriksen site has to do when Lodge is built as the use is changing????

The use is changing so the employment numbers change (restaurant workers, maids, Lodge Manager/staff, etc.) based on new development requirements. If Alt 4 no change to commercial status was in play the 29.25 FTEE would apply.

Please accept this as an official comment for the Tahoe Basin Area Plan and Tahoe City Lodge DEIR/EIS.

101-1

**From:** Steve Buelna <SBuelna@placer.ca.gov>  
**To:** Ellie <tahoellie@yahoo.com>  
**Cc:** Lucia Maloney <lmaloney@trpa.org>; John Marshall <jmarshall@trpa.org>; Shannon Eckmeyer <shannon@keeptahoeblue.org>  
**Sent:** Wednesday, July 27, 2016 3:40 PM  
**Subject:** RE: Reference in DEIR/EIS to no affordable component for Lodge Specific

Hi Ellie,

This is the section I was thinking of. This is addressing the workforce housing component and the analysis that was conducted.

Thanks,  
 Steve

#### Tahoe City Lodge Project-Level Analysis

##### Alternative 1: Proposed Lodge

Implementation of Alternative 1 would result in construction of a new 118-unit hotel and associated amenities, reconstruction of the Tahoe City Golf Course clubhouse, and golf course improvements. The site currently supports commercial uses, with 15 different businesses located at the lodge site. The lodge itself would be in similar in type to surrounding developed urban uses in the Tahoe City town center. The proposed lodge would replace the existing commercial center and would result in a net increase in 29 full-time equivalent employees (FTEE) (66.19 FTEE with Alternative 1 – 36.94 FTEE under existing conditions = 29.25 FTEE) relative to existing conditions. This would represent an increase of less than 1 percent ( $29 \text{ FTEE} / 4,358 \text{ jobs [from Table 6-8]} * 100 = 0.7 \text{ percent}$ ) of the jobs in the Plan area.

As required by Placer County General Plan Policy C-2, the lodge project would provide for employee housing for 50 percent of the projects increase in FTEE when compared to the employment potential of the existing development at the site. Although FTEE at the project site is 36.94 under existing conditions, the FTEE of the site under full occupancy is 61.41 (see Alternative 4 in Table 6-9 below). The Alternative 1 lodge would increase FTEE by 4.78 over the employment potential of the project site under full occupancy. The applicant would be responsible for the equivalent of 2.39 employee housing units, which they have indicated would be provided via in-lieu fees paid to the county in support of moderate and low income housing programs. The fee amount would be determined by the county and paid by the applicant prior to final permit approval. Table 6-9 Tahoe City Lodge and Clubhouse Employment and Workforce Housing Requirements by Alternative

Scenario	Estimated # of Employees on an Avg. Day <sup>1</sup>	Estimated # of Employees on a Peak Day <sup>1</sup>	Full-Time Equivalent Employees (FTEE) <sup>2</sup>	Employee Housing Required Per Placer County General Plan, Housing Element Policy C-2 <sup>3</sup>
Existing Conditions (2015)	26	31	36.94	NA
Alternative 1	26	40	66.19	2.39
Alternative 2	15	23	32.10	--
Alternative 3	22	35	57.67	--
Alternative 4	43	51	61.41	--

<sup>1</sup> Estimated based on information provided by Kila Tahoe, LLC related to average and peak day employees.

<sup>2</sup> Information provided by Placer County Housing Specialist Cathy Donovan for the proposed Tahoe City Lodge. Other alternative FTEE numbers were derived from the Alternative 1 information.

<sup>3</sup> Placer County General Plan Policy C-2 requires new development in the Tahoe Basin to house 50 percent of the FTEE generated by the development. It requires that housing be provided for in one of the following ways:

- construction of onsite employee housing;
- construction of offsite employee housing;
- dedication of land for needed units; and/or
- payment of an in-lieu fee.

The requirement is determined based on the existing use potential of a site. In this instance, the existing commercial complex at the lodge site has 26,304 square feet of verified CFA. This was the basis for determining the employee housing requirement. Existing conditions reflects the extent to which the existing commercial complex is currently leased, not its full potential. The full potential is reflected in Alternative 4. Because Alternative 1 is the only alternative that would increase FTEE relative to the existing potential, it is the only alternative that meets the Policy C-2 workforce housing requirement.

Source: Adapted by Ascent Environmental 2016

101-1  
 cont



**From:** Ellie [mailto:tahoellie@yahoo.com]  
**Sent:** Wednesday, July 27, 2016 3:17 PM  
**To:** Steve Buelna  
**Cc:** Lucia Maloney; John Marshall; Shannon Eckmeyer  
**Subject:** Reference in DEIR/EIS to no affordable component for Lodge Specific

Ascent Environmental

Population and Housing

recognized affordable housing. However, the parcels in which the Kings Beach Center design concept are located include some existing residential uses, which could include moderate-income units. Because of the mixed-use nature of the conceptual redevelopment related to the Kings Beach Center design concept, any displaced moderate-income units could be incorporated into the future project. The potential for displace and replacement would be analyzed during the subsequent environmental review for that future project.

Furthermore, future projects would be subject to TRPA requirements for in-kind replacement housing on a unit for unit basis for the loss of moderate-income housing (TRPA Code Section 39.2.3.B); consequently, there would be no net loss of housing. The Area Plan would not result in any new impacts from displacement of residences or businesses beyond those addressed in the RTP EIR/EIS; therefore, there would be no impact. These impacts are not discussed further.

The Tahoe City Lodge project site contains three commercial buildings and a small portion of the Tahoe City Golf Course. There is no housing on the site so no loss of very-low, lower-, or moderate-income housing would occur and no replacement housing would be required elsewhere. This issue is not discussed further. However, Placer County's requirement for providing workforce housing (General Plan Policy C-2) is discussed herein.

Additional analysis of potential growth inducement caused by the proposed project is presented in Chapter 20, "Other CEQA- and TRPA-Mandated Sections," of this EIR/EIS.

## 6.2 REGULATORY SETTING

### 6.2.1 Federal

There are no federal population and housing regulations that pertain to the proposed project.

### 6.2.2 Tahoe Regional Planning Agency

Two components of the Regional Plan address policies and regulations pertaining to population, housing, and employment: Goals and Policies and Code of Ordinances.

## REGIONAL PLAN

### Goals and Policies

The Land Use Subelement includes policies to encourage and support redevelopment of existing Town Centers while also maintaining a balance between economic/social health and the environment. The Housing Subelement includes policies that promote housing opportunities for very-low, lower-, and moderate-income households.

The Regional Plan Goals and Policies pertaining to population and housing are incorporated here by reference (TRPA 2012b:2-2, 2-20 - 2-21).

### Code of Ordinances

#### Multi-Residential Incentive Program

TRPA has established a Bonus Unit Incentive Program for the purpose of assigning multi-residential "bonus units." Under the Multi-Residential Incentive Program (MRIP), applicants may be awarded bonus units by improving environmental conditions or through development of affordable or moderate-income housing. The following conditions are required for housing projects to receive multi-residential bonus units:

6-2

Placer County/TRPA  
 Placer County Tahoe Basin Area Plan and Tahoe City Lodge Draft EIR/EIS

101-1  
 cont

**Letter  
101****Ellie Waller**  
July 27, 2016

- 101-1      The comment expresses disagreement with the Draft EIR/EIS findings related to the Tahoe City Lodge project's obligation to provide affordable and employee housing. This comment echoes concerns that the commenter previously raised in comment 100-16. Please refer to the response to comment 100-16. An important detail to note in this discussion is that the Tahoe City Lodge is required to provide employee housing for 50 percent of the increase in FTEs when compared to the employment potential of the existing site (Placer County General Plan Housing Element, Policy C-2).

Placer County Planning Commission  
 Ellie Waller, Tahoe Vista Resident & Member North Tahoe West Plan Team- Comments for The Record  
 DRAFT Environmental Impact Report/ Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Overarching Statements

July 28,

**Letter  
102**

Just a quick statement about TRPA Governing Board and Regional Plan Implementation committee yesterday.

Shelly Aldean asked if applicant was willing to go with the reduced density Alt 2 at 56 units.  
 Answer: NO

Which lends to the question doesn't the environmental analysis require a "range" of alternatives that reflect most of the project goals? By removing one alternative should another alternative be required in the analysis mix in the TBAP FEIR/EIS? This also begs the question why was the Reduced Density Lodge project even proposed in the TBAP DEIR/EIS if it would not be considered?

102-1

Revered Environmental attorneys: Bill Yeates and Clem Shute agreed and commented: Placer cannot continue to suggest significant and unavoidable transit/traffic issues are acceptable and must find viable solutions as The Tahoe Basin is within 10% of max VMT capacity. Need imaginative, out of the box solutions not just mitigation fees that could take years before enough is in the coffer to accomplish anything.

102-2

Hal Cole City of South Lake Tahoe cautioned on reduced parking variances that the commercial owners in South Shore have concerns that there isn't enough parking for all the commercial enterprises in Heavenly Village

My comments: The Draft EIR/EIS has too many inconsistencies. The reviewers are left with inconsistent Tahoe City Lodge numbers, Implementing Ordinance terminology conflicts, lack of definitions, etc. Until corrections are made and facts reported consistently, the DEIR/EIS must be corrected. The inconsistencies alone should trigger, not asking for re-circulation, an addendum to insure the environmental analysis was correctly completed based on consistent information. I am specifically requesting a track-change document as the addendum before the TBAP FEIR/EIS is released.

102-3

A few examples:

1). Tahoe Vista is stated to be a Community Center which is confusing unto itself. Tahoe Vista is also called a Town Center sub-district. It is also called a Village Center which makes more sense as described for other similar areas.

102-4

2). Tahoe City Lodge Coverage confusion and clarification issues for how the 3+ acres is derived and applied to the entire project area. The Stream Environment Zone restoration proposed for the Tahoe City Lodge project is based on the 1.4 acres which is the acreage for lodge site only. Stating 1.7 acres of restoration is above the requirement is misleading and not clear. Should the project have to provide SEZ restoration for the entire project site of 3+ acres to be considered complete and meeting required mitigation? The TBAP FEIR/EIS must answer the question.

102-5

Page 1 of 4

Placer County Planning Commission  
 Ellie Waller, Tahoe Vista Resident & Member North Tahoe West Plan Team- Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Overarching Statements

July 28, 2016

3). Request from League similar to my request in NOP (see reference below). The League requested at GB June 24, 2015: Zoning changes alone could have significant environmental impacts. While Regional Plan did look at mixed-use changes, it shouldn't be used exclusively for tiering here because it didn't look at localized impacts for North Tahoe. Need to clearly cite where tiering is used in the analysis.

102-6

3a) Placer Planning Commissioner Nader requested the public cite Chapter of what we are commenting on for ease of staff to answer. I requested the following information at RPIC June 24, 2015 and cannot cite pages as it doesn't exist and expect in-kind from the environmental consultant. June 2015: Wants environmental document to include actual citing of where anything will be tiered and provide page #s from RTP, TMDL, and Regional Plan documentation to prove analysis was completed. Not addressed in the DEIR

102-7

4). Most recently, on July 20, 2016 I asked Placer if I could review the Tahoe City Lodge application: No response. Need this for meaningful comments.

102-8

Appendix A June 3, 2015 points the reviewers to sections within the TBAP DEIR/EIS. The TBAP DEIR/EIS does not necessarily provide adequate answers.

A few examples:

1). Identify when environmental analysis of Special Planning Areas would be performed. Similar comment by NTFD requesting actual details to assure proper staffing for public health and safety in June 2015. Not provided in TBAP DEIR/EIS stated to be in the future. Page 97 Area Plan June 2016

102-9

2). Assess the proposed mixed-use overlay on lands currently zoned recreation and disclose the Tahoe City Lodge Project is dependent on this mixed-use overlay to utilize acreage to allow for TAUs at 40 units per acre. The Golf course is recreation not mixed use if community plan boundary-line adjustment is denied. Is a MINIMAL SEZ restoration of 1.7 acres in the scope of the entire Area Plan a reason to grant adjustment and extraordinary incentives? Also, the Tahoe City Lodge project is a great example of needing more analysis for non-contiguous project boundaries. Clearly the Tahoe City Lodge at 118 units on 1.4 acres is just too large. Another question the TBAP FEIR/EIS must answer is: the TC Lodge project area is two independent owners: does the entire project site (non-contiguous parcels) need to be owned by one owner or is a MOU binding and sufficient? The TC Lodge Project is dependent upon the entire project site for many incentives and that will change depending on answers.

102-10

3). To provide context for the Tahoe City Lodge Project, existing hotels should also be included for reference (i.e., how many acres and how many units in the Tahoe City Inn, Peppertree, Ferrari's Crown Motel and height of those properties?). Not provided in TBAP DEIR and should be provided in TBAP FEIR/EIS for reference showing the extraordinary measures being provided for this project.

102-11

Page 2 of 4

Placer County Planning Commission  
 Ellie Waller, Tahoe Vista Resident & Member North Tahoe West Plan Team- Comments for The Record  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
 Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Overarching Statements

July 28, 2016

4). Include a table showing the number of affordable units existing to date within each community. Those units should include trailer park unit counts, the Domus project, any hotels/motels currently known to be used as affordable housing (examples: Little Bear Cottages, Kings Beach, and a portion of the Tahoe Vistana in Tahoe Vista). The calculations for the Tahoe City Lodge project affordable units are confusing and must be corrected. The affordable component must be project specific numbers not Area Plan cumulative numbers as all other recent (past 10 years) projects in Placer have had to provide fair-share project specific affordable units or in-lieu. The expectation that affordable will ever be built with in-lieu fees is questionable and secondary units also being an actual solution also questionable. The Tahoe City Lodge Project is not providing a solution for the affordable issues plaguing Placer County and the Tahoe Basin thus not supporting the requirements of the Regional Plan Update. Using the table below the Tahoe City Lodge must be required to provide 50% of FTEE which is  $36.94/2 = 18.47$  units. My previous comments suggested 14.5 units is necessary. I am now stating 18.5 affordable units are required by the Tahoe City Lodge Project or at the very least the applicant (by choice) pays an equivalent in-lieu mitigation fee for 18.5 units based on info provided to me by Placer County. Not sure what existing condition of Hendriksen site has to do when Lodge is built as the use is changing???? The use is changing so the employment numbers change (restaurant workers, maids, Lodge Manager/staff, etc.) based on new development requirements. If Alt 4 no change to commercial status was in play the 29.25 FTEE would apply.

102-12

A Similar comment from Construction Assn Tahoe Truckee/Friends of West Shore June 2015: The Area Plan lacks a specific program to create moderate and low income housing.

5). The Draft EIR/EIS clearly DOES NOT identify a "superior alternative". That said, if one doesn't exist how are the reviewers expected to provide comprehensive comments on comparison of alternatives for impacts?

102-13

I took the time and made the effort to provide comprehensive NOP comments that were dismissed or completely ignored- I don't even know if they were read. I submitted 147 pages which I sent to you as part of my comments. It took me endless hours to find (if I did find all references) so I could provide meaningful and factual comments.

102-14

The Area Plan document for which the DEIR is derived is not consistent with other documents either. I cited several inconsistencies in NOP comments. I went to great lengths to point out, by page number, which was and is a time-consuming effort but necessary for clarity and adequacy and accuracy of the environmental documentation. The TBAP FEIR/EIS should address all NOP requests.

Placer County Planning Commission  
Ellie Waller, Tahoe Vista Resident & Member North Tahoe West Plan Team- Comments for The Record  
DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS)  
Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
Overarching Statements

July 28, 2016

To add more confusion if the TBAP is not approved the TBAP DEIR/EIS has stated:

Page 3-1

As described above, the Tahoe City Lodge is proposed in conjunction with the Placer County Tahoe Basin Area Plan, which assumes that the county and TRPA will adopt the Area Plan, thereby providing the incentives upon which the project relies. However, the Tahoe City Lodge could be approved even if the county and TRPA do not adopt the Placer County Tahoe Basin Area Plan. To do so, however, the Tahoe City Lodge would require amendments to the Regional Plan and Code of Ordinances, as well as several planning documents associated with the 1987 Regional Plan. It is anticipated that TRPA would need to amend PAS 002 (Fairway Tract) and the Tahoe City Community Plan to provide the same density and height allowances that are provided in the proposed Placer County Tahoe Basin Area Plan. The amendments would be narrowly tailored to the Tahoe City Lodge project site.

102-15

Requesting Project Specific amendments for the Tahoe City Lodge Project and golf course clubhouse relocation and new building is not what the Regional Plan is intended to do. Providing extraordinary benefits outside the Tahoe Basin Area Plan approval will set a dangerous precedent at the project by project level.

I am asking both Placer and TRPA to provide presentation material from APC and GB and upcoming Planning Commission on your webs as they differ slightly in page count and content. And TRPA also add the actual Area Plan documentation for clarity of reviewing the TBAPDEIR/EIS.

I am requesting the TRPA Governing Board/Regional Plan Implementation Committee 7-27-16 transcripts along with the Placer County Planning Commission 7-28-16 transcript (audio) be included as part of my comment. The transcript (audio) release dates for both meetings are TBD and not sure will be ready before August 15, 2016 final date to submit comments. I am requesting the transcripts (audio) be part of the record regardless of release date as the meetings took place during comment period to insure accuracy of agency comments.

102-16

Page 4 of 4

**Letter  
102****Ellie Waller**  
July 28, 2016

- 
- 102-1 This comment cites statements made by the Tahoe City Lodge project applicant indicating that Lodge Alternative 2 would not be built. Alternative 2 was determined to be a viable alternative by the lead agencies and was evaluated as such in the Draft EIR/EIS. If Alternative 2 is selected as the approved alternative, it would be within the rights of the project applicant to determine whether or not to pursue it.
- 102-2 This comment states that the Tahoe Basin needs creative solutions for traffic issues and cannot rely only on mitigation fees. The comment is noted for consideration during project review.
- 102-3 This comment states that the Draft EIR/EIS is full of inconsistencies, but does not provide any specific examples. The comment offers no specific information or evidence that the analysis presented in the Draft EIR/EIS is inadequate; therefore, no further response can be provided.
- 102-4 This comment states that Tahoe Vista is referred to inconsistently throughout the Draft EIR/EIS. This comment raises the same concern as comment 99-2. See response to comment 99-2.
- 102-5 This comment requests clarification regarding the acreage of the SEZ restoration component of the Tahoe City Lodge project. Please see the response to comment 82-2, which addresses this issue.
- 102-6 The comment states that the TRPA RPU EIS should not be used exclusively to evaluate the potential effect of local zoning changes. The Draft EIR/EIS did not rely solely on tiering to evaluate zoning changes. Zoning and land use classification changes resulting from Area Plan implementation are evaluated in Impact 5-2 beginning on page 5-18 of the Draft EIR/EIS.
- 102-7 This comment states that the Draft EIR/EIS did not appropriately cite environmental documents when tiering. This statement is incorrect. The Draft EIR/EIS cited the appropriate document and page number or section number when tiering from the TRPA RPU EIS. Examples are provided in many technical chapters of the Draft EIR/EIS. Specific examples of where page numbers were cited when tiering include, but are not limited to the following Draft EIR/EIS pages: 5-14, 5-16, 5-23, 6-1, 6-2, 6-10, 6-14, 7-1, 7-2, 7-3, 11-15, 11-19, and 11-28.
- 102-8 The comment states that they did not receive a copy of the Tahoe City Lodge application from the county for review. This comment does not raise environmental issues or concerns regarding the adequacy, accuracy, or completeness of the environmental document. The comment is noted for consideration during project review.
- 102-9 The comment requests information on the timing in which the environmental analysis will be performed. The specific timing is unknown at this time.
- 102-10 The comment states that the lodge project is dependent on the golf course mixed-use overlay, and questions whether the extent of SEZ restoration to be completed as part of the Tahoe City Lodge project is sufficient. This comment does not raise environmental issues or concerns regarding the adequacy, accuracy, or completeness of the environmental document. The comment is noted for consideration during project review.

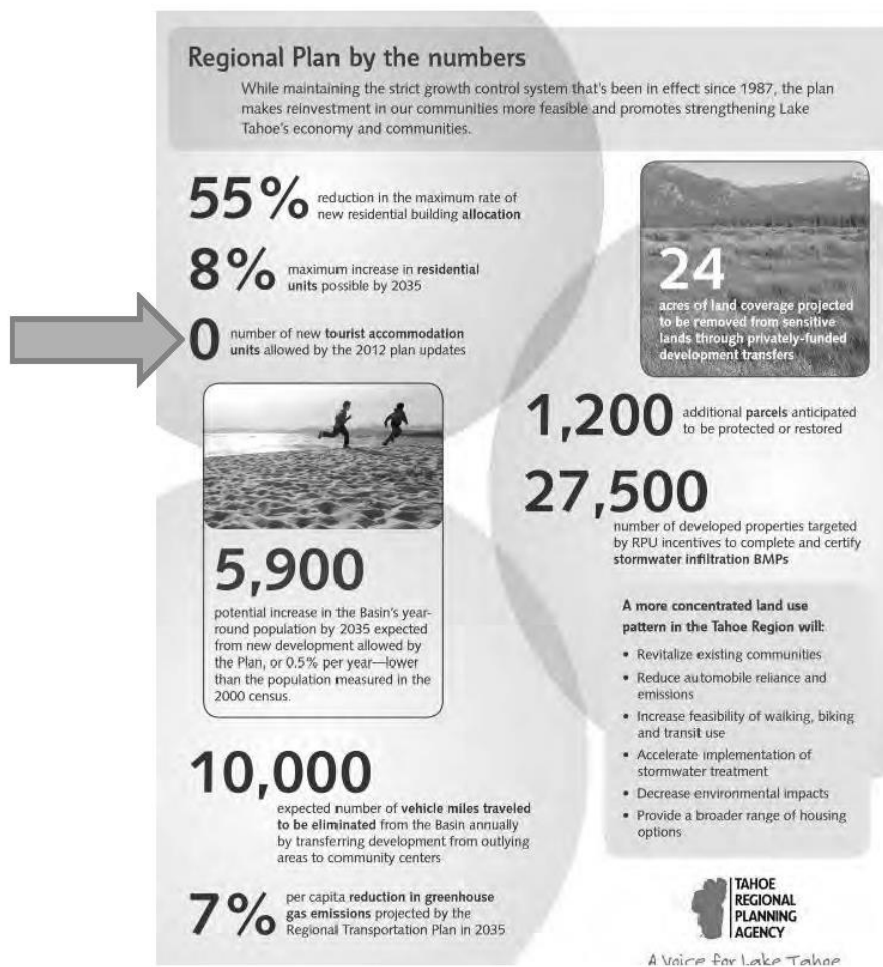
- 102-11 The comment requests that the Draft EIR/EIS list the characteristics of the existing hotels within the Plan area to compare them with the incentives provided to the proposed Tahoe City Lodge. This comment does not raise environmental issues or concerns regarding the adequacy, accuracy, or completeness of the environmental document. The comment is noted for consideration during project review.
- 102-12 The comment requests additional affordable housing information and expresses disagreement with the description of the affordable and employee housing requirements for the Tahoe City Lodge in the Draft EIR/EIS. Please refer to the responses to comments 100-16 and 101-1. Additional information regarding the secondary residential unit program and in-lieu fees can be found in Master Response 3, Affordable Housing, in Section 3.1 of this Final EIR/EIS.
- 102-13 The comment states that the Draft EIR/EIS does not identify a superior alternative and questions how reviewers can comment on the comparison of alternatives. Section 20.5, (pages 20-4 and 20-5) of the Draft EIR/EIS provided a discussion of the alternatives to determine whether an environmentally superior alternative is apparent from the analysis. This discussion found that the action alternatives are environmentally superior to Alternative 4 (i.e., taking no action), and the potential environmental effects or benefits that would result from implementation of Alternatives 1, 2, and 3 are roughly equivalent.
- 102-14 The comment states that comments provided on the NOP were not addressed in the Draft EIR/EIS and should be included in the Final EIR/EIS. Please see the response to comment 99-2 of this Final EIR/EIS, which addresses comments received on the NOP.
- 102-15 This comment references a section of the Draft EIR/EIS that states that the Tahoe City Lodge could be approved without the adoption of the Area Plan, but would require amendments to the TRPA Regional Plan and Code of Ordinances. The comment expresses concern that these types of revisions are not consistent with the intentions of the Regional Plan. Please see the response to comment 100-17 regarding independent approval of the Tahoe City Lodge project absent the Area Plan.
- 102-16 The comment requests that the presentation materials from the TRPA Advisory Planning Commission and Governing Board meetings related to the Area Plan be made available. These materials are available on the TRPA and Placer County websites. This comment also requests that Placer County and TRPA provide presentation materials and transcripts of the oral comments heard at public meetings for inclusion in the Final EIR/EIS. Comment summary notes from the five public meetings that occurred during review of the Draft EIR/EIS are included as letters 112 and 116. Audio recordings of the TRPA Advisory Planning Commission, Governing Board, and Regional Plan Implementation Committee meetings are available on TRPA's website. In addition, audio recordings of the Placer County Planning Commission and Board of Supervisor meetings are available on Placer County's website.



Ellie Waller, Tahoe Vista Resident Member North Tahoe West Area Plan Team  
 Comments for The Record DRAFT Environmental Impact Report / Environmental Impact Statement  
 (EIR/EIS) Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Proposed Pilot Program Substitute Standard:  
 Commercial Floor Area (CFA) conversion to Tourist Accommodation Units (TAU)

August 1, 2014

**Letter  
103**



103-1

The Tahoe Basin Area Plan Draft EIR/EIS does not adequately or accurately analyze the impacts of up to 400 additional "new" tourist accommodation units (TAU) proposed as a pilot program similar to TRPA's conversion program of commercial floor area to tourist accommodation units. Furthermore, as stated above the Placer proposed pilot program violates TRPA's 2012 Regional Plan Update by proposing "new" TAU's when **0** new TAU's are allowed.

Ellie Waller, Tahoe Vista Resident Member North Tahoe West Area Plan Team August 1, 2016  
 Comments for The Record DRAFT Environmental Impact Report / Environmental Impact Statement  
 (EIR/EIS) Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Proposed Pilot Program Substitute Standard:  
 Commercial Floor Area (CFA) conversion to Tourist Accommodation Units (TAU)

And also does not follow its own proposed policy LU-P-2 Manage development in accordance with the TRPA growth control system and supplemental programs in this Area Plan, including development rights, IPES, allocations, transfers and conversions.

### 4.3 TRPA Growth Control System

TRPA has implemented a strict growth control system under the Bi-State Compact and Regional Plan. The system is designed to complement the region's development standards and improvement programs to achieve and maintain the Thresholds. Programs described in this section are outlined in TRPA Code Chapters 39 through 53, which remain in place under this Area Plan.

Upon adoption, certain aspects of the TRPA growth control program were litigated extensively, appealed to the U.S. Supreme Court, and ultimately upheld as lawful.

At a basic level, TRPA administers a cap-and-trade system for different types of development rights and for land coverage. These "commodities" can be bought and sold separately from the property from which they originate. In some cases, the commodities can be "transferred" to other locations, "banked" for future use or "converted" into other types of commodities. Overall, the TRPA growth control system limits the Region's capacity for development.

Amendments in the 2012 Regional Plan and this Area Plan are targeted to specific issues and do not alter the comprehensive foundations of the regional growth management framework, which includes the following components:

- Subdivisions that would create new development potential are prohibited.
- Parcels that legally existed prior to July 1, 1987 were either assigned one residential development right (which may or may not be constructed on site) or were authorized for non-residential development.
- In order to construct a residential unit, tourist unit or commercial space, development allocations must be obtained. Allocations are released slowly through a complicated system that requires various forms of environmental improvement in exchange for development allocations. Maximum build out of the Region is established with caps for all land use commodities, which include residential units (residential development rights and allocations), commercial floor area (CFA), and tourist accommodation units (TAUs).
- TRPA permits the phased construction of development over many years by slowly releasing non-residential and residential development allocations.
- The land capability system is used to limit land coverage based on its ecological importance and sensitivity to degradation. Base allowable coverage ranges from 30 percent on non-sensitive land to 1 percent on the most sensitive lands, including SEZs. Additional land coverage can be transferred from more sensitive to less sensitive lands, with certain restrictions. The land coverage program was adjusted in 2012 to accelerate the coverage mitigation and removal from sensitive lands.
- The Individual Parcel Evaluation System (IPES) is a land capability based system to determine development suitability on single family parcels. Many vacant parcels continue to be unbuildable under IPES. As environmental improvements are implemented, the "IPES line" for each jurisdiction can drop to a point of allowing

79

103-1  
cont

Ellie Waller, Tahoe Vista Resident Member North Tahoe West Area Plan Team

August 1, 2016

Comments for The Record DRAFT Environmental Impact Report / Environmental Impact Statement

**(EIR/EIS) Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039**

Proposed Pilot Program Substitute Standard:

Commercial Floor Area (CFA) conversion to Tourist Accommodation Units (TAU)

#### NON-RESIDENTIAL DEVELOPMENT

Allocations are required for new non-residential development. TRPA classifies uses as Commercial Floor Area (CFA), Tourist Accommodation Units (TAUs), Recreation Facilities and Public Service Facilities.

CFA and TAUs are most tightly regulated, and are summarized below. Recreation Facilities are limited with People at One Time (PAOT) allocations, which reflect the design capacity of expanded recreational facilities. These are described in the Recreation Plan. Public Service facilities are allowed without numeric caps when there is a community need and other ordinances are addressed.

The supply of CFA and TAUs are limited - and like residential development - can be transferred between properties through Regional Plan programs. For transfers to Town Centers, the ratios are 1:3 for SEZ lands and 1:2 for other sensitive lands. There is no distance multiplier.

##### Commercial Floor Area (CFA)

Placer County's CFA supply totals 72,609 square feet (Feb 2015). Placer County may assign this CFA with project approvals. Some CFA is reserved for certain areas and some is available throughout the Plan. The County's current CFA supply is listed on Table 4.3-D.

TRPA also has a CFA supply that is used for development transfer bonus units and other programs. The TRPA supply totals 160,347 square feet for the region (Nov 2015). TRPA has an additional 200,000 square feet that may be used once the current supply is exhausted. Utilization of new CFA has been slow.

##### Tourist Accommodation Units (TAUs)

The supply of TAUs is more restricted than the supply of CFA. Placer County retains 25 TAUs from original 1987 allocations and has since acquired property with additional TAUs. The potential supply for new projects is shown on figure 4.3-E. The TRPA supply for development transfer incentives is only 122 for the entire region.

Table 4.3-D: Placer County CFA Supply

Location of Use	Square Feet
Kings Beach	20,816
Tahoe City	20,699
Carmelian Bay	1,250
Tahoe Vista	0
Stateline	4,500
Kings Beach Industrial	3,456
Area-Wide	21,888
<b>Total</b>	<b>72,609</b>

Source: Placer County and TRPA, 2015.

Table 4.3-E: Placer County TAU Supply

Location of Use	Units
Tahoe City - Remaining from 1987 Plan	25
Kings Beach - Kings Beach Center	10
Kings Beach - Owned by Redevelopment Successor Agency; Eastern Gateway	6
Kings Beach - Units committed and in process; Community House	8
<b>Total Available or in Process</b>	<b>49</b>

Source: Placer County and TRPA, 2015.

103-1  
cont

Ellie Waller, Tahoe Vista Resident Member North Tahoe West Area Plan Team August 1, 2016  
 Comments for The Record DRAFT Environmental Impact Report / Environmental Impact Statement  
 (EIR/EIS) Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Proposed Pilot Program Substitute Standard:  
 Commercial Floor Area (CFA) conversion to Tourist Accommodation Units (TAU)

Many tourist facilities are in need of improvement. Projects have changed little under the 1987 Regional Plan and the "bed base" has migrated to the surrounding communities of Truckee, Squaw Valley, and Northstar. Many old motels are now blighted, environmentally impactful, and would benefit from redevelopment. The south shore has an abundant supply of motels and high vacancy rates, but the north shore supply is more limited and quality units are needed. The demand for improved lodging in the Plan area provides a significant redevelopment opportunity.

With a limited supply of TAUs, there is a concern that the TRPA transfer program may not work as intended without additional TAUs or expanded land use conversion programs.

#### LAND USE CONVERSIONS

The Regional Plan allows land use conversions through several programs. These programs allow TAUs to be converted to either CFA or Residential Units, but do not allow CFA to be converted to TAUs. A process to convert some of the regional bonus unit pool of CFA to TAUs is being developed by TRPA.

This Area Plan expands upon the TRPA programs with a pilot program for on-site conversions from CFA to TAUs and conversions of the Placer County supply. The program is intended to facilitate the most likely redevelopment projects and is described below in the Area Plan Program section.

#### SHOREZONE DEVELOPMENT

The shorezone of Lake Tahoe is regulated in detail by TRPA. The regulations are intended to protect Lake Tahoe and its spectacular lake scenery and apply to piers, buoys, marinas and boating activities in the "Lakezone"; as well as "Shorezone" development extending 300 feet inland from the high water mark. TRPA Code Chapters 80 through 86 will continue to govern development on Lake Tahoe and in its Shorezone. All projects which fall within this area shall be referred to the TRPA for review.



*The shorezone in winter*

103-2

Ellie Waller, Tahoe Vista Resident Member North Tahoe West Area Plan Team August 1, 2016  
 Comments for The Record DRAFT Environmental Impact Report / Environmental Impact Statement  
 (EIR/EIS) Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Proposed Pilot Program Substitute Standard:  
 Commercial Floor Area (CFA) conversion to Tourist Accommodation Units (TAU)

Several public presentations have been made stating the proposed conversion of CFA to TAU mirrors the TRPA program of 450 sf of CFA for 1 TAU. Below the language is inconsistent stating the proposed conversion is 1 TAU = 400 sf. This is yet another of many inconsistencies with the TBAP DEIR/EIS that must be corrected in the TBAP FEIR/EIS if the substitute standard is allowed and adequate environmental analysis is achieved.



#### CHAPTER 50: ALLOCATION OF DEVELOPMENT

##### 50.11 Other Permits

##### 50.10.7 Uses to Provide Deed-Restricted Affordable Housing Projects

- C. Applicants shall restore and permanently restrict all or part of the sending site, as appropriate, pursuant to the provisions of Section 51.6: *Restriction of Parcels*, no later than 12 months after the approval of an application submitted per 50.10.8.B, above, or three years from the effective date of this ordinance, whichever comes later.
- D. The Governing Board may grant one extension of up to 12-months to applicants diligently pursuing the approved restoration project.
- E. CFA and tourist bonus units may be converted into either commodity at a ratio of one TAU to 450 square feet of CFA and vice-versa.
- F. No more than 80,000 square feet of CFA from the TRPA-Special Project and CEP Pool and no more than 61 tourist bonus units remaining from the 1987 Regional Plan (provided for in Table 50.4.1-1: *Allocation and Development Rights Accounting* of this Code) may be used under this pilot program.
- G. TRPA shall allocate the CFA or tourist bonus units when the sending site has been deed restricted, and when the applicable conditions of approval for the demolition and restoration plan have been satisfied or a security has been posted in an amount equaling 125% of the amount needed to ensure the unsatisfied conditions of approval for the restoration will be satisfied.
- H. Bonus units can be earned and held by either a public or private party.
- I. This pilot program shall remain in effect from March 27, 2016 through March 27, 2019. If CFA or tourist bonus units are reserved during the time that the pilot program is in effect, TRPA may issue CFA or tourist bonus units following the termination of the pilot program if all of the criteria in this section have been met.

#### 50.11. OTHER PERMITS

A county or city building department shall not issue a permit for or relating to the construction, conversion, or use of units, floor area, service capacity, or other development subject to the requirements of this chapter unless the permit is issued in conjunction with a TRPA approval in accordance with this chapter. This requirement applies to, but is not limited to, a permit for a foundation, grading, clearing, or removal of vegetation.

#### TRPA Code of Ordinances

Adopted by Governing Board December 12, 2012 / Amended November 4, 2015 | Page 50-31

103-2  
cont

Ellie Waller, Tahoe Vista Resident Member North Tahoe West Area Plan Team August 1, 2016  
 Comments for The Record DRAFT Environmental Impact Report / Environmental Impact Statement  
 (EIR/EIS) Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Proposed Pilot Program Substitute Standard:  
 Commercial Floor Area (CFA) conversion to Tourist Accommodation Units (TAU)

#### Design Standards for Landscaping, Lighting and Signs

The Area Plan updates Regional Plan design standards and guidelines for landscaping, lighting and signs. Changes primarily involve modernizing the document format, graphics and references. There is also a new requirement for fully-shielded outdoor lighting fixtures. This is primarily a formatting amendment to existing design standards.

New TRPA dark sky lighting requirements are not fully addressed in the existing plans, so conforming amendments are included. Implementation will improve scenic quality.

#### Limited Conversion of CFA to TAU

The Area Plan establishes a pilot program for the limited conversion of CFA to TAUs for existing development (held by property owners) and for the CFA supply held by Placer County. The program builds upon the conversion standards currently being developed for the TRPA pool of CFA and Tourist Bonus Units. Limitations include:

- Converted units may only be used in Placer County Town Centers;
- Sites must have BMP Certificates;
- Sites must have sidewalk access;
- Sites must be within ¼ mile of a transit stop;
- No more than 400 additional TAUs may be established in Placer County through this pilot program and other actions combined; and,
- The program will be periodically monitored for efficacy, possible extension and consideration of program adjustments.



*An existing lodging project*

The conversion rate is consistent with the conversion rate being developed by TRPA for bonus units: 1 TAU = 400 square feet of CFA.

This amendment is needed because the current supply of TAUs in Placer County is insufficient to accommodate redevelopment projects with new lodging units, creating a barrier to environmental development.

Studies have shown that there is a land use imbalance in the Area Plan, primarily involving a shortage of lodging compared to visitation levels and other uses. The current pattern of visitors staying outside the Tahoe basin and driving to and from activities at Lake Tahoe is environmentally and economically impactful.

103-2  
cont

Area Plan documentation above versus TBAP DEIR/EIS documentation below

Ellie Waller, Tahoe Vista Resident Member North Tahoe West Area Plan Team August 1, 2016  
 Comments for The Record DRAFT Environmental Impact Report / Environmental Impact Statement  
 (EIR/EIS) Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Proposed Pilot Program Substitute Standard:  
 Commercial Floor Area (CFA) conversion to Tourist Accommodation Units (TAU)

#### AREA PLAN PROGRAMS AND SUBSTITUTE STANDARDS

The Area Plan would include the programs and substitute standards that would modify portions of the TRPA Code within the Area Plan limits.

- ▲ **Limited Conversion of CFA to TAUs:** The Area Plan would establish a pilot program for the limited conversion of CFA to TAUs for existing development (held by property owners) and for the CFA supply held by Placer County. (Note: TRPA Code Section 50.10.1 currently permits the opposite conversion, TAUs to CFA.) Limitations on the program include:

1. The conversion ratio shall be 450 square feet of CFA = 1 TAU;

Placer County/TRPA  
 Placer County Tahoe Basin Area Plan and Tahoe City Lodge Draft EIR/EIS

3-17

103-2  
cont

The TBAP Draft EIR/EIS fails to conform with the TRPA Growth Management System with proposed substitute standards requesting "new" TAU's. Because the Tahoe City Lodge project is requesting the use of this substitute standard, the project also violates the Regional Plan and cannot be approved.

Page 5-17

#### Tahoe City Lodge Project-Level Analysis

As described in Chapter 3, "Proposed Project and Alternatives," the Tahoe City Lodge project would be approved in coordination with the Area Plan and each lodge alternative relies on the policies and land use changes contemplated by the respective Area Plan alternative. The TRPA Code allows Area Plan documents to propose changes to the TRPA land use map and develop substitute standards, provided that these changes support achievement of the TRPAs environmental thresholds and comply with the TRPA Goals and Policies. Although the lodge project could be proposed independently of the Area Plan, this would require amendments to the Regional Plan and Code of Ordinances, as well as several planning documents associated with the 1987 Regional Plan. For this reason, the lodge project alternatives below are evaluated in the context of an approved Area Plan.

#### **Alternative 1: Proposed Lodge**

Alternative 1 relies on the implementation of the mixed-use subdistricts and town center redevelopment incentives contemplated by the Regional Plan. As described in the Area Plan Alternative 1 analysis and in RPU EIS Impact 3.2-1 (TRPA 2012c:p 3.2-46 through 3.2-58), increasing the intensity of development within town centers coupled with the transfer of land coverage and development rights from land outside of centers, would result in environmental gains.

Alternative 1 would include the redevelopment of an existing commercial center into a tourist accommodation facility within a mixed-use town center. The development of the lodge site would make use of the Area Plan substitute standards permitting the conversion of the CFA to TAUs, however this would only occur after TRPA has reviewed the proposed standard, has found that it would be consistent with the TRPA Goals and Policies, and has adopted the Alternative 1 Area Plan. In addition, the Alternative 1 lodge would be consistent with height and density standards included in the Alternative 1 Area Plan, which implement the Regional Plan height and density standards for town centers. The lodge would also be consistent with the Alternative 1 revised parking standards and would include on-site parking as well as shared parking with the Tahoe City Golf Course. The development of alternative parking strategies is encouraged by Section 13.5.3.B.2 of the TRPA Code and is targeted at reducing land coverage within urban areas.

103-3

Page 7 of 16

Ellie Waller, Tahoe Vista Resident Member North Tahoe West Area Plan Team August 1, 2016  
 Comments for The Record DRAFT Environmental Impact Report / Environmental Impact Statement  
 (EIR/EIS) Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Proposed Pilot Program Substitute Standard:  
 Commercial Floor Area (CFA) conversion to Tourist Accommodation Units (TAU)

Further references in the TRPA Goals and Policies document shows that the proposed pilot program for conversion of CFA to TAU has not adequately or accurately been analyzed and violates TRPA Goals and Policies. Proposing "new" TAU's is not orderly growth.

## TAHOE REGIONAL PLANNING AGENCY GOALS AND POLICIES

### STATEMENT OF MISSION

THE TAHOE REGIONAL PLANNING AGENCY LEADS THE COOPERATIVE EFFORT TO PRESERVE, RESTORE, AND ENHANCE THE UNIQUE NATURAL AND HUMAN ENVIRONMENT OF THE LAKE TAHOE REGION, WHILE IMPROVING LOCAL COMMUNITIES, AND PEOPLE'S INTERACTIONS WITH OUR IRREPLACEABLE ENVIRONMENT.

### Statement of Principles

#### Preamble

TRPA shall interpret and administer its plans, ordinances, rules, and regulations in accordance with the provisions of the Compact. This statement of principles is intended to confirm the policies set forth in the Tahoe Regional Planning Compact (P.L. 96-551, December 19, 1980), in its specific provisions and as a whole, so as to guide the Agency in resolving conflicts, in charting the future direction, and in enhancing public understandability. The following statement of general policy provides TRPA with direction and consistency for enactment and implementation of the Regional Plan and increases TRPA and public understanding of the TRPA Goals and Policies.

#### Principles

1. The Tahoe Region exhibits unique and irreplaceable environmental and ecological values of national significance which are threatened with deterioration or degeneration.
2. The purpose of TRPA is to:
  - a. Maintain the significant scenic, recreational, educational, scientific, natural, and public health values provided by the Region; and
  - b. Ensure an equilibrium between the Region's natural endowment and its manmade environment.

Together these will encourage the wise use of the waters of Lake Tahoe and the resources of the area, preserve public and private investments in the Region, and preserve the social and economic health of the Region.

3. In accomplishing its purpose, TRPA is to:
  - a. Establish environmental threshold carrying capacities, defined as environmental standards necessary to maintain significant scenic, recreational, educational, scientific, or natural values of the Region or to maintain public health and safety within the Region, including but not limited to standards for air quality, water quality, soil conservation, vegetation preservation, and noise;
  - b. Adopt and enforce a Regional plan and implementing ordinances which will achieve and maintain such capacities while providing opportunities for orderly growth and development consistent with such capacities; and
  - c. Pursue such activities and projects consistent with the Agency purposes.

TRPA Regional Plan  
 Adopted - December 12, 2012 | Page xvi

103-3  
 cont





Ellie Waller, Tahoe Vista Resident Member North Tahoe West Area Plan Team August 1, 2016  
 Comments for The Record DRAFT Environmental Impact Report / Environmental Impact Statement  
 (EIR/EIS) Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Proposed Pilot Program Substitute Standard:  
 Commercial Floor Area (CFA) conversion to Tourist Accommodation Units (TAU)

- (7) *There is a public interest in protecting, preserving and enhancing these values for the residents of the region and for visitors to the region.*
- (8) *Responsibilities for providing recreational and scientific opportunities, preserving scenic and natural areas, and safe-guarding the public who live, work and plan in or visit the region are divided among local governments, regional agencies, the States of California and Nevada, and the Federal Government.*
- (9) *In recognition of the public investment and multistate and national significance of the recreational values, the Federal Government has an interest in the acquisition of recreational property and the management of resources in the region to preserve environmental and recreational values, and the Federal Government should assist the States in fulfilling their responsibilities.*
- (10) *In order to preserve the scenic beauty and outdoor recreational opportunities of the region, there is a need to insure an equilibrium between the region's natural endowment and its manmade environment.*
- (b) *In order to enhance the efficiency and governmental effectiveness of the region, it is imperative that there be established a Tahoe Regional Planning Agency with the powers conferred by this compact including the power to establish environmental threshold carrying capacities and to adopt and enforce a regional plan and implementing ordinances which will achieve and maintain such capacities while providing opportunities for orderly growth and development consistent with such capacities.*
- (c) *The Tahoe Regional Planning Agency shall interpret and administer its plans, ordinances, rules and regulations in accordance with the provisions of this compact.*

These findings are intended to direct the actions of the Agency in implementing the amended Bi-State Compact. The Bi-State Compact requires that the Agency review any activities that may substantially affect the land, water, air, space or any other resources of the Region. The basis for such review is a set of standards known as environmental threshold carrying capacities (thresholds) as implemented through a Regional Plan. The thresholds were adopted by the Agency in August, 1982.

#### **Planning Approach**

The development of the Regional Plan is the continuation of the process, envisioned by Article V of the Bi-State Compact, which began with the development of the environmental threshold carrying capacities. Thresholds establish the environmental standards for the Region and, as such, indirectly define the capacity of the Region to accommodate additional development. The *Environmental Thresholds Study Report* provides the basis and rationale for the establishment of thresholds while the Regional Plan and implementing ordinances define the actual limits and potential for new development consistent with the constraints imposed by the thresholds.

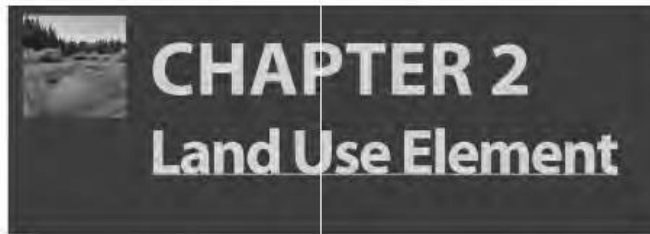
#### **Threshold Development**

The development of environmental threshold carrying capacities followed a four-step process. The first step incorporated participation by state, federal and local agencies, and the general public. Concurrently, a program was implemented to enhance public awareness

TRPA Regional Plan | CHAPTER 1: Introduction  
 Adopted - December 12, 2012 | Page 1-2

103-3  
 cont

Ellie Waller, Tahoe Vista Resident Member North Tahoe West Area Plan Team August 1, 2016  
 Comments for The Record DRAFT Environmental Impact Report / Environmental Impact Statement  
 (EIR/EIS) Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Proposed Pilot Program Substitute Standard:  
 Commercial Floor Area (CFA) conversion to Tourist Accommodation Units (TAU)



**A**rticle V(c)(1) of the Tahoe Regional Planning Agency Bi-State Compact calls for a "land use plan for the integrated arrangement and general location and extent of, and the criteria and standards for, the uses of land, water, air, space and other natural resources within the region, including but not limited to indication or allocation of maximum population densities and permitted uses."

In general, the Land Use Element sets forth the fundamental land use philosophies of the Regional Plan, including: the direction of development to the most suitable locations within the Region; maintenance of the environmental, economic, social, and physical well-being of the Region; and coordination of the Regional Plan with local, state, and federal requirements.

The Land Use Element includes the following Subelements: Land Use, Housing, Community Design, Noise, Natural Hazards, Air Quality, and Water Quality.

103-3  
cont

Ellie Waller, Tahoe Vista Resident Member North Tahoe West Area Plan Team August 1, 2016  
 Comments for The Record DRAFT Environmental Impact Report / Environmental Impact Statement  
 (EIR/EIS) Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Proposed Pilot Program Substitute Standard:  
 Commercial Floor Area (CFA) conversion to Tourist Accommodation Units (TAU)

**GOAL LU-2**

**DIRECT THE AMOUNT AND LOCATION OF NEW LAND USES IN CONFORMANCE WITH THE ENVIRONMENTAL THRESHOLD CARRYING CAPACITIES AND THE OTHER GOALS OF THE TAHOE REGIONAL PLANNING AGENCY BI-STATE COMPACT.**

**POLICIES:**

**LU-2.1 THE REGIONAL PLAN ADOPTED BY THE AGENCY SHALL SPECIFY THE TOTAL ADDITIONAL DEVELOPMENT WHICH MAY BE PERMITTED WITHIN THE REGION, NOT TO EXCEED THE LIMITATIONS SET FORTH BELOW.**

The Environmental Impact Statement prepared for this plan analyzed impacts based on defined development parameters which are integrated into this plan. It is the intent of this policy to ensure that these limitations are incorporated, both individually and cumulatively, into the Land Use Element. These limitations shall be expressed in appropriate land use regulations, such as zoning, use limitations, floor area limitations, allocation limits and other such regulations. For the purposes of this plan, regulated development is categorized as residential, tourist accommodation, commercial, recreation, public service, and resource management.

Residential: Each undeveloped legal parcel existing on August 17, 1986, unless otherwise restricted, has a development right of one residential unit, except where additional development rights are acquired pursuant to the Implementation Element.

The status of development rights that existed on August 17, 1986 is outlined in the table below:

Development Rights Inventory (as of October 24, 2012)*	
Residences Developed before 1987	40,865
Total Development Rights in 1987	18,690
Development Rights Acquired 1987-2011	8,360
Development Rights Developed or Allocated to Jurisdictions 1987-2011	6,087
<b>Total Development Rights Remaining</b>	<b>4,243</b>
Remaining on Buildable Parcels	2,791
Remaining on Marginal Parcels	765
Remaining on Unbuildable Parcels	535
Banked Development Rights	152

\*Note: All statistics are estimates and are not regulatory

TRPA Regional Plan | CHAPTER 2: LAND USE ELEMENT  
 Adopted – December 12, 2012 | Page 2-3

Tourist Accommodation: There is a limited need for additional tourist accommodation units. Based on demonstrated need, projects may be permitted additional units as specified within a Community Plan or a Conforming Area Plan and as provided for in the Implementation Element.

103-3  
cont

Ellie Waller, Tahoe Vista Resident Member North Tahoe West Area Plan Team August 1, 2016  
 Comments for The Record DRAFT Environmental Impact Report / Environmental Impact Statement  
 (EIR/EIS) Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Proposed Pilot Program Substitute Standard:  
 Commercial Floor Area (CFA) conversion to Tourist Accommodation Units (TAU)

**LU-4.8 IN ORDER TO BE FOUND IN CONFORMANCE WITH THE REGIONAL PLAN, ALL AREA PLANS SHALL INCLUDE POLICIES, ORDINANCES AND OTHER IMPLEMENTATION MEASURES TO:**



- 1) Identify zoning designations, allowed land uses and development standards throughout the plan area.
- 2) Be consistent with all applicable Regional Plan policies, including but not limited to the regional growth management system, development allocations and coverage requirements.
- 3) Either be consistent with the Regional Land Use Map or recommend and adopt amendments to the Regional Land Use Map as part of an integrated plan to comply with Regional Plan policies and provide threshold gain.
- 4) Recognize and support planned, new, or enhanced Environmental Improvement Projects. Area Plans may also recommend enhancements to planned, new, or enhanced Environmental Improvement Projects as part of an integrated plan to comply with Regional Plan Policies and provide threshold gain.
- 5) Promote environmentally beneficial redevelopment and revitalization within Centers.
- 6) Preserve the character of established residential areas outside of Centers, while seeking opportunities for environmental improvements within residential areas.

TRPA Regional Plan | CHAPTER 2: LAND USE ELEMENT  
 Adopted – December 12, 2012 | Page 2-17

103-3  
 cont



**LU-4.11 LOCAL, STATE, FEDERAL AND TRIBAL GOVERNMENTS MAY ADOPT DEVELOPMENT ORDINANCES THAT SUPERSEDE TRPA ORDINANCES IF THE AREA PLAN AND ASSOCIATED ORDINANCES ARE FOUND IN CONFORMANCE WITH THE REGIONAL PLAN, AND MEET THE INTENT OF TRPA ORDINANCES.**

Ellie Waller, Tahoe Vista Resident Member North Tahoe West Area Plan Team August 1, 2016  
 Comments for The Record DRAFT Environmental Impact Report / Environmental Impact Statement  
 (EIR/EIS) Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Proposed Pilot Program Substitute Standard:  
 Commercial Floor Area (CFA) conversion to Tourist Accommodation Units (TAU)

**IAP-1.4 ALL PROJECTS PROPOSED IN THE REGION OTHER THAN THOSE TO BE REVIEWED AND APPROVED UNDER THE SPECIAL PROVISIONS OF THE BI-STATE COMPACT RELATING TO GAMING SHALL OBTAIN THE REVIEW AND APPROVAL OF THE AGENCY.**

This policy is consistent with Article VI(b) of the Bi-State Compact which states: "No project other than those to be reviewed and approved under the special provisions of subdivisions (d), (e), (f) and (g) may be developed in the Region without obtaining the review and approval of the agency and no project may be approved unless it is found to comply with the Regional Plan and with the ordinances, rules and regulations enacted pursuant to subdivision (a) to effectuate that Plan." A project is defined by the Bi-State Compact as: "an activity undertaken by any person, including any public agency, if the activity may substantially affect the land, water, air, space or any other natural resources of the region." However, it is the intent of the TRPA within the limits of the Bi-State Compact to coordinate project review functions with local, state, and federal agencies.

**IAP-1.5 NO PROJECT MAY BE APPROVED UNLESS IT IS FOUND TO COMPLY WITH THE REGIONAL PLAN; WITH ANY ORDINANCES, RULES, AND REGULATIONS ENACTED TO EFFECTUATE THE REGIONAL PLAN; AND NOT EXCEED THRESHOLDS.**

Articles V (g) and VI (b) of the Bi-State Compact, require findings to be adopted by ordinance, as set forth above, to ensure that projects under consideration will not adversely affect implementation of the Regional Plan and will not cause the environmental thresholds to be exceeded.

**IAP-1.6 TRPA, IN CONJUNCTION WITH OTHER AGENCIES OF JURISDICTION, SHALL DEVELOP AND ACTIVELY PURSUE AN EFFECTIVE ENFORCEMENT PROGRAM TO ENSURE COMPLIANCE WITH THE PLAN AND ORDINANCES OF THE AGENCY.**

**GOAL IAP-2**

**LEAD THE REGIONAL MULTI-SECTOR PARTNERSHIP TO IMPLEMENT THE ENVIRONMENTAL IMPROVEMENT PROGRAM AND OTHER PROGRAMS IDENTIFIED IN THIS PLAN.**

TRPA will collaborate with regional partners to seek commitments among the individuals and agencies responsible for specific functions pertaining to capital improvements and remedial programs. Memorandum of Understanding (MOUs) or other forms of agreements between TRPA and implementing agencies or partners will provide the coordination necessary to ensure efficient implementation of the plan.

**POLICIES:**

**IAP-2.1 APPROPRIATE ROLES AND RESPONSIBILITIES OF VARIOUS AGENCIES FOR IMPLEMENTING THE PLAN SHALL BE IDENTIFIED AND VERIFIED THROUGH PARTNERSHIP AGREEMENTS.**

TRPA Regional Plan | CHAPTER 7: Implementation Element  
 Adopted – December 12, 2012 | Page 7-3

103-3  
 cont

Ellie Waller, Tahoe Vista Resident Member North Tahoe West Area Plan Team August 1, 2016  
 Comments for The Record DRAFT Environmental Impact Report / Environmental Impact Statement  
 (EIR/EIS) Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Proposed Pilot Program Substitute Standard:  
 Commercial Floor Area (CFA) conversion to Tourist Accommodation Units (TAU)

DP-2.2 THE MAXIMUM AMOUNT OF RESIDENTIAL ALLOCATIONS, COMMERCIAL FLOOR AREA, TOURIST BONUS UNITS AND RESIDENTIAL BONUS UNITS THAT MAY BE RELEASED BEFORE DECEMBER 31, 2032 IS OUTLINED IN THE TABLE BELOW.

ALLOCATION AND DEVELOPMENT RIGHTS ACCOUNTING <sup>4</sup>			
ALLOCATIONS/ DEVELOPMENT RIGHTS	USED 1987-2012	REMAINING FROM 1987 PLAN <sup>1</sup>	2013 ADDITIONS
Residential Allocations	5,973	114	2600
Residential Bonus Units	526	874	600 <sup>2</sup>
Tourist Bonus Units	58	342	0
Commercial Floor Area (Total square feet)	416,421	383,579	200,000 <sup>3</sup>
Placer County	128,623	72,609	
Washoe County	87,906	2,000	
Douglas County	45,300	36,250	
El Dorado County	15,250	36,150	
City of South Lake Tahoe	77,042	52,986	
TRPA Special Project and CEP Pool	62,300	183,584	

*Note 1: 158,816 sq. ft. of Commercial Floor Area, 245 Residential Bonus Units and 90 Tourist Bonus Units have been reserved or allocated to projects (e.g., Community Enhancement Projects) that have not been permitted or permitted but not built are accounted for in the "Remaining from 1987 Plan" column. The 114 remaining residential allocations were distributed to local governments in 2011 and 2012, but have not been built.*  
*Note 2: 600 Residential Bonus Units shall be used only in Centers.*  
*Note 3: 200,000 sf of CFA shall only be made available after the 383,579 sf of remaining CFA is exhausted.*  
*Note 4: The columns "Used 1987-2012" and "Remaining from 1987" are estimates and not regulatory*

TRPA Regional Plan | CHAPTER 7: Implementation Element  
 Adopted - December 12, 2012 | Page 7-5

103-3  
cont

REMAINING 1987 ALLOCATIONS ARE AVAILABLE FOR USE IN ACCORDANCE WITH REGIONAL PLAN AND CODE OF ORDINANCE PROVISIONS.

SUBJECT TO COMPLIANCE WITH REGIONAL PLAN POLICIES AND CODE OF ORDINANCES INCLUDING NOTE 3 ABOVE, TRPA WILL MAKE AVAILABLE UP TO 20 PERCENT OF THE 2013 RESIDENTIAL AND COMMERCIAL LAND USE ALLOCATIONS EVERY FOUR YEARS, IN CONJUNCTION WITH THE 2012 REGIONAL PLAN UPDATE AND FUTURE UPDATES OF THE REGIONAL PLAN AND RTP.

TWO YEARS AFTER EACH RELEASE, TRPA SHALL MONITOR EXISTING AND NEAR-TERM LEVELS OF SERVICE ("LOS") AT INTERSECTIONS AND ROADWAYS TO EVALUATE COMPLIANCE WITH APPLICABLE POLICIES. SHOULD LOS PROJECTIONS INDICATE THAT APPLICABLE LEVEL OF SERVICE GOALS AND POLICIES WILL NOT BE MET, ACTIONS SHALL BE TAKEN TO MAINTAIN COMPLIANCE WITH LOS STANDARDS.

TO ENSURE THAT THE "VEHICLE MILES TRAVELLED" THRESHOLD STANDARD IS MAINTAINED, TWO YEARS AFTER EACH RELEASE, THE AGENCY SHALL MONITOR ACTUAL ROADWAY TRAFFIC COUNTS AND FORECAST VEHICLE MILES TRAVELLED FOR THE NEXT RELEASE OF ALLOCATIONS. NEW CFA AND RESIDENTIAL ALLOCATION RELEASES WILL BE CONTINGENT UPON DEMONSTRATING, THROUGH MODELING AND THE USE OF ACTUAL TRAFFIC COUNTS, THAT THE VEHICLE MILES TRAVELLED THRESHOLD STANDARD SHALL BE MAINTAINED OVER THE SUBSEQUENT FOUR-YEAR PERIOD.

The Tahoe Basin Area Plan is requesting exceedance of LOS F violating Goal DP-2.2. The TBAP FEIR/EIS must provide criteria, mitigations and analysis for actions to maintain compliance with LOS standards as stated in DP-2.2.

The Growth Management System is being violated and not adhering to:

LU- 2.1, LU- 4.8, LU-4.11, IAP-1.5, DP-2.2


The TBAP DEIR/EIS pilot program substitute standard is not approvable as it violates the TRPA Growth Management System.

103-4

Ellie Waller, Tahoe Vista Resident Member North Tahoe West Area Plan Team August 1, 2016  
 Comments for The Record DRAFT Environmental Impact Report / Environmental Impact Statement  
 (EIR/EIS) Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Proposed Pilot Program Substitute Standard:  
 Commercial Floor Area (CFA) conversion to Tourist Accommodation Units (TAU)

#### AREA PLAN PROGRAMS AND SUBSTITUTE STANDARDS

The Area Plan would include the programs and substitute standards that would modify portions of the TRPA Code within the Area Plan limits.

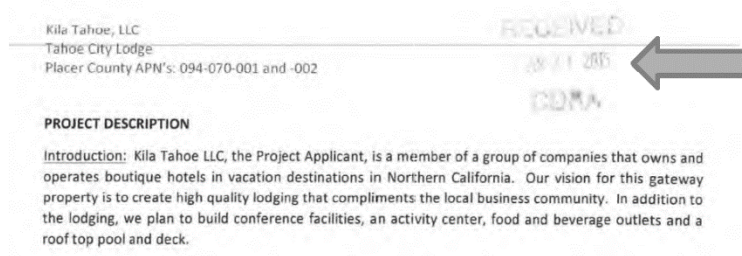
- 
- **Revised Level of Service (LOS) Standards:** The Area Plan proposes to modify the current LOS standards as follows in Policy T-P-6:

    - Maintain consistency with LOS and quality of service standards identified in the Regional Transportation Plan (RTP), with the exception of intersections and roadway segments within the town center boundaries where LOS F is acceptable during peak periods. The RTP allows for possible exceptions to the LOS standards outside the town center boundaries including the use of alternative standards when provisions for multi-modal amenities and/or services (such as transit, bicycling and walking facilities) are incorporated and found to be consistent with policy T-10.7 of the RTP
  - **Revised Parking Regulations:** The Area Plan modifies parking standards to reduce the minimum number of parking spaces that must be provided by some development projects, promote shared parking, and to consider the future development of parking assessment districts and/or in-lieu payment systems. In addition, a parking waiver provision was added for town centers, where required parking for new development may be waived for projects on parcels less than 25,000 square feet which contribute annually to transit. Amendments to the parking regulations were developed as part of a comprehensive parking study and are consistent with Section 13.5.3.B.2 of the TRPA Code, which encourages the development of alternative parking strategies. These revisions are intended to reduce land coverage and make more efficient use of land for parking and pedestrian uses.
  - **Implement Tahoe Area Regional Transit (TART) Systems Plan:** The Area Plan proposes to implement the April 2016 Placer County TART System Plan by: (1) funding public transit to make it a viable transportation alternative; (2) implementing transit improvements described in the 2016 TART System Plan; (3) implementing developer funding mechanisms (such as service area zones of benefit); and (4) linking increased transit services with increases in transit demand.
  - **Secondary Residences:** The Area Plan would expand upon Section 21.3.2 of the TRPA Code to allow market-rate secondary residential units on certain residential parcels less than 1 acre in size, subject to RMP certification, TRPA Code compliance (including allocations and development rights), and supplemental design standards. To qualify for the program, properties must be located within 0.25 mile of a mixed-use zoning district or primary transit route. Secondary units may not be used as tourist units or converted to TALLs. The full text of applicable requirements for secondary units is provided in Section 3.01 of the Area Plan Implementing Regulations.

103-5

Ellie Waller, Tahoe Vista Resident Member North Tahoe West Area Plan Team August 1, 2016  
 Comments for The Record DRAFT Environmental Impact Report / Environmental Impact Statement  
 (EIR/EIS) Placer County Tahoe Basin Area Plan (TBAP) Clearinghouse # 2014072039  
 Proposed Pilot Program Substitute Standard:  
 Commercial Floor Area (CFA) conversion to Tourist Accommodation Units (TAU)

Project Application March 2015 Page 1 for date reference



Page 4

Current Land Uses: According to Placer County Assessor's records, the property was originally developed as a motel in 1957, presumably in preparation for the Squaw Valley Olympics. The records indicate that there were a series of building and tenant modifications through the 1960's and 1970's, with uses including restaurants, auto part sales, retail, professional offices and storage. The property presently consists of three buildings with a total of approximately 27,047 square feet of commercial, leasable space in addition to 6,772 square feet of second floor storage no presently suitable for occupancy, for a combined floor area of approximately 33,800 square feet.

Page 6

- 19) Promote the transfer of development out of SEZ lands into the downtown center of Tahoe City through the transfer of TAUs and restoration of lands where the TAUs came from;

Land Capability and Land Coverage: The property is mapped to be located entirely within a Stream Environment Zone, which is subject to a pending field verification by TRPA (LCAP2013-0320). However, based on an approved Land Capability Challenge (LCAP2013-0307) on the adjoining Tahoe City Golf Course, the land adjacent to the project site was confirmed to be within a Class 3 Land Capability District.

Impervious surface at the property presently constitutes approximately ninety-percent of the area of the two Kila Tahoe, LLC parcels. There is 55,350 square feet of land coverage at the property based on an Auerbach Engineering Corporation survey dated October 4, 2013. Based on the Placer County Assessor's records and aerial photographs, the existing coverage was in place prior to 1972; existing land coverage is pending formal verification by TRPA (VBOU2013-1010).

TRPA Commodities (Commercial Floor Area and Tourist Accommodation Units): The three buildings at the property today represent a combined floor area of approximately 33,800 square feet. Based on the Placer County Assessor's records the buildings at the property were in place and operating commercially at the time of the 1987 TRPA Regional Plan. The Commercial Floor Area (CFA) appurtenant to the property is subject to a pending verification with TRPA (VBOU2013-1010), however it is anticipated that the majority of the existing floor area will be formally verified as CFA.

The TBAP FEIR/EIS must provide verification that 33,800 sf of commercial floor area is legally available for CFA to TAU conversion.  $33,800/450 = 75$  units. The TBAP FEIR/EIS must identify where the other 43 TAU's are being obtained to insure project objectives are met as # 19 is not currently the case.

Page 16 of 16

103-6



**Letter  
103****Ellie Waller**  
August 1, 2016

- 103-1 This comment states that the proposed Area Plan program to allow the limited conversion of TRPA regulated Commercial Floor Area (CFA) to Tourist Accommodation Units (TAUs) would conflict with the TRPA Regional Plan. The comment also states that this program would conflict with Area Plan Policy LU-P-2, which requires development to comply with the TRPA growth control system and Area Plan programs. The TRPA Regional Plan allows Area Plans to develop substitute standards provided that these standards are consistent with the TRPA Ordinances that remain in effect and the Goals and Policies of the Regional Plan (TRPA Code Section 13.5.1). The proposed CFA-to-TAU conversion program is unique to the Area Plan and was not previously contemplated by the Regional Plan. However, as described in the Draft EIR/EIS analysis, this program would mirror the existing TRPA program which allows TAU-to-CFA conversion (described in Section 50.10.1 of the TRPA Code). Additionally, the proposed program would be limited to 400 TAUs, which must be used within town centers and within 0.25 miles of a transit stop, and would encourage redevelopment in alignment with TRPA's mixed-use development goals. Finally, the Area Plan consistency review required prior to TRPA approval would not allow the adoption of the Area Plan unless it was found to be consistent with TRPA's growth management system (TRPA Code Section 13.6.5).
- 103-2 This comment points out inconsistencies between how the Area Plan and the Draft EIR/EIS refer to the CFA to TAU conversion program. These errors have been corrected in the revised Area Plan released concurrently with this Final EIR/EIS.
- 103-3 This comment restates the concerns previously raised regarding the Area Plan's TAU conversion policies conformance with TRPA's Regional Plan. Please see the response to comment 103-1 above.
- 103-4 This comment states that the Area Plan policy to modify the LOS standard for roadways within town centers would conflict with the TRPA Regional Plan Policy DP-2.2, which requires that LOS standards be maintained. The current LOS standard for urban areas within the Tahoe Basin is LOS E (TRPA Regional Plan Policy T-10.7). Under 2016 conditions, the eastbound portion of the SR 28 roadway in Tahoe City between Grove Street and the Wye operates at LOS F during peak hours (see Table 10-1 of the Draft EIR/EIS) and would continue to operate at LOS F regardless of which Area Plan alternative is implemented (see Table 10-6 of the Draft EIR/EIS), including Alternative 2 which would not implement substitute standards. Both directions of traffic would be operating at LOS F by 2035 under Alternative 4 and all Area Plan alternatives would improve LOS when compared to taking no action. As discussed on page 10-10 of the Draft EIR/EIS, traffic delays in Tahoe City and Kings Beach are due in large part to pedestrian crossings, bicycle traffic, and vehicle parking maneuvers. Traffic congestion is a natural consequence of roadway user conflicts in these town centers. TRPA Regional Plan Policy T-10.7 recognizes this conflict by allowing LOS standards to be exceeded when provisions for multi-modal amenities and/or services (such as transit, bicycling, and walking facilities) are adequate to provide mobility for users. The Area Plan accomplishes this through supporting the development of a network of shared-use paths and through mitigation measures such as construction of a pedestrian activated signal at the Grove Street/SR 28 intersection, and establishing a County Service Area Zone of Benefit to expand transit services.
- 103-5 This comment is a continuation of the discussion of LOS standards from comment 103-4. Please refer to the response to comment 103-4 above.

103-6

This comment states that the Final EIR/EIS must verify that a sufficient amount of CFA is available for purchase and conversion to TAUs, to construct the proposed Tahoe City Lodge. As with any project, the Tahoe City Lodge project applicant would be required to demonstrate the possession of all required development commodities during final design and before TRPA permit acknowledgement.

Ellie Waller, North Tahoe West Plan Team Member: Comments for the Record August 12, 2015  
DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS) Placer County Tahoe  
Basin Area Plan (TBAP) Clearinghouse # 2014072039 Proposed

**Letter  
104**

Proposed Framework for Ridgeline Protection Ordinance (Goals, Policies, Code)

The TBAP DEIR/EIS does not provide an adequate code that ACTUALLY protects ridgelines in Lake Tahoe and more specifically Placer County. I am submitting a framework for ridgeline code for Placer County and TRPA to utilize to review, produce and codify. The Final EIR/EIS must incorporate a process with a defined schedule to approve code that will seriously define ridgeline protections in Placer County and not solely rely on inadequate TRPA ridgeline code that only considers protection. An amendment to the Area Plan must be included in the schedule and completed within in one year of adopted Area Plan giving plenty of time to allow staff to research and develop a code and conduct stakeholder groups, etc.

The information is a compilation/modification of ridgeline protection ordinances from *Los Angeles County, CA Zoning Ordinance, 10 Towns Great Swamp Watershed Committee, NJ, Zoning Regulations, Stowe, VT, Town Code, Lake George, NY, Basic Model for Site Plan Review, Maine State Planning Office, Zoning Ordinance, Camden, ME, Sun Valley, Idaho City Code, Park City, Utah Building Code, Santa Monica Mountains North Area Community Standards District, ForestHill Community Plan Divide, Placer County, Marin County Zoning code, Georgia Dept of Community Affairs, Bureau of Land Management Scenic Resource Mgmt guide, Lafayette, Ca, etc.*

TRPA Staff member Lucia Maloney at the Sept 23, 2015 GB asked me what I thought was missing from TRPA ridge protections. Below you will find enough information for Placer and TRPA staff to begin to develop and codify a ridgeline protection code.

104-1

Ellie Waller, North Tahoe West Plan Team Member: Comments for the Record August 12, 2016  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS) Placer County Tahoe  
 Basin Area Plan (TBAP) Clearinghouse # 2014072039 Proposed

Proposed Framework for Ridgeline Protection Ordinance (Goals, Policies, Code)

### **CURRENT TRPA Goals, Policies and Code for ridges:**

LU -4.9

IN ORDER TO BE FOUND IN CONFORMANCE WITH THE REGIONAL PLAN, ALL AREA PLANS THAT INCLUDE TOWN CENTERS OR THE REGIONAL CENTER SHALL INCLUDE POLICIES, ORDINANCES AND OTHER IMPLEMENTATION MEASURES TO:

- 1) Address all requirements of Policy LU-4.8.
- 2) Include building and site design standards that reflect the unique character of each area, respond to local design issues and consider ridgeline and viewshed protection.

"Consider" does nothing !

*Cambridge Dictionary*


Definition of "consider" - English Dictionary

British American

"consider" in American English

► See all translations

**consider**

verb [T] • US  /kənˈsɪd·ər/

**consider** verb [T] (THINK ABOUT)

★ to think about a particular subject or thing or about doing something or about whether to do something:

*Consider Clara Barton, who founded the American Red Cross.*

*We considered moving to California, but decided not to.*

[ + question word ] *We have to consider what to do next.*

104-1  
cont

Ellie Waller, North Tahoe West Plan Team Member: Comments for the Record August 12, 2016  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS) Placer County Tahoe  
 Basin Area Plan (TBAP) Clearinghouse # 2014072039 Proposed

Proposed Framework for Ridgeline Protection Ordinance (Goals, Policies, Code)

The remainder of the TRPA code and goals is not stringent enough and leaves too much room for interpretation.

CD-2.1

TO BE FOUND IN CONFORMANCE WITH THE REGIONAL PLAN, AREA PLANS SHALL REQUIRE THAT ALL PROJECTS COMPLY WITH THE FOLLOWING DESIGN REQUIREMENTS. AREA PLANS MAY ALSO INCLUDE ADDITIONAL OR SUBSTITUTE REQUIREMENTS NOT LISTED BELOW THAT PROMOTE THRESHOLD ATTAINMENT

C. Building Design: Standards shall be adopted to ensure attractive and compatible development. The following shall be considered:

ii. Building height limits shall be established to ensure that buildings do not project above the forest canopy, ridge lines, or otherwise detract from the viewshed.

An additional policy must be added to insure outside the basin development does not encroach upon Tahoe viewsheds (example proposed Martis Valley West Parcel Specific Plan with heights greater than TRPA code)

13.5.3. Development and Community Design Standards for Area Plans

F. Community Design Standards

To be found in conformance with the Regional Plan, Area Plans shall require that all projects comply with the design standards in this subsection. Area Plans may also include additional or substitute requirements not listed below that promote threshold attainment.

2. Building Height

a. Area Plans may allow building heights up to the maximum limits in Table 13.5.3-1 above.

b. Building height limits shall be established to ensure that buildings do not project above the forest canopy, ridge lines, or otherwise detract from the viewshed same as above

13.6.5. Findings of Conformance with the Regional Plan

In making the general finding of conformance, the TRPA Governing Board shall make the general findings applicable to all amendments to the Regional Plan and Code set forth in Sections 4.5 and 4.6, and also the following specific review standards:

C. Additional Review Standards for Area Plans with Town Centers or Regional Center

In addition to the requirements of subparagraphs A and B above, submitted Area Plans that contain Town Centers or the Regional Center shall include policies, ordinances, and other implementation measures to:

104-1  
cont

Ellie Waller, North Tahoe West Plan Team Member: Comments for the Record August 12, 2016  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS) Placer County Tahoe  
 Basin Area Plan (TBAP) Clearinghouse # 2014072039 Proposed

Proposed Framework for Ridgeline Protection Ordinance (Goals, Policies, Code)

1. Include building and site design standards that reflect the unique character of each area, respond to local design issues, and consider ridgeline and viewshed protection;

An additional policy must be added to insure outside the basin development does not encroach upon Tahoe viewsheds (example proposed Martis Valley West Parcel Specific Plan with heights greater than TRPA code)

37.7.

#### FINDINGS FOR ADDITIONAL BUILDING HEIGHT

The findings required in this chapter are as follows:

37.7.1.

##### Finding 1

When viewed from major arterials, scenic turnouts, public recreation areas, or the waters of Lake Tahoe, from a distance of 300 feet, the additional height will not cause a building to extend above the forest canopy, when present, or a ridgeline. For height greater than that set forth in Table 37.4.1-1 for a 5:12 roof pitch, the additional height shall not increase the visual magnitude beyond that permitted for structures in the shoreland as set forth in subsection 66.3.7, Additional Visual Magnitude, or Appendix H, Visual Assessment Tool, of the Design Review Guidelines.

The only real reference to any ridgeline code is still not stringent enough but at least exists. Avois like consider leaves too much room for interpretation.

#### **PLACER COUNTY RELATED CODE**

##### **Placer County ForestHill Divide Community Plan**

3.C.9-1 New development in scenic areas (e.g., river canyons, watersheds, scenic highway corridors, community gateways, ridgelines and steep slopes) outside the commercial core shall be planned in a manner which employs design, construction, and maintenance techniques that:

- a. Avoid locating structures along ridgelines and steep slopes such that they would be silhouetted from below or from a public road;
- b. Incorporate design and screening measures to minimize the visibility of structures and graded areas;
- c. Maintain the character and visual quality of the area.
- d. Utilize natural landforms and vegetation for screening structures, access roads, building foundations, and cut and fill slopes.
- e. Incorporate landscaping that avoids significant discontinuity in landscaping vegetation between developed areas and adjacent open space or undeveloped areas.

104-1  
cont

Ellie Waller, North Tahoe West Plan Team Member: Comments for the Record August 12, 2016  
DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS) Placer County Tahoe  
Basin Area Plan (TBAP) Clearinghouse # 2014072039 Proposed

Proposed Framework for Ridgeline Protection Ordinance (Goals, Policies, Code)

3.C.9-4 New development on hillsides shall employ design, construction, and maintenance techniques that:

- a. Ensure that development near or on portions of hillsides does not cause or worsen natural hazards such as erosion, sedimentation, fire, or water quality concerns;
- b. Utilize erosion and sediment control measures including temporary vegetation (native or non-invasive exotic species) sufficient to stabilize disturbed areas;
- c. Minimize risk to life and property from slope failure, landslides, fire and flooding; and
- d. Maintain the character and visual quality of the hillside

### **SUGGESTED APPROACH**

We need collective near-term goals, policies and ordinances established for the ridgeline skyline landscape and appropriate strategy for achieving a Regional Plan Code Amendment and detailed Goals and Policies.

We need a comprehensive analysis performed by a qualified professional(s) that examines, identifies, and delineates on a map(s) and in a written report all areas deemed to be environmentally and aesthetically important to all communities around the lake including, but not limited to, Steep Slopes, Very Steep Slopes, Significant Scenic Ridge Line Areas, wetlands, streams and lakes, wildlife habitat and migration areas, entry/gateway corridors, current allowed development (example: Homewood) and possible allowed future development, etc. that are part of the proposed goals, policies and ordinances for ridgeline protection.

There is no TRPA ridge or ridgeline definitions in Chapter 90 (missing- needs to draft)

### **DEFINITION**

Ridge Line Protection Area: The top, ridge or crest of hill, or slope plus the land located within one hundred fifty feet (150') ( need to determine correct #) on both sides of the top, crest or ridge.

Ridgelines are defined as the line formed by the meeting of the tops of sloping surfaces of land. Significant ridgelines are ridgelines which, in general, are highly visible and dominate the landscape.

104-1  
cont

Ellie Waller, North Tahoe West Plan Team Member: Comments for the Record August 12, 2016  
DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS) Placer County Tahoe  
Basin Area Plan (TBAP) Clearinghouse # 2014072039 Proposed

Proposed Framework for Ridgeline Protection Ordinance (Goals, Policies, Code)

Ridge lines: a geographic location a distance from the waters of Lake Tahoe with a prominent, unspoiled viewshed. Near/far contrast are part of a scene that includes a landform in the foreground and a major backdrop ridge with an unbroken skyline. Often layers of ridges are visible into the distance. The contrast can be experienced by viewing an entire panorama. Existing community boundaries and gateways: ridges and surrounding terrain that provide the first view of predominately natural, undeveloped land that emerges from the urban landscape that provides a scenic skyline.

There are no goals and policies (missing-needs to draft)

### **RIDGELINE PROTECTIONS**

Ridgelines have general aesthetic value to the community/tourists and contribute to the community's sense of identity. Prominent peaks and ridges provide significance as well as identifiable landmarks to area residents and tourists. Ridgeline development, if unregulated, can take place at the expense of aesthetic concerns. Ridges are highly visible from surrounding areas. Ridgelines are unique vegetation communities and wildlife habitats. Ridges in developing areas are often the last remaining natural areas

Ridges are not as well suited for development due to soil characteristics, geology, vegetation, existing plant and animal life or hydrology limitations and should not be carelessly developed.

The purpose of the TRPA Ridgeline Protection District/Overlay is to protect the scenic and ecological resources associated with lands characterized by high elevations, steep slopes, and visual sensitivity. All development shall utilize the following design criteria in order to provide for safe access and protect the natural, scenic character and the aesthetic value of the ridges from the impact of inappropriate development on hillsides, ridges, ridgelines, ridge tops, knolls, and summits:

104-1  
cont

Ellie Waller, North Tahoe West Plan Team Member: Comments for the Record August 12, 2016  
DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS) Placer County Tahoe  
Basin Area Plan (TBAP) Clearinghouse # 2014072039 Proposed

Proposed Framework for Ridgeline Protection Ordinance (Goals, Policies, Code)

**CODE AND SITE DESIGN CRITERIA (missing-needs to draft)**

The ridgeline and hillside protection regulations contained in this section shall apply to all development located within the hillside and ridgeline protection overlay district to be defined and mapped.

1. Pictorial/historical records of ridgelines for enforcement of visual sensitivity from public roads, public recreation sites/trails or waters of Lake Tahoe
2. Existing allowed uses, not MUP or CUP.
3. Allowed uses must avoid crestline siting, utilize minimal cuts, driveways no greater than 10% slope, minimal disturbance, height limitations to 42', disturbance limitations to 20k sf, can't be seen.
4. Any allowed structure should be 300' below the ridgeline elevation.
5. No new subdivisions or urban sprawl.
6. No land/zoning trades with in basin or out of basin lands to justify ridge development.
7. Be on public sewer and water, no leach fields.
8. Applies to ridges within the Tahoe Basin watershed, however must include adjacent ridges which view Lake Tahoe from a height 100' above ground. (example: Martis Valley West Specific Plan site is outside Basin watershed, but you can still see Lake Tahoe from the ground. Imagine a 100' high condo.
9. The use of conservation easements on steep slopes shall be encouraged to preserve the area in perpetuity.
10. Grading plans and building plans shall also be checked for conformance with this section prior to approval. Area plans and Specific plans need to be in conformance with this section or have to clearly demonstrate the benefits of any deviation from those standards.
11. An engineering plan will be prepared by a professional engineer that shows specific methods that will be used to control soil erosion and sedimentation, soil loss, and excessive stormwater runoff, both during and after construction.

104-1  
cont



Ellie Waller, North Tahoe West Plan Team Member: Comments for the Record August 12, 2016  
DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS) Placer County Tahoe  
Basin Area Plan (TBAP) Clearinghouse # 2014072039 Proposed

Proposed Framework for Ridgeline Protection Ordinance (Goals, Policies, Code)

12. A hydrology, drainage, and flooding analysis will be included that shows the effect of the proposed development on water bodies and/or wetlands in the vicinity of the project.

13. A grading plan for the construction site and all access routes will be prepared.

14. Architectural plans and renderings clearly depicting all proposed structures to scale and their location on the site in relation to the physical and natural features of the parcel, including the proposed grade of the building area and finished floor elevations.

15. Drawings should clearly display building elevation and architectural design, including building materials, exterior colors and window fenestration. All structures proposed, including outbuildings and garages are to be shown.

16. A landscaping plan showing existing vegetation and proposed landscaping and clearing plans showing proposed type, size, and location of all vegetation to be preserved and/or installed, along with other landscaping elements such as, berms, fences, walls, etc.

17. Special attention should be given to existing/ proposed vegetation adjacent to buildings for visibility and screening purposes. Such a plan shall address specific measures to be taken to ensure the protection and survival, and if necessary, replacement of designated trees during and after the construction and/or installation of site improvements.

18. Development in proximity to ridges shall conform to the following standards but must be factored by angle of slope. On slopes of ? % or greater, no development, re-grading or stripping of vegetation shall be permitted.

19. The ridgelines' natural contour and vegetation should remain intact with development maintaining an undisturbed minimum setback of ? hundred feet measured horizontally from the center of the ridgeline on a topographic map, or ? feet measured vertically on a cross section, whichever is more restrictive.

Lesser setbacks may be authorized if it can be demonstrated that no structure or portion of a structure will obstruct the view of the ridge as seen from major points defined during the application process.

20. Points of view to be used for the visual analysis shall be taken along major roads including \_\_\_\_\_; and major public open space, and recreation areas including \_\_\_\_\_, and from key visual sites taken from the waters of Lake Tahoe

104-1  
cont

Ellie Waller, North Tahoe West Plan Team Member: Comments for the Record August 12, 2016  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS) Placer County Tahoe  
 Basin Area Plan (TBAP) Clearinghouse # 2014072039 Proposed

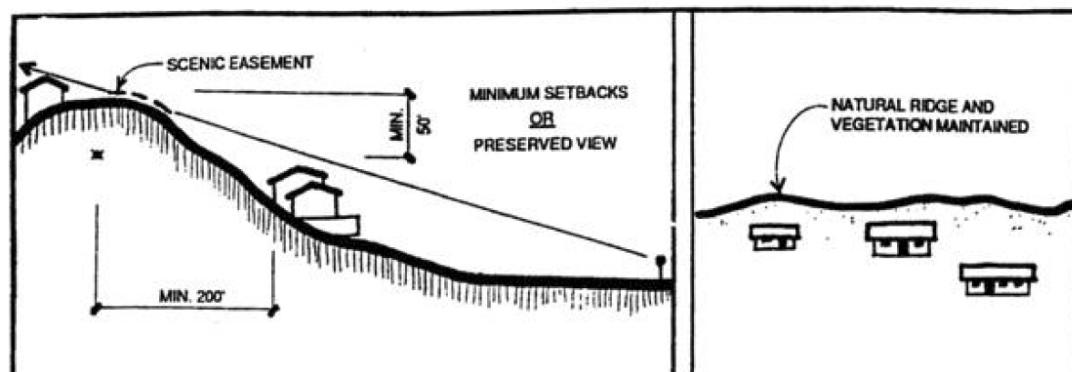
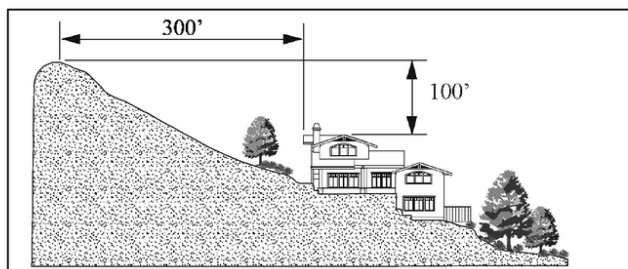
Proposed Framework for Ridgeline Protection Ordinance (Goals, Policies, Code)

Sample diagrams must be included. Examples below

104-1  
cont

2. **Development near ridgelines.** No construction shall occur on top of, or within 300 feet horizontally, or within 100 feet vertically of visually prominent ridgelines, whichever is more restrictive, unless no other suitable locations are available on the site or the lot is located substantially within the ridgeline area as defined herein. If structures must be placed within this restricted area because of site constraints or because siting the development outside of the ridgeline area will result in greater visual or environmental impacts, they shall be in locations that are the least visible from adjacent properties and view corridors.

FIGURE 2-3  
LOCATION OF STRUCTURES NEAR RIDGELINES

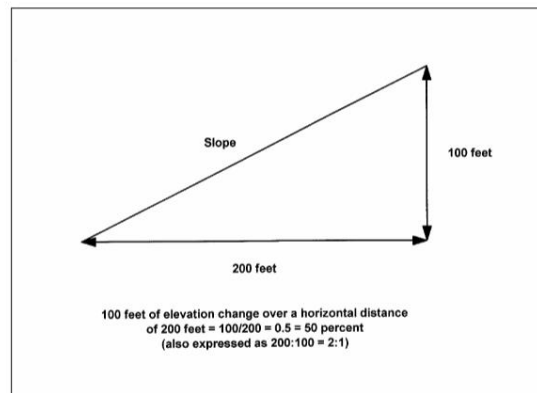


Minimum TBD ~ 300' and 200' taken from other County codes

Ellie Waller, North Tahoe West Plan Team Member: Comments for the Record August 12, 2016  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS) Placer County Tahoe  
 Basin Area Plan (TBAP) Clearinghouse # 2014072039 Proposed

Proposed Framework for Ridgeline Protection Ordinance (Goals, Policies, Code)

**Slope:** An inclined earth surface, the inclination of which is expressed as the ratio of horizontal distance to vertical distance. In these regulations, slopes are generally expressed as a percentage; percentage of slope refers to a given rise in elevation over a given run in distance. A fifty (50) percent slope, for example, refers to a 100-foot rise in elevation over a distance of 200 feet. A fifty (50) percent slope is expressed in engineering terms as a 2:1 slope.

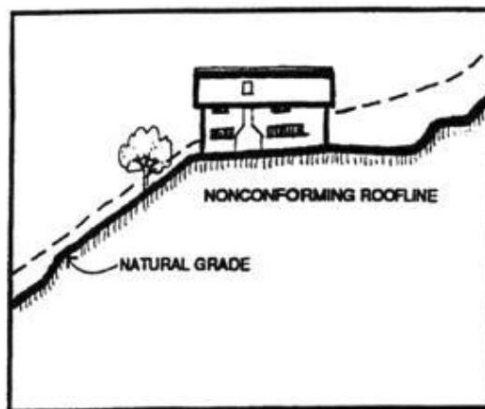


**SLOPE**

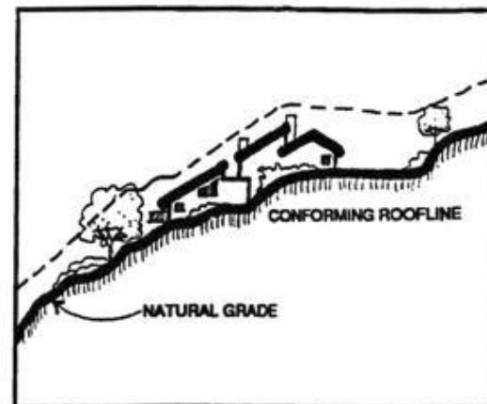
Minimum TBD ~ 300' and 200' taken from other County codes

104-1  
cont

**Instead of this**

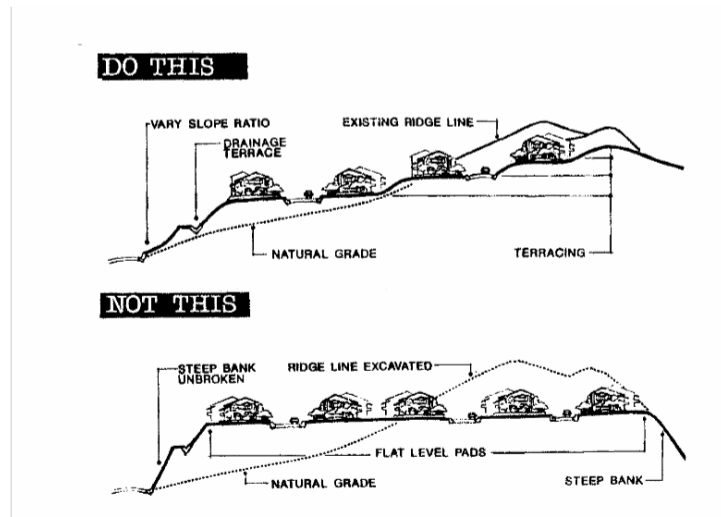


**Do this**



Ellie Waller, North Tahoe West Plan Team Member: Comments for the Record August 12, 2016  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS) Placer County Tahoe  
 Basin Area Plan (TBAP) Clearinghouse # 2014072039 Proposed

Proposed Framework for Ridgeline Protection Ordinance (Goals, Policies, Code)



- (g) Projects involving more than one use or phase should be phased into workable units in a way that minimizes the amount of soil disturbance at any given point in time.

104-1  
cont

#### **DESIGN GUIDELINES** (missing-needs to draft)

A set of guidelines defining parameters to be followed in a site or building design or development.

1. All development should be sited to avoid potentially hazardous areas and environmentally sensitive areas as identified in the open space element of the general plan or as part of the environmental review, as well as to avoid dislocation of any unusual rock formations or any other unique or unusual geographic features.
2. Natural drainage courses should be preserved, enhanced, and incorporated as an integral part of the project design.
3. Grading should be limited to the extent possible and designed to retain the shape of the natural landform. Grading must be designed to preserve natural features such as knolls or ridgelines. In no case shall the top of a prominent hilltop, knoll, or ridge be graded to create a large building pad.

Ellie Waller, North Tahoe West Plan Team Member: Comments for the Record August 12, 2016  
DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS) Placer County Tahoe  
Basin Area Plan (TBAP) Clearinghouse # 2014072039 Proposed

Proposed Framework for Ridgeline Protection Ordinance (Goals, Policies, Code)

4. Architectural treatment should be provided on all sides of the structure visible from adjacent properties, roadways, trails, or public rights-of-way, etc.. Building materials and color schemes should blend with the natural landscape of earth tones for main and accessory structures, fences, and walls. Reflective materials or finishes should not be used.

5. The use of exterior materials, textures and colors, preferably earth tones, shall be consistent with the surrounding mountainside.

6. The location, height, design, arrangement and intensity of exterior lighting shall minimize glare and shall be directed downward and shaded to prevent objectionable light from adversely impacting the visual landscape. Buildings shall be lit to the minimum extent that is necessary to provide safe ingress and egress to the structure.

7. If the site is wooded, the height of the structure shall not exceed ? percent of the average height of the tree canopy within a 100- foot radius of the proposed building site.

**SCENIC ASSESSMENT (missing-needs to draft)**

The exact points of view will be from the most critical points as determined by the combination of points from which the proposed development is most visible and points at which the highest public use occurs.

The sensitive viewshed areas and the exact points of view for each proposed project will be identified prior to the project submittal

Visibility Studies: Viewshed analyses, line of site sections, site photography and other means to assess the visual impact of the proposed application. On site measures such as plywood and pole mock-ups, and survey tape layout of site elements are required.

**VISUAL IMPACT (missing-needs to draft)**

A modification or change that could be incompatible with the scale, form, texture or color of the existing natural or man-made landscapes.

**VISUAL RESOURCE MAPS (missing-needs to draft)**

The maps depicting the visually sensitive areas, as determined by the visual resource environmental analysis.

**VISUAL RESORCE INVENTORY (missing-needs to draft)**

A system for minimizing the visual impacts of surface disturbing activities and maintaining scenic values. The inventory consists of a scenic quality evaluation, sensitivity level analysis, and a delineation of distance zones.

104-1  
cont

Ellie Waller, North Tahoe West Plan Team Member: Comments for the Record August 12, 2016  
DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS) Placer County Tahoe  
Basin Area Plan (TBAP) Clearinghouse # 2014072039 Proposed

Proposed Framework for Ridgeline Protection Ordinance (Goals, Policies, Code)

#### **SENSITIVITY LEVEL ANALYSIS (missing-needs to draft)**

Sensitivity levels are a measure of public concern for scenic quality. Public lands are assigned high, medium, or low sensitivity levels by analyzing the various indicators of public concern.

##### **A. Factors to Consider.**

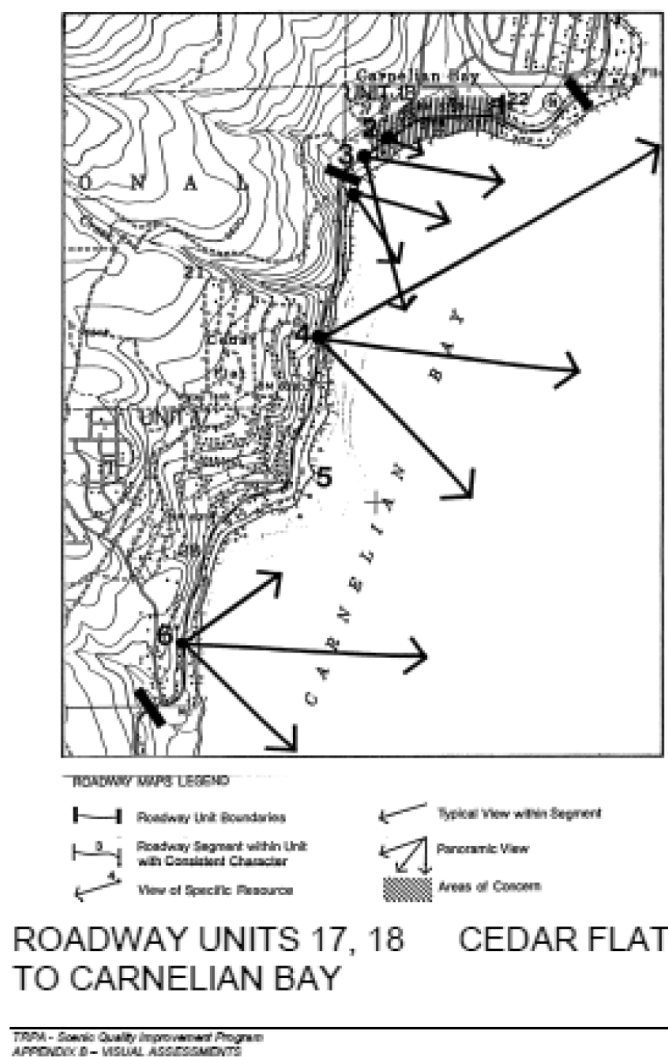
1. Type of Users. Visual sensitivity will vary with the type of users. Recreational sightseers may be highly sensitive to any changes in visual quality, whereas workers who pass through the area on a regular basis may not be as sensitive to change.
2. Amount of Use. Areas seen and used by large numbers of people are potentially more sensitive. Protection of visual values usually becomes more important as the number of viewers increase.
3. Public Interest. The visual quality of an area may be of concern to local, State, or National groups. Indicators of this concern are usually expressed in public meetings, letters, newspaper or magazine articles, newsletters, land-use plans, etc. Public controversy created in response to proposed activities that would change the landscape character should also be considered.
4. Adjacent Land Uses. The interrelationship with land uses in adjacent lands can affect the visual sensitivity of an area. For example, an area within the view shed of a residential area may be very sensitive, whereas an area surrounded by commercially developed lands may not be visually sensitive.
5. Special Areas. Management objectives for special areas such as Natural Areas, Wilderness Areas or Wilderness Study Areas, Wetland and SEZ areas, Scenic Areas, Scenic Roads or Trails, and Areas of Critical Environmental Concern (ACEC), frequently require special consideration for the protection of the visual values. This does not necessarily mean that these areas are scenic, but rather that one of the management objectives may be to preserve the natural landscape setting. The management objectives for these areas may be used as a basis for assigning sensitivity levels.

We do not need to re-create the wheel. The Scenic Quality Improvement Plan is the correct tool. The maps represent the issues determined to violate scenic quality. I used them in my MVWPSP comments when the 112 units were still on the table. Same issues still apply. See examples below

104-1  
cont

Ellie Waller, North Tahoe West Plan Team Member: Comments for the Record August 12, 2016  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS) Placer County Tahoe  
 Basin Area Plan (TBAP) Clearinghouse # 2014072039 Proposed

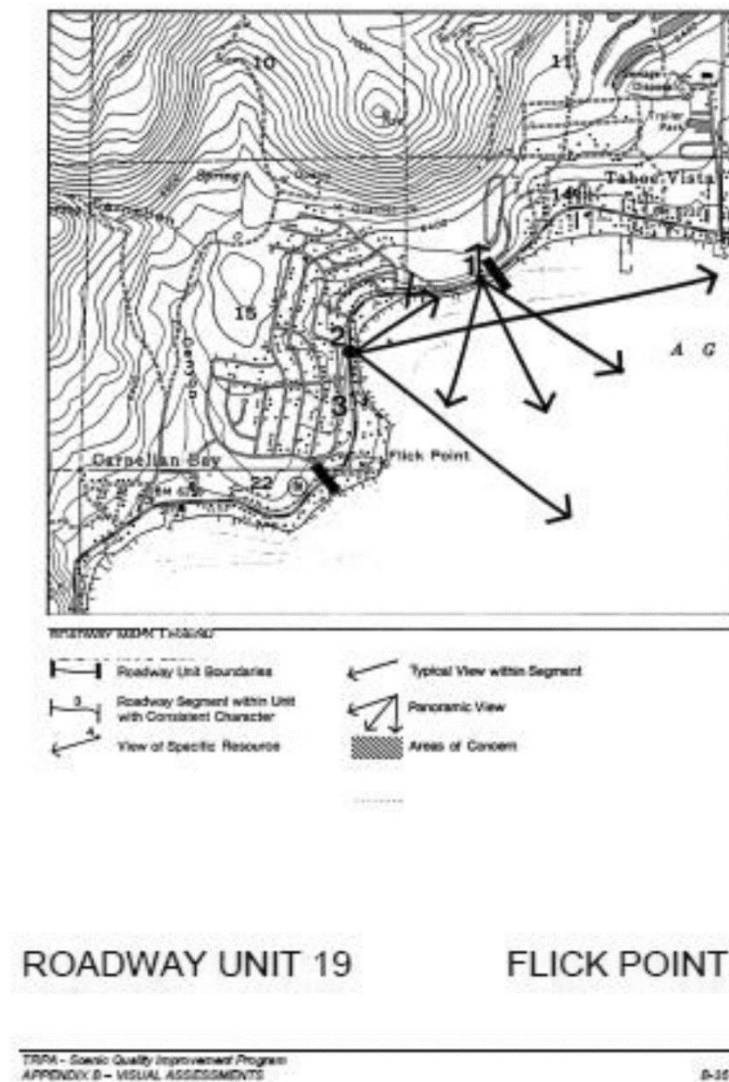
Proposed Framework for Ridgeline Protection Ordinance (Goals, Policies, Code)



104-1  
cont

Ellie Waller, North Tahoe West Plan Team Member: Comments for the Record August 12, 2016  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS) Placer County Tahoe  
 Basin Area Plan (TBAP) Clearinghouse # 2014072039 Proposed

Proposed Framework for Ridgeline Protection Ordinance (Goals, Policies, Code)

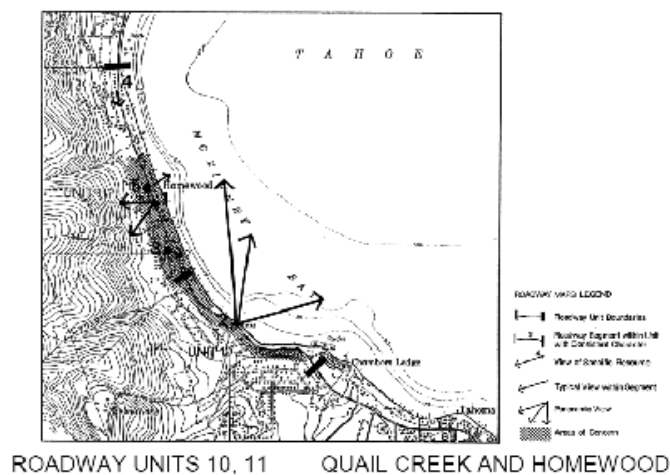
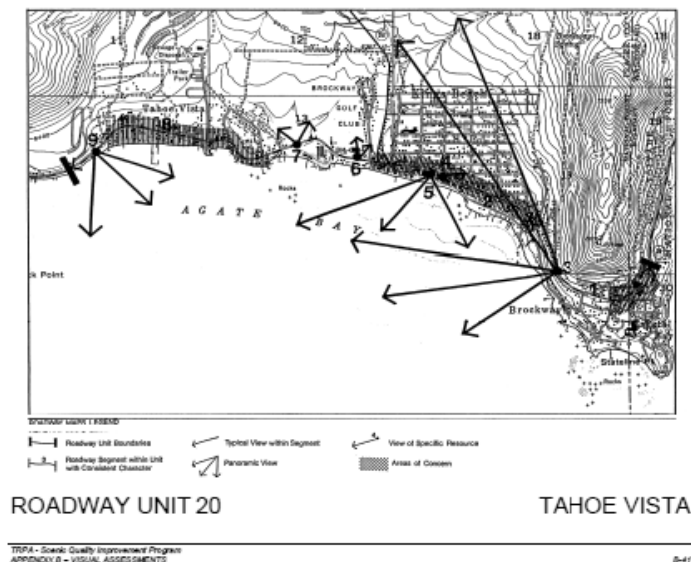


104-1  
 cont



Ellie Waller, North Tahoe West Plan Team Member: Comments for the Record August 12, 2016  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS) Placer County Tahoe  
 Basin Area Plan (TBAP) Clearinghouse # 2014072039 Proposed

Proposed Framework for Ridgeline Protection Ordinance (Goals, Policies, Code)



Ellie Waller, North Tahoe West Plan Team Member: Comments for the Record August 12, 2016  
DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS) Placer County Tahoe  
Basin Area Plan (TBAP) Clearinghouse # 2014072039 Proposed

Proposed Framework for Ridgeline Protection Ordinance (Goals, Policies, Code)

## **OTHER ITEMS FOR CONSIDERATION**

### **Other Issues for Consideration**

1. Others (residents and tourists) have a right not to see ridgeline development
2. Fire more difficult to fight on a ridge. Public and Health and Safety issues.
3. The ridgeline and hillside protection regulations shall not be applied to preclude the reasonable development of single-family residences on legally created/zoned parcels.
4. Do not disturb areas of uninterrupted tree lines
5. Do not disturb areas currently free of manmade structures (exception ski areas)
6. By placing additional restrictions, such as preservation easements, on a property, certain rights and/or uses accrued by the owner may be restricted. On the other hand, protective covenants, if used appropriately and planned accordingly may provide greater protection and clarity of the intent in which the property was obtained (example: SPI timber production lands now proposing Brockway Campground/MVWP)
7. What is the vested property right? An applicant may not gain vested rights if the local government can show that there is a "compelling, countervailing" public interest that would be jeopardized if the proposed development were carried out. (Utah Dept of Commerce)

104-1  
cont

Ellie Waller, North Tahoe West Plan Team Member: Comments for the Record August 12, 2016  
DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS) Placer County Tahoe  
Basin Area Plan (TBAP) Clearinghouse # 2014072039 Proposed

Proposed Framework for Ridgeline Protection Ordinance (Goals, Policies, Code)

## **REFERENCES**

Georgia Dept of Community Affairs: This one is really complete- 14 pgs- print and read  
<https://www.dca.ga.gov/development/PlanningQualityGrowth/programs/documents/Part3c3-4HillsideandRidgelineProtection.pdf>

### **BLM**

[http://www.blm.gov/pgdata/etc/medialib/blm/wo/Information\\_Resources\\_Management/policy/blm\\_handbook.Par.31679.File.dat/H-8410.pdf](http://www.blm.gov/pgdata/etc/medialib/blm/wo/Information_Resources_Management/policy/blm_handbook.Par.31679.File.dat/H-8410.pdf)

### **Los Angeles County**

<https://library.municode.com/index.aspx?clientId=16274>

### **10 Towns Great Swamp Watershed Committee, NJ, Zoning Regulations**

<http://longislandsoundstudy.net/research-monitoring/river-and-stream-bank-restoration-toolbox/regulations/>

### **Stowe, VT, Town Code**

[http://townofstowevt.org/index.asp?SEC=739BAD65-07A1-4861-8523-6B2A1E9F667C&Type=B\\_BASIC](http://townofstowevt.org/index.asp?SEC=739BAD65-07A1-4861-8523-6B2A1E9F667C&Type=B_BASIC)

### **Compilation of Provisions on Hillside and Ridgeline Protection**

<http://www.midcoastplanning.org/landuse.html>

### **Lafayette, Ca This is another good one**

<http://www.ci.lafayette.ca.us/home/showdocument?id=757>

### **Santa Monica Mountains North Area Community Standards District**

[http://planning.lacounty.gov/view/santa\\_monica\\_mountains\\_north\\_area\\_community\\_standards\\_district\\_2244133/](http://planning.lacounty.gov/view/santa_monica_mountains_north_area_community_standards_district_2244133/)

### **Placer County Foresthill Divide Community Plan**

<http://www.placer.ca.gov/departments/communitydevelopment/planning/documentlibrary/commplans/foresthill-divide-cp>

### **Marin County Zoning Code** <http://www.marincounty.org/depts/cd/divisions/planning>

Page 18 of 19

104-1  
cont

Ellie Waller, North Tahoe West Plan Team Member: Comments for the Record August 12, 2016  
 DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS) Placer County Tahoe  
 Basin Area Plan (TBAP) Clearinghouse # 2014072039 Proposed

Proposed Framework for Ridgeline Protection Ordinance (Goals, Policies, Code)

Page 19 of 19

**Letter  
104**

**Ellie Waller**  
 August 12, 2016

- 104-1 This comment states that the Area Plan must include ridgeline protection standards and references numerous ridgeline protection ordinances from other municipalities. Ridgeline protection was discussed in Impact 9-1 on page 9-20 of the Draft EIR/EIS. This comment offers no specific information or evidence that the analysis presented in the environmental document is inadequate. This comment will be considered during project review.

**From:** Ellie <tahoellie@yahoo.com>  
**Sent:** Friday, August 12, 2016 5:55 PM  
**To:** Shirlee Herrington  
**Cc:** Crystal Jacobsen; Lucia Maloney; Tiffany Good  
**Subject:** Tahoe Basin Area Plan Comments for the Record  
**Attachments:** AG 8-9-16 Squaw-Valley-comment-letter-1.pdf

**Letter  
105**

Ellie Waller, North Tahoe West Plan Team Member: Comments for the Record  
 August 12, 2016

DRAFT Environmental Impact Report / Environmental Impact Statement (EIR/EIS) Placer County Tahoe Basin Area Plan (TBAP)

Clearinghouse # 2014072039  
 Attorney General letter dated 8-9-2016, audio: July 27, 2016 Governing Board

In light of Bill Yeates and Clem Shutes' comments on VMT and LOS at the July 27, 2016 Regional Plan Implementation Committee meeting: I am submitting Attorney General Kamala Harris comments on Squaw Valley August 9, 2016 for reference and to insure the Tahoe Basin Area Plan includes policies/code for the necessity to have projects in Placer and Nevada County (Truckee) outside and abutting the Tahoe basin analyze the relationship to the Tahoe Basin VMT cap in the transportation section in TBAP in the FEIR. Although the Draft EIR did not address this issue, comments provided by two Governing Board members as related to the VMT cap issues provides cause to include.

Example of necessity as Village at Squaw did not. See other references in the 15 page AG letter attached and for the record

105-1

**A. THE EIR INCLUDES AN ANALYSIS OF THE INCREASED VEHICLE USE IN THE BASIN THAT WILL RESULT FROM THE PROJECT, BUT FAILS TO DETERMINE WHETHER THE INCREASE IS A SIGNIFICANT IMPACT.**

In its response to comments, the Final EIR (FEIR) includes a discussion of the Project's impact on traffic within the basin. The FEIR anticipates that the Project's summer peak daily traffic will be 3,300 daily vehicle trips with 41 percent, or 1,353 trips, traveling into the basin. (FEIR 3-25.) The TRPA, the agency charged with regulating and protecting Lake Tahoe, considers the addition of more than 200 daily trips to be a significant impact. (TRPA Code, § 65.2.3.G.) The FEIR also projects that the Project will create an estimated 23,842 additional vehicle miles travelled (VMT) on a summer Friday, an estimated 1.2 percent increase in VMT within the basin. The addition of the Project's VMT would bring the total VMT in the basin to 2,008,442, which is below TRPA's threshold for basin-wide VMT, but only by a small margin (the VMT threshold is 2,067,600). (FEIR 3-25.) The EIR acknowledges TRPA's standards but asserts that it need not use them as the standards of significance for evaluating the Project's traffic impacts within the basin. (FEIR 3-25 to 3-26.) Rather than identify an alternative standard of significance against which to measure the increase in traffic within the basin, the document's discussion of whether the increase is significant ends there.

Lead agencies have the discretion to set standards of significance and are not required to accept significance standards adopted by agencies that will not have regulatory authority over the project. (*Save Cuyama Valley v. County of Santa Barbara* (2013) 213 Cal.App.4th 1059, 1068.) However, if evidence is submitted showing that the environmental impact might be significant despite the significance standard used in the EIR, the agency must address that evidence. (See, *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th 1099, 1111.) If the agency does not respond by changing the standard, it should respond by explaining the basis for the standard used. (*Id.*; see also, *Oakland Heritage Alliance v. City of Oakland* (2011) 195 Cal.App.4th 884, 898 [the substantial evidence standard applies to challenges to the scope of an EIR's analysis of a topic, the methodology used for studying an impact and the reliability or accuracy of the data upon which the EIR relied].) Because Placer County did not set a standard of significance for assessing traffic impacts to Lake Tahoe, it is impossible to know whether its rejection of TRPA's standard is appropriate and supported by substantial evidence.

In addition, while Placer County, as the lead agency, may not be required to use TRPA's standards, it must still determine whether the increase in VMT in the basin that will result from the Project is a significant impact. (See, *Protect the Historic Amador Waterways v. Amador Water Agency*, *supra*, 116 Cal.App.4th at p. 1109 [holding that even where a pertinent standard of significance exists, compliance with that standard does not relieve an agency of considering other evidence that suggests an impact may exist]; *Lotus v. Department of Transportation* (2014) 223 Cal.App.4th 645, 654 [finding environmental document inadequate where discussion of impacts was included but without any information to enable the reader to evaluate the significance of the impacts discussed].) Because the EIR fails to identify whether the increased vehicular use within the basin is a significant impact, the EIR is inadequate.

105-1  
cont

Regional Plan Implementation Committee July 27 Tahoe Basin Area Plan  
<http://www.trpa.org/governing-board-documents-july-27-2016/>

**Letter  
105****Ellie Waller**  
August 12, 2016

- 105-1 This comment states that the Area Plan should contain requirements for Placer County projects outside of the Tahoe Basin to assess the potential for that project to exceed TRPA's VMT significance threshold. The comment also states that the Draft EIR/EIS did not evaluate these potential impacts. See Master Response 1, VMT and LOS Analysis, in Section 3.1 of this Final EIR/EIS.

**From:** H. Peter Werbel <werbs@exwire.com>  
**Sent:** Monday, August 15, 2016 7:49 AM  
**To:** Placer County Environmental Coordination Services  
**Subject:** Tahoe City Lodge

**Letter  
106**

Dear All,

I have lived in Tahoe and Squaw since 1971 and have owned commercial property in Tahoe City as well as Alpenglowsports (which I sold) since approximately 1978. I have seen the economic ups and downs during the years.

I am in favor of approving plans for the new Tahoe City Lodge to move forward. Are there negatives, such as potentially more autos on the road, etc., of course. But on merit I think the positives way outweigh the negatives. Tahoe City needs new life and this certainly would be a much needed enhancement for the area. Please approve the plans and allow this project to move forward.

106-1

Sincerely,

Peter Werbel

**Letter  
106****Peter Werbel**  
August 15, 2016

- 106-1 This comment expresses support for the Tahoe City Lodge project. This comment does not raise environmental issues or concerns regarding the adequacy, accuracy, or completeness of the environmental document. The comment is noted for consideration during project review.

**Letter  
107**

Robert and Carole White  
270 North Lake Boulevard, #40  
Tahoe City, California 96145

August 13, 2016

Placer County Community Development Resource Agency  
Environmental Coordination Services  
3091 County Center Drive, Suite 190  
Auburn, CA 95603

[cdraecs@placer.ca.gov](mailto:cdraecs@placer.ca.gov)

Subject: Tahoe Basin Area Plan DEIR/DEIS

Dear Ms. Jacobsen,

My wife, Carole, and I are residents of Tahoe Marina Lakefront (TML) and have spoken at four hearings related to the June 2016 Placer County Tahoe Basin Area Plan and related EIR. This letter (1) briefly summarizes our comments made at the hearings, which were noted for the record at the time so are not repeated here, and (2) reiterates TML's prior and continuing support to expeditiously identify and implement a feasible alignment for the shared-use path between Commons Beach and Fanny Bridge that all key stakeholders can live with.

#### **1. Focus of Our Comments Made at the Hearings**

The EIR is deficient in regard to the specific shared-use path alignment in the Area Plan between Commons Beach and Fanny Bridge, referred to as the "preferred alternative" on Page 125 in Part 5 of the Area Plan; shown explicitly and specifically on Map 5.5 in Part 5 of the Area Plan; and referred to indirectly by including implementation of the Mobility Plan on Page 162 in Part 8 of the Area Plan.

The potential significant impacts of the indicated path alignment were not included in the Area Plan EIR. These include environmental, safety, noise, security, privacy, scenic quality, lake access, and socio-economic impacts.

We believe our comments on these have been appropriately noted at the hearings and will be addressed before the final Area Plan and EIR are released. Overall, we believe the appropriate remedy to the issues raised is to remove all references, direct and indirect, to a specific shared use path alignment from the Area Plan. In that way the Area Plan will be consistent with the NOP and conform to the requirements of CEQA.

107-1

## 2. Support for the Area Plan, Hotel Project, and Shared Use Path

We support the timely implementation of specific projects that support the program level policies contained in the Area Plan and particularly the Tahoe City Lodge project.

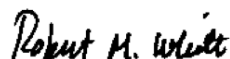
We also support the shared-use path between Commons Beach and Fanny Bridge and look forward to working with the County and other key stakeholders to expeditiously determine and implement the most appropriate path alignment.

TML has proactively sought to facilitate a timely and practicable solution of this issue for more than 10 years. In 2005, the TML Board president indicated to the TCPUD that TML would help expedite a path alignment that ran along the parking area on the west side of TML's property. Conversations continued in 2012 and 2013. In 2014, TML had a professional firm (the Gary Davis Group) prepare a rendering of a path alignment that would run on the town-side of TML, set back from the highway. This path includes a proposed easement along TML's western parking lot and moving TML's office back approximately 15 to 20 feet to accommodate the path alignment.

The intricacies, complexities and communication challenges of the planning effort (e.g. the Tahoe City Vision Plan, path alignment alternative studies, Mobility Plan, Area Plans and revisions, EIR NOP and revisions, draft EIR, and so forth) have at times resulted in the "process" getting in the way of "substance". However, we firmly believe that an expeditious, feasible and logical solution exists that will provide a shared-use path alignment that all key stakeholders can live with, rather than an approach that creates an "I win/you lose" situation.

Sincerely yours,

Robert M. White



Carole V. White



cc: Mr. Jack Duran (District 1)  
Mr. Robert Weygandt (District 2)  
Mr. Jim Holmes (District 3)  
Mr. Kirk Uhler (District 4)  
Ms. Jennifer Montgomery (District 5)

Letter  
107

Robert White  
August 13, 2016

107-2

107-1

This comment expresses support for the Area Plan, Tahoe City Lodge, and the concept of a shared-use path between Commons Beach and Fanny Bridge. This comment does not raise environmental issues or concerns regarding the adequacy, accuracy, or completeness of the environmental document. The comment is noted for consideration during project review.



- 107-2 This comment expresses support for the Area Plan, Tahoe City Lodge, and the concept of a shared-use path between Commons Beach and Fanny Bridge. This comment does not raise environmental issues or concerns regarding the adequacy, accuracy, or completeness of the environmental document. The comment is noted for consideration during project review.

**From:** Dave Wilderotter <dave@tahoedaves.com>  
**Sent:** Saturday, August 13, 2016 2:02 PM  
**To:** Placer County Environmental Coordination Services  
**Subject:** Tahoe City Lodge Comments

**Letter  
108**

I'm a 40 year resident and business owner (Tahoe Dave's Ski Shop) in Tahoe City.. As a matter of fact my business was in the Old Henrickson Building in 1977 for a couple years.. I know the building.. It was beyond horrible even then!! Its an environmental nightmare and also an ugly blight on our town.

I'm in support of the Lodge project for its environmental upgrades to the town and Basin. I'm an avid golfer. I like that we finally have the courage to deed restrict the course to keep in the community's grasp for future generations as well as restoring some of the wetlands nearby .. I like the upgraded Golf ClubHouse.. What a community asset it will be!!

I have no problem with the design. I think it maximizes the usable area for a different mix of lodging opportunities desperately needed in Tahoe City. Starting at Two and evolving to 4 stories is acceptable since its sitting in a bowl and is a perfect example of place based design...

108-1

Traffic is not an issue.. as of now if one wanted higher end accommodations they would need to stay in Squaw Incline or Sunnyside then drive to town.. With this new Lodge they would already be here and walk!!!

The owners are long time Tahoe Cityites and care and will remain here..

Since being involved with the resurgence of Tahoe City serving on the TnT-TMA, NLTRA and TCDA boards, One of my main priorities has been a more diverse/higher end mix of lodging opportunities in town...

This is a classic case of if not now... when?? Please approve this community asset and dump the eyesore...

Thanks..  
 Dave Wilderotter

**Letter  
108**

**Dave Wilderotter**  
 August 13, 2016

- 108-1 This comment expresses support for the Tahoe City Lodge project. This comment does not raise environmental issues or concerns regarding the adequacy, accuracy, or completeness of the environmental document. The comment is noted for consideration during project review.

**From:** Jim Williamson <jw@boat-lift.com>  
**Sent:** Monday, August 15, 2016 7:41 AM  
**To:** Placer County Environmental Coordination Services  
**Subject:** Tahoe City Lodge Placer County Please confirm receipt of email

Letter  
109

Dear Placer County Staff

To Introduce my self, I am a long time local at Lake Tahoe, actually my family Legacy goes back well over 90 years at Tahoe.

After reviewing the Draft EIR/EIS for the Placer County Tahoe Basin Area Plan and the Tahoe City Lodge Project, I continue to be very excited for and supportive of this Plan, and in particular the Tahoe City Lodge Project.

Just looking at the current property, it's clear something needs to be done. The Tahoe City Lodge would replace those old, ugly, buildings with something that fits in with the community, something we can be proud of.

I know some people have expressed concerns about height, but looking at exhibit 9-10, 9-11 and 9-12 in the EIR/EIS, I really think the hotel fits in well with the trees, surrounding buildings and the landscapes. It's certainly better than sprawling out.

Right in the Executive Summary of the Draft EIR it says, "A key objective of the Regional Plan is to focus redevelopment within town centers." And "These incentives include allowing increased density and height." Clearly the hotel meets those goals and fits within that strategy. I too agree that clustering development in downtown areas in order to support more walkability---this makes for a more pleasant living and visiting experience as well as gets people out of their cars which alleviates traffic and offers benefits to green house gas reduction goals.

109-1

In summary, I hope you'll look at the information laid out in these documents and see what I see, and many members of our community see – a project that will genuinely benefit the environment and our town. Clearly this EIR/EIS document offers a very thorough study of any potential harmful environmental impacts that may occur for various alternatives. In my review, I also believe it is clear that building a new lodge to replace the old Hendrickson building would offer not only superior environmental benefits than doing nothing, but tremendous economic benefits as outlined on the applicants website. And finally, I also understand that no lodge can be built without the approval of an Area Plan. The Tahoe Basin Area Plan is not perfect, we can all agree to that. However, hundreds of Placer County (ok, thousands) staff hours and hundreds of community hours have poured into creating the draft today. Can't we all agree that this is the best possible draft for today, keep moving forward towards approval and commit to continuing to improve it as we move forward? Let's not let North Tahoe die on the vine because of our lack of imagination and fear.

Thank you,

Jim  
Williamson Boat Lift, of Lake Tahoe.  
530-583-2998  
[jw@boat-lift.com](mailto:jw@boat-lift.com)  
[www.boat-lift.com](http://www.boat-lift.com)

*"Celebrating 70 years of doing business at Lake Tahoe"*

**Letter  
109**

Jim Williamson  
August 15, 2016

109-1

This comment expresses support for the proposed Area Plan and Tahoe City Lodge project. This comment does not raise environmental issues or concerns regarding the adequacy, accuracy, or completeness of the environmental document. The comment is noted for consideration during project review.

August 3, 2016

**Letter  
110**

Placer County Community  
Resource Agency  
Environmental Coordination Services  
Suite 190  
3091 County Center Drive  
Auburn, CA 95603

Subject: Tahoe Basin Area Plan and Draft EIR/EIS

Gentlemen:

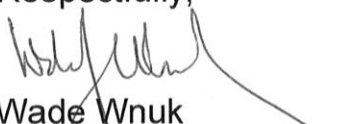
I am offering my encouragement for a Plan that supports the following.

- Any redevelopment should drive environmental restoration
- Improvements must make it safer and easier to walk/ride bicycles as well as enhance public transit.
- Open space has to be preserved.
- Parking policies need to be tightly integrated with the future development vision.

I have owned property in the Tahoe Basin since 1987 and have seen many good things happening to conserve and restore the Basin for present as well as future users.

Keep progress moving in the right direction!!

Respectfully,

  
Wade Wnuk  
Aston Lakeland Village

110-1

**Letter  
110**

**Wade Wnuk**  
August 3, 2016

- 110-1 The comment offers support for the Area Plan. It does not raise environmental issues or concerns regarding the adequacy, accuracy, or completeness of the environmental document. The comment is noted for consideration during the review of the merits of the alternatives.

**From:** Laurie Woods <ldwoodstahoe@yahoo.com>  
**Sent:** Wednesday, August 10, 2016 5:52 PM  
**To:** Placer County Environmental Coordination Services  
**Subject:** TC Lodge

**Letter  
111**

I am writing to express my concern regarding the TC Lodge Project.  
I am for the development but am concerned about lighting and the environment.  
Please be sure to address the possible light pollution and that they use environmentally conscious materials and technology.  
Thank You,  
Laurie Woods  
535 Red Cedar St  
Tahoe City

111-1

**Letter  
111**

**Laurie Woods**  
August 10, 2016

- 111-1 This comment expresses general support for the Tahoe City Lodge project, but concern regarding the potential for light pollution and the selection of environmentally responsible building materials. Please see the response to comment 15-13 related to prevention of light pollution. Also, as described on page 3-28 of the Draft EIR/EIS, the Tahoe City Lodge project would comply with TRPA dark sky protection standards and proposes the use of Leadership in Energy and Environmental Design (LEED) standards, including light pollution reduction.