

December 12, 2023

Tahoe Regional Planning Agency
Governing Board and TRPA staff
128 Market St, Stateline, NV 89410
Submitted via email

Re: Proposed Phase 2 Housing Amendments

Dear Governing Board Chair, members, and TRPA staff -

The League to Save Lake Tahoe (League) is dedicated to protecting and restoring the environmental health, sustainability and scenic beauty of the Lake Tahoe Basin. In connection with our mission, we advocate for the implementation of sound, environmentally-friendly policies contained within regional land use and planning documents.

Our concerns have been the same from the start of this process in 2020 - coverage, density, and transportation impacts - which directly and indirectly impact Lake Tahoe's natural environment. Addressing the housing issues at Lake Tahoe is a top priority but any effort to improve housing must also ensure that we are protecting the environment.

We have been the only environmental group actively and continuously participating in the Tahoe Living Working Group, and the efforts leading up to its formation over the last few years. It has been great working with the Working Group and TRPA staff, Karen and Alyssa especially. We have submitted numerous comment letters over the years at the board and committee levels. We feel that our concerns have been heard, and most of them have been addressed.

Remaining Concerns

The last of our longstanding concerns for the proposed Phase 2 amendments is incentives outside of town centers. The League has consistently, through every opportunity presented since the 2012 Regional Plan Update, emphasized that as much of the remaining development as possible be in town centers. Affordable housing is no exception. The Regional Plan emphasizes development in town centers, and the impacts identified in the RPU's environmental analysis are underpinned by concentrating and transferring development into town centers. Without a robust environmental review, we cannot support incentives for development outside of town centers. **We recommend approving the Phase 2 housing amendments only for town centers, and addressing incentives outside of town centers in Phase 3.** We already have plenty of ideas for how additional incentives for deed-restricted housing can be balanced with disincentives for the types of development that do not benefit our environment or communities. We know a lot of community members also have great ideas and we recommend adding more community members, from potentially affected areas round the Lake, to join the Tahoe Living Working Group for Phase 3.

Based on more recent community feedback, there are two concerns that we would like to highlight for discussion: the definition of deed-restricted housing, and enforcement of deed restrictions. The Tahoe Living Working Group and TRPA staff have reviewed dozens of definitions from other communities and settled on what is currently proposed. There is the potential for owners and renters to take advantage of the definition, resulting in deed-restricted housing going to people who can afford market rate rentals. The severity of this threat is unknown. **We recommend increasing the audit rate from 10% to at least 50% in the first two years after Phase 2 amendments; and revisiting the definition in Phase 3 of the housing amendments if the audits show non-compliance.**

What we like

The League would like to take this opportunity to thank TRPA's housing staff for working closely with the Tahoe living Working Group, and responding to questions and concerns from the community in a timely, professional, and polite manner. We also want to express our appreciation for taking our concerns to heart and making the following changes over the course of Phase 2:

- Height in multi-family areas: Reduction in proposed height allowances from 48 feet (original proposal) to 36-42 feet (current proposal) within multi-family areas.
- Density in centers and multi-family areas: The original proposal included increased density for market-rate developments as well as deed-restricted developments. The current proposal would allow increased density only for deed restricted development.
- Coverage in centers and multi-family areas: The Tahoe Living Working Group recommended that deed restricted projects be exempt from coverage transfer requirements and water quality mitigation fees when increasing coverage above base allowable. Initial findings in the Initial Environmental Checklist (IEC) identified that exempting coverage transfers could have the potential to increase overall amounts of coverage in the region, thereby creating a potential impact that could not be sufficiently addressed without an additional, significant level of review. As a result, this policy change was removed from the proposal but will be revisited in Phase 3 of the Tahoe Living Strategic Priority, which is scheduled to begin in January of 2024.
- Coverage requirements - areawide treatment systems owned and maintained by government agency.
 - Updated coverage language as we suggested to make it clear that this analysis is only for bonus units (not opening door to any other kind of development getting any extra coverage).
- Parking in centers and multi-family areas: Changes to local jurisdiction parking minimums were not included in the original proposal. However, due to public and stakeholder input and the significant increase in cost parking adds to residential development, the current proposal includes reductions to local jurisdictions parking minimums both in centers and within areas zoned for multi-family.
 - Updated parking language as we suggested so can't get any additional coverage if want to include more parking than existing local minimums.

We look forward to our continued work with the Tahoe Living working group and complementing efforts to increase affordable and workforce housing while minimizing environmental impacts. In Phase 3, we are excited about the potential to make the first two phases more effective, while ensuring that the environment is protected. The first two phases were focused on incentives. In the third phase, we are looking forward to what we expect to be a focus on disincentivizing the types of development that do not provide benefits to the environment or our communities.

Sincerely,



Gavin Feiger
Policy Director
on behalf of the League to Save Lake Tahoe