

COUNTY OF PLACER
Community Development/Resource Agency

Michael J. Johnson, AICP
Agency Director

**PLANNING
SERVICES DIVISION**

Paul Thompson, Deputy Director

MEMORANDUM

TO: Honorable Board of Supervisors

FROM: Michael J. Johnson, AICP
Agency Director

DATE: July 24, 2012

SUBJECT: UPDATE – TAHOE REGIONAL PLANNING AGENCY REGIONAL PLAN UPDATE

ACTION REQUESTED

Community Development/Resource Agency staff is providing the Board with an update on the status of the ongoing efforts related to the Tahoe Regional Planning Agency (TRPA) Regional Plan Update. No action is requested at time.

BACKGROUND

County and TRPA staff presented your Board with an update on the Regional Plan on June 19, 2012 and received direction to provide comments regarding the Draft Regional Plan and accompanying Draft Environmental Impact Statement (DEIS). Staff submitted the letter (Attachment 1) in advance of the June 28, 2012 deadline for comments on the technical adequacy of the DEIS.

TRPA held meetings of its Governing Board on June 25 and 26, 2012 to receive comments on the draft documents and the technical adequacy of the DEIS. The Executive Director indicated TRPA would be receiving comments on all items contained in the document, but that it was important to be aware that the close of the comment period for the technical adequacy of the draft documents would be June 28, 2012 and that the June hearings before the TRPA Governing Board were the opportunity to offer verbal comments for the record for that aspect of the process.

In conveying the County's comments on the Regional Plan Update to the TRPA Board, staff stated that tourism is the revenue source that allows for redevelopment at the Lake and that without such projects the desired Threshold Attainment will not be attained because the BMPs achieved through new development projects will not be constructed. Staff also spoke to issues such as Level of Service not being an appropriate measure of Vehicle Miles Traveled, concerns with the Transfer of Development Standards (in that Placer County does not have the same levels of existing over-development to draw from for transfer incentives as would be present in other jurisdictions), the adequacy of the commodities to be allocated in the Plan, the concern over duplicative review, conformance review of Area Plans, the Strategic Growth Council language being included in the mitigation measures, and the need to stay on track for

addressing the "To-Do List". Staff finalized the County's comments by bringing forward the Board's concern over the Bi-State Consultation meetings and the lack of an opportunity for the County to participate in this process.

Several other local agencies provided comments similar in nature to those provided by Placer County. In fact, a number of the agencies actually referenced the comments by Placer County in their presentations. A number of the commentors offered support for Alternative 3 (Low Development, Highly Incentivized Redevelopment), although some agencies such as the Tahoe City Public Utility District and the City of South Lake Tahoe supported a hybrid of that alternative to include more incentives. Alternative 3 is TRPA staff's preferred alternative that "focuses on environmental redevelopment of the existing built environment as a means to achieve accelerated attainment of threshold standards." Agencies such as the Tahoe Conservancy, the Lahontan Regional Water Quality Control Board, and the City of South Lake Tahoe commented on concerns with the consistency of their agency's existing regulations such as the comments offered by the EPA with respect to their 208 plan and that, once adopted, the Regional Plan will not be consistent with the 208 plan until it is amended. The reoccurring theme from the local agencies was to reduce the duplicative review, to allow TRPA to serve as a higher level policy (truly more regional planning agency) and that the Plan provide more flexibility to allow for changes when necessary.

Members of the public, business community, and community groups also offered comments. Those comments were less cohesive than those of the government agencies. Some mirrored the agency comments and expressed concern over duplicative review, sufficient commodities and incentives, and the ability to redevelop and revitalize the Lake Tahoe Region. Other commentors stated that the Plan would be not restrictive enough and that it may result in too much development, too much density and development that was out of scale for this region. Most of those commentors followed by expressing concern for impacts to the region and ultimately to lake clarity. Many speakers expressed concern with some of the numbers provided such as population, coverages, and similar calculations that may not have been consistent amongst all areas of the Plan and related draft documents.

CURRENT STATUS

The comment period for comments on the technical adequacy of the DEIS closed on June 28, 2012. As previously noted, the County submitted a letter to TRPA in advance of the June 25, 2012 Governing Board hearing. Staff anticipates receiving the organized comments and issues sheet from TRPA as soon as the document is available.

FISCAL IMPACT

None.

NEXT STEPS

TRPA remains on track for final adoption of the Regional Plan on December 12, 2012. The TRPA Executive Director indicated that until the end of the year, it is expected that the Governing Board Meetings will be held over two days each month to allow for the ongoing review of the Regional Plan. The following is the proposed schedule of dates for the completion of the Regional Plan process:

- Completion of the Bi-State Consultations - July 18, 2012

- Regional Plan Update Committee Meetings – August 2, 3, 14, and 15, 2012
- Governing Board State Report and Input – July 25, August 22, and September 26, 2012
- Release of Final EIS, Regional Plan Update, Regional Transportation Plan, and Code – October 24, 2012
- Governing Board review of Final Plan – November 14, 2012
- Governing Board Regional Plan Adoption – December 12, 2012

County staff will continue to review the material provided by TRPA staff and provide the TRPA staff with comments consistent with the Board direction. County staff will also attend all of the TRPA Governing Board and Regional Plan Update Committee meetings to assure that the issues we have identified are addressed.

CONCLUSION

No action is necessary as this status update is intended to generate discussion and input from the Board regarding the TRPA Regional Plan update. Staff will return to your Board after new information has been released for review.

ATTACHMENTS:

Attachment 1: Letter to TRPA, dated June 19, 2012, Regarding the County Comments on the Regional Plan Update and Related Documents

Attachment 2: TRPA Timeline for Completion of the Regional Plan Update

cc: David Boesch, County Executive Officer
 Jennifer Merchant, Tahoe County Executive Office
 Karin Schwab, County Counsel
 Loren Clark, Assistant CD/RA Director
 Rick Eiri, Engineering and Surveying Manager
 Dan Dottai, Engineering and Surveying Manager
 Paul Thompson, Deputy Planning Director
 Steve Buelna, Supervising Planner
 Crystal Jacobsen, Supervising Planner
 Ken Grehm, Department of Public Works Director
 Peter Kraatz, Deputy Public Works Director
 Nick Trifiro, Associate Planner



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Community Development Resource Agency

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PLANNING
SERVICES DIVISION

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June 19, 2012

Ms. Joanne Marchetta, Executive Director
Tahoe Regional Planning Agency
PO Box 5300
Stateline, NV 89449

SUBJECT: Placer County Comments - Tahoe Regional Planning Agency Draft Regional Plan

Dear Ms. Marchetta:

Thank you for providing Placer County the opportunity to review the Tahoe Regional Planning Agency (TRPA) Draft Regional Plan Update Environmental Impact Statement, Draft Regional Plan, Draft Code of Ordinances, and related documents. Placer County has been actively participating throughout this process and has a strong interest in the ability for future development and redevelopment within its North Lake Tahoe region. The County supports the policies of your organization that allow for development and redevelopment activities that accomplish the simultaneous goals of protecting the natural environment, improving substandard housing conditions, upgrading deficient infrastructure, revitalizing the local economy, and improving the quality of life for local residents, workers, and visitors. Placer County has invested significant resources to pursue these goals by targeting investment and redevelopment project efforts in strategic locations that are considered best placed to provide the greatest overall community benefit. Similarly, the County has allocated significant resources to provide staff resources to not only monitor the Regional Plan Update as it develops, but also to begin the work on the Area Plans that will further advance the efforts of TRPA.

Below is a summary of comments from various County departments. Because of the County's desire to assist TRPA in achieving its December 2012 mandate, the comments focus on the most significant points to be addressed under the approval of these documents. In an effort to retain the opportunity to comment on items the County believes should be changed (but may not be practical to address in this review) the County has provided some comments within this letter on items that should be evaluated and taken up as part of the "To-Do List". Speaking to that issue, the County would appreciate if the "To-Do List" could be published in a format that includes prioritization and deadlines completion, particularly as it relates to the requested changes to the Individual Parcel Evaluation System scoring, Housing needs assessment, and other similar items of interest to the County.

Engineering and Surveying Comments on the Draft Regional Plan & Code of Ordinances:

- The Engineering and Surveying Department provided comments related to the language used in the sections pertaining to land divisions and development within the 100-year floodplain. The suggested language changes are intended to make certain that the language from TRPA in the Regional Plan is consistent with the requirements of the County related to these processes.

Engineering and Surveying Comments on the Regional Plan Update EIS:

- Related to Mitigation Measure 3.3-1, which applies to all of the Regional Transportation Plan Alternatives, staff recommends the language in the draft be modified to include language, "if feasible" as it relates to the mitigation for enhanced non-motorized and public transportation projects and services. As this could be construed as an unfunded mandate, County staff proposes to modify the language to provide flexibility should funding not be available.

Facility Services Comments on the Regional Plan:

- Museums – The plan indicates that TRPA will confer with local, state and federal authorities to maintain a list of significant architectural and archaeological sites. The Department of Museums asks the questions: Who at TRPA will maintain this list? Where exactly will the list be kept? Would it be possible to get a copy of this list?
- Parks – The memorandum from the Parks Department provided a number of suggested changes that were more technical in nature such as the correction of names for locations, clarification on terms used such as surface "hardening," and suggested policy modifications to further the efforts on recreational items such as trails.

Facility Services Comments on the TRPA Regional Plan EIR/EIS– Chapter 3.11:

- Speaking to the technical adequacy of the EIS, Section 3.11.1 states "no changes of the Recreation Element of the Goals and Policies are proposed as part of this Regional Plan Update." However, the Goals and policies listed under Section 3.11.2 "Regulatory Background" do not match the Goals and Policies of Chapter V, Recreation Element, of the draft TRPA Regional Plan Goals & Policies. Staff requests that TRPA rectify and/or explain this contradiction.

Similarly, a number of other suggestions were provided for technical amendments to the EIS, specifically related to name changes and text modifications, which is further defined in the attached memorandum.

Facility Services Comments on the TRPA Code of Ordinances:

- The County requests that TRPA modify Section 85.7 Vegetation to add language allowing public agencies to maintain vegetation in the backshore for the purpose of public safety, public access, and vegetative health in publicly maintained beach areas.

Facility Services General Comments:

- The County identified that the lists of sample recreation features for disbursed, developed, and urban recreational facilities vary within the various documents and sections. A list of features for each category should be produced and used uniformly.
- The new "Mixed-Use" designation has replaced the current Commercial and Public Service designation. The Town Centers District, Regional Center District, and High Density Tourist District are also new land use designations. However, Attachment 6 (Land Use and Management Designations for Planning Areas) does not indicate these new designations for any of the Plan Area Statements. The County requests that TRPA clarify if this is an oversight or an intentional omission, such that those designations are not presently intended for the current Plan Area Statement (PAS) in place.

Planning Services Division Comments on the TRPA Regional Plan EIR/EIS:

- Chapter 3 (Greenhouse Gas Emissions and Climate Change) of the RPU and RTP EIS lists the California Strategic Growth Council-Funded Sustainability Planning – the Sustainability Plan and

the Lake Tahoe Sustainability Collaborative under the "Regulatory Background" for the State in Section 3.5.2. The County has concern with this reference, given that as a partner in this effort, it has been the County's understanding that the Sustainability Plan is not being prepared to serve as a regulatory document that local California governments are required to adopt and comply with. Furthermore, it is the County's understanding that the Sustainability Collaborative was not established to serve as a governing body and would have no authority or oversight over local planning efforts. However, based upon the reference in the RPU EIS and RTP EIS, it would appear that the Sustainability Plan would provide regulations related to the Climate Change and reduction of impacts associated with Greenhouse Gas Emissions, and that the Sustainability Collaborative would also serve in a regulatory function, overseeing mitigation implementation tools.

- In addition, throughout the EIR/EIS, the Sustainability Plan is referenced as a tool to implement mitigation measures related to Greenhouse Gas Emissions impacts. Based upon the website created for the Sustainability Collaborative, the purpose of the Collaborative is to *"coordinate sustainability efforts and help define and implement the Sustainability Action Plan and related tools tailored to the Tahoe-Truckee region"*. This website also provides clarification regarding the relationship between the Sustainability Collaborative and the TRPA, noting that, the *"Tahoe Regional Planning Agency (TRPA) Governing Board provides oversight through the authority of the Bi-State Compact (PL96-551) for regional planning and environmental protection; in particular to guide and regulate land use practices that may adversely impact environmental sustainability. While some of the tools developed by the Sustainability Collaborative will be of value to TRPA, the TRPA mission does not extend to the broader framework envisioned for the Sustainability Collaborative. The Sustainability Collaborative is non-regulatory and non-governmental"*.

This is consistent with the County's understanding of the Sustainability Collaborative, and therefore the County believes that the inclusion of the Sustainability Plan as a tool to implement mitigation measures in the RPU EIS and RTP EIS is in conflict with the Tahoe partner's intent of the Sustainability Plan (as a non-regulatory document) and the overall purpose of the Sustainability Collaborative (as a non-governing body with no regulatory oversight, but to oversee the development of the Sustainability Plan). The County asserts that the Sustainability Plan is not a regulatory document and the Sustainability Collaborative is not a governing body that has authority over a regulatory document, and therefore, the RPU EIS and RTP EIS should not be referencing the Sustainability Plan or the Sustainability Collaborative in the RPU EIS and RTP EIS.

- The document should acknowledge the presence of General Plans and Community Plans in areas where such documents may also provide regulatory control and/or guidance. An example of this is the Chapter on Greenhouse Gases and Climate Change (Chapter 3.5). At a minimum, the applicable documents should be referenced and, ideally, the mitigation measures should be consistent with the existing regulations in place such that the measures reduce redundant and duplicative review.
- Transportation Strategy Package B- 3.3-32- It is unclear what type of capital and operational improvements to TART would be proposed or acceptable for mitigation associated with metered development allocations and as such is impossible to analyze. It is also impossible to analyze what bike trail segments would be required to be constructed in Placer County that would meet mitigation standards required to allocate development commodities. The document needs to clarify these sections, or at least refer to an Appendix that may have a specific list of proposed projects, programs and operational improvements.

- 3.3-42- Regarding LOS standards in Tahoe City being exceeded at LOS E because it is a rural area: how was a rural determination made? FHWA maps show Kings Beach and Tahoe City in Placer County as urbanized areas. Additionally, the EIS should analyze rural versus urban standards in context of the Tahoe Basin, which has peak traffic flows beyond what would be expected when only considering full time population bases, due to significant tourist influx. With roughly as many as 20,000 cars per day on a peak day, Tahoe City would not be considered rural by any traffic standard, and therefore a LOS E for a period of four hours or less should not be considered a "significant" impact.
- MM 3.3-3- The proposed system of mitigation tied to roadway Level of Service (LOS) is a disincentive to environmental redevelopment in Placer County, and will result in undermining threshold attainment. The Kings Beach Commercial Core Improvement Project (KBCCIP), is a key mitigation project included in Transportation Strategy Package B, which is tied to Alternatives 2, 3 and 4. The KBCCIP was approved by Placer County and TRPA and intentionally reduces roadway capacity in order to attain Pedestrian Transit Oriented Development goals preferred in the Compact. Both jurisdictions approved the project with the knowledge that the capacity reduction would degrade LOS, because it resulted in meeting TRPA's goal of focusing travel demand toward bicycle and pedestrian use, rather than automobile use. The KBCCIP is included in all Transportation Strategy Packages analyzed in the EIS as a capital transportation mitigation project. However, because this project will degrade LOS standards while also making the desired bicycle and pedestrian standard improvements, (as preferred by TRPA) this project will result in the allocation of fewer development commodities based on the mitigation system proposed. It now appears that TRPA proposes to meter development in Placer County to mitigate development impacts until and unless LOS can be improved to a 10 percent reduction from 1981 VMT. This is untenable and will result not only in degraded capacity to redevelop blighted properties, will result in significant negative impacts to the economy and capacity for future environmental improvement projects. In areas where TRPA-mandated projects have been completed, rather than dis-incentivise development, special considerations should be made to create an incentive-based system that commodities where those associated environmental redevelopment projects are consistent with TRPA's focus on Pedestrian and Transit Oriented Development (PTOD). TRPA cannot on one hand require that a project be implemented in its mitigation strategies, and on the other hand refuse to allocate development commodities because that project resulted in an LOS reduction, as planned and approved by TRPA. TRPA should eliminate from consideration use of LOS as a mitigation measure and allocation lever and consider utilizing only true air quality measures in each jurisdiction (CO and PM10), and ozone regionally, rather than the outdated VMT standard that does not measure or result in air quality improvements.
- 3.3-44- Why are there no sample projects for the Tahoe City or Kings Beach areas on this list. At least one for each should be added.
- As discussed on Page 3.2-2, Redirection of Development is the land use focus of TRPA's updated Regional Plan. Unfortunately, this concept misses the mark for attaining quality of life, economic sustainability and environmental improvements in the Placer County portion of the Tahoe basin, as its basis for creation lies in the attempt to remediate overdevelopment in Stream Environment Zones that occurred in South Lake Tahoe in the 1960s, and has little or no nexus with development patterns in eastern Placer County. This "one size mitigates all" approach is overly-prescriptive for a Regional Plan and fails to acknowledge differences in the built environment found in distinct jurisdictions and communities.

- There is no analysis that illustrates that the proposed 1:3 development commodity (coverage, commercial floor area and tourist accommodation units) transfer ratios proposed under Alternative 3, and the 1:2 ratio proposed in Alternative 4 (Pages 3.2- and 3.2-15) will result in the incentives necessary to spur the significant level of environmental redevelopment necessary to achieve TRPA threshold attainment. Until an environmental redevelopment program is developed that is certain to result in actual, not conceptual incentives, the economic model for redevelopment of the Tahoe basin is likely to continue to fail and result in further blight, flight and environmental degradation.

This is no better illustrated than in Exhibit 3.2-7, which maps sensitive and non-sensitive areas by sub-region. As noted in North Lake Tahoe, Placer County, a vast majority of commercial area along the state highway system are in non-sensitive land classification areas. As such, there is limited capacity in Placer County to transfer existing coverage off sensitive lands to Town Centers with soil classification appropriate as a receiving area for new and redevelopment. Ironically, the only commercial area noted as sensitive is downtown Tahoe City, which is largely encompassed on sensitive lands, yet is identified in the plan as a Town Center in a future community plan and a receiving area for coverage and other development commodities. Additionally, under Alternative 4, Exhibit 3.2-15 contemplates non-sensitive lands as sending areas. While this addresses the concern about seeking coverage outside a project's jurisdiction, it calls into question the purpose of requiring development to be removed from non-sensitive areas, in favor of moving to Town Centers.

Further, the EIS seems to contain no analysis that illustrates that the limited height restrictions proposed under Alternative 3 in Placer County's two Town Centers (two stories on the south side of SR 28 and Kings Beach and three stories on the north- Exhibit 3.2-11, as an example) will result in enough density to make LOS improvements necessary to trigger the allocation of development commodities needed to implement such projects (see Transportation 3.3-29-30).

- Finally, while TRPA has certain authorities and responsibilities as a regional planning agency, TRPA must recognize local jurisdiction boundaries and the complications that could arise when one jurisdiction must depend on goals and interests of another jurisdiction in order to capture rights necessary to accomplish public and private development projects. It is easy to envision scenarios in which attainment of those rights might make a project financially infeasible, if attainment of those rights were granted at all. The analysis should include commodity allocation programs that acknowledge jurisdictional differences, rather than the current one size mitigates all approach currently proposed.

Planning Services Division Comments on the Draft Regional Plan:

- Throughout the Draft Plan, it is stated that more project review authority should be transferred to the local jurisdictions. However, the requirements that TRPA places on the local jurisdictions leave little latitude to actually provide independent review authority. At times, it can be frustrating to have discussions regarding the ability to determine the local jurisdiction's own destiny by way of Area Plans, but then to have details as specific as height and setbacks pre-determined in the Regional Plan. It would be preferred that the Regional Plan provide guidance to make certain that specific topics are addressed in the Area Plan, but to allow the specificity of those items to be determined through the Area Plans. The County believes that leaving these items out would not be in conflict with the Regional Plan, as each Area Plan will need to be found in conformance with the Regional Plan prior to adoption.
- The County has consistently provided requests to reduce duplicative review. The Draft Plan continues to impose unfunded mandates on regulatory authorities. Examples of duplicative review include, but are not limited to, noise, Best Management Practices (BMP), Water Quality and the

Total Maximum Daily Load (TMDL), the need to have "historic" structures reviewed at both TRPA and the County's Department of Museums, and an urban bear strategy.

- The County believes the Allocation system of review needs to be further refined, specifically the method/process for releasing allocations. In addition, the County has concerns over the proposed units of commodities proposed for distribution as noted below:
 - The County is concerned with how the residential units will be distributed and whether there are sufficient quantities to provide the needed housing in the region. The preferred Alternative 3 suggests an allocation of 2,600 Residential Allocations. While this may be sufficient to address the needs of the region, the County would ask that this be re-evaluated as part of the "To-Do List" as a priority. Part of this re-evaluation should include a housing needs study to substantiate the number of allocations arrived at.
 - The Commercial Floor Area to be released is not adequate to cover the 20-year time period that this Regional Plan will cover (as proposed, the Commercial Floor Area equates to 10,000 square feet per year to be distributed amongst all jurisdictions).
 - Tourist Accommodation Units – The County continues to convey its position on TAUs, and that the science does not support a problem with TAU morphing. The analysis provided by County staff suggests that the concerns with TAU morphing occur only in the perception of some individuals. There are a number of other constraints that limit the size of TAUs (including density, setbacks, and height). Traffic analysis further indicates that the size of a TAU does not result in an increase to the trip generation for a TAU project.
- Allowances need to be made to reflect the existing built environment. TRPA has ambitious goals within the Draft Plan that should be encouraged for how to direct development or redevelopment. However, certain allowances, including the ability to process variances and provide effective incentives, need to be provided in order to be effective in this effort. To this end, flexibility to modify incentives provided needs to be made available to the process. The Plan should allow for minor changes to be made if the transfer incentives (such as coverage) are not encouraging enough to result in the activity that is identified and desired from the planning process.
- More detail on Area Plan Conformance, including a complete definition and a description of what it would entail, has been requested by the County and other jurisdictions. TRPA recently suggested a "pilot" plan to ensure the conformance process works. The County believes such a "pilot" plan could result in additional delays in the review of the County's Area Plans. In the event there are issues with the particular "pilot" plan identified that are unique to that plan as opposed to Area Plans in general, the jurisdictions would be left waiting for those issues to be resolved in order to move forward with its own Area Plans. Furthermore, because each region is unique, the County has determined that it is unreasonable to believe that one template could be created and utilized for the entire basin. Also related to this topic, County staff has concern over the need to review conformance with the Regional Plan of the Area Plans on an annual basis. It is the County's position that once found in conformance upon adoption and with annual review of the permitting activities, that sufficient safeguards are in place to protect against any concerns with lack of conformance.
- The County feels that TRPA has, in certain instances, improperly identified which items should be goals, policies, or implementation measures. Input provided by the County and other local jurisdictions indicated that goals and policies were, at times, too specific, and some of the

implementation measures were too general and therefore not enforceable. This creates uncertainty from staff as to which document to reference if what is actually a goal and policy resides in the implementation measures and vice versa.

- Subdivisions – The County would ask that TRPA place the Two-Step Subdivision process requirement on the “To-Do List” to be further refined and improved upon.
- Height – The County would request that TRPA modify the methodology for measuring height. Understanding this may not be feasible prior to the Regional Plan adoption due to the need to be evaluated in the EIS, the County would ask that this be made a priority on the “To-Do List”. The County does feel that the use of stories as a unit of measurement can and should be addressed with the current review. County staff does not support the use of stories as a method for measurement. It is the position of staff that height should be measured in an understandable method by staff, professionals, and the layperson and be measured in terms of feet.
- Biomass – The RPU suggested that no biomass projects will be accepted without first having the environmental analysis completed, where this review would typically be done subsequent to the application submittal. This will result in a review and debate on the merits of the practice of biomass facilities prior to even being able to submit for a project. While there may not be any need for this in the near future, it seems unnecessary to add another requirement that already exists. Any project will already need to evaluate the environmental impacts of that project. This can result in lengthier review timeframes for a project. When a project such as a biomass facility is to be funded with grant money or similar funding strategies any delay could result in the project not being feasible simply from a timing standpoint.
- Community Design – This section includes many of the very same provisions that can be found in the zoning codes or future Area Plans for the local jurisdictions resulting in another example of duplicative review. Constraining provisions such as setbacks, height, signage, lighting, landscaping, view sheds, and similar items are incorporated into the existing and proposed TRPA Code of Ordinances that do not allow flexibility when there is specific mention to the numbers of stories, or specific requirements for signage. Instead, County staff would prefer the Regional Plan provide guidance to what to include or avoid when creating the Area Plans and allow each Area Plan the flexibility to be creative in addressing the concerns identified in the Regional Plan.
- Water Quality – This section is another example of duplicative review that is also regulated by state or local agencies. In many instances, the requirements may be the same. At a minimum, it results in a lengthier review process and/or conflicting requirements and direction. The discussion on this topic was particularly important as it relates to the TMDL unfunded mandate.
- Wildlife – The Regional Plan Update Committee was adamant about “encouraging local governments to develop and enforce an urban bear strategy”. The County and other local jurisdictions commented that this is not a “regional planning” matter. All jurisdictions reported that their respective municipalities already have policies in place to address the conflict between bears and refuse collection. The County would ask that this unnecessary requirement be removed from the document.
- Soils –The County appreciates that your agency has agreed to evaluate the flaws in the mathematical equation as part of the County’s plea to lower the Individual Parcel Evaluation System (IPES) line. The Code of Ordinances has a mathematical equation to determine the IPES score for a jurisdiction, which includes the number of vacant and retired parcels. Placer County has suffered

from the parcels in Kings Beach that contain multiple lots that became consolidated prior to being retired. This has negatively impacted the County's scoring, resulting in Placer County being the only jurisdiction with a required IPES score above 1 in order to deem a parcel developable. TRPA currently requires that parcels within Placer County achieve a minimum IPES score of 726 in order to develop that parcel. Once addressed, this will hopefully eliminate Placer County being the only jurisdiction within the authority of TRPA that would contain parcels that cannot be developed by lowering the County's required buildable IPES score to a minimum of 1, matching that of all other jurisdictions. This is one of the items that the County requests to be a top priority on the future "To-Do List".

- Transit Level of Service – The Levels of Service included in the Regional Plan are already unattainable levels in that many roadways are functioning below the levels listed within the Regional Plan. The County's concern is that environmental analysis of future projects will always identify issues with traffic based on this document. This could result in future projects automatically having significant and unavoidable impacts identified in the traffic analysis.
- Placer County learned from its Tahoe Basin Community Plan Update workshop that a desire exists amongst residents to focus on increasing the percentage of primary residents in the basin. As stated at the workshop, existing residents believe having an increased number of primary residents in the Basin is the key to creating a sustainable, diverse, and vibrant community. Policy LU-1-1 suggests that TRPA is not focused on livability for full-time residents as much as TRPA needs to be.
- A mixed use and/or light industrial category needs to be added to Policy LU -2.1 (Additional Development Permitted in the Region).
- It is unclear how Policy LU-2.4 and LU-2.5 (Nonconforming Uses and Structures) will assist Placer County and Truckee River landowner's whose properties are currently categorized as being non-conforming make improvements/upgrades to said properties? These policies should note consideration of Regional Plan Amendments brought forward by way of local plans found in conformance and as a way to recognize existing land uses. As was mentioned at the RPU Committee meetings, history has shown that simply identifying nonconforming uses and disallowing changes does not result in the removal of the non-conforming structure. In fact, it can be argued that not allowing improvements almost guarantees those buildings and uses will not be removed and simply deteriorate over time and become health and safety hazards.
- Policy LU-3.4, which speaks to existing development patterns in residential neighborhoods outside Town Centers, seems restrictive in nature, and may limit local plans from bringing forward zoning districts that allow for a mix of uses related to residential services within residential neighborhoods. For example, residents in many neighborhoods in the North Tahoe Basin area have indicated a desire to allow for a reasonable mix of uses in their neighborhoods, including neighborhood markets or restaurants, coffee shops on some designated areas, where the primary district is residential in nature, however the integration of residential service uses provides for a more vibrant neighborhood.

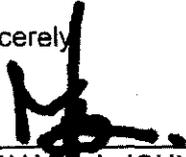
Conclusion

Knowing the commitment that TRPA has made to assuring the success of the Regional Plan Update, the County comments above reflect the County's commitment to assisting TRPA in preparing a Regional Plan that is complete, accurate and, most importantly, implementable.

Placer County remains committed in achieving the overall goal of protecting Lake Tahoe and its surrounding environment while sustaining the vitality and well-being of the various Placer County communities and citizens who reside nearby. The County looks forward to having a meaningful discussion with TRPA and its staff to more fully integrate the previous County comments, as well as the comments included in this letter.

Should you have any questions regarding the information in this letter, please do not hesitate to call me at (530) 745-3197. I look forward to working together with you and your team on the successful completion and adoption of the Regional Plan Update.

Sincerely,



MICHAEL J. JOHNSON, AICP
Agency Director

ATTACHMENTS

Attachment 1: June 19, 2012 Staff Report to Placer County Board of Supervisors

- cc: Holly Heinzen, Interim County Executive Officer
Jennifer Merchant, Tahoe County Executive Office
Karin Schwab, County Counsel's Office
Loren Clark, Assistant Planning Director
Paul Thompson, Deputy Planning Director
Rick Eiri, Engineering and Surveying Department
Dan Dottai, Engineering and Surveying Department
Steve Buelna, Supervising Planner
Crystal Jacobsen, Supervising Planner
Ken Grehm, Department of Public Works Director
Peter Kraatz, Deputy Public Works Director
Nick Trifiro, Associate Planner

Regional Plan Update Committee
Draft Schedule to Consider Plan Modifications
July 2, 2012

Meeting Time and Date(s)	Regional Plan Topic	Significant Issues
Thursday, August 2 1:00 pm – 6:00 pm	Introduction/Overview Area Plans	<ul style="list-style-type: none"> · TRPA Approval and Oversight System · Content of Area Plans
Friday, August 3 9:30 am – 5:00 pm	Begin Land Use	<ul style="list-style-type: none"> · Commodities – Number and Release System · Development Transfer Program · Commodity Conversions and Size Limits · Recreation Uses · Height, Density and Community Design · Coverage Provisions · Transportation Standards
Tuesday, August 14 9:30 am – 5:00 pm	Continue Land Use Begin Water Quality	<ul style="list-style-type: none"> · Finish Land Use Issues · Water Quality Agency Coordination – TMDL, 208 Plan, etc · BMP Implementation · Area-Wide BMP Programs · Nearshore / Aquatic Invasive Species
Wednesday, August 15 9:30 am – 5:00 pm	Continue Water Quality Other Issues	<ul style="list-style-type: none"> · Finish Water Quality Issues · Air Quality Programs · Noise Programs · Other Topics
Thursday, September 6 Time TBD	Contingency Meeting (May be Cancelled)	<ul style="list-style-type: none"> · Unfinished Business
Friday, September 7 Time TBD	Contingency Meeting (May be Cancelled)	<ul style="list-style-type: none"> · Unfinished Business

General Notes:

- This schedule may be modified by the RPU Committee.
- Meetings will be held at TRPA Offices at 128 Market Street, Stateline, NV
- Topics and Issues that are not completed at the initial review meeting will be carried forward to the next meeting.
- Any new meeting material will be posted approximately six days prior to each meeting under the Regional Plan Update tab at www.TRPA.org.

