Stark, Katherine

From: rondatycer@aol.com
Sent: Wednesday, February 05, 2020 11:22 AM
To: Stark, Katherine; Young, Eric; mconger@trpa.org; Nelson, Kate S.; tbruce.washoecountypc@gmail.com; Chvilicek, Sarah; Chesney, Larry; jib2424@sbcglobal.net; Berkbigler, Marsha; gavin@keeptahoeblue.org
Subject: Public Input at Last Night's Planning Commission Meeting on Tahoe Area Plan

TO:
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Michael Conger mconger@trpa.org

FROM: Ronda Tycer, Incline Village Resident

I ask that this email be made a part of the official public comment for the Washoe County Planning Commission February 4, 2020 hearing at which I spoke last night.

Dear Mr. Young,

Your representation of the Incline Village Community Character "as expressed by the community" is inaccurate and should be changed before this Tahoe Area Plan is approved.

Given that both you and I attended the 2007 Pathways sessions and the 2012 NV Rural Development Council sessions, we both have copies of those summary reports—although you didn't include yours in Appendix C—and you know that your characterization of our desired community character in the 2020 IV Plan Area manuscript is inaccurate and should be revised.

You begin with several paragraphs that emphasize how this version of the Tahoe Area Plan builds on and does not change Incline Village residents' expressed desire for the community character of Incline Village.

"The primary vision of this plan is to maintain, preserve, and facilitate the planning area's desired character as described below.

"The desired community character **as expressed by the community** found throughout this plan is not significantly different from those originally planned for and supported when the previous community plans were developed in 1996. The desire to build a community that maintains a year-round residential base with an economic anchor in the tourism industry while respecting the natural environment in which it is located remains strong. [**This was stated by the planners in 1996—not community members**]. Therefore, this area plan does not seek to re-imagine and re-direct the Incline Village / Crystal Bay community. It seeks to express **the long-standing desired community character** in contemporary terms and to use modern planning tools and concepts to enable its implementation."

"**Washoe County worked with the Incline Village and Crystal Bay community for fourteen years to develop this plan.** An accounting of some of the more important of the many community meetings and workshops is attached to this plan as

Appendix C. [**MISSING**] In the years since the prior community plans were adopted, the citizens of Incline Village/Crystal Bay have taken part in a steady stream of planning and visioning projects.

"The plan seeks to provide a balance between two competing forces that have always coexisted in the plan area. [**The word "balance"—implying some 50-50 equality—is the problem throughout the remainder of the plan.**]

"The first is the desire to maintain a base of permanent residents doing business, going to school, and recreating in a community designed to integrate with the world class alpine and lake environment. **The second is the desire to establish new opportunities for tourism based on the steady growth in the demand for all forms of recreation, but particularly those based on outdoor activities in a beautiful natural setting.** [**NOT SO!!! Nowhere in any of the 2007 Pathway or 2012 Development Council summaries or public comment is such a statement ever made by any IV community member. This statement, if it has any basis at all, echoes planners' statements in the 1996 IV Commercial Community Plan.**] While over time the relationship between these two different directions has shifted in favor of one or the other, the consistent desire of the community at large is to achieve and maintain a balance [?] between them."

And where did the 1996 IV Commercial Community Plan writers come up with the idea we community members want some kind of "balance" with tourists? They state in the introduction:
"This is consistent with the original intent for Incline Village. As stated in the 1961 economic analysis, "The basic concept for Incline Village is that of a new residential and resort community to provide a full spectrum of community facilities and recreational opportunities." **Nowhere in the original 1961 economic analysis is there any statement that Incline Village was built as a tourist destination. It was built as a residential and resort community to provide facilities and recreational opportunities FOR THE COMMUNITY MEMBERS. The 1996 planners wrote, "this is consistent with the original intent"—but it really wasn't. It was a "new twist" on the original intent, one that Washoe County continues to perpetuate to the detriment of residents' desired village character.**

In fact, in the summary of the 2012 Development Council, actual comments were made to the effect:
Diversify revenue streams of our area. Not be so tourist dependent.
Help to establish businesses that would stay here for the long term.
Bring in more middle class; improve schools through economic viability
Affordable housing
Improve transportation system; workforce transportation in and out of the basin
Building a sustainable economy within the environment
Need more permanent businesses. Need to generate more permanent residents.

Even under the heading of "Tourism" comments were mixed
Not everybody embraces tourism
Visitors can be seen as detriment
Someone said, "If it weren't for tourists this would be a great place to live ...."
I feel tourists support stores
Why do they call it 'tourist season' if you can't shoot them?"
Without tourists we wouldn't have most stuff we have...
Etc.

So for accuracy—and because of the importance of this document to current and future planners—I request that you remove the phrase "to establish new opportunities for tourism based on the steady growth in the demand for all forms of recreation, particularly outdoors in a beautiful natural setting. "

This statement was made up out of whole cloth by you. It does not reflect the views of the residents of Incline Village.

This objection to your description of the character desired by our community members does not diminish my appreciation for the excellent work you've done on the plan. It is to rail once more against how TRPA and Washoe County continue to promote "tourism" at the expense of residents in Incline Village. The assault is relentless. Almost without exception—be it a cell tower

defacing our skyline or short-term-rentals disintegrating the neighborhoods—Washoe planners and commissioners continue to promote Incline Village as a "tourist destination," in complete contradiction to our on-going efforts to keep our community character a "beautiful alpine village of residents who care deeply for Lake Tahoe and our community."

We want to save Incline Village from over-tourism. We do not look for new opportunities for tourism. Having been actively involved in definitions of our "community character" for decades, I know I speak for the vast majority of our residents.

Mr. Young - PLEASE REMOVE THAT ERRONEOUS STATEMENT FROM THE AREA PLAN.

Thank you.

Sincerely,
Ronda Tycer
28 year full-time resident of Incline Village, NV
-->

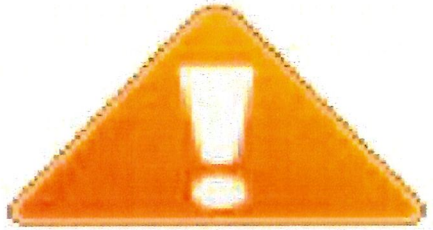
TAHOE AREA PLAN & RELATED WC DEVELOPMENT/CODE AMENDMENTS

Project Challenges & Recommendations

Washoe County Planning Commission
February 4, 2020 Meeting Slides

Submitted by Carole Black, IV Resident

Boeing Employee*: "Nothing we do is so important that its worth hurting someone"



In Washoe County's Tahoe Area,

- **We do not want another Orinda or Paradise**
  OR
  Kids finding guns in STR as in South Lake Tahoe;
  More unsafe congestion;
  Out of character design or uses

- **We do need Your Support and …**
  Tahoe Area Plan/Ordinances that protect us
  - **Tourism provides benefits but so do residents**
  - **Current proposals include significant gaps**

*6.2018 internal message by Boeing employee quoted by Rep Albio Sires during congressional hearing 10.2019 seen in video on CNN Business 1.9.2020

Process Concerns

- **Tahoe Area Plan update = first in > 20 years – careful review required**
  - *Import from TRPA creates risk - Caution re collateral regs*
  - *Better if Tahoe Area (District 1) representative included*

- **400+ page revised document released a few days ago**
  - *Planning Commission review likely limited*
  - *3-min Public Comment snippets at one meeting not enough*

- **RECOMMEND DEFER APPROVAL pending:**
  - ◆*District 1 representative who directly knows area*
  - ◆*Add formal study sessions w/section by section review*
  - ◆*Reconsider Environmental Review (EIS) re many changes*

Summary Recommendation for 2/4/2020 Planning Commission Meeting

Recommend that: Planning Commission defer approval & require further review

WHY?

1. **Proposal is Misleading** *(detail next slide, Appendix 1)*
   - Obscures embedded major zoning change
   - Includes incorrect assumptions re Area Occupancy
   - Fails to address public health & dangerous safety risks
   - Prioritizes policies/projects that don't address root causes
   - Lacks robust, timely measurement
2. **Doesn't meet required findings** *(detail in Appendix 2)*

Priority Changes (See also Appendix 2)

Item	Proposed Mitigation	Downstream Impacts
Import TRPA = Major change w/huge potential impact:, e.g., defacto STR zoning	Make explicit individual changes; e.g., STR = Transient Lodging; allow in Res zones w/discretionary permit or ≤ avg actual resident use	Collateral regulations will continue to work; STRs more consistent with Area Plan LU & aligns w TRPA
Increased Area Occupancy	Add Area Occupancy Plan (AOP) Add STR density/intensity limits	Area Occupancy is managed to never exceed safe levels
Parking and Transportation	Add policies and projects to address root causes: Area Occupancy & Vehicle load	Transient vehicle access to congested areas is safely managed
Hazards, Evacuation, Emerg. Services(ES)	Manage Area Occupancy to safe levels via AOP & ES Staffing	We will all be safer!!
Public Health/Safety	Fix zoning > STR = Transient Lodging	Appropriate regs now apply
Housing Supply	Include full root cause analysis (i.e., STR impact) in planning	Interventions will include all viable options
Measurement & Thresholds	Supplement TRPA w/interim data and operational metrics; EIS re Area Plan/STRs/Thresholds	Better info to allow timely intervention; Environmental impact info is critical
Other "Minor" Zoning Changes (see example detail in Appendix 2)	Address Town Center (TC) design change feedback; Delete zoning "musings" in Area Plan	TC changes with community support; Review other ? items if/ when actually considered

Appendix 1: Data and Examples

Incorrect Assumption Example:

Little Population Growth with No Adverse Threshold or Safety Impacts

FACT: By 2018 STRs had already increased Area Occupancy in WC Tahoe Area adding:

- **750 People avg/day; 1500 People/peak day** *(4yrs)**
- **188-300 Vehicles avg/day; 375-600 Vehicles/peak day****
- **> 200 Vehicle Trips/day almost every day; ≥ 1200 Vehicle Trips/peak day^**
- **116 Beach Visits/day; 94% Increase in July/Aug** *(3yrs)^^*

FACT: Summer 2019 vs 2018 brought Further Massive Occupancy Increase:

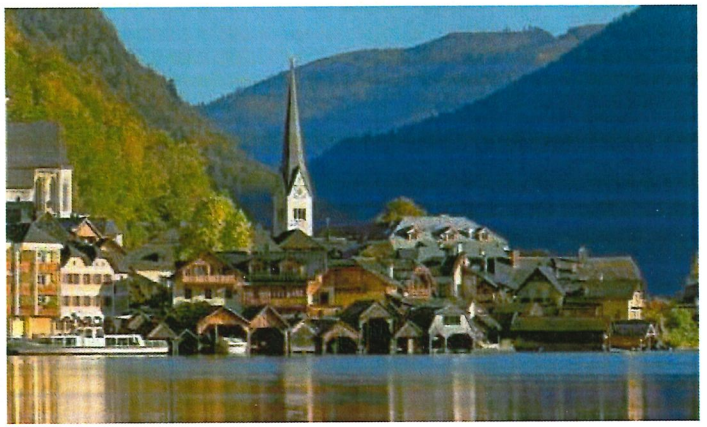
- **27,000 added Airbnb arrivals**
- **23% additional increase RSCVA Vacation Rental Days**

FACT: Currently Police and Fire are understaffed for population compared to industry benchmarks AND there is acknowledged inadequate area evacuation capability

FUTURE IMPACT: With Proposed Zoning/Ordinance Changes, STR numbers/density/arriving population & vehicles with their adverse impacts will likely continue to grow

*Notes: Estimates derived from RSCVA & Census data, IVGID surveys & reports, WC staff; Airbnb press release; * 2018 vs 2014; ** avg. 2.5 occupants/vehicle winter; 4/vehicle summer; ^ assumes 2 trips/vehicle/day; ^^ 2019 vs 2016*

Comprehensive Parking & Transportation Example: Hallstatt, Austria



- Small town/village surrounded by lake/mountains
- In town parking very limited and reserved for residents
- Visitors and overnight guests accommodated in a series of off-site parking facilities with shuttle buses to/from town for people and luggage – some parking facilities are on the outskirts of town and others are further away
- Alternative access via boat shuttle from sites across the lake with train connections or remote parking
- Transport to area attractions via multiple modalities from within and adjacent to town
- Working on further plans to address Overtourism focusing on "quality tourism" and including limiting bus tour arrivals

Source: Hallstatt Austria web site; https://www.cnn.com/travel/gallery/hallstatt-austria-photos/index.html

Buffering between Residents and other Uses: STRs DO NOT Mimic Residential Use

- **Proposed STR Tier 1 level does not allow for neighbor compatibility input referenced in Area Plan Policy LU 1-3**
  - As currently described adjacent residents particularly in denser residential areas will inappropriately be subject to significant adverse Neighborhood Compatibility impacts from this New Zoning Use with no input
- **Proposed STR Tier 1 remedies**:
  - Reduce the Tier 1 upper occupancy limit to ≤ 4 to more closely mirror actual residential use and/or
  - Require Tier 1 Discretionary Permit (AR) for all STRs in residential areas to allow neighbor noticing/input

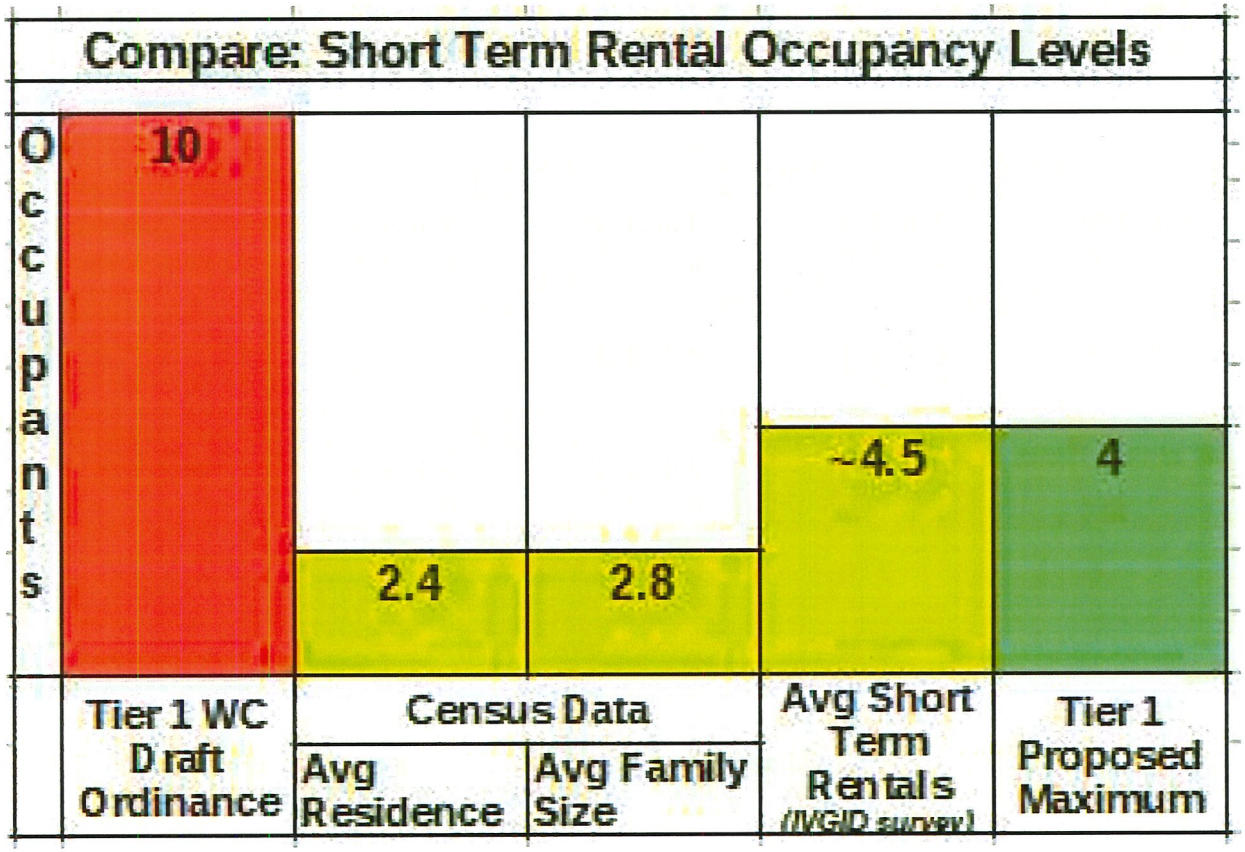


Table Submitted with STR Ordinance Commentary Jan 2020:

Use Comparison Table: STRs DO NOT MIMIC RESIDENTIAL USE

	ZONING / USE			SUPERVISION / KNOWN?				SERVICES & REGULATION EXAMPLES		
Lodging Type	**Com vs Res Use**	**Zoning Status**	**Daily Rent Fee; TOT**	**On-site Owner or Manager**	**Visitor known to Owner**	**LOS; Offered to**	**Visitor knows area/ culture**	**Occupancy/ Parking Actively Regulated/ Monitored**	**Food Utensils Available/ Regulated**	**Public Health/ Safety Regs Apply**
Categorized as Transient Lodging by WCC 25.1501 and NRS 447.010 *(w or w/out meals)*; ***NRS 116.340***										
Hotel/ Motel	C	Varies	yes	yes: manager	no	short/ public	no	yes	yes/yes	yes
Time-share	C	Varies	yes	yes: manager	no	short/ public	no	yes	yes/yes	yes
B & B	C	Varies	yes	yes: mngr or owner	no	short/ public	no	yes	yes/yes	yes
STR's now	**C *per WCC 25***	**Not allowed**	**yes**	**no**	**no**	**short/ public**	**no**	**no**	**yes/no**	**no**
STR's propose	**** C/Trans Lodging ****	****SUP or AR/P ****	**yes**	***use 30 min access***	**no**	**short/ public**	**no**	***yes***	****add Public Accommodations or equivalent****	
Residential - Not Categorized as Transient Lodging in WCC or NRS										
Group Home	R	Parallel s res use	charge/ stay; no TOT	manager	yes, manag er	longer; must meet eligibility	yes	yes	yes/yes	yes
LT or Seasona l Rental	R	Parallel s res use	charge/ month; no TOT	owner in touch	yes	long	yes	yes, by in touch owner	n/a: renter is resident	n/a: renter is resident
Owner's Family/ Friends	R	Parallel s res use	none	owner on-site or in touch	yes	varies; limit to friends/ family	yes, close owner contact	yes, by in touch owner	n/a: not rented & owner/ visitor know each other	

Legend: *"Varies" notation indicates variability among regulatory zones, typically allowed or allowed with restrictions in tourist and/or commercial areas and not allowed or allowed with restrictions elsewhere;*
** indicates proposed in STR Ordinance while ** indicates additionally proposed in this document*

Occupancy Impact Example: Parking Near the Beach

- Labor day weekend 2019 in Incline Village: Park Lots Full!

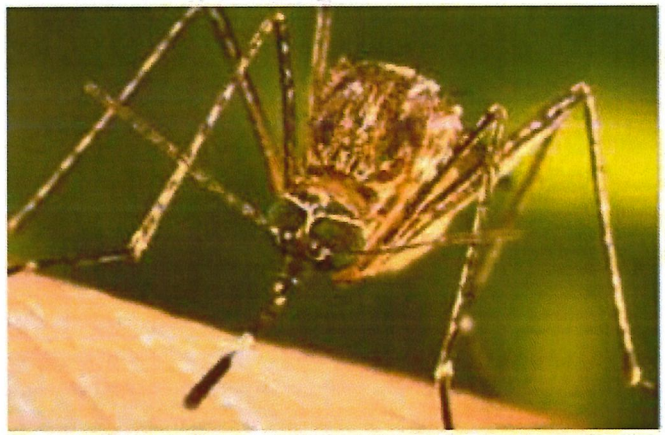
Parking directly under No Parking signs – no tickets.

Implementing Public Accommodations Regulations to Decrease Public Health Risks in Transient Lodging Settings ...

WHICH OF THESE GUYS WOULD YOU LIKE TO MEET DURING YOUR STR STAY?

BUGS ...

VIRUS VECTORS ...



BACTERIA ...

Superbugs kill one person every 15 minutes in US, says CDC report

SHARPS ...

Biohazardous Waste Handling Operation Management Plan

Sources: [illegible] Web MD
Washoe County Health District Public Accommodations website

Appendix 2: Detailed Priority Recommendations and Findings

Tahoe Area Plan/Related Development/Code & STR Ordinance Priority Recommendations

1) Proposed development code zoning and other related proposed code changes must be modified. As drafted, changes are inappropriate, unnecessary, in conflict w/ NRS and will adversely impact appropriate public health, safety, welfare and neighborhood character protections embedded in other WCC chapters and NRS.

- **Do not adopt TRPA Code wholesale as collateral implications have not been fully assessed**
- **Specifically, do not change the Zoning definition of Residential Use to include STRs/Vacation Rentals**
- **Define STRs/Vacation Rentals as "Transient Lodging" throughout WC Code to match WCC Chapter 25 including in the description of "Lodging Services" and to better align with NRS definition as "Transient Commercial Use"**
- **To better protect public health, safety, welfare and neighborhoods, specify uniform implementation of all protective regulations in all situations providing sleeping/lodging accommodations to the public for reimbursement for < 30 days.** (Various labels include Transient Lodging/Lodging Services, Transient Commercial Use, Tourist Accommodation, Vacation Rental, STR)
- **To address Neighborhood Compatibility** (TRPA requirement) **and the Plan's stated residential area compatibility intent, all situations described above must require discretionary permitting** (see #2 below and LU 1-3; also see slide 10 re possible exception for STRs with occupancy cap mirroring actual residential use, i.e., ≤ 4)

2) STRs do not mimic residential use - STR Tier 1 must be modified to correctly consider differences and collateral neighborhood impacts by lowering the maximum occupant threshold to ≤4 and adding a discretionary permit requirement (AR) to allow for neighbor input. (Comparative justifications for higher numbers offered in WC documents to date have been shown to be inapplicable. See also slide 18)

3) Full assessment/mitigation of STR impacts on Neighborhood Character, Overall Area Occupancy, Environment is a critical priority which has not but needs to occur:

- **Add STR Density and Rental Intensity requirements to the proposed STR Ordinance.**
- **Modify proposed zoning code changes based on comprehensive review of STR impacts** on area occupancy, the environment (EIS), compliance with other regs & collateral impacts
- **Require development and implementation of a WC Tahoe Area Optimal Occupancy Management Plan considering STR impacts in concert with broader sustainability initiatives**

Tahoe Area Plan/Related Development/Code & STR Ordinance Priority Recommendations (cont.)

4) Complete a thorough review of the proposed Town Center design changes with robust constituent input – the height and density changes in particular have raised resident concerns

5) In addition, musing included in the Area Plan regarding Zoning uses cause confusion. Examples include: wording about possible future expansion of the Town Center Area ("... regulatory zone could be considered for potential inclusion in a future Town Center expansion") and/or the policy targeting already crowded areas for accessory recreational uses ("Encourage accessory recreational uses for areas with multi-family development"). These statements raise changes in use and could significantly undermine already overcrowded areas and neighborhood character. Residents have bought property in the context of current zoning. Such change would violate several LU policies and require significant processing. **Thus recommend that these items and any similar "musings" be removed. Alternatively focused review with local robust constituent input is indicated here as well**

6) Inclusion of impacts of STRs on rental property availability in the development of Workforce and Affordable Housing Policies and Projects

7)Develop and include an Area Occupancy Management plan with collateral Emergency Services and Evacuation capacity and capability design and implementation plans/timelines

8)Adjust Transportation and Parking Elements of the Area Plan to include Policies and Projects which address root causes including: limiting influx of tourist vehicles into the area, off-site parking, etc.

9) Develop and implement an expanded and more timely measurement program to supplement the TRPA program and specifically to assess impacts and issues related to the revised Area Plan and associated Ordinances to facilitate program adjustments as indicated

10) Complete an Environmental Assessment (EIS) of proposed Area Plan and related Ordinances including STR Ordinance

11) Conduct section by section commission/stakeholder/public review sessions to ensure that all areas have been thoroughly reviewed given the sweeping magnitude or this proposed concept change

Findings for Planning Commission Approval have not been met:

- **Consistency with Master Plan/No Adverse Effects:** Impacts threaten noncompliance with WC Master Plan, TRPA Regional Plan/ Neighborhood Compatibility and NRS - Increased Area Occupancy directly affects Population Safety & Environment/Conservation/Natural Resources with no formal Environmental Review (EIS)
- **Compatible Land Use:** Proposed amendments with adoption of a new Residential Land Use has been incompatible to many adjacent residents though some partial, but insufficient, mitigation is proposed. In addition, question are raised about Town Center design changes, some other "minor" changes and multiple public health/safety/welfare concerns.
- **Response to Change Conditions:** Any "changes" are not new: all of these impacts have been known, but not addressed, for years despite other related code/regulatory actions; some proposed elements are based on incorrect assumptions and/or old data with no plan for past or future robust, timely impact measurement/review. Proposal doesn't represent more desirable land use for most residents
- **Availability of Facilities:** The plan does not include an Area Occupancy plan or adequate parking/ transportation planning. Further, emergency services and evacuation capacity are not remediated
- **Desired Plan for Growth:** Here there is a partially correct statement: "The proposed amendments do not alter the [current] established pattern of growth in the Tahoe Planning Area." The current unsustainable growth trajectory is not altered though it should be; and the historic established pattern has changed dramatically & adversely with more transient visitors, fewer residents and even fewer long-term rental and affordable options