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Development Services
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South Lake Tahoe, CA

Date: October 15, 2014
To: Members of the El Dorado Planning Commission
From: The League to Save Lake Tahoe

Re: Comments on the Draft Meyers Area Plan

Dear members of the Planning Commission,

As a member of the Bi-State Working Group, the League to Save Lake Tahoe appreciates the opportunity to work with the Tahoe Regional Planning Agency (TRPA) and El Dorado County (the County) to implement the Regional Plan Update (RPU). Area Plans are an important part to this implementation. The Meyers Area Plan has developed many environmentally beneficial concepts, but has also been the center of community controversy. The League suggests that this Planning Commission consider whether an Area Plan or general Community Plan update is the appropriate route for the Meyers community. Either would achieve the policies included in the Draft Meyers Area Plan. The following comments suggest policy that must be retained as part of an Area Plan or Community Plan update and other areas that require further clarification;

- **June 2014 Draft Meyers Area Plan Revisions in Response to Community Concerns Should be Retained;**
- **Draft Meyers Area Plan is Lacking Conservation Targets for Stream Environment Zone Restoration and Coverage Reduction;**
- **Clarification is Needed on Best Management Practice Enforcement.**

Background

The Bi-State Working Group was convened in early 2012 and tasked to work through contentious issues of the RPU. One of the most contentious issues was the concept of Area Plans. Through the development of specific RPU goals and policies and associated code, all stakeholders were able to support the Area Plan concept. The RPU was adopted in December of 2012. Local jurisdictions have now started to create their Area Plans through the implementation of the RPU. The purpose of Area Plans is to realize the RPU environmental goals while streamlining permitting.

The success of Area Plans in achieving environmental goals like stream environment zone (SEZ) restoration, coverage reduction, water quality improvement projects, and decrease in Vehicle Miles

Traveled (VMTs) will be critical to mark the success of the RPU and threshold gain. The Meyers Advisory Council (MAC) was tasked in early 2012 to begin updating the 1993 Meyers Community Plan. Once the RPU was adopted this planning path switched to creating the Meyers Area Plan. Unfortunately a scoping report analyzing a catalyst project derailed the planning path and other concerns relating to the Area Plan have been voiced by the Meyers community. The majority of the Area Plan concepts were taken from the 1993 Meyers Community Plan and have been updated to meet the parameters of the development standards in the RPU.

After reviewing both the 1993 Meyers Community Plan and Draft Meyers Area Plan, the League believes the goals and policies could be continued as either an Area Plan or a Community Plan update and would still comply with TRPA code. Community meetings in the spring and summer of 2014 resulted in over two hundred community members in attendance and over a hundred comment letters. These responses must be considered in the planning process and analyzed in steps moving forward.

June 2014 Draft Meyers Area Plan Revisions in Response to Community Concerns Must be Retained

TRPA Code of Ordinance (TRPA Code) gives the specific parameters of what must be included in an Area Plan for it to be in conformance to the RPU. The MAC in response to the Meyers Community made critical changes to the first draft of the Meyers Area Plan to significantly decrease development maximums as compared to what is allowed in the RPU. These changes will protect the community character and environmental sensitivity of the Meyers region. The June 2014 Draft Meyers Area Plan captures these responses and direction of the MAC. While the Area Plan will still have to go through the TRPA Chapter 13 Code Area Plan conformance, the specific goals and policies could also meet TRPA Code relating to a general community plan update¹. As long as TRPA environmental thresholds are being attained, a Community Plan or Area Plan could be appropriate for Meyers. The elimination of portions of the community incentive project, density maximums, and height caps detailed in the June 2014 Draft Meyers Area Plan should be retained in whatever form of planning process moves forward. These things will not only help gain community support for a plan, but also protect the community character of Meyers while helping the area to achieve environmental and scenic improvements.

Community Incentive Project Update

The concept of the community incentive project has shifted dramatically over the course of the Meyers planning process. The idea was first considered as a catalyst project concept that was then followed by a scoping report released by OneGlobe Corporation. The details of this report are not what the MAC or Meyers Community envisioned when developing criteria for the catalyst project. The community incentive projects have since taken the foundation for the catalyst project by addressing how the County should release additional allocations of Commercial Floor Area (CFA). The 2014 June Draft Meyers Area Plan struck the controversial items remaining from the catalyst project concepts.² The elimination of these items followed the outpour of response from the Meyers's community meetings and comment letters. The focus of the spring and summer community meetings surrounded the report and it was clear from all of those that provided oral comments that the catalyst project was not supported. A petition with two hundred signatures against the concept and almost one hundred comment letters stating they were not in support of the idea accompanied these meetings. The language in the June 2014 Draft Meyers Area Plan should remain as revised today.

¹ TRPA Code of Ordinances. Effective February 9, 2013. Code 12.8. pgs.12-7-19

² Meyers Area Plan. Third Draft-June 2014. Chapter 2 Land Use Element, Section 90 Community Incentive Projects. pg. 2-17.

Density Maximum for Tourist Accommodation Units

The development standards for the maximum density for Tourist Accommodation Units (TAUs) properly reflect the desires of the Meyers community. The 2014 June Draft Meyers Area plan has capped the maximum density at 15 units per acre as opposed to 40 units per acre in response to almost one hundred comment letters making this request.³ It is clear the Meyers community does not want massive hotels or motels in their community and this standard reflects this. This would be appropriate in either the Area Plan or an updated Community Plan moving forward.

Height Cap for the Meyers's Region

Scenic protections and mountain views are important to the community. A height cap at 35 feet for entire Meyers's region was requested by the Meyers community. The RPU would allow for much higher height maximums, but the community identified a 35 foot maximum as what they want as their cap. This development standard is properly reflected in both the development standards in the Area Plan and design standards and guidelines.⁴ This standard would also be appropriate in either an Area Plan or Community Plan update.

Meyers Area Plan Lacks Conservation Targets for SEZ Restoration and Coverage Reduction

The Meyers Area Plan should include numerical targets for actual SEZ restoration and coverage reduction in its policy language. The League has discussed the inclusion of targets within Area Plans throughout the planning process with TRPA and other jurisdictions over the past year. This item was discussed at length during the Regional Plan Implementation Committee (RPIC) meeting reviewing the City of South Lake Tahoe's Tourist Core Area Plan.⁵ The City's Area Plan included actual acreage of proposed SEZ restoration and coverage reduction. Numerical targets were included in the 1993 Meyers Community Plan and should be continued today. Environmental improvement projects like Meyers Creek and Upper Truckee enhancements can help establish the amount of SEZ that could potentially be restored within the Meyers's region. The existing condition coverage maps are another tool that can be used by the County to identify potential areas for the removal of coverage.⁶ These tools should be able to provide targets in a numerical form that can be used for the implementation of the Meyers Area Plan or Community Plan. These types of targets will be used to help assess the success of the RPU on a regional level.

Clarification is Needed on Best Management Practice Enforcement

The County and TRPA must delineate best management practice (BMP) enforcement responsibilities in the Meyers Area Plan. What entity is responsible for actual BMP retrofitting and enforcement has been the subject of discussion throughout general Area Planning and the TRPA BMP Compliance Committee working group. The actual details relating to the responsibility of compliance and enforcement must be described in the Meyers Area Plan Memorandum of Understanding (MOU). The Meyers Area Plan includes an area-wide BMP program objective.⁷ The Area Plan should be used as a conduit for on the ground

³ Meyers Area Plan. Third Draft-June 2014. Chapter 2 Land Use Element, Table 2-2: Development Standards. pg. 2-14.

⁴ Meyers Area Plan. Third Draft-June 2014. Chapter 2 Land Use Element, Table 2-2: Development Standards. pg. 2-14.

⁵ TRPA Regional Plan Implementation Committee Meeting, September 25, 2013. Governing Board Packet, RPIC Minutes p. 7-33.

⁶ Meyers Area Plan. Third Draft-June 2014. Chapter 4 Environmental Conservation Element. Figures 4-11 – 4-22.

⁷ Meyers Area Plan. Third Draft-June 2014. Chapter 4 Environmental Conservation Element: Water Quality. pg. 4-5.

planning of how this objective will be achieved. The League encourages the County to seek appropriate funding mechanisms and detail a maintenance program before the program actually goes into effect.

Recommendations

It is important that this Planning Commission discuss the steps moving forward for planning in Meyers. Permit streamlining and the relationship to environmental improvements should be thoughtfully discussed to assess whether an actual Area Plan or updated Community Plan is appropriate for this community. The League recommends the following policy be included in either path;

- **Parts of the controversial catalyst project should remain eliminated and removed from the community incentive project;**
- **The maximum of 15 units per acre for TAUs should be retained;**
- **The height maximum of 35 feet for the Meyers's region should stay in place;**
- **SEZ restoration and coverage reduction targets should be included in policy language;**
- **BMP compliance and enforcement responsibilities must be identified.**

These comments are not encompassing of the environmental review that will need to assess any changes to the 1993 Meyers Community Plan. Any changes finalized through the planning process will have to be analyzed and demonstrate environmental threshold attainment.

Sincerely,

Shannon Eckmeyer
Policy Analyst
League to Save Lake Tahoe