



APPENDIX 1: RESPONSE TO COMMENTS RECEIVED DURING REVIEW OF INITIAL STUDY/NEGATIVE DECLARATION

The City prepared an initial study to identify and assess the anticipated environmental impacts associated with the South Lake Tahoe Housing Element Update. The conclusions of the initial study indicated that there is no substantial evidence that the Housing Element Update or any of its aspects may cause a significant impact on the environment. Therefore, a negative declaration was prepared.

During the 30-day comment period on the Initial Study/Negative Declaration (July 29, 2008 through August 29, 2008), the City received comments from four individuals and agencies during the comment period, and two agencies after the comment period. The following is a summary of the comments in the order received with responses from the City of South Lake Tahoe. The comments are grouped by the individual or agency that made the comments and are shown in italics.

Comment Letter #1 from Glenn Goodrich (August 24, 2008)

Comment 1.1: The CEQA document is difficult to connect site-specific proposed actions related to housing. Throughout the initial study/neg dec – it is very difficult as a resident to determine the changes being made from the 2003 version. My focus is on one location - Barbara Ave in Sierra Tract [sic].

Response 1.1: The Housing Element is intended as a guide to decision-makers in meeting the County's housing objectives over the next five years. The Element does not authorize specific housing development projects for specific sites. Additionally, the Housing Element does not propose any redesignation or rezoning of sites from non-residential to residential uses.

The 2008 Housing Element Update uses the 2003 Housing Element as a foundation. The programs from the 2003 Housing Element are shown in Table 4-60 of the Housing Element Background Report. The 2008 Housing Element Policy Document preserves the most successful programs from the last Element, and establishes new programs to address the housing needs of City residents.

Barbara Avenue is referenced in the Housing Element Background Report as a "focus area" with potential for workforce housing based on the criteria discussed on Page 4-104 of the HCD Review Draft Background Report. However, the Housing Element does not propose any actual development on the site. Programs 2-8 and 2-9 express the City's intentions in regards to lands owned by the California Tahoe Conservancy and United State Forest Service. Program 2-8 states, "The City shall analyze the potential for developing affordable workforce housing on non-environmentally-sensitive lands owned by the California Tahoe Conservancy (CTC) and the United States Forest Services (USFS) located in the focus areas identified in the Background Report." Program 2-9 states, "The City shall meet with the California Tahoe Conservancy (CTC) and United State Forest Service (USFS) to discuss possibilities of providing workforce housing...on CTC- and USFS-owned vacant land located in and adjacent to city limits."



The City proposed the aforementioned programs in response to previous discussions in which the CTC indicated, “We share your desire to fully explore the potential for land exchanges and other creative approaches that would meet our respective goals.....the Conservancy has also acquired several parcels [under its Land Coverage Program] that may be sold or exchanged for other uses, including affordable housing and economic development” (Letter to David Jenkins, South Lake Tahoe City Manager, from Patrick Wright, California Tahoe Conservancy Executive Director, September 10, 2007). In a letter dated September 5, 2008, the CTC indicated that many of the parcels discussed in the previous letter dated September 10, 2007 are not available for housing or economic development. At the time of this Housing Element, no development is proposed for the Barbara Avenue site or any other site in the city. The programs are exploratory and require coordination with other agencies. The City intends to meet with the CTC and USFS to discuss future possibilities for workforce housing on conservation lands in and around the city.

Any future housing projects that are developed to implement the policies and programs of the Housing Element will be subject to project-specific environmental review. Therefore, if housing were to be proposed for the parcels along Barbara Avenue, the site would need to be analyzed for environmental and other impacts. A full environmental review would occur prior to any future development and public comments would be received at that time.

The programs in question will be discussed during the Housing Element public hearings. At that time, the City Council will decide whether or not to modify the Housing Element in response to comments received during the Housing Element Negative Declaration comment period.

Comment 1.2: *A member of the public should be able to read the initial study/neg declar and clearly understand what exactly is being proposed and providing appropriate cross-referencing to site-specific areas being proposed for new housing. Appears public comment and process isn't important to the City since the initial study/neg declar by itself is difficult to read and understand in content -- it is very disjointed in content which makes it difficult as a resident to provide comment [sic].*

Response 1.2: The Initial Study/Negative Declaration follows the requirements of CEQA. If any site-specific development is proposed in the future, there will be a full environmental review process with a public comment period; however, at this time, no site-specific development is being proposed as part of this Housing Element. See Response 1.1 for more information.

Comment 1.3: *As a resident in the City of SLT, if you are proposing any new housing development along Barbara Ave, I feel you have a significant environmental effect under CEQA based on the following conflicts under IX Land Use & Planning, potential noise violation:*

Response 1.3: At this time, the City is not proposing any new housing development along Barbara Avenue or any other site. See Response 1.1 for more information.

Comment 1.3a: *Barbara [Avenue] is located in Eldorado County and is outside of the City jurisdiction -- therefore, your CEQA document is inadequate and results in a significant effect because it does not properly describe the project. Your project*



description on p. 3 in the initial study/ neg dec states the project will "not require any changes in the existing zoning densities or the City's existing land use pattern". It sure will if you're proposing a City housing element to go into the County - the action to propose housing on Barbara Ave is outside the scope of your project description [sic].

Response 1.3a: At this time, the City is taking no action to propose new housing development along Barbara Avenue or any other site, nor is the City proposing an annexation of County lands. If the City were to take such actions in the future, an environmental review would be conducted and the public would have a chance to comment on the actions. See Response 1.1 for more information.

Comment 1.3b: *Since the CTC owns the property along Barbara - it appears that the City can not make a CEQA finding of neg declaration since the decision to even consider the availability is owned by another party (State of CA) and we're not aware that they have agreed to make the property available for housing to the City. How can the City propose housing as part of the General Plan for this area when the CTC has not proposed it available through their public process? This is a significant impact because you are proposing housing in a location where the public process under the CTC hasn't even occurred and the City doesn't own it. The City can't make a decision in its general plan to consider this area for housing -- it has no jurisdiction on these lands at this time. Until the City acquires it from the CTC and annexes it from the County - it can not propose future housing development in its housing/general plan [sic].*

Response 1.3b: It is true that another party owns the land along Barbara Avenue, and there has not been an agreement between the City and the California Tahoe Conservancy (CTC) to make this or any other property available for housing. For this reason and others, the City is not proposing any new housing development on CTC-owned lands or any other sites at this time. The City intends to discuss with CTC possibilities for workforce housing on CTC-owned land; however, at this time there is no agreement between the City of South Lake Tahoe and CTC to develop workforce housing. See Response 1.1 for more information.

Comment 1.3c: *The City needs to clarify its policy on open space particularly in relationship to housing. The City should work to leave and preserve blocks of open space such as Barbara for future uses such as the Class 1 bike trail and recognize its connectivity to adjacent public lands. Your description of Sierra Tract notes the lack of parks/open space. This is one area that many Sierra Tract residents use to walk, bike, and access in the winter - do not reduce the only open space w/street access by developing it. I feel it is a significant impact to reduce open space from an area with already limited parks/open space adjacent to the neighborhood.*

Response 1.3c: The City is committed to maintaining and protecting open space for residents of South Lake Tahoe. If housing were to be proposed for the site in question at a future date, there would be a full environmental review with a public comment period for the residents of South Lake Tahoe to express any concerns such as the one noted



above; however, at this time no housing is being proposed for the site in question. See Response 1.1 for more information.

Comment 1.3d: *The City needs to consider (show priority) and utilize all its current options for housing before considering property outside its jurisdiction and under other ownership. The City has already identified redevelopment areas, special areas for multi-housing, vacant lots and areas to improve blight in the general plan. The City needs to focus housing needs within these areas rather than proposing development of blocks of open space for housing—how successful has the City been to date in delivering and following its previous plan in these areas?*

Response 1.3d: The City continues to consider the most appropriate sites for housing. Programs 2-8 and 2-9 will allow the City to discuss and analyze CTC- and USFS-owned sites as one of many options for providing housing opportunities for City residents. See Response 1.1 for more information.

Comment 1.3e: *Is it legal to propose housing development adjacent to the CALTRANS lot which actively operates in the winter. Barbara Ave and the adjacent open space on either side provides a buffer from the noise w/ the trees/forest cover -- Housing development closer to the CALTRANS lot could be unfeasible/inconsistent uses for this State property. I did not see this analyzed in the neg declar.*

Response 1.3e: As previously stated, the City is not proposing any new housing development at this time. If housing is proposed for a particular site in the future, an environmental review process would examine the impacts stated above. See Response 1.1 for more information.

Comment 1.4: *Your CEQA document is inadequate. It is a violation of CEQA to consider an action outside the scope of the project which is true for the Barbara Ave area. Please remove the Barbara Ave area from any housing development in the 2008 housing element and associated general plan for the City of SLT [sic].*

Response 1.4: As reflected in the Initial Study/Negative Declaration, the City does not propose any site-specific development in the Housing Element. The City is committed to exploring new opportunities to meet the housing needs of South Lake Tahoe residents; however, the Housing Element does not commit the City to any new housing development on the Barbara Avenue site or any other site within city limits. See Response 1.1 for more information.

Comment Letter #2 from Kaaren Johansen (August 25, 2008)

Comment 2.1: *The property on Barbara Ave should not be included as one of the 5 focus areas for the housing element (Chapter 4) of the General Plan. This property is not within the City Limits and runs between CTC land and sensitive forest lands dedicated under the Santini-Burton Act. The City needs to consider only lands within the City Limits for such projects, as there are plenty*



of sites available and more appropriately located near bus routes, shopping etc. We purchased our property, as did many of our neighbors, knowing the land adjacent to it would remain Open Space. The quality of life in Tahoe as well as our wildlife and water quality depend on this type of Open Space. Since September of 2007, I have requested to be updated on any development proposals involving the Barbara Ave land and I received nothing on this latest focus area within the General Plan. I feel it is the obligation of the City to notify neighbors adjacent to the Barbara Ave land to make them aware of such proposals and not attempt to hide them within the City's very large General Plan! [sic]

Response 2.1: As previously stated, at this time there are no development proposals involving Barbara Avenue. If development were to be proposed on Barbara Avenue, the City would follow standard noticing procedures by notifying neighbors adjacent to the site and allowing residents and others to comment on the proposal; however, no development is being proposed at this time. Please see Response 1.1 for further explanation of the programs in question.

Comment Letter #3 from Judi Allen (August 25, 2008)

Comment 3.1: *I do not agree that Barbara Avenue should be included as one of the five focus areas for the housing element (Chapter 4) of the General Plan. Barbara Avenue is outside of the City Limits and runs between CTC land and sensitive forest lands dedicated under the Santini-Burton Act. I strongly urge the City to contain its plans to land within City Limits! There are plenty of vacant lots in addition to the other four areas suggested, that are within City Limits and are more appropriate (in developed areas) as a focus area for the housing element. The open-space element and passive space is an important ingredient to quality of life in Tahoe as well as to our wildlife and water quality. Please consider removing Barbara Avenue from the proposed General Plan Update.*

Response 3.1: The programs and sections of the Housing Element referencing Barbara Avenue will be discussed during the Housing Element public hearings. At that time, the City Council will decide whether or not to modify the Housing Element in response to comments received during the Housing Element Negative Declaration comment period.



Comment Letter #4 from the United States Forest Service, Lake Tahoe Basin Management Unit (August 25, 2008)

Comment 4.1: *Thank you for the opportunity to comment on the Initial Study/Negative Declaration for South Lake Tahoe Housing Element Update (July 2008).*

Our comments are focused on Item IX. Land Use and Planning (pg. 28). In your discussion of this item, reference is made to Programs 2-8 and 2-9 found in the Public Review Draft Policy Document-March 17, 2008 (pg. 4-11), and the Public Review Draft Background Report-March 17, 2008 (pgs. 4-102 to 4-108).

Throughout these sections your documents suggest that there is a potential for “developing affordable workforce housing on non-environmentally sensitive lands...owned by the United States Forest Service.” In a cursory review of all five of the target areas delineated in the policy documents, essentially all of the National Forest System lands within these areas were acquired under the provisions of the Santini/Burton Act (PL 96-586). These lands were acquired specifically to protect environmental quality, especially the quality of the water in Lake Tahoe. The U.S. Forest Service has no statutory authority to transfer ownership of these parcels other than “with appropriate deed restrictions to protect environmental quality and public recreational use” (PL 96-586, Sec 3(a)(3)(c)(1)), regardless of the capability or sensitivity rating of the land. Consequently they are not available for residential or mixed-use development.

I certainly recognize the need for affordable housing in the City of South Lake Tahoe; however, National Forest System lands within the city limits are generally not a viable option to solving the problem. If you have any further questions please contact Planning Staff Officer, Michael LeFevre at (530) 543-2840.

Sincerely,

*/s/ Eli Ilano (for)
TERRI MARCERON
Forest Supervisor*

Response 4.1: The City proposed the aforementioned programs in response to previous discussions in which the CTC indicated, “We share your desire to fully explore the potential for land exchanges and other creative approaches that would meet our respective goals.....the Conservancy has also acquired several parcels [under its Land Coverage Program] that may be sold or exchanged for other uses, including affordable housing and economic development” (Letter to David Jenkins, South Lake Tahoe City Manager, from Patrick Wright, California Tahoe Conservancy Executive Director, September 10, 2007). In a letter dated September 5, 2008, the CTC indicated that many of the parcels discussed in the previous letter dated September 10, 2007 are not available for housing or economic development. At the time of this Housing Element, no development is proposed for any site in the city. The programs are exploratory and require coordination with the CTC and USFS. The City would like to meet with the USFS to discuss future possibilities for workforce housing on conservation lands in and around the city.

The programs and sections of the Housing Element referencing workforce housing on conservation lands will be discussed during the Housing Element public hearings. At that time, the City Council will decide



whether or not to modify the Housing Element in response to comments received during the Housing Element Negative Declaration comment period.

Comment Letter #5 from the California Tahoe Conservancy (September 5, 2008)

Comment 5.1: *This letter is in response to the City's Initial Study/Negative Declaration for the South Lake Tahoe Housing Element Update (July 2008) and the Public Review Draft Policy Document (March 17, 2008). The Conservancy has major concerns with the accuracy and lack of consultation on the sections of these documents that describe the potential availability of lands by the Tahoe Conservancy for workforce housing.*

As you know, we have had several discussions with City staff and Council members on the potential uses of the nearly 700 Conservancy-owned parcels in the City of South Lake Tahoe. These discussions culminated in my letter of September 10, 2007 (see attached), clarifying that virtually all of the Conservancy-owned parcels in the City were purchased under the Lake Tahoe Acquisitions Bond Act to protect and enhance open space, water quality, recreation, or other Conservancy goals and objectives. With few exceptions, most notably several high capability Conservancy-owned parcels in the Tahoe Valley and Bijou-Al Tahoe Community Plan Areas, these Conservancy-owned parcels are not available for sale or exchange for workforce housing, economic development, or other uses that would be inconsistent with Conservancy program objectives and policies.

We were surprised to learn that, subsequent to these discussions and our previous letter, and without any consultation with Conservancy staff, the City issued a Public Review Draft Background Report in March that included an "Inventory of Conservation Lands with Workforce Housing Potential." The inventory described U.S. Forest Service and Conservancy-owned parcels in five workforce housing focus areas that may be available for housing (pgs. 4-102 to 4108). This information is inaccurate and may mislead the public into thinking that the Conservancy would be willing to sell or exchange these parcels to the City for housing or other purposes.

The accompanying Public Review Draft Policy Document proposes that the City analyze the potential for workforce housing on Tahoe Conservancy and U.S. Forest Service lands, meet with Conservancy and U.S. Forest Service, and, if necessary, annex these lands (p. 4-11). Again, these sections were prepared without any coordination with the Conservancy or the U.S. Forest Service, and are inconsistent with our respective mandates to maintain and protect these lands to provide open space, water quality protection, and recreational benefits to the South Lake Tahoe community.

In July, the City issued for public comment an Initial Study/Negative Declaration for the South Lake Tahoe Housing Element Update. This document references the earlier draft reports, but includes only a single paragraph on the City's intent to acquire federal and state land for housing. This discussion is clearly inadequate to inform and seek public comment on the potential availability of these parcels and the impacts of any changes in their uses.

Despite these concerns, I continue to believe that the City and the Conservancy should explore the potential for land exchanges and other creative approaches that would help us achieve our mutual



objectives, My September 10, 2007 Letter noted that the City owns several large environmentally sensitive parcels that could be exchanged for Conservancy-owned parcels, and describes in detail the high capability Conservancy parcels that may be available for sale or exchange to support workforce housing, economic development, or other uses. These discussions are unlikely to move forward, however, if the City continues to seek other Conservancy-owned conservation lands for housing or other purposes inconsistent with Conservancy goals and objectives. Instead, we urge the City to refocus its Housing Element Update on the hundreds of private parcels that are potentially available to meet the City's housing goals. Please feel free to contact me or Bruce Eisner (543-6043) if you have any questions regarding Conservancy-owned lands in the City of South Lake Tahoe.

Response 5.1: "The housing element must identify and analyze existing and projected housing needs and include a statement of goals, policies and quantified objectives, and scheduled programs for the preservation, improvement, and development of housing...In enacting these requirements, the Legislature declared that the availability of housing is a matter of 'vital statewide importance,' and 'the early attainment of decent housing and a suitable living environment for every California family is a priority of the highest order'....The housing 'goal requires cooperative participation between government and the private sector' and among all levels of government, and the use of state and local governmental power 'to facilitate the improvement and development of housing... [for] all economic segments of the community."

"Cities are required to perform an inventory of land suitable for residential development..." (California Land Use and Planning Law 2007) Cities are also required to include in their housing element specific steps that will be taken to achieve housing goals.

The programs in the Housing Element regarding workforce housing on conservation lands were developed based on previous discussions between the CTC and City of South Lake Tahoe beginning in 2006. Through the Housing Element, the City is only expressing an interest in further discussing opportunities for working with CTC in the future to develop quality workforce housing on land not needed for trails, pathways, or bicycle lanes. The City is not proposing any site-specific development as part of the Housing Element. The City Council will vote on whether or not to adopt the Housing Element with the aforementioned programs during the public hearing.

See Attachment A—an e-mail from South Lake Tahoe City Manager, David Jinkens, to California Tahoe Conservancy Executive Director, Patrick Wright.

Comment Letter #6 from the Tahoe Regional Planning Agency (September 5, 2008)

I would like to thank the City for providing us this opportunity to comment on the Negative Declaration for the South Lake Tahoe Housing Element Update. I apologize for our tardiness on responding but we would appreciate the City accepting our late comments.



Comments are as follows:

Comment 6.1: Page 3, paragraph 3: SACOG may not be factoring in vacation rentals. If any of the assigned 218 housing units become vacation rentals, will they still count toward meeting SACOG's assignment?

Response 6.1: SACOG's Regional Housing Needs Allocation (RHNA) does not factor in vacation rentals. However, the RHNA is only one part of the Housing Element. In fact, by counting housing unit production and building permits issued between January 1, 2006 (the beginning date of the RHNA planning period) and December 31, 2007, the City of South Lake Tahoe has already achieved its RHNA for this Housing Element planning period. The City recognizes that the RHNA underestimates the actual needs of city residents. Therefore the City will strive to create opportunities above and beyond what is required by Housing Element Law.

Comment 6.2: Page 17, checklist item V - first paragraph in Discussion: Recommend changing where it says "(in most cases)" to "(in some cases)".

Response 6.2: Comment noted.

Comment 6.3: Page 21, last paragraph: Where it begins: "Regional ordinances, particularly chapters 14 and 20..." Chapter 14 should be Chapter 64 instead.

Response 6.3: Comment noted.

Comment 6.4: Page 23-24, under Fire Hazards: Some discussion of CA State fire regulations (including Section 42.91) and the Bi-State Fire Commission recommendations would be helpful here.

Response 6.4: Discussions of fire regulations are outside of the scope of the Housing Element. Fire regulations will be covered in more detail in the City of South Lake Tahoe General Plan.

Comment 6.5: Page 33, general comment on discussion for checklist item XII Population Housing: Discussion contains little information on housing availability trends, such as increases or decreases to the available housing stock due to the vacation rental industry. We believe a valid discussion on housing inventory/stock should consider an analysis of the impacts of vacation rentals on the existing housing stock.

Response 6.5: The Housing Element does not propose any programs regarding vacation rentals, therefore the Negative Declaration does not discuss the impacts of vacation rentals on the existing housing stock. The Housing Element describes the impacts of vacation rentals in detail. Please see pages 4-29, 4-30, 4-37, 4-152, and 4-153 of the HCD Review Draft Housing Element for a detailed discussion of the impacts of vacation rentals on housing supply in South Lake Tahoe

Comment 6.6 Page 34, checklist item XIII Public Services Discussion: The Fire Protection paragraph does not address inadequate or substandard fire water delivery issues in parts of the City of South Lake Tahoe. This section should also include a discussion of private and/or parochial schools.



Response 6.6: The Housing Element Background Report discusses water supply issues relating to housing, specifically in the Lukins Brothers' Tract. Since the Housing Element does not propose any site-specific development the potential impacts on school services would be too speculative.

Comment 6.7: *Page 35, checklist item XIV Recreation Discussion 2nd paragraph: The City of South Lake Tahoe has few neighborhood parks, especially within walking distance for neighborhood children. The Ski Run neighborhood, for example, which has many, if not the highest concentration of children, has no park available for its population. Sierra Tract, the Y, etc. are in a similar condition. The City may consider schools as "parks", however free access to schools is not always guaranteed.*

Response 6.7: Comment noted. Parks and recreation facilities will be addressed in the General Plan.

Comment 6.8: *Page 36, checklist item XV Transportation/Traffic Discussion: Single-family and Multi-family parking requirements associated with residential uses are listed both at 2 spaces per unit. Some consideration should be given to lower the number to one space per unit for affordable units in Pedestrian Transit Oriented Development (PTOD) areas. Whereas, for vacation rentals or guest houses, it should be considered the requirement of two spaces minimum per unit.*

Response 6.8: The Housing Element Policy Document contains several programs to reduce parking requirements for affordable housing and mixed-use developments, including the following:

Program 1-1 MIXED USE DEVELOPMENT

The City shall create incentives (i.e., alternative parking requirements, streamlined permitting) to encourage production of housing in non-traditional (i.e., commercial) areas where residential use is appropriate to the setting and where mixed-use projects could either address job and housing needs or the desires of second homeowners.

Responsible Party:	Planning Division and Redevelopment Agency
Funding:	Staff time, general fund
Timeframe:	FY 2009
Quantified Objective:	N/A

Program 1-7 PARKING BEST PRACTICES

The City shall research best practices for parking standards, and continue to allow more flexible parking standards for mixed-use and other housing projects on a case-by-case basis. The City's flexible parking standards could include one or more of the following practices:

- continuing to allow parking reductions for affordable and mixed-use projects;
- promoting shared parking for mixed use projects located in commercial areas;
- allowing and encouraging affordable housing developers to unbundle parking and rent parking spaces separately from the units; and



- allowing affordable housing developers to pay an in-lieu fee to support public transportation access to the project site in place of some of the parking requirements.

Responsible Party: Planning Division
Funding: Staff time, general fund
Timeframe: FY 2009
Quantified Objective: N/A

Comment 6.9: *Page 36, checklist item XV Transportation/Traffic Discussion last paragraph: Fifty percent parking reductions should apply to PTOD areas as well as deed-restricted affordable housing projects.*

Response 6.9: Comment noted.

Comment 6.10: *Page 38-39, checklist item XVI Utilities and Service Systems Discussion, Water Distribution section: Installation of fire sprinkler systems have a minimal impact or effect for wildfire situations.*

Response 6.10: Comment noted.



Attachment A: E-mail correspondence between City of South Lake Tahoe City Manager, David Jinkens, and California Tahoe Conservancy Executive Director, Patrick Wright

From: David Jinkens <djinkens@cityofslt.us>

Date: Wed, Sep 10, 2008 at 5:02 PM

Subject: CITY GENERAL PLAN HOUSING ELEMENT - YOUR LETTER

To: pwright@tahoecons.ca.gov

Cc: mikehweber@sbcglobal.net, Kathay Lovell <kathay@sbcglobal.net>, mintier@jlmintier.com, Hilary Hodges <hhodges@cityofslt.us>

Dear Patrick:

I hope your week is a good one. It has been a busy one for all of us as well and quite productive.

As I mentioned to you in my previous electronic mail, the City's Community Development Department (Planning Division) is handling the management of the Housing Element and associated actions under State law. Your letter is being sent to them though Ms. Hodges, Planning Manager already has a copy of it. They will be providing a response. I am writing to provide more background information.

I must admit being a bit surprised with your letter but I am always pleased to hear from you. You and CTC are great partners. Please see your e-mail of September 7, 2007 (attached) I note as well that you attached a letter dated September 10, 2007 to your September 5, 2008 letter that is unsigned (see attached) and Ms Shannon of my office does not have a copy of an original in her file. Based on your communication and our discussion, staff undoubtedly assumed that the opportunity existed to examine in the Housing Element the potential of working with CTC in the future to develop quality workforce housing on land not needed for trails, pathways or bicycle lanes.

For background to you, I am providing the following:

"The housing element must identify and analyze existing and projected housing needs and include a statement of goals, policies and quantified objectives, and scheduled programs for the preservation, improvement, and development of housing...In enacting these requirements, the Legislature declared that the availability of housing is a matter of 'vital statewide importance,' and "the early attainment of decent housing and a suitable living environment for every California family is a priority of the highest order....The housing 'goal requires cooperative participation between government and the private sector" and among all levels of government, and the use of state and local governmental power 'to facilitate the improvement and development of housing... [for] all economic segments of the community."

"Cities are required to perform an inventory of land suitable for residential development..." (California Land Use and Planning Law 2007) Cities are also required to include in their housing element specific steps that will be taken to achieve housing goals.

Your electronic mail of September 7, 2007 discusses the opportunity that may exist to develop quality workforce housing on that portion of Barbara Avenue that is not needed for a bike trail. We (you me, Gene Palazzo, Bruce Eisner etc) additionally spoke about seeking funding to build that portion of the bike



trail with lighting amenities as part of any quality workforce housing built. We were advised at one time that the Barbara Avenue property had deed restrictions on them prohibiting other uses than open space, and our research indicated that this is not the case. Your willingness to explore the development of pedestrian and bicycle facilities and the development of workforce housing does not bind you or CTC to do so. It did give hope to examine the issue.

I assume that based on earlier discussions our able City staff and General Plan consultant proceeded to identify Barbara as a potential site.[In fact, a search of our records indicate the City Council has been aware of this interest since 2006 and included Barbara Avenue and other possible sites in the work program for the housing element.] The identification itself nor its inclusion in the Housing Element and General Plan does not bind CTC to do anything. For the property to be developed it would first have to be annexed to the City and then agreement for use of a portion for workforce housing would have to come from CTC. City government is in no way trying to mislead anyone about the delivery of workforce and affordable housing. City government is identifying potential opportunities for delivering what State law describes as a matter of the highest priority, namely quality workforce and affordable housing.

Certainly, your willingness to examine land exchanges and trades with the City and Federal government to better meet your agency's objectives and other objectives in State law and local law to remove barriers to workforce housing is to be commended. Creating logical contiguous open space opportunities like the City of Scottsdale has done only enhances and strengthens our commitment to our common missions to serve the community and our State. Accumulating property for the sake of accumulating it throughout the Basin is illogical and your willingness to make all public lands part of a larger and cohesive plan leaving other lands to be used for other purposes is to be encouraged.

I know too that that are prominent people in the community who do not want to see quality workforce housing built anywhere near them or built at all. They are good people who are vocal and powerful and have a perspective on the world and our community. Some of them live close to the Barbara Avenue site and for unexplained reasons simply oppose housing near them. This opposition is not uncommon in California but it is opposition that we must resist for us to meet our broader obligations to the entire community and our mission to overcome barriers to the delivery of workforce housing.

Finally, if you look at the type of housing and quality of assisted housing being built (Sky Forest (for the disabled), Evergreen Tahoe Apartments, and Senior Plaza I & II (Kelly Ridge), you would have to agree that these built environments are of the highest quality and a positive addition to the neighborhood. In fact, in some instances the developments are better than existing housing in the neighborhood.

Thanks Patrick for the opportunity to communicate with you. I am available to discuss in more detail if you wish.

Best wishes,

David

David M. Jinkens
City Manager
City of South Lake Tahoe, CA