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Frequently Asked Questions (FAQ) about TRPA’s Process to Amend ADU Regulations

Process	
1. How do we access the March 31 st ADU webinar video recording?	Yes, here is the link: https://vimeo.com/531900326
2. Is TRPA changing its regulations so that parcels of less than one acre in size can add ADUs? What is the timing of these changes?	There is support for that and it is considered a near-term priority. The TRPA Advisory Planning Commission's Tahoe Living Working Group has recommended that ADUs be allowed on all residential parcels. The Working Group will be further considering draft code language related to this recommendation at its April 7 meeting. If there is support among the Working Group for the draft code staff will forward the recommendations to the TRPA Governing Board for consideration and approval. The earliest they could be considered by the Governing Board is June 2021 but it could be later than that.
3. Why does TRPA not adopt regulations that mimic California regulations in order to streamline ADUs?	Streamlined permitting for ADUs and workforce housing was identified as one of the Tahoe Living Working Group's eight priority action items. The Working Group is currently scheduled to begin discussing this issue later this year.
4. Is there any reason the "Proposed" TRPA regulations won't be adopted?	There will be a number of public hearings related to the proposed recommendations, at which the Governing Board and Governing Board committees will take input on the recommendations. Sometimes the final recommendation differs from the initial recommendation based on public input or Governing Board member input received.



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Coverage	
5. Can you exceed your IPES score coverage to add an ADU?	Currently, and under the proposal to be considered by the Working Group on April 7, coverage for ADUs would be treated just like any other addition to a single-family or multi-family project. See TRPA Code Section 30, Coverage, for more details on specific circumstances.
6. Is the TRPA planning to revise its coverage restrictions when an ADU is constructed?	The Tahoe Living Working Group identified “coverage” as one of 8 priority actions, split into "near-term," "medium-term," and "long-term" priorities. Coverage incentives are now part of the "medium-term" set of priorities and staff anticipates that the Working Group will begin discussing changes related to coverage beginning in the summer of 2021. Changes to coverage regulations are not part of the current ADU recommendation.
7. How do we find out how much coverage we have?	Visit the Parcel Tracker (https://parcels.laketahoeinfo.org/) to see if coverage has been verified for your parcel. If not you can apply for a Site Assessment or Land Coverage Verification. See https://www.trpa.gov/applications-forms/
8. What are TRPA’s coverage regulations, and how do I find out what my score is and what coverage is allowed based off the score?	Our planners can be very helpful answering questions like this, but it’s best to review all the available information first. Most people find what they need at TRPA's FAQ: https://www.trpa.gov/frequently-asked-questions/ and Chapter 30, Coverage, of the Code of Ordinances.
9. If we need more coverage, are we able to purchase that? If so, what is the cost?	Coverage can be purchased from the California Tahoe Conservancy or the Nevada Division of State Lands. Please visit their websites for current costs.
10. Don't the most recent ADU state laws specifically prohibit coverage restrictions from preventing the construction of ADUs?	The State of California regulations apply to county and city planning codes and were not intended to override other environmental considerations and jurisdictions such as TRPA’s.



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Development Rights	
11. Is there a proposed change to the building allocation requirement for ADUs? Would we need an allocation to build an ADU?	There is no proposed change to the development right/building allocation requirement for an ADU as part of the near-term recommendation. ADUs require a development right just any other residential unit.
12. What are the different development right options for an ADU?	ADUs can be built either with a bonus unit or with a full Residential Unit of Use (RUU). A Residential Unit of Use can be formed by pairing a Potential Unit of Use (PRUU) with an allocation, or by converting commercial floor area or tourist units.
13. How much does a development right cost if you don't qualify for a bonus unit?	RUUs, PRUUs, and allocations may be available on the open market, or you may contact your local jurisdiction for information about how to obtain an allocation. Please see the TDR marketplace, https://www.trpa.gov/development-rights/tdr-marketplace/ or contact a real estate agent for pricing and availability.
14. Can ADU have full kitchen if remodeled from garage in South Lake Tahoe?	Yes. Some other permit requirements and wastewater allocations from the public utility district may apply.



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<p>15. Can you clarify the deed restriction for sale of the Junior ADU? I think you meant that it cannot be sold separately from the primary residence, correctly?</p>	<p>Here is the text from California's Junior ADU law (Section 65852.22 (a)(3): Require the recordation of a deed restriction, which shall run with the land, shall be filed with the permitting agency, and shall include both of the following:</p> <p>(A) A prohibition on the sale of the junior accessory dwelling unit separate from the sale of the single-family residence, including a statement that the deed restriction may be enforced against future purchasers.</p> <p>(B) A restriction on the size and attributes of the junior accessory dwelling unit that conforms with this section.</p>
<p>16. Are the requirements to get a bonus unit for an ADU proposed to remain the same? (residency, income, proximity to transit)</p>	<p>The near-term recommendation includes an expansion of the current bonus unit boundary, which is limited to within 1/2 mile of a transit stop. The new recommended boundary expands that to include within 1/2 mile of a Town Center and areas that are zoned for multi-family development.</p>
<p>17. If the development right was implemented through a PRU + allocation and not a bonus unit, does it still need to be deed-restricted (on a parcel less than an acre?)</p>	<p>No.</p>
<p>18. What is the income threshold to use a bonus unit as a rental?</p>	<p>Current income thresholds for Bonus Units can be found on TRPA's Housing Webpage under the Residential Bonus Unit Program Section. See: www.trpa.gov/permitting/housing.</p>
<p>19. How do you get a bonus unit? How long is the wait for a bonus unit? How long is the wait for an allocation?</p>	<p>There is no wait for Bonus Units. To obtain a Bonus Unit contact TRPA's front counter. To obtain an allocation contact your local jurisdiction.</p>
<p>Fees</p>	



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<p>20. What are the permitting and other fees that someone is going to need to be responsible for to construct an ADU? STPUD, site assessment, permit, etc. Is TRPA planning to waive or reduce any fees to incentivize the building of these units?</p>	<p>Currently applicants for ADUs should fill out a single-family residential application through TRPA and contact their local jurisdiction for local permitting requirements. Associated fees are listed in TRPA’s application and TRPA’s fee schedule. Projects that utilize a Bonus Unit have their TRPA application fees waived. Mitigation fees still apply, although fees were also identified as one of the eight priority action items to be looked at by the Tahoe Living Working Group, beginning later this year.</p> <p>Visit: https://www.trpa.gov/applications-forms/.</p> <p>TRPA mitigation fees can be found here: https://www.trpa.gov/wp-content/uploads/documents/archive/Mitigation_Fees.pdf.</p> <p>For local jurisdiction and sewer fees, please contact the appropriate agency.</p>
<p>Local Jurisdiction Ordinances</p>	
<p>21. How do we access El Dorado county rules? What are the proposed changes to El Dorado County's ADU ordinance?</p>	<p>See the El Dorado County Zoning Ordinance, Title 130 found here: https://library.municode.com/ca/el_dorado_county/codes/code_of_ordinances?nodeId=TIT130ZO.</p> <p>The ADU section begins at Section 130.40.030 - Accessory Structures and Uses. The parking requirements are at Table 130.40.180.2—Parking Requirements. The El Dorado County ADU Ordinance will be amended most likely June or July this year to be updated to comply with CA state law.</p>
<p>22. Does Meyers fall under City of SLT regulations?</p>	<p>Meyers would fall under the El Dorado County regulations.</p>
<p>23. Are you required to provide a separate parking spot for the ADU?</p>	<p>Check with your local jurisdiction for parking regulations.</p>
<p>24. Fire sprinklers?</p>	<p>Check with your local jurisdiction regarding their building regulations for ADUs.</p>



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25. Do ADUs have to be metered separately for utilities?	Check with your local jurisdiction on utility regulations.
26. Is there a place that we can find a step-by-step checklist to walk through this process with TRPA and County of El Dorado?	TRPA currently does not have a step-by-step checklist for the process with El Dorado County, but there is a checklist for the process for ADUs in Placer County. The process for El Dorado County would be similar. See the ADU section on TRPA's Housing webpage: www.trpa.gov/permitting/housing
General	
27. Can two ADUs be built on a duplex property with two backyards?	The current recommendation proposes allowing 2 ADUs per residential parcel.
28. Do TRPA or El Dorado County have a list of recommended builders or prefab companies to work with?	TRPA has not created a list of builders or pre-fab companies specific to building ADUs. You may find interested providers through TRPA's service provider directory: https://www.trpa.gov/service-provider-directory-2/ . TRPA does not recommend or endorse any particular company.
29. What is the timeline estimate for permitting an ADU in Placer County on a parcel less than an acre?	Currently ADUs are permitted through a 2-step permitting process. ADU applicants receive a permit through TRPA and then through their local jurisdiction. TRPA's permit review timeline is 30 days for application completeness and 120 days for application review.
30. What will rules be for existing but non-conforming/illegal adu's?	To legalize an ADU the owner will need to apply for a permit and obtain a development right for that ADU, or complete a residential unit verification to determine whether the units were legally existing prior to July 1, 1987 and can be grandfathered in.
31. What do you mean by walkability? Do you have a limit for distance?	TRPA generally considers a walkable distance to be 1/2 mile. Also see the answer to #16, above.
32. Do we need to follow both TRPA ADU Regulations and the local jurisdiction ADU regulations?	Yes, at this time there is a 2-step permitting process for ADUs in the Tahoe Basin. You would apply for a permit through TRPA, and then through your local jurisdiction.



**TAHOE
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33. What is the first step for adding an ADU to my property?	Check the Accessory Dwelling Unit section on TRPA’s Housing webpage at www.trpa.gov/permitting/housing . This section has a map showing where ADUs are currently allowed on parcels of less than one acre. If your parcel is less than one acre in size and is not in one of the areas where ADUs are allowed on smaller parcels, then you will need to wait until modifications are made to TRPA’s code. If your parcel is located in one of these locations or is on a parcel greater than 1 acre in size, you can find additional information about the process on that section of the webpage.
34. Is it acceptable for the owner to move into the ADU and rent out the main house?	Yes