

Regional Plan Amendments

Code Section	Rationale	Proposed Code Language <u>(new language shown in Track Changes)</u>																				
LU-2.11	Amend coverage policies to allow higher than 70% coverage in town centers with transfer of coverage.	<p>LU-2.10 Allowed Base Land Coverage for all new projects and activities shall be calculated by applying the Bailey Coefficients, as shown below, to the applicable area within the parcel boundary, or as otherwise set forth in A, B, and C, of this policy.</p> <table border="1" data-bbox="758 467 1770 995"> <thead> <tr> <th data-bbox="758 467 1373 557">LAND CAPABILITY DISTRICT</th> <th data-bbox="1377 467 1770 557">MAXIMUM ALLOWED LAND COVERAGE</th> </tr> </thead> <tbody> <tr> <td data-bbox="758 560 1373 605">1a</td> <td data-bbox="1377 560 1770 605">1 percent</td> </tr> <tr> <td data-bbox="758 609 1373 654">1b</td> <td data-bbox="1377 609 1770 654">1 percent</td> </tr> <tr> <td data-bbox="758 657 1373 703">1c</td> <td data-bbox="1377 657 1770 703">1 percent</td> </tr> <tr> <td data-bbox="758 706 1373 751">2</td> <td data-bbox="1377 706 1770 751">1 percent</td> </tr> <tr> <td data-bbox="758 755 1373 800">3</td> <td data-bbox="1377 755 1770 800">5 percent</td> </tr> <tr> <td data-bbox="758 803 1373 849">4</td> <td data-bbox="1377 803 1770 849">20 percent</td> </tr> <tr> <td data-bbox="758 852 1373 898">5</td> <td data-bbox="1377 852 1770 898">25 percent</td> </tr> <tr> <td data-bbox="758 901 1373 946">6</td> <td data-bbox="1377 901 1770 946">30 percent</td> </tr> <tr> <td data-bbox="758 950 1373 995">7</td> <td data-bbox="1377 950 1770 995">30 percent</td> </tr> </tbody> </table> <p data-bbox="758 1029 2072 1130">developments (PUDs) not in conformance with the coefficients, the coefficients shall apply to the entire project area minus public rights-of-way, and the allowed base coverage shall be apportioned to the individual lots or building sites, and common area facilities. A list of such PUDs appears in Attachment 3</p> <p data-bbox="758 1138 2072 1308">C. After December 31, 1988, for vacant residential parcels evaluated under the Individual Parcel Evaluation System (IPES), the allowable base land coverage shall be a function of a parcel's combined score under the IPES criteria for relative erosion hazard and runoff potential as correlated with the above coefficients and applied to the designated evaluation area. The method of calculation of allowed land coverages shall be detailed in the implementing ordinances consistent with the above policy.</p> <p data-bbox="758 1349 2072 1408">LU-2.11 The allowed coverage in policy LU-2.10 may be increased by transfer of land coverage within hydrologically related areas up to the limits as set forth in this policy:</p> <p data-bbox="1808 496 2072 1019">A. In the case of subdivisions approved by TRPA in conformance with the coefficients coverages assigned to individual lots shall be the allowed base coverage for those lots. A list of such TRPA-approved subdivisions appears in Attachment 2 B. In the case of existing planned unit</p>	LAND CAPABILITY DISTRICT	MAXIMUM ALLOWED LAND COVERAGE	1a	1 percent	1b	1 percent	1c	1 percent	2	1 percent	3	5 percent	4	20 percent	5	25 percent	6	30 percent	7	30 percent
LAND CAPABILITY DISTRICT	MAXIMUM ALLOWED LAND COVERAGE																					
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Special provisions for additional coverage, such as exceptionally long driveways, pervious coverage, public trails and access for the disabled, may also be allowed, Ordinances shall specifically limit and define these programs.

Land coverage may be transferred through programs that are further described in the implementation element. Notwithstanding the limitation stated above, land coverage may be transferred across hydrologically related areas when existing hard or soft coverage is transferred and retired from sensitive land transferred to non-sensitive land further than 300 feet from the high water line of Lake Tahoe, or on the landward side of Highways 28 or 89 in the Tahoe City of Kings Beach Town Centers.

The intent of the land coverage transfer programs is to allow greater flexibility in the placement of land coverage. Such programs include the use of land banks, lot consolidation, land coverage restoration programs, programs to encourage concentration of development, and transfer programs based on the calculation of land coverage on non-contiguous parcels. The coverage transfer programs allow for coverage over base coverage to be permitted and still be consistent with the soils threshold and Goal LU-2 of this Subelement.

- A. Single Family Residential: The maximum land coverage allowed (Base + Transfer) on a parcel through a transfer program shall be as set forth below:

Parcel Size (Square Feet)

0 - 4,000

4,001 - 9,000

Land Coverage

Base Land Coverage
as Set Forth in *Policy LU-2.10*

1,800 sq. ft.

Parcel Size (Square Feet)

Land Coverage

9,001 - 14,000	20 percent
14,001 - 16,000	2,900 sq. ft.
16,001 - 20,000	3,000 sq. ft.
20,001 - 25,000	3,100 sq. ft.
25,001 - 30,000	3,200 sq. ft.
30,001 - 40,000	3,300 sq. ft.
40,001 - 50,000	3,400 sq. ft.
50,001 - 70,000	3,500 sq. ft.
70,001 - 90,000	3,600 sq. ft.
90,001 - 120,000	3,700 sq. ft.
120,001 - 150,000	3,800 sq. ft.
150,001 - 200,000	3,900 sq. ft.
200,001 - 400,000	4,000 sq. ft.

For lots in planned unit developments, the maximum coverage allowed (Base + Transfer) shall be up to 100 percent of the proposed building envelope but shall not exceed 2,500 square feet. Lots in subdivisions with TRPA-approved transfer programs may be permitted the coverage specified by that approval.

- B. Facilities in Centers: Except as provided in Subsections A, F, I, J, ~~and K,~~ and L of this Policy, the maximum coverage (Base + Transfer) allowed on a parcel through a transfer program shall be 70 percent of the land in capability districts 4 - 7, provided such parcel is within a Center of a Conforming Area Plan. Coverage transfers to increase coverage from the base coverage up to the maximum coverage allowed shall be at a ratio of 1:1 for coverage transfers from sensitive lands. For transfer of coverage from non-sensitive lands, coverage shall be transferred at a gradually increasing ratio from 1:1 to 2:1, as further specified in the Code of Ordinances.
- C. Commercial and Mixed Use Facilities in a Community Plan: The maximum coverage (Base + Transfer) allowed on an existing undeveloped parcel through a transfer program, shall be 70 percent of the land in capability districts 4 - 7, provided the parcel is within an approved community plan. For existing developed parcels, the maximum land coverage allowed is 50 percent. Coverage transfers to increase coverage from the base coverage up to the maximum coverage allowed, shall be at a ratio of 1:1 for

		<p>coverage transfers from sensitive lands. For coverage transfers from non-sensitive lands, coverage shall be transferred at a gradually increasing ratio from 1:1 to 2:1, as further specified in the Code of Ordinances.</p> <p>D. Tourist Accommodation Facilities, Multi-Residential Facilities of 5 Units or More, Public Service Facilities, and Recreational Facilities in a Community Plan: The maximum coverage (Base + Transfer) allowed on a parcel through a transfer program shall be 50 percent of the land in capability districts 4 - 7, provided such parcel is within an approved community plan. The coverage transfer ratio to increase coverage from the base coverage to 50 percent shall be at a ratio of 1:1.</p> <p>E. Other Multi-Residential Facilities: The maximum coverage (Base + Transfer) allowed on a parcel through a transfer of coverage programs shall be the amounts set forth in Subsection A, above, except for residential developments made up of deed restricted affordable, moderate, or achievable housing.</p> <p>F. Linear Public Facilities and Public Health and Safety Facilities: Such public facilities defined by ordinance and whose nature requires special consideration, are limited to transferring the minimum coverage needed to achieve their public purpose.</p> <p>G. Public Service Facilities Outside a Community Plan or Center: The maximum coverage (Base + Transfer) allowed on a parcel through a transfer program shall be 50 percent land coverage provided TRPA determines there is a demonstrated need and requirement to locate such a facility outside a Community Plan or Center, and there is no feasible alternative which would reduce land coverage.</p> <p>H. Other Facilities Outside of Community Plans and Centers, Facilities Within Community Plans Before the Community Plan is Approved, and Facilities within Centers before Conforming Area Plans are approved: Other than the exceptions in Subsections A, E, F, and G, the maximum land coverage allowed shall be the base land coverage as set forth in Policy LU-2.10.</p> <p>I. Notwithstanding Subsection A above, when existing development is relocated to Centers and the prior site is restored and retired, non-conforming coverage may be maintained with the relocation as long as the new site is developed in accordance with all other TRPA Policies and Ordinances.</p> <p>J. Conforming Area Plans may include a comprehensive coverage management system as an alternative to the parcel level coverage requirements outlined in Subsection A-H above. In order to be found in conformance with the Regional Plan, the comprehensive coverage management system shall reduce</p>
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		<p>coverage overall, reduce coverage in land capability districts 1 and 2 compared to the parcel level limitations in the Regional Plan and Code of Ordinances and not increase allowed coverage within 300 feet of Lake Tahoe (excluding those areas landward of Highways 28 and 89 in Kings Beach and Tahoe City Town Centers within that zone).</p> <p><u>K.</u> Additional land coverage limitations shall be implemented within 300 feet of Lake Tahoe, as further described in the Code of Ordinances.</p> <p>K.<u>L.</u> Residential developments that comprise 100% affordable, moderate, or achievable units, located in land capability districts 4 through 7 and within an approved area plan, may increase maximum land coverage above 70% in town centers if they demonstrate participation in a stormwater collection and treatment system, provided it is consistent with TRPA requirements and permitted by the applicable state water quality agency (I.e., LRWQCB or NDEP depending on where it is located). Coverage transfers to increase coverage from the base coverage up to the maximum coverage allowed, shall be at a ratio of 1:1 for coverage transfers from sensitive lands. For coverage transfers from non-sensitive lands, coverage shall be transferred at a gradually increasing ratio from 1:1 to 2:1, as further specified in the Code of Ordinances.</p>
HS-3.1	New Regional Plan language for deed-restricted affordable, moderate, and achievable housing with local option for differing standards when housing need can be achieved	<p>HS-3.1 TRPA shall regularly review its policies and regulations to remove identified barriers preventing the construction of necessary affordable housing in the region. TRPA staff will work with local jurisdictions to address issues including, but not limited to, workforce, <u>low-</u> and moderate income housing, <u>accessory dwelling</u> units and long term residency in motel units in accordance with the timeline outlined in the implementation element. <u>Due to the challenges of building affordable and workforce housing in the Tahoe Basin, TRPA and/or the local jurisdictions shall set density and height standards for projects that include deed restricted affordable, moderate, and achievable housing units through the following options:</u></p> <p><u>A. TRPA development standards for 100% deed restricted affordable, moderate and achievable housing shall supersede standards in area plans, if applicable, except where an area plan explicitly identifies standards for deed-restricted housing; and</u></p> <p><u>B. Local jurisdictions may propose development standards for deed-restricted affordable, moderate or achievable housing above or below TRPA’s standards if the jurisdiction demonstrates that the alternative standards will facilitate the construction of sufficient affordable and workforce housing in the applicable jurisdiction. Alternative standards shall take effect through adoption of a new area plan or an amendment to an existing area plan.</u></p>

Chapter 13: Area Plans

Code Section	Rationale	Proposed Code Language										
13.5.3.1	<p>[MODIFY EXISTING SECTION]</p> <p>Remove number of stories from height allowance to rely on maximum number of feet.</p>	TABLE 13.5.3-1: MINIMUM DEVELOPMENT STANDARDS FOR AREA PLANS										
		Region al Land Use District s	Wilderne ss	Backcountr y	Conservatio n	Recreatio n	Resort Recreatio n	Residenti al	Touris t	Town Center Overla y	Region al Center Overla y	High- Densit y Tourist Distric t Overla y
		Height [3]	N/A	Sec. 37.4						Up to 4 stories or (56 ft) max. [1]	Up to 6 stories (95 ft) max. [1]	Up to 197' max. [2]
Density SFD		Sec. 31.3										

		<table border="1"> <tr> <td>Density MFD [3]</td> <td>N/A</td> <td>Sec. 31.3</td> <td>With adoption of an Area Plan: - Residential: 25 units/acre (max.); Tourist: 40 units/acre (max.)</td> </tr> <tr> <td>Land Coverage</td> <td></td> <td>Sec. 30.4 or Alternative Comprehensive Coverage Management System [See 13.5.3.B.1]</td> <td></td> </tr> <tr> <td>Complete Streets</td> <td></td> <td>Sec. 36.5</td> <td>[4]</td> </tr> <tr> <td></td> <td colspan="3"> <p>[1] With adoption of an Area Plan. To ensure compatibility with adjacent uses and viewshed protection, the findings in Sec. 37.7.16 shall apply.</p> <p>[2] Limited to replacement structures, provided, the structures to be demolished and replaced are an existing casino hotel, with existing structures of at least eight stories, or 85 feet of height as measured from the lowest point of natural grade. Such structures shall also comply with Sec. 37.7.17.</p> <p>[3] Areas of Community Plans outside of Centers shall not be eligible for the alternative height and density allowances authorized in Area Plans for Centers. Any existing project density approved pursuant to Section 31.4.3 may be retained in an Area Plan.</p> <p>[4] Plan for sidewalks, trails, and other pedestrian amenities providing safe and convenient non-motorized circulation within Centers, as applicable, and incorporating the Regional Bike and Pedestrian Plan.</p> </td> </tr> </table>	Density MFD [3]	N/A	Sec. 31.3	With adoption of an Area Plan: - Residential: 25 units/acre (max.); Tourist: 40 units/acre (max.)	Land Coverage		Sec. 30.4 or Alternative Comprehensive Coverage Management System [See 13.5.3.B.1]		Complete Streets		Sec. 36.5	[4]		<p>[1] With adoption of an Area Plan. To ensure compatibility with adjacent uses and viewshed protection, the findings in Sec. 37.7.16 shall apply.</p> <p>[2] Limited to replacement structures, provided, the structures to be demolished and replaced are an existing casino hotel, with existing structures of at least eight stories, or 85 feet of height as measured from the lowest point of natural grade. Such structures shall also comply with Sec. 37.7.17.</p> <p>[3] Areas of Community Plans outside of Centers shall not be eligible for the alternative height and density allowances authorized in Area Plans for Centers. Any existing project density approved pursuant to Section 31.4.3 may be retained in an Area Plan.</p> <p>[4] Plan for sidewalks, trails, and other pedestrian amenities providing safe and convenient non-motorized circulation within Centers, as applicable, and incorporating the Regional Bike and Pedestrian Plan.</p>		
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13.5.3.I	<p>[NEW CODE SECTION]</p> <p>Allows up to 65' for deed restricted housing in centers. Allows additional height</p>	<p><u>13.5.3.I Height and Density Standards for Affordable, Moderate, and Achievable Housing in Centers Effective in Area Plans</u></p> <p><u>A. The maximum height specified in table 13.5.3-1 may be increased for residential and mixed-use developments with a residential component that are 100% deed restricted affordable, moderate, or achievable housing, utilize bonus units, and are located in town centers. The maximum height shall be no greater than 65', provided that any floors above four stories are set back 10' and the project incorporates community design features such as pitched roofs, articulated facades, articulated roof planes, and the use of earth tone colors consistent with the Design Review Guidelines.</u></p>																

	<p>on multi-family zoned parcels depending on slope of the parcel, roof pitch, and if adjacent and contiguous to a town center boundary. Removes density maximums for deed restricted housing in centers and multi-family zoned parcels. Local jurisdictions can adopt different standards as long as they can show it will provide sufficient affordable and workforce housing.</p>	<p>B. Residential developments or mixed-use developments with a residential component that are 100% deed-restricted affordable, moderate, or achievable are exempt from the density maximums in Table 13.5.3.1 and Section 31.3.</p> <p>C. Local jurisdictions may propose height and density allowances below what is permitted in sections A and B above, and Table 13.5.3.1, provided the jurisdiction:</p> <ul style="list-style-type: none"> 1. Demonstrates that the alternative standards will facilitate the construction of sufficient affordable and workforce housing; or 2. Has an approved inclusionary housing ordinance.
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Chapter 30: Coverage

Code Section	Rationale	Proposed Code Language
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<p>30.4.2.B.5</p>	<p>[NEW CODE SECTION]</p> <p>Allow up to 70% coverage outside of town centers within areas that are zoned multi-family for 100% deed restricted affordable, moderate, or achievable housing, provided the development is on high capability land.</p>	<p>30.4.2 Transferred Land Coverage Requirements</p> <p>In addition to the base land coverage prescribed by subsection 30.4.1, land coverage may be transferred to a parcel pursuant to subsection 30.4.3. Parcels and uses eligible for transfer of land coverage are identified in this subsection. For purposes of this subsection, the “maximum land coverage” equals the base land coverage plus the transferred land coverage. Land coverage shall not exceed base land coverage for parcels and uses that are not identified in this subsection. The aggregate of base land coverage and transferred land coverage shall not exceed the limits set forth in this subsection.</p> <p>B. Location -Specific Standards</p> <p><u>30.4.2.B.5 Affordable, Moderate, and Achievable Housing in Areas Zoned Multi-Family</u> <u>The maximum land coverage allowed on a parcel for multi-residential developments, mixed-use developments with a residential component, or accessory dwelling units, provided they are 100 percent deed-restricted affordable, moderate, or achievable and utilize bonus units, shall be limited to 70 percent of the project area that is located within Land Capability Districts 4 through 7, subject to the following standards:</u></p> <p><u>a. All runoff from the project area must be treated by a stormwater collection and treatment system if a system is available for the project area. The stormwater collection and treatment system must be consistent with TRPA requirements, be owned and operated by a county or city, a utility, a community service or improvement district, or similar public entity, and must be permitted by the applicable state water quality agency or agencies (i.e., LRWQCB or NDEP depending on where it is located); or</u></p> <p><u>b. If a stormwater collection and treatment system is not available for the project area, water quality treatment consistent with Chapter 60 of the TRPA Code of Ordinances may be approved by TRPA provided that local jurisdictions verify and are responsible for ongoing BMP maintenance of the project area through a deed restriction running with the land; and</u></p> <p><u>a.c. The additional coverage for accessory dwelling units would be limited to 1,200 square feet or 70 percent of the project area that is located within Land Capability Districts 4 through 7, whichever is less. The additional coverage shall be used only for the deed</u></p>
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		restricted portion of the parcel, including decks and walkways associated with the deed-restricted unit, but excluding parking.
30.4.2.B.6	[NEW CODE SECTION] New code section to allow higher than 70 percent coverage for deed restricted affordable, moderate, and achievable housing on high capability lands in Centers if the project can show that treatment can be done either onsite through BMPs or offsite through area-wide stormwater treatment, and is managed and maintained by a government entity.	30.4.2.B.6 Stormwater Collection and Treatment Systems for Affordable, Moderate, and Achievable Housing Multi-residential developments, mixed-use developments with a residential component, or accessory dwelling units, provided they are 100 percent deed-restricted affordable, moderate, and achievable, utilize bonus units and are located in Land Capability Districts 4 through 7 and within an approved area plan, may increase maximum land coverage above 70 percent in town centers if they provide or contribute to an existing stormwater collection and treatment system, provided it is consistent with TRPA requirements, is owned and operated by a county or city, a utility, a community service or improvement district, or similar public entity, and must be permitted by the applicable state water quality agency or agencies (i.e., LRWQCB or NDEP depending on where it is located). This provision is subject to the following minimum requirements: A. All runoff from the project area must be treated by a stormwater collection and treatment system if a system is available for the project area. The stormwater collection and treatment system must be consistent with TRPA requirements, be owned and operated by a county or city, a utility, a community service or improvement district, or similar public entity, and must be permitted by the applicable state water quality agency or agencies (i.e., LRWQCB or NDEP depending on where it is located). Stormwater collection and treatment systems shall be installed concurrent with, or prior to development activities.

Chapter 31: Density

Code Section	Rationale	Proposed Code Language
31.4.1.C	[NEW CODE SECTION]	31.4 Increases to Maximum Density 31.4.1 Affordable Housing

	<p>New Code section that exempts density maximums for deed restricted projects within centers.</p>	<p>A. Affordable Housing Affordable housing projects meeting TRPA requirements may be permitted to increase the maximum density established in Section 31.3 by up to 25 percent, provided TRPA finds that:</p> <ol style="list-style-type: none"> 1. The project, at the increased density, satisfies a demonstrated need for additional affordable housing; and 2. The additional density is consistent with the surrounding area. <p>B. Affordable Housing within Kings Beach Commercial Community Plan Affordable housing projects meeting TRPA requirements and located in designated special areas for affordable housing within the Kings Beach Commercial Community Plan may be permitted to increase the maximum density established in Section 31.3 by 100 percent, provided TRPA finds that:</p> <ol style="list-style-type: none"> 1. The project, at the increased density, satisfies a demonstrated need for additional affordable housing; 2. The additional density is consistent with the surrounding area; and 3. The project meets the Kings Beach Commercial Community Plan improvement requirements and special policies of the Special Area. <p><u>C. Affordable, Moderate, and Achievable Housing within Centers Residential developments or mixed-use developments with a residential component that are 100% deed-restricted affordable, moderate, or achievable, utilize bonus units, and are located within a center are exempt from the density maximums in Section 31.3.</u></p>
31.4.8	<p>[NEW CODE SECTION]</p> <p>New code section that excludes deed restricted housing units from the calculation of density within areas that already allow multi-family housing.</p>	<p><u>31.4.8 Calculation of Density for Affordable, Moderate, and Achievable Housing Residential projects, provided they are 100% deed restricted to affordable, moderate, or achievable housing and utilize bonus units and located in an area with multi-residential housing is permissible, shall be excluded from the calculation of density.</u></p>

Chapter 34: Driveway and Parking Standards

Code Section	Rationale	Proposed Code Language
34.4.1	<p>[NEW CODE SECTION]</p> <p>New Code section that caps the amount of parking local jurisdictions can require for deed restricted housing at .75 spaces/unit on average.</p>	<p><u>34.4.1 Parking for Deed Restricted Affordable, Moderate, or Achievable Housing</u> <u>Residential developments made up of 100 percent deed restricted affordable, moderate, or achievable housing within centers may not require more than .75 parking spaces/unit average.</u></p>

Chapter 36: Design Standards

36.13	<p>[NEW CODE SECTION]</p> <p>New Code section that applies to mixed use developments with a residential component that is 100% deed restricted.</p>	<p><u>36.13 Mixed-Use with Affordable, Moderate, and Achievable Housing</u> <u>A. Mixed-use developments with a residential component that is 100 percent deed restricted to affordable, moderate, or achievable units and utilizes bonus units within a Town Center shall be subject to the coverage, density, and height standards for affordable, moderate, and achievable housing set forth in sections 13.5.3.I, 30.4.2.B.6, and 34.4.1, respectively, provided the commercial component is no greater than fifty percent of the total development.</u> <u>B. Mixed-use developments with a residential component that is 100 percent deed restricted to affordable, moderate, or achievable units outside of Town Centers shall be subject to the alternative coverage, density, and height standards set forth in sections 30.4.2.B.5, 31.4.8,</u></p>
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		<p>and 37.5.5 respectively, provided the commercial component is no greater than fifty percent of the total development.</p> <p><u>C. Mixed-use developments shall meet the definition of mixed-use in Chapter 90 and the following design standards:</u></p> <ul style="list-style-type: none"> a. <u>Mixed-use developments accommodate pedestrian-oriented non-residential uses on the ground floor street frontage at a minimum average depth of 40 feet and a minimum depth of 25 feet covering a minimum of 60 percent of the ground floor area.</u> b. <u>Parking and vehicle access shall be designed to limit conflict with pedestrian circulation along the ground floor frontage;</u> c. <u>The ground floor and street frontage shall be designed to promote pedestrian accessibility, including but not limited to, transparent façade, ground floor ceiling height no less than 10 feet, pedestrian-oriented street-facing entry, sidewalks, and other pedestrian improvements.</u>
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Chapter 37: Height

Code Section	Rationale	Proposed Code Language
37.5.5	Allow deed restricted multi-family developments to have additional height up to the maximum for building slope shown in Table 37.4.4-1, with a roof pitch of at least 3:12.	<p>37.5.5 Additional Building Height for Affordable, <u>Moderate, or Achievable</u> Housing Projects</p> <p><u>A. Residential and mixed-use projects that are 100% deed restricted to affordable, moderate, or achievable and utilize bonus units may have additional building height, up to the maximum for the slope of the building site set forth- in Table 37.4.4-1, with a roof</u></p>

		<p>pitch greater than or equal to 3:12, provided TRPA makes findings 1, 2, and 8 as set forth in Section 37.7.</p> <p>B. Residential and mixed-use projects that are 100% deed restricted to affordable, moderate, or achievable and utilize bonus units and are located on a parcel that is adjacent and contiguous to a town center may have an additional 11 feet above what is permissible in Table 37.4.4-1, provided the additional height is stepped back one foot for each additional foot of height.</p> <p>C. The maximum height specified in Table 37.4.1-1 may be increased for affordable housing projects located in special areas designated for affordable housing within the Kings Beach Commercial Community Plan. The maximum height in Table 37.4.1-1 may be increased by up to 15 feet, but not to exceed a total building height of 48 feet, provided that the project incorporates community design features such as pitched roofs, articulated facades, articulated roof planes, and the use of earth tone colors consistent with the Design Review Guidelines, and TRPA makes finding 14 of Section 37.7.</p>
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Chapter 52: Bonus Unit Incentive Program

Code Section	Rationale	Proposed Code Language
52.3.4.G Affordable, Moderate, and Achievable-Income Housing (new section)	Institute the option for TRPA to charge a fee to new development to help cover the cost of conducting monitoring and enforcement of deed-restrictions	<p>52.3.4. Affordable, Moderate, and Achievable-Income Housing</p> <p>All projects receiving a residential bonus unit for affordable, moderate, or achievable housing development as defined in Chapter 90: <i>Definitions</i> shall comply with criteria in Section 52.3.4A-F. TRPA shall report to the TRPA Governing Board biennially on the implementation of the residential bonus unit program for affordable, moderate, and achievable housing development. This report shall include, but is not limited to, the number of housing developments and units awarded and constructed bonus units, number of bonus units awarded to and constructed in each income category, number of bonus units awarded to and constructed in single and multi-</p>

		<p>family housing developments, location of housing developments, and compliance with the program.</p> <ul style="list-style-type: none">A. Residential bonus units may be awarded to single or multi-family housing developments.B. The owner of the parcel, through a deed restriction running with the land, shall restrict the unit for which the bonus unit was awarded from being used as a second home or a vacation rental.C. A bonus unit may be used for an accessory dwelling unit as defined by Section 21.3.2, notwithstanding 52.3.4.A above, provided it is consistent with all provisions of the applicable area plan or this Code of Ordinances.D. The owner of the parcel, through a deed restriction running with the land, shall limit the unit for which the bonus unit was awarded to the approved use and restrict the occupants' household income to affordable, moderate, or achievable housing limits set forth in Chapter 90: Definitions, depending on the applicable income level for which the bonus unit was awarded. The restriction shall also include the requirement to disclose the restrictions associated with the unit at the time of sale of the unit, the requirement to submit an annual compliance report to TRPA, and the potential to be fined up to <u>\$5,00.00 per day</u>1/10 of the current cost of a residential unit of use annually for failure to submit the compliance report or comply with these requirements.E. An owner-occupant of a unit who has provided all required annual compliance reports and who has had an increase in income so that they are no longer eligible for the bonus unit may apply to TRPA and receive an exemption to the income requirement until the unit is sold. The owner must continue to be the occupant, provide annual compliance reports to remain eligible for the exemption and not be subject to the annual fine, rent the unit only to an income qualified renter if no longer the occupant, or sell the unit only to an income qualified buyer.F. The project awarded a residential bonus unit shall be within ½ mile of a designated Town Center; within ½ mile of an existing transit stop or a transit stop that will be
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		<p>existing concurrent with the completion of the project; or located in an area where multi-family dwellings are an allowed or special use.</p> <p>G. TRPA may adopt a fee on new residential and tourist construction to cover the cost of monitoring and enforcement of this program.</p>
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Chapter 90: Definitions

Code Section	Rationale	Proposed Code Language
Chapter 90	Add new definition for Stormwater Collection and Treatment System.	<p>Stormwater Collection and Treatment System:</p> <p>Stormwater collection includes ditches, storm drains, and water pipes designed to remove surface runoff and transport it to the location or locations where it will be treated. Streets, curbs and gutters can be included as part of the collection system.</p> <p>Stormwater treatment is the process of improving stormwater runoff quality, reducing runoff volume, and reducing runoff peak flow. Debris and solids are filtered out, followed by a sedimentation process. Water is then infiltrated or discharged from the system into the receiving environment (groundwater table, ponds, streams, waterways, etc.).</p>
Chapter 90	Add new definition of Mixed-Use Development.	<p>Mixed-Use Development:</p> <p>Developments fostering the integration of compatible residential and non-residential uses on a single site that are designed to promote pedestrian circulation. Permissible</p>

		<p><u>pedestrian-oriented non-residential uses include, but are not limited to, retail, restaurant, personal services, office, and entertainment uses. Lobbies, gymnasiums, and project offices may be included if they are open to the public.</u></p>
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Fee Schedule Institute the option for TRPA to charge a fee to new development to help cover the cost of conducting monitoring and enforcement of deed-restrictions	Schedule "A" - Residential	Shoreland Scenic Review Fee if applicable*						Deed-Restriction Monitoring Surcharge	
		Fee Category	Base Fee		BMP Fee	IT Surcharge			
		NEW CONSTRUCTION							
		1. Single Family Dwelling, Summer Home, Secondary Residence, one Mobile Home Dwelling, and one Employee Housing unit	\$1.57 per sq. ft of floor area covered by roof, \$787 minimum*	\$629		\$152	\$138		\$50 per unit
		2. Multiple Family Dwelling, Multiple Person Dwelling, Nursing and Personal Care, Residential Care, more than one Employee Housing unit, more than one Mobile Home Dwelling	\$3460 + \$64 per unit*	\$629		\$152	\$138		\$50 per unit
		ADDITIONS AND OTHER CONSTRUCTION MODIFICATIONS TO EXISTING STRUCTURES/FACILITIES							
		3. Single Family Dwelling, Summer Home, Secondary Residence, one Mobile Home Dwelling, and one Employee Housing unit	\$1.72 per sq. ft of modified/new floor area covered by roof, \$604 minimum*	\$629		\$152	\$138		\$50 per unit
		4. Multiple Family Dwelling, Multiple Person Dwelling, Nursing and Personal Care, Residential Care, more than one Employee Housing unit, more than one Mobile Home Dwelling	\$1888 + \$64 per unit*	\$629		\$152	\$138		\$50 per unit
		CHANGES OF USE AND OTHER ACTIVITIES (No construction)							
		5. Domestic Animal Raising	\$329	N/A		N/A	\$138	N/A	
		6. On-Site Election of Conversion of Use to Residential (Section 51.9, TRPA Code)	\$551 per unit	N/A		N/A	\$138	N/A	
		7. Change from an Existing Residential Use to Another Residential Use	\$629 per unit	N/A		N/A	\$138	N/A	
		8. Mixed Use Projects	Use new constr	N/A		N/A	\$138		\$50 per unit
		9. Driveway Paving	\$235	N/A		N/A	\$138	N/A	
		10. Other	\$787	\$629		\$152	\$138	N/A	
*All application fees listed under numbers 1-4 except for the Deed-Restriction Monitoring surcharge , waived with projects that use new affordable, moderate, or achievable housing bonus unit(s). Other fees would still be applicable.									