



STAFF REPORT

Date: September 20, 2023

To: Regional Plan Implementation Committee

From: TRPA Staff

Subject: Informational Update on Phase 2 Housing Amendments: Market Solutions to Encourage Affordable and Workforce Housing Development

Summary and Staff Recommendation:

Since October 2021, TRPA staff and consultants have been examining the financial implications that regional and local development standards, including height, density (a.k.a., units per acre), coverage, parking, and setbacks, have on the development of affordable and workforce housing and attainment of Regional Plan goals such as supporting redevelopment that improves treatment of runoff, reduced vehicle miles traveled and enhances walkability. Staff will present an informational update on the recommended changes to TRPA's development standards to assist in achieving Regional Plan housing, transportation and water quality goals. These recommendations are based on input from the Tahoe Living Working Group, the Local Government and Housing Committee, RPIC, Governing Board, and community input. Staff requests discussion and direction on the proposed changes from the Regional Plan Implementation Committee (RPIC). Following direction from RPIC the package of amendments will be presented to the APC and RPIC for formal recommendations and then to the Governing Board for consideration.

Background:

Studies, feedback from local government partners, and community sentiment continue to show the deepening impact of housing affordability in Tahoe and in mountain communities across the West. Since 2000, population and employment has declined by 11% in the Tahoe Basin¹. In 2012, the median home price was approximately six times the median household income. In 2021, that number rose to more than 13 times median household income². The lack of affordable housing impacts the region's ability to maintain thresholds and achieve the housing, vehicle miles travelled (VMT), water quality, and transportation goals, among others, outlined in the Regional Plan. Businesses, public and non-profit organizations struggle to remain fully staffed and more residents are forced to relocate outside the basin, which increases traffic and vehicle emissions. The current residential development standards incentivize building large single-family homes on big lots further from town centers which are generally only attainable to second homeowners or owners who intend to rent the unit for a short term. Homes that are built further from town centers are less likely to travel by transit or bike.

¹ US Census Bureau

² US Census Bureau, [Regional Housing Needs Assessments](#)

The TRPA Governing Board has identified Tahoe Living and the “Complete Communities” concept, including a strong focus on affordable and workforce housing, as an agency priority. Recognizing that there is no one size fits all solution to housing affordability and each agency must work to remove barriers to building affordable housing, Phase 2 of TRPA’s Tahoe Living strategic priority aims to update height, density (units per acre), land coverage, and parking standards for deed-restricted housing. The goal is to level the playing field financially, enabling the private sector to deliver housing for the “missing middle,” and significantly reducing costs for delivering subsidized affordable and workforce housing.

Discussion:

The amount of development in the Tahoe Basin has been capped since adoption of the 1987 Regional Plan. As of 2022, there were approximately 3,525 residential units remaining under these growth caps; units that will be allocated and assigned regardless of the Phase 2 housing amendments. Nearly a quarter of these units are reserved as “residential bonus units,” meaning they take the place of a residential unit of use and must be assigned to residential units that are deed-restricted affordable, moderate, or achievable. Residential bonus units were designed to create a limited number of small areas where apartments and condominiums can be built so that people who work in our communities can live in our communities.

At the beginning of this effort a workshop was held at which Opticos consultants presented contemporary approaches to providing housing “for the missing middle.” These approaches included alternatives to traditional regulations on density, height, coverage, and parking. Over the past two years, Cascadia Partners have completed two financial feasibility analyses that identify how much the cost per unit can be reduced if development standards, including coverage, height, and density are increased and parking requirements are reduced. The results show that allowing more units on a parcel (i.e. increasing density allowances) reduces the per unit cost of each. Allowing higher coverage and height limits expands the building footprint to allow for more units, while reduced parking leaves more land that can be built for housing instead of cars. Cascadia estimates that changes to coverage, height, and density alone could reduce rental prices by approximately 35%³.

TRPA staff have spent the larger part of 2023 developing a proposal to modify development standards for deed restricted housing which would accelerate construction of the remaining 862 bonus units in and close to town centers, jobs, grocery stores, transit, and services to reduce the requirement for every person to drive a personal vehicle. Encouraging the remaining bonus units to be built as more dense development in already dense areas both reduces the cost to build each unit and helps meet the housing, transportation, and water quality goals of the Regional Plan. The proposal is grounded in increasing financial feasibility for deed-restricted affordable, moderate, and achievable housing in the basin. This proposal will not change the overall growth caps that were analyzed and authorized in the 1987 and 2012 Regional Plans.

The Phase 2 housing amendments focus changes in two areas within the basin where concentration of development is encouraged by the Regional Plan: 1) in town centers, and 2) in areas currently zoned for

³ [TRPA Zoning and Affordability Analysis](#), Cascadia Partners

multi-family housing within the bonus unit boundary.⁴ The recommendations would further incentivize development in town centers and in proximity to transit and services by increasing the number of units that can be built per acre (i.e., density), height, and coverage allowances for deed-restricted residential development in town centers. The analyses performed by Cascadia indicated that coverage, height, and parking minimum standards already constrain the size of the building so density standards, which are more typically applied when subdividing raw land to build single-family homes, are redundant and not necessary. One of the key concepts that Opticos presented was requiring similar building characteristics and gradual transitions between parcels with larger buildings and parcels with smaller buildings. In response the recommendations include requirements relating height and roof pitch, and requiring stepping back upper floors on buildings as they get taller. In addition, the recommendations include an option that provides local jurisdictions the discretion to allow additional height on parcels directly adjacent and contiguous to town centers if they determine it is appropriate or needed to create a desired transition to adjacent existing development with lower building heights. The recommendations would also encourage small-scale multi-family development, like duplexes and triplexes, in areas that already allow (i.e., are zoned for) multi-family housing and where much of our de facto affordable housing exists.

Town Centers

The Phase 2 housing amendments would allow for higher density, height, and coverage in town centers, as shown below, for deed-restricted housing units. Projects that are building 100% deed restricted development on parcels that are adjacent and contiguous from existing town centers would be eligible for town center incentives, including height up to 56'. For specific details on the proposal, see Attachment A, Draft Regional Plan and Code Language.

⁴ A map of town centers, areas zoned for multi-family housing, and the bonus unit boundary can be found [here](#). The Bonus Unit Boundary is the area within ½ mile of transit, ½ mile of town centers, and areas that allow for multi-family residential housing within the Tahoe Basin. Parcels receiving TRPA bonus units must be within the Bonus Unit Boundary.

Town Centers

Existing TRPA Code	Proposed TRPA Code Deed restricted housing only
Maximum Density: 25 units/acre Maximum Coverage: 70% Maximum Height: 56 feet	Maximum Density: No maximum Maximum Coverage: No maximum (with stormwater treatment system) Maximum Height: 65 feet

The requirements for the standards proposed above include:

- Coverage: In exchange for higher coverage limits, the development would be required to build, or contribute to, an area-wide green stormwater treatment system (i.e., area wide). Area-wide treatments exist both inside and outside of town centers within the basin today and facilitate maintenance better than onsite best management practices (BMPs) because local jurisdictions perform scheduled maintenance with funds from property owners. Area-wide treatments also provide opportunities to integrate with other complete streets public infrastructure such as bicycle and pedestrian facilities, landscaping and lighting, and pavement and parking improvements.
- Height: Developments would still be required to comply with TRPA’s scenic standards that prevent the obstruction of views from scenic resources⁵, including the shoreline of the lake, major highways, and other recreational viewpoints in the basin. Any part of the building above 56’ must be setback one foot for each additional foot of height to provide building soften the visual impact of the additional height.
- Density: The Phase 2 amendments would remove maximum density standards for deed restricted units to encourage developments with smaller, more affordable units. This does not mean that larger units cannot be built, but rather leaves that choice to the developer.

Multi-family Zones within the Bonus Unit Boundary

The Phase 2 housing amendments would allow for triplexes on any lot that is already zoned for multi-family, additional flexibility with roof pitch, and higher coverage in areas that already allow for multi-family housing, as shown below, for deed-restricted housing units. It also provides local governments the discretion to allow the equivalent of one additional story only on parcels adjacent and contiguous to town centers to create a transition in height between town centers and adjacent multi-family areas. For specific details on the proposal, see Attachment A, Draft Regional Plan and Code Language.

⁵ TRPA monitors the visual experience from 869 individual scenic units in the basin as part of the [Scenic Threshold](#).
REGIONAL PLAN IMPLEMENTATION
COMMITTEE AGENDA ITEM NO. 3

Areas Zoned Multi-Family

Existing TRPA Code	Proposed TRPA Code Deed restricted housing only
Maximum Density: 15 units/acre Maximum Coverage: 30% Maximum Height: 3 stories	Maximum Density: No maximum Maximum Coverage: 70% (with stormwater treatment system) Maximum Height: <ul style="list-style-type: none"> Additional 8.5' depending on roof pitch Additional 11 feet for parcels adjacent to town centers

Mixed-Use Developments and Accessory Dwelling Units

Given the goal of activating streetscapes in town centers and building more walkable communities, staff recommends allowing the coverage, height, and density incentives in this proposal to apply to mixed use development if 100 percent of the residential units within the development are deed-restricted.

After amending the TRPA Code to allow accessory dwelling units (ADUs) to be built on parcels of less than one acre in size in California, TRPA has seen an uptick in interest from homeowners to build ADUs. Current TRPA regulations do not allow any additional coverage to accommodate an ADU; ADUs are also required to obtain a residential unit of use or a bonus unit. ADUs do not count towards the calculation of density and must comply with the height allowances in Chapter 37 of the TRPA Code. This proposal would provide for higher coverage allowances to apply to deed-restricted ADUs within the bonus unit boundary. Outside of town centers, coverage would be limited to 1,200 square feet⁶ or 70 percent of the lot, whichever is less. The additional coverage could be used for only the deed-restricted portion of the parcel, including decks and walkways associated with the ADU, but not parking. Within town centers, coverage for ADUs would be limited to 1,200 square feet. The proposal does not include changes to height allowances for ADUs.

Implementation

Following the 2012 Regional Plan, TRPA began allowing local jurisdictions to develop area plans that implement Regional Plan policies with greater flexibility and at the community scale. Area plans are intended to reflect the community's vision for its future and can be developed for varying geographical scales – from a local neighborhood or commercial center to an entire county. However, the process of adopting a new area plan or amending an existing area plan can be lengthy and the importance of affordable workforce housing region-wide means a regional solution is necessary. If approved, this

⁶ [California State Law](#) limits new detached ADUs to 1,200 square feet.

proposal would go into effect within 60 days of adoption and would *supersede the height and density allowances in Area Plans for deed-restricted residential development*. The proposal does not require local jurisdictions to amend their Area Plans.

If local jurisdictions want to opt out of the proposed standards, they can do so through an area plan amendment. However, TRPA would require that any changes to height, density, and parking standards holistically consider the financial impact the changes have on building deed-restricted housing in their jurisdiction. If the jurisdiction cannot demonstrate that deed-restricted housing development is still viable with other subsidies or alternative requirements, staff will recommend that the amendments to the area plan not be approved. An example of an alternative requirement is an area plan amendment that includes the same changes to height and density for market rate developments with an inclusionary requirement; meaning that for every residential development, a portion of the units are set aside as deed-restricted affordable, moderate, or achievable, instead of having fewer developments that are entirely deed-restricted.

Outreach

Over the past few months, TRPA staff have attended a variety of community events, including farmers markets, social service events, presentations to community groups, and the Tahoe Summit, to name a few, to collect input on the proposal. While the majority of responses are in favor of larger, denser buildings in town centers if it means that more affordable housing is available, the following concerns have been repeatedly raised:

- **Parking:** Cascadia Partners found that reducing excessive parking minimums was necessary to realize the benefit of increased building height and coverage for affordable and workforce housing developments. TRPA currently defers parking standards to the local jurisdictions which require between one and 2.5 parking spaces per unit, depending on unit size and location. Any reductions in parking minimums (i.e., reducing the minimum amount of parking the jurisdiction requires) should be paired with parking management strategies. Because changes to parking standards have not been discussed at large within the context of the Phase 2 housing amendments, staff have prepared a literature review of national best practices on parking, predominant concerns heard from community members and policy makers regarding the impacts of reduced parking, and how these concerns have been addressed in peer mountain communities. This information is included in Exhibit A. Based largely on that review, staff recommend the following parking policy actions to support the affordability goals of the Tahoe Living Working Group's Phase 2 housing amendments:
 1. Amend the TRPA Code of Ordinances to reduce parking minimums to no more than 0.75 spaces/unit average for deed-restricted developments in town centers. This would supersede the parking minimums set by the local jurisdictions. Local jurisdictions could still set their own parking minimums in town centers if they are less than 0.75 spaces per unit on average. If a housing or mixed-use developer proposes a project that meets the deed-restriction requirements included in this proposal with greater than 0.75 spaces/unit that would not be prohibited.
 2. Encourage local parking management policies through the area planning process. Strategies may include setting parking maximums, allowing decoupling of units and

parking spaces, identifying opportunities for shared parking, and creating parking benefit districts, using revenue from paid parking to support increased enforcement.

- **Design Standards:** There are community concerns about the effects of increased height in town centers and that it could result in large, poorly designed buildings. TRPA and the local jurisdictions would regulate building articulation and design with a five-story building the same way a four-story building is currently regulated. Draft Code language states that additional height for projects would require buildings to incorporate design features such as pitched roofs, articulated facades, articulated roof planes, and the use of earthtone colors so planners could work with the applicant to ensure buildings fit community character. Buildings above four stories would be required to setback the part of the building over 56 feet in height one foot for every additional foot over 56 feet.
- **Bonus Unit Requirements and Compliance:** The Phase 2 housing amendments would apply to deed-restricted units that receive residential bonus units unless local jurisdictions set their own standards through an area plan amendment. TRPA has a compliance program in place that monitors and ensures that deed restricted homes are occupied by a household that meets the requirements of the deed restriction language. The program includes annual compliance reporting and auditing, disclosure forms that require both the buyer and seller to sign when the unit changes ownership, as well as the deed restriction itself that is recorded on the title of the property and remains in perpetuity. Because this proposal will increase the number of bonus units distributed in upcoming years, the proposal adds a new fee of \$50 per unit to all new residential and tourist development to help cover the cost of conducting monitoring and enforcement of deed-restrictions. At current construction rates, this is estimated to generate approximately \$10,000 per year, or over \$220,000 over the course of the Regional Plan until build-out.

Environmental Analysis

Staff is analyzing the potential impacts of the Phase 2 housing amendments through an Initial Environmental Checklist (IEC). To assist local jurisdictions in future area plan amendment processes, staff will include responses to CEQA questions in the IEC. Staff anticipates that the IEC will be publicly available in mid-October after incorporating RPIC input on the code changes.

Next Steps

Staff requests feedback from the RPIC on the proposal outlined in this staff report. Staff will then make any final revisions that can be accommodated in time for formal consideration of a recommendation by the Advisory Planning Commission (APC) and RPIC in November 2023, and consideration for Governing Board approval in December 2023. Staff anticipates completion of Phase 2 housing amendments by the end of 2023 and focusing on Phase 3 amendments in 2024 and beyond.

Contact Information:

For questions regarding this agenda item, please contact Alyssa Bettinger, Senior Planner, at (775) 589-5301 or abettinger@trpa.gov.

Attachments:

- Attachment A – Draft Amendments to the TRPA Regional Plan, Code of Ordinances, and fee schedule, including Code of Ordinances Chapter 13, Area Plans; Chapter 36, Parking Policies; Chapter 52, Bonus Unit Incentive Program; and Chapter 90, Definitions; and changes to Goals and

Policies, Land Use and Housing Sections; that would only apply to projects applying for deed-restricted bonus units

- Exhibit A – Parking Management for Housing Affordability and Complete Communities

Attachment A

Draft Amendments to the TRPA Regional Plan, Code of Ordinances, and fee schedule, including Code of Ordinances Chapter 13, Area Plans; Chapter 36, Parking Policies; Chapter 52, Bonus Unit Incentive Program; and Chapter 90, Definitions; and changes to Goals and Policies, Land Use and Housing Sections; that would only apply to projects applying for deed-restricted bonus units

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 1772 997"> <thead> <tr> <th data-bbox="758 467 1373 558">LAND CAPABILITY DISTRICT</th> <th data-bbox="1377 467 1772 558">MAXIMUM ALLOWED LAND COVERAGE</th> </tr> </thead> <tbody> <tr> <td data-bbox="758 561 1373 607">1a</td> <td data-bbox="1377 561 1772 607">1 percent</td> </tr> <tr> <td data-bbox="758 610 1373 656">1b</td> <td data-bbox="1377 610 1772 656">1 percent</td> </tr> <tr> <td data-bbox="758 659 1373 704">1c</td> <td data-bbox="1377 659 1772 704">1 percent</td> </tr> <tr> <td data-bbox="758 708 1373 753">2</td> <td data-bbox="1377 708 1772 753">1 percent</td> </tr> <tr> <td data-bbox="758 756 1373 802">3</td> <td data-bbox="1377 756 1772 802">5 percent</td> </tr> <tr> <td data-bbox="758 805 1373 850">4</td> <td data-bbox="1377 805 1772 850">20 percent</td> </tr> <tr> <td data-bbox="758 854 1373 899">5</td> <td data-bbox="1377 854 1772 899">25 percent</td> </tr> <tr> <td data-bbox="758 902 1373 948">6</td> <td data-bbox="1377 902 1772 948">30 percent</td> </tr> <tr> <td data-bbox="758 951 1373 997">7</td> <td data-bbox="1377 951 1772 997">30 percent</td> </tr> </tbody> </table> <p data-bbox="1808 496 2074 1024"> 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> <p data-bbox="835 1032 2074 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="789 1138 2074 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="741 1349 1955 1414"> 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>	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																					
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																					

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.

		<u>Parcel Size (Square Feet)</u> 9,001 - 14,000 14,001 - 16,000 16,001 - 20,000 20,001 - 25,000 25,001 - 30,000 30,001 - 40,000 40,001 - 50,000 50,001 - 70,000 70,001 - 90,000 90,001 - 120,000 120,001 - 150,000 150,001 - 200,000 200,001 - 400,000	<u>Land Coverage</u> 20 percent 2,900 sq. ft. 3,000 sq. ft. 3,100 sq. ft. 3,200 sq. ft. 3,300 sq. ft. 3,400 sq. ft. 3,500 sq. ft. 3,600 sq. ft. 3,700 sq. ft. 3,800 sq. ft. 3,900 sq. ft. 4,000 sq. ft.
		<p>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.</p>	
		<p>B. <u>Facilities in Centers</u>: Except as provided in Subsections A, F, I, J, and K, <u>and L</u> 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.</p>	
		<p>C. <u>Commercial and Mixed Use Facilities in a Community Plan</u>: 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>	

		<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>
--	--	--

		<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										
		Regional Land Use Districts	Wilderness	Backcountry	Conservation	Recreation	Resort Recreation	Residential	Tourist	Town Center Overlay	Regional Center Overlay	High-Density Tourist District Overlay
		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>		
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>																	
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.
--	--	---

Chapter 30: Coverage

Code Section	Rationale	Proposed Code Language
--------------	-----------	------------------------

<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>
-------------------	---	--

		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</u> <u>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>
<p>31.4.8</p>	<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</u> <u>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>
-------	---	---

		<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> <p>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></p> <p>b. <u>Parking and vehicle access shall be designed to limit conflict with pedestrian circulation along the ground floor frontage;</u></p> <p>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></p>
--	--	---

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>
--	--	--

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
--	--	--

		<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>
--	--	--

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>

		<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>
--	--	--

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

Fee Category	Base Fee	Shoreland Scenic Review Fee if applicable*		BMP Fee	IT Surcharge	Deed-Restriction Monitoring 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 <u>except for the Deed-Restriction Monitoring surcharge</u> waived with projects that use new affordable, moderate, or achievable housing bonus unit(s). Other fees would still be applicable.						

Schedule "A" - Residential

Exhibit A
Parking Management for Housing Affordability and Complete Communities

EXHIBIT A

ATTACHMENT A

Date: September 20, 2023

Subject: Parking Management for Housing Affordability and Complete Communities

PURPOSE:

The Tahoe Region and mountain resort communities across North America are suffering from a crisis of affordability. As market demand for high-end residential development and second homes increases, home and rental prices soar and opportunities for local workers and their families to live in the region diminish. As a result, businesses struggle to remain fully staffed and more workers are forced to live elsewhere, increasing traffic and vehicle emissions while fracturing community character and cohesion. While a range of macro-economic factors contribute to the housing crisis, local and regional development standards impact affordability as well. These include density, height, coverage, development rights, setbacks, parking, and restrictions on subdivision. Taken together, these standards can have a major impact on the cost to construct new middle-income and workforce housing.

Although often overlooked, parking regulations can have significant impacts on community life and housing affordability. In a financial feasibility analysis for TRPA, Cascadia Partners found that reducing parking minimums was necessary to realize the benefit of increased building height and coverage for affordable developments. Cascadia notes that, with existing parking minimums, the expanded building footprint allowed for deed-restricted developments would quickly be consumed by parking, diminishing the benefits of expanded coverage, height, and density allowances for affordable housing.¹ This memo surveys best practices for parking management. This memo also considers prevailing concerns from community members and policy makers regarding the impacts of parking management, and specifically the impacts of removal of parking minimums, on neighborhood street parking, on snow removal, on parking enforcement, and with limited transit service.

DISCUSSION:

High Parking Minimums

Few regions in the United States better demonstrate the conflict between landscape conservation and auto-oriented land development than our own. Like many American communities, the Tahoe Region saw much of its development occur during the 1960s, when auto-oriented development was the norm. This created a landscape designed for cars rather than people and resulted in insignificant environmental impacts. Also like many American communities, minimum requirements for the number of parking spaces associated with a development (parking minimums) played a role in shaping our auto-oriented land use pattern. There are environmental costs to minimum parking requirements, with runoff from parking lots contaminating waterways, as well as the direct costs of constructing new parking spaces—

¹ Cascadia Partners. "TRPA Proforma Analysis Test Results." March 30, 2022.

roughly \$5,000 per surface space or \$50,000 per space for multilevel garages—which can escalate the cost of development to the point of financial infeasibility. The American Planning Association (APA) cites a movement across cities and small towns in all regions of the United States to reduce or remove minimum parking requirements, noting that even the National Parking Association, the industry trade group for parking operators, officially supports reducing or eliminating parking requirements.²

UCLA professor and parking expert, Michael Manville, calls parking minimums a disaster for communities, transferring valuable space from people to cars and transferring the cost of parking from drivers to residents, resulting in “more driving, and less housing.”³ Donald Shoup’s influential 2005 book, “The High Cost of Free Parking,” argues that “the status quo of minimum parking requirements in the United States subsidizes cars, increases vehicle miles traveled, encourages sprawl and separation of uses, worsens air pollution and greenhouse gas emissions, raises the cost of housing construction and thus the cost of renting or buying a home, prevents pedestrian mobility, and excludes low-income people from participating in the economy.”⁴ Thus, according to Shoup, high parking minimums are a contributing factor to many of the social, environmental, and economic problems that TRPA is tasked with addressing through the Regional Plan and Complete Communities Initiative.

Cascadia’s analysis confirms the connection between parking minimums and the high cost of housing in our region, suggesting that current parking minimums in the Tahoe Region are excessive and create a barrier to affordable housing development (see Table 1 for existing local parking minimums). In a



financial feasibility analysis of Kings Beach, Incline Village, and the Ski Run Town Center in South Lake Tahoe, Cascadia Partners found that lowering parking requirements was necessary to realize the benefit of height and parcel-level density allowances for affordable developments, recommending that existing local parking minimums be reduced to 0.75 spaces per unit or eliminated altogether. Significantly, Cascadia found that even with a 20 percent reduction in parking requirements for deed-restricted housing in the Ski Run Town Center, parking still consumed more land coverage than housing.⁵

Manville’s research supports these findings. He notes that parking minimums effectively reduce the number of units for which a parcel is zoned. For example, a parcel which might otherwise accommodate 20 units may only support 15 when parking requirements consume land area and make construction of

² American Planning Association. “PAS QuickNotes No. 53: Parking Management.” 2014. Spivak, Jeff. “A Business Case for Dropping Parking Minimums.” *Planning Magazine*. June 2022. <https://www.planning.org/planning/2022/spring/a-business-case-for-dropping-parking-minimums/>

³ Manville, Michael. “How Parking Destroys Cities.” *The Atlantic*. May 2021. <https://www.theatlantic.com/ideas/archive/2021/05/parking-drives-housing-prices/618910/>

⁴ “Planopedia: What Are Parking Requirements?” *Planetizen*. 2023. <https://www.planetizen.com/definition/parking-requirements>

⁵ Cascadia Partners, 2022.

20 units financially infeasible.⁶ Therefore, high parking minimums have the dual effect of decreasing the number of units that can be built on a given parcel and increasing the cost per unit.

	Washoe County	City of South Lake Tahoe	Placer County	El Dorado County	Douglas County
Parking Minimum	1.6 spaces/ 1 bdrm 2.1 spaces/ 2+ bdrm 1 space must be enclosed	1 space/ 1 bdrm 2 spaces/2+ bdrm 1 guest space/4 units	2 spaces/DU	2 spaces/DU	2 spaces/DU

Table 1: Existing Local Minimum Parking Requirements in the Tahoe Region.

The Origins and Costs of High Parking Minimums:

Parking requirements date to the mid-20th century when rapid suburban development and use of private automobiles made parking a pivotal local political issue. This coincided with a paradigm shift in urban form from one dominated by active uses on the ground floor with multiple points of pedestrian access—what we may think of as the “Historic Mainstreet”—to auto-dominated sprawl.⁷ Parking minimums are usually determined by a formula specific to the intended use of a building, often assigning a minimum number of parking spaces based on the number of bedrooms for residential and floor area for commercial development. Parking minimums are often set too high, particularly for small residential units near centers, because they are based on the outdated assumption that parking issues arise from inadequate supply rather than inefficient management of existing supply.⁸

To meet the cost of high parking minimums, the cost of parking is typically bundled into the cost of development, increasing overall expenses and rents. In fact, parking can be one of the primary factors determining whether a new affordable development has the finances to complete construction.⁹ These costs create a feedback loop that harms local land use patterns as well. Since the cost of parking is indirect, consumers use it inefficiently, leading to greater demand for free and abundant parking, higher parking minimums, increasing housing costs, and more land dedicated to cars rather than people. Where land is scarce for parking, structured parking is often offered as a solution, but parking structures add even more to the cost of housing (approximately 12.5% according to a study by Berkeley’s Turner Center for housing).¹⁰ Cascadia found a similar pattern in Tahoe, where standards requiring covered parking in Incline Village significantly increased the cost to develop multifamily housing.¹¹ Even without covered parking, minimum parking requirements exacerbate the cost burden on working families in the Tahoe Basin. Opticos Design, Inc., in a presentation to the TRPA in 2020, cited a finding that requiring

⁶ Skelly, Jack. “California Relaxes Parking Mandates to Free Up Land for Multifamily Development—but Will Neighbors and Lenders Approve?” *Urban Land*. January 2023. <https://urbanland.uli.org/public/california-relaxes-parking-mandates-to-free-up-multifamily-development-but-will-neighbors-and-lenders-approve/>

⁷ “Planopedia,” 2023

⁸ Litman, Todd. “Parking Management: Innovative Solutions to Vehicle Parking Problems.” *Planetizen*. March 2006. <https://www.planetizen.com/node/19149>

⁹ “Planopedia,” 2023.

¹⁰ [A study of affordable housing developments](#) throughout California from UC Berkley’s Turner Center for Housing Innovation found that structured parking added nearly \$36,000 per unit. Other studies show a 12.5% increase in development costs for each parking space.

¹¹ Cascadia Partners, 2022.

two parking spaces per multifamily unit rather than one increases monthly rents by an average of \$400 per month.¹²

Parking Management Best Practices:

Parking expert Todd Litman suggests that policymakers should view parking issues through a “parking management” rather “parking minimum” approach. Addressing parking demand at the system-level—by increasing efficiency, reducing demand, and improving enforcement and design—leads to more efficient land use outcomes and can address parking’s negative impact on affordability.¹³ Parking management solutions have been used throughout the United States, including in small towns and rural communities in the Mountain West. While not exhaustive, the list below summarizes parking management strategies that TRPA and local governments should consider to effectively manage parking while supporting people-centered land use and affordability.

- **Removing Minimum Parking Requirements** — It is important to note that removing minimum parking requirements does not mean no parking. Rather, eliminating minimum parking requirements allows the market to determine parking supply based on need rather than through government mandate. Parking minimums in the United States are typically redundant and require more parking than the market demands, especially for smaller units close to centers and serviced by transit.¹⁴ A study from Los Angeles found that when apartment parking was left to the market, developers built on average less parking than required by parking minimums (1.3 spaces instead of 2). The same study found that developers rarely built no parking at all and tended to build more parking in lower density neighborhoods without transit service. When developers chose not to build new parking, it was in cases where parking already existed and where shared parking or decoupled (see “shared parking and decoupling” below) parking options were available.¹⁵ Ultimately, when the market determines the amount of parking, lenders often have outsized influence in determining parking outcomes and research shows that most lenders are hesitant to invest in projects without adequate parking.¹⁶

Market-solutions to parking supply are most effective at reducing land dedicated to parking when applied in transit-serviced town centers. Recognizing this trend, the California State Assembly passed AB 2097, abolishing local parking minimums within one-half mile of high-frequency transit stops. The bill does not forbid parking but gives developers the option to build the parking they need for their project to be financially feasible, accounting for resident demand. San Diego has already seen an overall increase in affordable multifamily housing development and greater utilization of the City’s density bonus program since eliminating parking minimums in 2019.¹⁷ Other mountain resort communities have eliminated parking minimums as well including Bend, OR (citywide), Missoula and Bozeman, MT, and Ketchum, ID

¹² Opticos Design, Inc. Presentation to the Local Government and Housing Committee. January 6, 2020.

¹³ Litman, 2006.

¹⁴ “Planopedia,” 2023.

¹⁵ Lewyn, Michael. “A Parking Paradox.” *Planetizen*. June 2014. <https://www.planetizen.com/node/69415>

¹⁶ Skelly, 2023.

¹⁷ Secaira, Manola. “California Law Abolishes Parking Minimums for New Developments Close to Public Transit.” *Cap Radio*. October 12, 2022. <https://www.capradio.org/articles/2022/10/12/california-law-abolishes-parking-minimums-for-new-developments-close-to-public-transit/#:~:text=Governor%20Gavin%20Newsom%20has%20signed,of%20a%20public%20transit%20stop>.

(in town centers).¹⁸ As noted above, studies show that reducing parking minimums could have a significant impact on affordability in Tahoe. Additionally, experts note that removing parking minimums has the greatest impact on supporting middle-income or “missing middle” housing types.¹⁹

Nevertheless, alternatives to private automobiles are important to realizing the full benefit of public investment as well as the land use and housing benefits of market-based parking supply. Lake Tahoe communities have invested in transit and the Regional Transportation Plan continues to call for expansion of the region’s transportation network, including both transit and active transportation options. Success of the Regional Transportation Plan relies on complementary land uses that place people with a propensity to walk, ride bikes, and take transit near those transportation investments. High parking minimums diminish the value of the public investment in transit by directing scarce land resources to auto-oriented uses, missing opportunities for transit ridership. Local and regional policymakers are designing town centers to support alternative transportation through updated land use policies and increased investment in transit services. Removing parking minimums in town centers should be considered alongside other land use strategies to support active pedestrian centers in Tahoe.

- **Parking Maximums**—Parking maximums go a step further by setting a cap on the number of parking spaces provided by a development. The APA notes that eliminating minimum parking requirements, particularly in town centers, and instituting parking maximums has become common practice among a diverse range of American communities.²⁰ A survey by Strong Towns found many examples, including in small towns and rural communities, where policymakers adopted parking maximums. Examples in the Mountain West include Lyon County, Nevada, Elwood, Utah, Laramie, Wyoming, and Helena, Montana.²¹ The lakeside mountain resort town of Sandpoint, Idaho serves as another relevant example. After Sandpoint removed parking minimums downtown, they quickly saw the expansion of local businesses and new maximums freed up space for other small businesses and housing in the town center.²² Tahoe communities may consider setting parking maximums at the local-level in their town centers to support active, people-oriented land uses.
- **Shared Parking and Decoupling**—Market-based parking supply can be combined with decoupling and shared parking to maximize the efficiency of land dedicated to parking.²³ Decoupling removes the cost of parking from the cost of housing by charging for parking as a separate benefit. This could include locating parking off-site or sharing the parking demand among multiple developments through shared parking models. Decoupling has the benefit of “unlocking” underutilized parcels that would otherwise be undevelopable under conventional

¹⁸ Herriges, Daniel. “Announcing a New and Improved Map of Cities that Have Removed Parking Minimums.” *Strong Towns*. November 2021. <https://www.strongtowns.org/journal/2021/11/22/announcing-a-new-and-improved-map-of-cities-that-have-removed-parking-minimums>

¹⁹ Skelly, 2023.

²⁰ American Planning Association, “PAS No. 53.”

²¹ Herriges, 2021.

²² Reuter, John. “Why Parking Minimums Almost Destroyed My Hometown and How We Repealed Them.” *Strong Towns*. November 2017. <https://www.strongtowns.org/journal/2017/11/22/how-parking-minimums-almost-destroyed-my-hometown-and-how-we-repealed-them>

²³ Litman, 2006.

parking standards and utilizing otherwise underutilized existing parking, eliminating the need to dedicate scarce land resources to new parking.²⁴

Similarly, shared parking models recognize that existing parking is typically not designed to maximize efficiency. For example, residential parking is often underutilized during the day, while office parking is largely empty in the evenings. Shared parking models recognize the parking behaviors associated with different land uses and seek opportunities to share parking facilities when possible. The APA describes a range of options for instituting shared parking arrangements, including collecting fees from developers in lieu of private parking to construct shared public parking, reduced parking minimums based on proximity to shared parking facilities, and provisions to allow shared parking among multiple uses with different peak demand. These policies are known to promote “park once” environments in town centers.²⁵ In the Tahoe Region, ski resort parking lots could provide a major source of parking supply to relieve parking pressure in the summer months.

- **Parking Benefit Districts**—Like decoupling, parking benefit districts treat neighborhood street parking as a paid benefit rather than a public right. Local governments work with residents to set boundaries for paid parking districts in neighborhoods, providing parking permits for residents, charging non-residents, and using revenues to support enforcement.²⁶ Benefit districts have been successfully implemented in Santa Fe, NM where tourism pressure threatened limited parking supply in neighborhoods.

Other Considerations

The following concerns were identified through discussions with local jurisdiction staff and the community when reductions to parking standards were suggested. TRPA and local governments should consider these issues when developing parking management policies.

- **ADA Parking Requirements**—the Americans with Disabilities Act sets requirements for design of accessible parking spaces and the ratio of accessible parking spaces to standard parking spaces in a development. For example, lots with up to 25 spaces must provide 1 accessible space, lots with up to 50 spaces must provide 2 accessible spaces, etc. These requirements are established by federal law. Developers and municipalities must comply with ADA standards regardless of local parking standards.²⁷ In a market-based parking supply scenario, whatever parking is provided must comply with ADA ratios for accessible parking.
- **Snow Removal and Storage**—In many Tahoe communities, excess parking spaces in lots and on the streets serve as locations for winter snow storage. There are concerns that the potential loss of excess parking for snow storage could lead to parking shortages in the winter. In a conversation with TRPA staff, planners from the City of Sandpoint, Idaho stated that they have not witnessed a noticeable conflict between snow and parking management since repealing parking minimums in their town center. Sandpoint planners see short term rentals, not parking minimums, as the primary source of parking conflict during winter months. Sandpoint enforces one-sided street parking between October and April to accommodate snow removal and

²⁴ Skelly, 2023.

²⁵ American Planning Association, “PAS No. 53.”

²⁶ Halbur, Tim. “Rethinking Parking.” *Planetizen*. July 2009. <https://www.planetizen.com/node/39833>

²⁷ U.S. Dept of Justice, Civil Rights Division. “Accessible Parking Spaces.” <https://www.ada.gov/topics/parking/>

storage on public rights-of-way. The City also requires that private developers show how they will store snow on site. Similarly, Helena, Montana’s parking manager stated that private developers must show how they will remove or store snow on site regardless of parking requirements and that conflict with illegally parked boats and RVs pose a greater challenge to snowplows than limited street parking.

- **Neighborhood Spillover and Enforcement**—Relaxing or removing parking minimums often raises concerns that market-based parking supply will lead to a parking shortage and spillover into neighborhoods. However, studies find that without parking minimums the market develops adequate parking to meet demand and that spillover is even less of an issue in car dependent communities where parking is already overabundant due to greater land availability and higher demand for parking.²⁸ Nevertheless, parking management strategies like benefit districts can prevent neighborhood spillover.
- **Transit and Parking Reduction**—Alternatives to private automobiles are important to realizing the full land use and housing benefits of parking management. One challenge communities face is the need to build transit options simultaneously with reducing parking requirements. Tahoe, like many smaller communities, currently has hourly transit headways while more frequent transit is planned for in the future, when town center housing densities are high enough to support the higher ridership needed for these higher frequencies. This raises a classic chicken-and-egg scenario: we need people-centered land use in town centers to support transit service, but successful people-centered land uses depend on quality transit service. This scenario requires that land uses anticipate the planned transit and align parking requirements accordingly.

²⁸ Lewyn, 2014.