

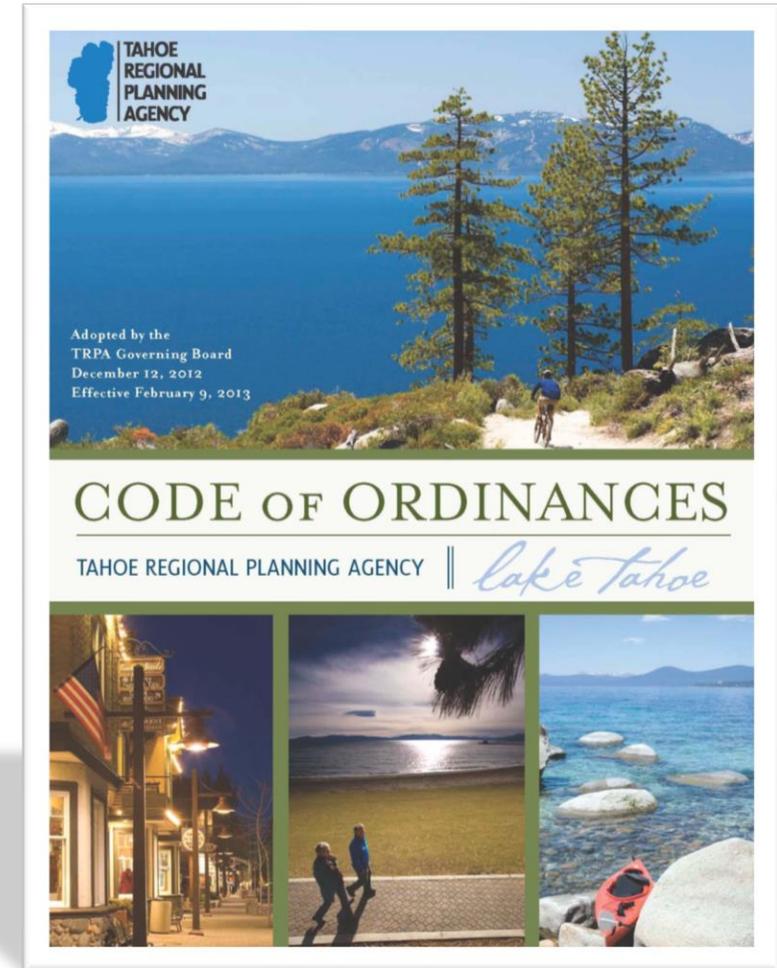
Code of Ordinances Technical Amendments

Advisory Planning Commission

October 9, 2019

Technical Amendments

- Code of Ordinances
 - Consolidated ordinance standards
 - Major revisions in 2012
- Routine maintenance
 - Address errors, inconsistencies
 - Clarify existing provisions
 - Last technical correction package approved in April 2019



Proposal

- **11** amendments affecting **8** chapters
- Amendments fall into the following categories:
 - A. References to Area Plans (2)
 - B. Considerations for Achievable Housing (2)
 - C. Other Clarifications (3)
 - D. Editorial Changes (4)

Affected Chapters

Chapter 2	Applicability of the Code of Ordinances
Chapter 21	Permissible Uses
Chapter 30	Land Coverage
Chapter 37	Height
Chapter 50	Allocation of Development
Chapter 51	Banking, Conversion, and Transfer of Development
Chapter 53	Individual Parcel Evaluation System
Chapter 84	Development Standards Lakeward of High Water in the Shorezone and Lakezone

Errata

- Remove Item #7
Amendment to 50.5.2.E.2
 - Additional work needed to refine the language.

Pages 11 and 27

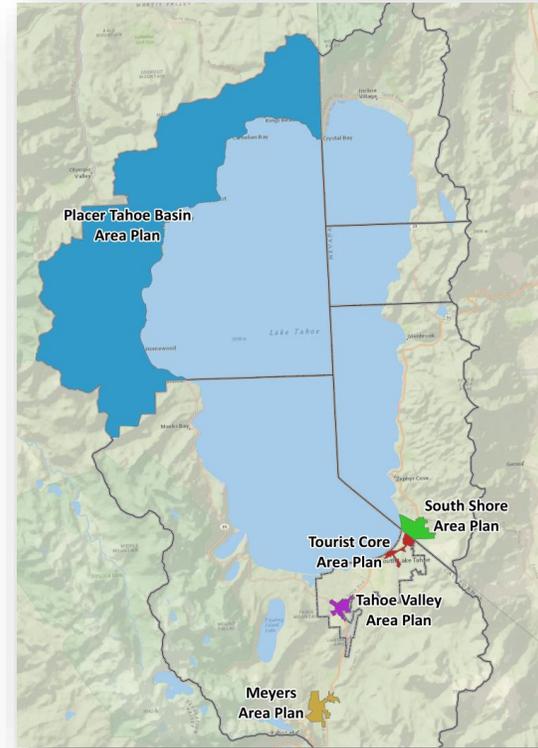
- Revise Item #12
Amendment to 84.3.3.E.1.c

The total number of buoys allowed within a buoy field shall not exceed the buoy field capacity. The maximum buoy field area, for the purposes of determining capacity, is the length of the littoral property's lake frontage multiplied by a width of ~~within the area defined by the lake frontage, not including setbacks from parcel boundary projection lines, multiplied by~~ 300 feet (Figure 84.3.3-2). The capacity within the calculated buoy field area shall be limited by a 50-foot grid spacing pattern.

Pages 15 and 35

(A) References to Area Plans

- Area Plan concept introduced in the 2012 Regional Plan Update
 - Intended to replace Plan Area Statements, Community Plans
- Some references to Area Plans were inadvertently omitted
- Proposal: *Clarify that transfer of residential units and commercial floor area can also occur where designated by an Area Plan.*



Adopted

South Shore

Tourist Core

Tahoe Valley

Placer County Tahoe Basin

Meyers

In Development

Tahoe Douglas

Washoe County Tahoe

Example:

Parcels located in a plan area, ~~or~~ adopted community plan, or [subdistrict within an adopted area plan](#) designated as a receiving area for multi-residential units shall be eligible to receive one or more potential residential units of use;

(B) Considerations for Achievable Housing

- Development Rights Initiative
 - Adopted October 2018
 - Introduced “achievable” category for RBUs
- Some references to “achievable housing” were inadvertently omitted.
- Proposal: *Clarify that allocation of RBUs for achievable housing follows the same procedures as affordable and moderate-income.*

RBU = Residential Bonus Unit



Example:

Governing Board Review

Allocation of ten or more residential bonus units ~~for~~ ~~to~~ ~~affordable-or-moderate~~-income restricted housing

(C) Other Clarifications

Accessory Residential Living Space

- Subsection originally applies where secondary residences not allowed
 - Error in reference to Subsection 21.3.2 (one-acre minimum parcel size)
 - Does not consider substitute Area Plan standards.
- Proposal: *Correct subsection reference and refer to Area Plans.*



Substitute Standards

- Placer County allowed on all parcels, with income restriction
- Tahoe Valley allowed near Barton Hospital

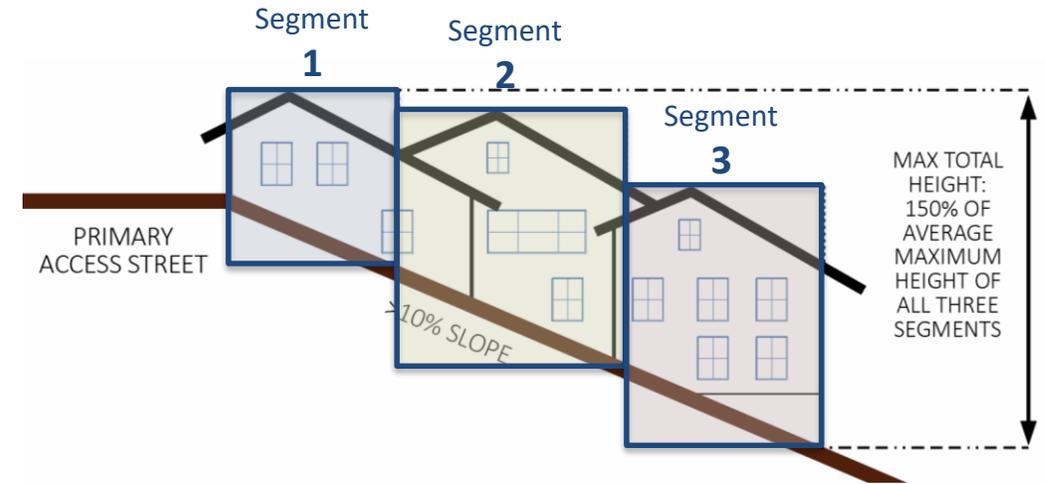
Example:

Living area associated with a permissible residential accessory structure ~~under subparagraph A~~ may be permitted for parcels otherwise ineligible for a secondary residence under Subsection 21.3.2 or an Area Plan adopted under Chapter 13 provided that such living area does not constitute a secondary residence. Residential accessory structures, other than an authorized secondary residence, shall not contain any of the following:

(C) Other Clarifications

Building Height Calculations

- Building height on sloping lots may be calculated by dividing the building in up to three segments.
 - Building height calculation provisions do not specifically recognize building segments.
- Proposal: *Add reference to building segments in height calculation standard.*



Example:

The height of a building, or building segment pursuant to Subparagraph 37.4.2.A, is the difference between the point of lowest natural ground elevation along an exterior wall of the building, or building segment pursuant to Subparagraph 37.4.2.A, and the elevation of the coping of the highest flat roof, the highest point of a mansard roof or the ridge of the highest hip, gable, gambrel, shed or other pitched roof, whichever is highest (see Figure 37.3.1-A below).

(C) Other Clarifications

Buoy Field Area

- Shoreline Plan adopted in 2018.
- Code limits buoy field capacity, based on a specified buoy field area.
 - Existing language is awkward, unclear.
- Proposal: *Clarify that the buoy area is defined by the parcel's littoral frontage and a depth of 300 feet.*



Example:

The total number of buoys allowed within a buoy field shall not exceed the buoy field capacity. The maximum buoy field area, for the purposes of determining capacity, is the length of the littoral property's lake frontage multiplied by a width of ~~within the area defined by the lake frontage, not including setbacks from parcel boundary projection lines, multiplied by~~ 300 feet (Figure 84.3.3-2). The capacity within the calculated buoy field area shall be limited by a 50-foot grid spacing pattern.

(D) Editorial Changes

- Editorial revision to Subsection 2.3.2
- Renumbering of Table 30.4.4-1
- Renumbering figures in Chapter 51.
- Renumbering the tables and graph in Chapter 53.

TABLE 2: REVISED TABLE AND GRAPH NUMBERS – CHAPTER 53

Subsection	Existing Reference	Title	Proposed Reference
53.10.2	Table 53.11.2-1	Runoff Potential	Table 53.10.2-1
53.10.3	Table 53.11.3-1	Upsloping Parcels without Existing Access	Table 53.10.3-1
	Table 53.11.3-2	Factors for Gradient of Ground above Cut Slope	Table 53.10.3-2
	Table 53.11.3-3	Downsloping Parcels without Access	Table 53.10.3-3
	Table 53.11.3-4	Factors for Gradient and Ground below Fill Slope	Table 53.10.3-4
	Table 53.11.3-5	Parcels with Existing Access	Table 53.10.3-5
	Table 53.11.3-6	Disturbance in Stream Environment Zone (SEZ) for Access	Table 53.10.3-6
53.10.4	Table 53.11.4-1	Extent of Disturbance in SEZ	Table 53.10.4-1
53.10.5	Table 53.11.5-1	Condition of Watershed	Table 53.10.5-1
53.10.6	Table 53.11.6-1	Vegetative Groups	Table 53.10.6-1
	Graph 53.11.6-1	Aspect and Gradient of Parcel	Graph 53.10.6-1
	Table 53.11.6-2	Elevation of Parcel	Table 53.10.6-2
53.10.7	Table 53.11.7-1	Needed Water Quality Improvements	Table 53.10.7-1
53.10.10	Table 53.11.10-1	Per Unit Cost	Table 53.10.10-1

Example:

Excavation, filling, or backfilling for a volume not in excess of three cubic yards, provided the activity is completed within a 48-hour period and the excavation site is stabilized to prevent erosion. ~~The is following exemptions~~ shall not be construed to exempt a series of excavations, filling, or backfilling that collectively would constitute a project.

Recommendation

- Staff recommends that APC recommend the following:
 - Governing Board approval of the findings (Attachment C).
 - Governing Board adoption of the ordinance amending the Code of Ordinances (Attachment A), as modified by the Errata Sheet.



Adopted by the
TRPA Governing Board
December 12, 2012
Effective February 9, 2013

CODE OF ORDINANCES

TAHOE REGIONAL PLANNING AGENCY

|| *Lake Tahoe*

