

# CONVERSION OF DEVELOPMENT RIGHTS INFORMATION PACKET & APPLICATION

## I. PROJECTS ELIGIBLE FOR CONVERSION

The Tahoe Regional Planning Agency (TRPA) Regional Plan and [Code of Ordinances](#) Chapter 51.4 allow the conversion of several types of development rights. Development Rights are legally existing land use units someone must acquire before they develop a property.

**The following types of legally existing development rights are eligible for conversion:**

- Commercial Floor Area (CFA)
- Multi or Single-Family Residential Unit of Use (RUUs)
- Tourist Accommodation Units (TAUs)

Only development verified by TRPA as legally existing, awarded as a bonus unit in accordance with Chapter 52 of the TRPA Code, or held in allocation pools with TRPA or the local jurisdiction are eligible to be converted. For additional information on verifications of existing development, review the [TRPA Banking and Verification of Existing Land Coverage and Uses](#) application packet.

## II. CONVERSION EXCHANGE RATES

Development rights may be converted pursuant to TRPA Code of Ordinances Section 51.4. This section allows a development right(s) to be converted to another type of development right(s) based on the following conversion exchange rates:

Existing Development Right	Equivalent Development Rights			
	CFA	TAU	SF	MF
300 sq. ft. Commercial Floor Area (CFA)	300 sq. ft.	1	1	3/2
1 Tourist Accommodation Unit (TAU)	300 sq. ft.	1	1	3/2
1 Single Family Detached Dwelling Unit (SF)	300 sq. ft.	1	1	3/2
1 Multi-Family Attached Dwelling Unit (MF)	200 sq. ft.	2/3	2/3	1

**Example:**

**3,500 sq.ft. of verified CFA can be converted to 11.67 TAUs, 11.67 Single Family RUUs, or 17.5 Multi-family RUUs**

**Any remaining development right square feet or unit fractions that result from a conversion shall not be rounded up or down to the nearest whole number.** Any remaining development right square feet or unit fractions that result from a conversion may be banked on the sending or receiving parcel.

### III. PROCEDURES FOR CONVERSION

#### ONSITE DEVELOPMENT RIGHT CONVERSION ASSOCIATED WITH A PROJECT

1. **TRPA Review:** If TRPA is reviewing the development project, the conversion of onsite development rights can be processed as a part of the project. The applicant will include a description of the proposed development right conversion in their project description, and complete and submit the Conversion Exchange Rates Worksheet. A separate Conversion of Development Rights application is not required.
2. **Local Jurisdiction review:** If a proposed project is being reviewed by the County or City pursuant to an adopted MOU, the conversion of development rights on the same site must be reviewed by the TRPA under a separate application. Please submit a Conversion of Development Rights application to TRPA.

#### DEVELOPMENT RIGHT CONVERSION ASSOCIATED WITH A TRANSFER

Conversion of Development Rights may be completed as part of a transfer. The applicant will complete and submit the Conversion Exchange Rates Worksheet included in the transfer application. A separate Conversion of Development Rights application is not required.

#### ONSITE DEVELOPMENT RIGHT CONVERSION NOT ASSOCIATED WITH A PROJECT

Banked development rights may be converted onsite and remain banked for use or transfer at a later time. Please submit a Conversion of Development Rights application to TRPA.

### IV. PROCESS FOR SUBMITTAL OF CONVERSION APPLICATION

**If, based on the information above, you have determined that you need to use the Conversion Application, follow the steps below. For conversions associated with a transfer or a development project, use the application associated with the specific project type.**

- Step 1:** Review the [TRPA Code of Ordinances](#). Section 51.4 of the TRPA Code includes all eligibility criteria, requirements, and parcel restrictions related to development right conversions.
- Step 2:** **Determine the land capability or IPES score.** If your land capability or IPES score has already been determined, you can find the information on the [parcel tracker](#) or with your local building department. Otherwise, apply for a [land capability verification](#) or [IPES](#) score.
- It's important to note that on-site conversions will be limited to existing development located on high capability lands unless the associated project includes the following environmental benefit: reduction in land coverage and no increase in vehicle trips, parking, cubic volume of structures, or adverse impacts as part of the project. (TRPA Code section 51.4.2.E.)
- Step 3:** **Verify and bank (if necessary) the development rights to be converted.** Only development verified by TRPA or held in allocation pools with TRPA or the local jurisdiction are eligible to be converted. For additional information on verifications of existing development, review the [TRPA Banking and Verification of Existing Land Coverage and Uses](#) application packet.
- Step 4:** **Check the property's title report to see if there are any bonds, assessments, back taxes, fees, or liens associated with the property.** The applicant must receive authorization to convert

development rights from all interested parties (e.g. parties or entities to whom the bond, assessment, back taxes, fees, or liens are owed).

**Step 5:** Complete the Conversion application and gather all required checklist items.

**Step 6:** Determine your [application fees](#)

**Step 7:** Submit your application(s) and required checklist items to TRPA

**Step 8:** Work with a Planner. Once your application is received it will be assigned to a planner for review.

**Step 9:** Receive your permit. If the project is approvable under section 51.4 and all required application materials are sufficient, the TRPA Planner will issue a permit and deed restriction (if applicable).



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www.trpa.org

# CONVERSION OF DEVELOPMENT RIGHTS APPLICATION FORM

**Applicant** \_\_\_\_\_

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

Zip Code \_\_\_\_\_ Email \_\_\_\_\_ Phone \_\_\_\_\_

**Representative or Agent** \_\_\_\_\_

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

Zip Code \_\_\_\_\_ Email \_\_\_\_\_ Phone \_\_\_\_\_

**Owner** \_\_\_\_\_  Same as Applicant

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

Zip Code \_\_\_\_\_ Email \_\_\_\_\_ Phone \_\_\_\_\_

**Project Location/Assessor's Parcel Number (APN)** \_\_\_\_\_

Street Address \_\_\_\_\_

County \_\_\_\_\_ Previous APN(s) \_\_\_\_\_

**Property restrictions, easements, bonds, assessments, back taxes, fees, or liens:**

None \_\_\_\_\_

I hereby declare under penalty of perjury that all property restrictions, easements, bonds, assessments, back taxes, fees, and liens have been fully disclosed. Initial here: \_\_\_\_\_

**Project-Description/Proposal:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## APPLICATION SIGNATURES

### DECLARATION:

I hereby declare under penalty of perjury that this application and all information submitted as part of this application is true and accurate to the best of my knowledge. I am the owner of the subject property or have been authorized in writing by the owner(s) of the subject property to represent this application, and I have obtained authorization to submit this application from any other necessary parties holding an interest in the subject property. I understand it is my obligation to obtain such authorization, and I further understand that TRPA accepts no responsibility for informing these parties or obtaining their authorization. I understand that should any information or representation submitted in connection with this application be inaccurate, erroneous, or incomplete, TRPA may rescind any approval or take other appropriate action. I hereby authorize TRPA to access the property for the purpose of site visits. I understand that additional information may be required by TRPA to review this project.

### Signature:

\_\_\_\_\_ At \_\_\_\_\_ Date: \_\_\_\_\_  
*Owner of sending parcel or Person Preparing Application County*

### AUTHORIZATION FOR REPRESENTATION:

Complete this section only if an agent or consultant is submitting this application on behalf of the property owner.

The following person(s) own the subject property (**Assessor's Parcel Number(s)** \_\_\_\_\_) or have sufficient interest therein (such as a power of attorney) to make application to TRPA:

### Print Sending Parcel Owner(s) Name(s):

\_\_\_\_\_  
I/We authorize \_\_\_\_\_ to act as my/our representative in connection with this application to TRPA for the subject property and agree to be bound by said representative. I understand that additional information may be required by TRPA beyond that submitted by my representative, to review this project. Any cancellation of this authorization shall not be effective until receipt of written notification of same by TRPA. I also understand that should any information or representation submitted in connection with this application be incorrect or untrue, TRPA may rescind any approval or take other appropriate action. I further accept that if this project is approved, I, as the permittee, will be held responsible for any and all permit conditions.

### Sending Parcel Owner(s) Signature(s):

\_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

### FOR OFFICE USE ONLY

File Number: \_\_\_\_\_  
Date Received: \_\_\_\_\_ Received By: \_\_\_\_\_  
Filing Fee: \$ \_\_\_\_\_ Receipt No.: \_\_\_\_\_

## APPLICATION CHECKLIST

The following section contains a checklist of all required items to be submitted with your application. Not all items will be applicable for all projects. TRPA planners may request additional information needed for review and approval. Incomplete applications or ineligible projects will be rejected which may cause delays in obtaining a permit.

### CONVERSION OF DEVELOPMENT RIGHTS

- Completed and signed application form.**
- Conversion exchange rate worksheet (attached).**
- Application [filing fee](#)**
- Detailed project description, including narrative history of use/activity on the parcel**
- Verified land capability or IPES score**
- Lot Book Guarantee or Title Report for the parcel, issued within 30 days of the date of conversion application submittal to TRPA (unless development rights are previously banked)**
- Photographs of existing development**
- [Change in operation worksheet](#) (if applicable)**
- One (1) copy of the existing and proposed site plan (minimum size 18" x 24") showing the following:**
  - Property lines, easements, building setbacks
  - Parcel size in square feet
  - Assessor's Parcel Number (APN) and property address
  - Property owner(s) name(s)
  - Map scale, north arrow
  - Verified land capability districts or IPES score
  - Location of development rights to be converted
- Existing and proposed floor plans**

## CONVERSION EXCHANGE RATES WORKSHEET

**Project Location/Assessor's Parcel Number (APN):** \_\_\_\_\_

Development rights may be converted pursuant to TRPA Code of Ordinances section 51.4 based on the following conversion exchange rates:

Existing Development Right	Equivalent Development Rights			
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	Existing Verified Development Rights	Proposed Development Rights	Resulting Fraction of Development Rights
Commercial Floor Area (CFA)			
Tourist Accommodation Units (TAU)			
Single Family Residential Units of Use (SF RUU)			
Multi-family Residential Units of Use (MF RUU)			

***Example:** Jane owns a property that has 3,500 sq.ft. of banked CFA and two single family RUUs verified as legally existing. She proposes to convert all development rights to multi-family RUUs.*

	Existing, Verified Development Rights	Proposed Development Rights	Resulting Fraction of Development Rights
Commercial Floor Area (CFA)	3,500 sq.ft		
Tourist Accommodation Units (TAUs)			
Single Family Residential Units of Use (SF RUU)	2		
Multi-family Residential Units of Use (MF RUU)		20	0.5

**300 sq.ft. of CFA: 1.5 MF RUUs = 3,500 sq.ft of CFA : 17.5 MF RUUs**

**1 SF RUU : 1.5 MF RUUs = 2 SF RUUs : 3 MF RUUs**