

Summary of December 12, 2012 TRPA Code Amendments

Updated February 11, 2013

***Note:** Code sections highlighted below may not be implemented until approval and adoption of the 208 Water Quality Management Plan by the U.S. EPA.

Code Section	Section Topic	Description
General Provisions: Chapters 1-6		
2.2.2	Governing Board Review	· The Governing Board must approve Area Plans and Project Appeals within Area Plans
2.2.5	Certified Contractor Program	· Reserved Section for certified contractor provisions (to be developed)
5.11	Applications	· Amendment to allow scanned/faxed signatures
6.5.8	Data for Account Files	· Amendment to identify the applicable Area Plan in account files
Planning: Chapters 10-16		
10.3.2	Official TRPA Maps	· Makes Plan Area Overlay Maps applicable to Area Plans
11.6.2	Land Use Classifications (Applies to Maps)	· Changes <i>Commercial and Public Service</i> designation to <i>Mixed-Use</i> · Recognizes <i>Wilderness</i> and <i>Backcountry</i> designations on Federal Lands · Establishes <i>Resort Recreation</i> designation for two sites
11.6.3	Special Designations (Applies to Maps)	· Eliminates <i>Redevelopment Areas</i> · Establishes Overlay designations for <i>Town Centers</i> , the <i>Regional Center</i> , the <i>High Density Tourist District</i> and <i>Stream Restoration Plan Areas</i> .
11.8.4.C	Addition of Multi Family Uses	· When establishing Multi Family as a permissible use, re-defines certain distance requirements from "a ten-minute walk" to "1/2 mile"
Deleted old Chap 13	Redevelopment Plans	· Deletes old Chapter 13 (Redevelopment Plans) and establishes new Area Plan provisions
13.1	Area Plans – Purpose	· Defines the purpose for Area Plans
13.2	Area Plans – Applicability	· Authorizes Local, State, Federal and Tribal Governments to prepare Area Plans
13.3	Area Plans – Relationship to Existing Regulations	· Requires that Area Plans be part of the Regional Plan, subject to the same requirements and relationship to the Compact · Establishes that TRPA Code provisions apply, except as

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		modified by a Conforming Area Plan.
13.4	Development of Area Plan	<ul style="list-style-type: none"> · Makes development of Area Plan optional · Requests eligible governments to provide Statements of Intent regarding Area Plan preparation by December 31, 2013 for consideration in 2014 TRPA work program
13.5	Content of Area Plans	<ul style="list-style-type: none"> · Minimum Development Standards (Height, Density, Coverage, Complete Streets) · Alternative Development Standards Authorized in Area Plans (Comprehensive Coverage, Alternative Parking, Area Wide Water Quality Treatments, Alternative Transfer Ratios for Stream Restoration Priority Areas) · Development Standards Encouraged in Area Plans (Urban Bear Strategy, Urban Forestry Strategies) · Community Design Standards (Site Design, Building Height, Building Design, Landscaping, Lighting, Signing, Modification to Center Boundaries, Development on Resort Recreation Parcels)
13.6	Conformity Review Procedures for Area Plans	<ul style="list-style-type: none"> · Requires sequential approval by Lead Agency then TRPA · Lists Conformance Findings and Additional Review Standards
13.7	Procedures for MOU	<ul style="list-style-type: none"> · Content of MOU · Limits on delegated permitting · MOU Review Process
13.8	Monitoring, Certification and Enforcement of Area Plans	<ul style="list-style-type: none"> · Establishes provisions to maintain and enforce compliance with the Regional Plan, including future amendments
13.9	Area Plan Appeals	<ul style="list-style-type: none"> · Establishes Appeal provisions for delegated Projects.
Land Uses: Chapters 20-23		
21.5.2	Non-Conforming Uses	<ul style="list-style-type: none"> · Area Plans and MOUs may address the modification of non-conforming uses (vs direct TRPA review). Approval standards remain unchanged.
Site Development: Chapters 30-39		
30.3.3	Land Capability Verifications	<ul style="list-style-type: none"> · Authorizes certified contractor program (program to be developed)
30.4.2	Transferred Land Coverage Requirements	<ul style="list-style-type: none"> · Modifies total allowable coverage limits in Centers and Community Plan Areas, as follows: · 50% of high capability within 300 feet of Tahoe

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		<p>(reduced for some situations)</p> <ul style="list-style-type: none"> 70% of high capability in Centers further than 300 feet from Tahoe (increased for some situations) Existing 50%/70% maintained in Community Plan areas further than 300 feet from Tahoe Allows non-conforming Coverage to be transferred to high capability land in centers, with limitations
30.4.3	Method of Transferring Land Coverage	<ul style="list-style-type: none"> Makes minor modifications to existing coverage transfer provisions, as follows: <ul style="list-style-type: none"> 1:1 from sensitive lands and for preferred uses, which now include Multi Family Sliding scale of coverage reduction maintained for other transfers Soft Coverage in SEZs may be restored and transferred to hard coverage in Centers. Note that HRA restriction remains for coverage transfers
30.4.6	Coverage Credits and Exemptions	<ul style="list-style-type: none"> Temporary Structures (up to 120 sf) ADA compliance facilities (minimum required) Pervious Coverage (25% credit) Pervious decks (sliding scale up to 750 sf or 5%) Non-motorized public trails (location and design standards) Qualifying standards (BMPs, etc) and aggregate limits apply
30.6.1	Excess Coverage Mitigation	<ul style="list-style-type: none"> Coverage mitigation permitted across HRA boundaries on more sensitive lands Mitigation fees may be used across HRAs
30.6.3	Excess Coverage Removal	<ul style="list-style-type: none"> Bonus Units earned for additional coverage removal (after required mitigation) Sliding scale based on Land Capability
31.5.2	Maximum Density for Mixed Uses	<ul style="list-style-type: none"> Applies multi-family density provisions to mixed-use subdivisions
32.4.2	Water Supply	<ul style="list-style-type: none"> Fire agencies to determine minimum water flow TRPA fire flow standards deleted
34.3.4	Width of Driveways	<ul style="list-style-type: none"> TRPA standard for single family driveways deleted (local and fire standards apply)
36.5.5	Bicycle and Pedestrian Facility Maintenance	<ul style="list-style-type: none"> Facility maintenance plans required bicycle and pedestrian improvements
37.4.1	Maximum Height	<ul style="list-style-type: none"> Existing Height Table remains applicable outside

Code Section	Section Topic	Description
	for Buildings	Centers
37.4.2	Maximum Height for Buildings on Slopes	· Established “stepped building” allowances for sloped sites
37.5.2.F	Additional Height for Public Service Buildings	· Permits up to 14 feet of additional height for essential public safety buildings
37.7.16 & 17	Findings for Additional Building Height	· Requires new findings for additional height in Centers
Growth Management: Chapters 50-53		
50.4	Allocation of Commodities (2013-2032)	<ul style="list-style-type: none"> · 2,600 new residential allocations · 600 new multi-family bonus units for Centers only · 200,000 sf new CFA: only released if existing supply is used · No new tourist units · Development released in 20% increments every 4 years only if VMT and LOS standards are not projected to be exceeded
50.5	Residential Allocations	<ul style="list-style-type: none"> · Up to 130 allocations released in 2013 (Reduced from 294/year) · Performance system maintained w/ proportional reductions and reporting aligned with TMDL · Performance System to be revisited before 2014
50.6	Allocation of CFA	<ul style="list-style-type: none"> · Relocation of existing accessory commercial uses to ground level is permitted (50.6.1.A) · No new distribution of CFA in 2013 (50.6.4.E)
50.10.2	Conversion to Multi Family Units	· New Program for on-site conversion of up to 200 TAUs to ERUs up to 1,250 sf
51.3.3	Transfer of Development Rights to Centers	· Establishes a sliding scale transfer ratio (up to 2.25:1) for transfers of development rights to Centers and sensitive land retirement
51.5.2	TAU Transfer Limitations	· Establishes new size limits (850-1,800 sf) and facility management requirements for TAU transfers
51.5.3	Transfer of Existing Development to Centers	· Establishes a sliding scale transfer ratio (up to 6:1) for transfers of existing development to Centers, with sensitive land restoration and retirement
52.2	Bonus Unit Applicability	· Authorizes Bonus Units for transfers to Centers and excess coverage removal
52.3.1	Assignment of	· Authorizes 600 new bonus units for use only in

Code Section	Section Topic	Description
	Multi Residential Bonus Units	Centers
Resource Management and Protection: Chapters 60-68		
60.1.3.C.4	Use of Treated Effluent	· Treated effluent may be used more widely for catastrophic fire protection
60.1.5	Deicer and Abrasive Control	· Deicer reporting requirements aligned with State (TMDL) reporting.
60.4.6	BMP Requirements	· BMPs must comply with defensible space requirements
60.4.8.B	BMPs in Special Circumstances	· Aligned with TMDL – shared facilities permitted consistent with load reduction requirements
61.1.4.A.7	Tree Removal	· Necessary tree removal is permitted for EIP projects without requiring an approved TRPA Master Plan
61.1.7.D	Fire Hazard Tree Removal	· Permits limited tree limbing for fire protection
62.4.1.A	Goshawk disturbance zones	· Redefines disturbance zones to be 500 acres of best suitable habitat, including ¼ mile radius
65.1.4.B.3	Wood Heater Retrofit Program	· Woodstove Disclosure not required for internal transfers or 1993 or newer stoves
65.1.6	Biofuel Facilities	· Applications not accepted for biofuel facilities pending further research
65.1.8	Idling Restrictions	· Establishes a Pilot Program for drive up pharmacy windows in South Lake Tahoe
65.2.3.F	Air Quality Mitigation	· Time criteria to be considered a previous use (and not subject to new fees) are extended from 90 consecutive days in 24 to 90 consecutive days in 60 months.
65.2.6	Use of AQ Mitigation Fees	· A portion of the mitigation fund may be used across jurisdiction boundaries for regional priorities – through EIP or similar program.
65.3	Bicycle and Pedestrian Facilities	· Establishes new requirements for sidewalk and trail easements on certain development sites
Shorezone: Chapters 80-86		
No Amendments		
Definitions: Chapter 90		
Chapter 90	Definitions	· Additional terms are defined consistent with earlier-referenced amendments
Note: This list is an overview of substantive regulatory changes. It does not include unchanged regulations or explain amendment details. Minor code edits (clarification of terms, cross references, etc) are not included in this summary.		

