

Chapter 22

HEIGHT STANDARDS

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22.0 Purpose: This chapter establishes height standards to ensure attractive and compatible development as required under Goal #2, Policy 1.B. of the Community Design Subelement, Land Use Element of the Goals and Policies.

22.1 Applicability: Except for structures located lakeward of high water, which are regulated under Chapters 50 through 56, inclusive, and signs, which are regulated under Chapter 26, all buildings and other structures shall comply with the standards set forth in this chapter.

22.2 Definitions: The following terms are defined as set forth:

22.2.A Maximum Height: The maximum height of a building is the difference between the point of lowest natural ground elevation along an exterior wall of the building, and the elevation of the coping of the highest flat roof, the deck line of the highest mansard roof or the ridge of the highest hip, gable, gambrel, shed or other pitched roof, whichever is highest. The maximum height of a structure other than a building is the difference between the point of lowest natural ground elevation along the exterior foundation of the structure and the elevation of the highest point of the structure.

22.2.B Natural Ground Elevation: The natural ground elevation is the elevation of the existing ground surface prior to any disturbance of the site resulting from construction of the proposed improvements.

22.2.C View Enhancement: View enhancement is the creation of a new view, or the addition to an existing view, of a view of the natural landscape, a view of Lake Tahoe, or a view of a major visual feature which is visible from a scenic threshold roadway travel route as identified in the 1982 Lake Tahoe Basin Scenic Resource Inventory. To qualify as a view enhancement for the purposes of gaining additional building height

under subsection 22.4.D, TRPA shall find that the view enhancement is of a mapped resource of one of the types identified above, that the view enhancement is provided in the same threshold roadway travel route as the project in which the building using the additional height is located, and, for views of the natural landscape and views of major visual features, that no building or structure greater than five feet in height is closer than one hundred feet from the viewpoint to the resource. For view enhancements of views of Lake Tahoe, no building or structure shall exist between the viewpoint and Lake Tahoe.

For the purposes of creating a view enhancement, TRPA shall find, in addition to the criteria set forth above, that the created view is available for a continuous distance of at least two hundred feet as seen from the threshold roadway travel route. For the purposes of enhancing an existing view, TRPA shall find in addition to the criteria set forth above, that the enhanced view is provided in the same general location as the existing view, is of the same resource as the existing view, and adds at least thirty percent to the existing view. TRPA shall specify the method used to evaluate view enhancements.

22.2.D Percent Cross Slope Retained Across Building Site: The percent cross slope shall be the gradient, in percent, of the terrain measured perpendicular to the contours through the middle of the building site. The building site shall include all that area counted as land coverage associated with each detached building. The cross slope shall be considered retained across the building site only if TRPA finds that the building complies with the limitations on excavation set forth in Section 64.7. Percentages of cross slope shall be rounded to the nearest even percentage.

22.3 Height Standards For Buildings: Except as provided for in Section 22.4, no building shall have a maximum height greater than set forth in Table A. Chimneys, flues, vents, antennas, and similar appurtenances, may be erected to a height ten per cent greater than the otherwise permissible maximum height of a building, or a height of six feet, whichever is less. One flagpole per building may be permitted as an appurtenant structure, not to exceed 15 percent of the otherwise permissible maximum height, or 30 feet, whichever is less, provided that:

(1) the flagpole shall be constructed of dark colors and shall not have a shiny reflective finish, and (2) the flagpole shall be used for non-commercial displays only. For purposes of this section, structures referenced in Article VI(e) of the Compact shall be deemed to comply with site development provisions related to height.

(2) Example:

Percent slope retained across building site = 16%

Proposed roof pitch = 10:12

Maximum height = 40' 0"

22.3.A Required Findings: Building heights, up to the maximums set forth in Table A, may be approved in accordance with Table A if the project is in compliance with the standards in Section 30.12 and TRPA makes the following findings as required for additional height:

- (1) Additional Height: Maximum building heights greater than 26 feet shall be considered additional height. Additional height, up to the maximums set forth in Table A for a roof pitch of 5:12, may be approved in accordance with Table A if TRPA makes finding (1) as set forth in Section 22.7. Maximum building heights greater than set forth in Table A for a roof pitch of 5:12 may be approved in accordance with Table A for residential buildings if TRPA makes findings (1), (2), and (8) as set forth in Section 22.7 and for other buildings if TRPA makes findings (1), (2), (3), and (8) as set forth in Section 22.7. If, in any case, the TRPA is unable to make the required findings, maximum building height shall be limited to that height for which the required findings can be made.

22.4 Additional Height For Certain Buildings: TRPA may approve building heights greater than those set forth in Section 22.3 in accordance with the following provisions and if TRPA makes the specified findings.

22.4.A Additional Height For Public Service, Tourist Accommodation, and Certain Recreation Buildings: TRPA may approve building heights greater than those set forth in Section 22.3 for buildings whose primary use is public service, tourist accommodation, certain recreation uses which include[§] downhill ski facilities, cross county skiing facilities or whose primary recreation use is participant sports facilities, recreation centers, or sport assembly as follows:

- (1) Additional Height With Required Findings: The maximum heights specified in Table A may be increased by up to four feet, but not to exceed a maximum height of 38 feet, if TRPA makes the following findings in Section 22.7: findings (1), (2), and (3) for tourist accommodation buildings; findings (1), (3), and (2) or (4) for public service buildings; and findings (1), (2), (3), (4), and (7) for the recreation uses identified in 22.4.A; and[§]
- (2) Additional Height For Reduced Land Coverage: The maximum heights specified in Table A may be increased for reductions in the amount of land coverage otherwise permitted within a project area pursuant to Chapter 20. The maximum heights may be increased by one foot for each onsite reduction in land coverage equal to five percent of the base allowable coverage, or existing land coverage, whichever is greater, up to a limit of four additional feet, but not to exceed a maximum height of 42 feet, if TRPA makes findings (1), (2), (3) and (5) as set forth in Section 22.7; and[§]
- (3) Additional Height For Public Service and Certain Recreation^{§§} Buildings Which Are Not Visible From Lake Tahoe and Which Are Not Located Within Or Are Not Visible From Designated Scenic Highway Corridors: The maximum heights specified in Table A may be increased by up to eight feet, but not to exceed a maximum of 42 feet, if the building will not be visible from Lake Tahoe and the building is not located within a TRPA designated

[§] Amended 10/22/03

^{§§} Amended 3/28/01

Scenic Highway Corridor pursuant to Chapter 30, provided TRPA makes findings (1), (3), (4), (7), and (8) as set forth in Section 22.7. An additional two feet, not to exceed a maximum of 42 feet, may be earned if the building meets the criteria and findings set forth above and is not visible from a TRPA designated Scenic Highway Corridor pursuant to Chapter 30; or[§]

(4) Additional Height For Certain Recreation Buildings Within Adopted Ski Area Master Plans:[§] The maximum heights specified in Table A may be increased if the buildings are identified in an adopted ski area master plan and the buildings are not visible from Lake Tahoe and which are not located within or are not visible from designated scenic highway corridors and designated bikeways and recreation sites identified in the Lake Tahoe Scenic Resource Evaluation, and provided TRPA makes findings (1), (3), (4), (7), and (8) as set forth in Section 22.7. Additional height shall be calculated as follows:

(a) The maximum height in Table A may be increased by up to 14 feet, but not to exceed a total building height of 56 feet, provided that the project proponent demonstrates that expected snow depths in the area of the building site make the additional height necessary for the function of the building. The amount of additional height shall not exceed the 10-year average snow depth as reported by the National Resource Conservation Service (NRCS) for that area or as reported by the applicant using a similar method as the NRCS.

(b) An additional 10 feet, not to exceed a total building height of 56 feet, may be earned if the project proponent demonstrates additional height is needed to maintain roof pitch in excess of 4:12^{§§}; or

(5) Additional Height For Public Service Buildings:[§] The maximum heights specified in Table A may be increased if the buildings are classified as Schools or Regional Public Health and Safety Facilities – Solid Waste Transfer Stations which TRPA finds to be regionally serving,^{§§§} pursuant to Chapter 18 and the buildings are not visible from Lake Tahoe and which are not located within or are not visible from designated scenic highway corridors and designated Class I or II ^{§§§} bikeways and recreations sites identified in the Lake Tahoe Scenic Resource Evaluation, and provided TRPA makes findings (1), (3), (4), (7), (8), and (10) as set forth in Section 22.7. Additional height shall be calculated as follows:

(a) The maximum height in Table A may be increased by up to 14 feet, but not to exceed a total building height of 56 feet, provided that the project proponent demonstrates that the

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^{§§} Amended 12/16/98
^{§§§} Amended 12/21/05

additional height is necessary for the proper function of the building.

- (b) Additional height beyond that set forth in (a)[§] above may be earned up to a maximum total building height of 56 feet, provided that the new structure incorporates community design features such as pitched roofs, articulated facades, articulated roof planes and the use of earthtone colors consistent with the Design Review Guidelines

22.4.B Additional Height For Tourist Accommodation Buildings Within Community Plan Areas: In addition to the provisions set forth in Subsection 22.4.A, TRPA may approve building heights greater than those set forth in Section 22.3 for buildings whose primary use is tourist accommodation, and which are located within an approved community plan as set forth in Chapter 14. The maximum heights specified in Table A may be increased up to a maximum height of 48 feet in accordance with the following provisions, if TRPA makes the findings required in Subparagraph (4) of this subsection.

- (1) Additional Height For View Corridor: Nine additional feet, up to a 12 foot increase in the maximum heights set forth in Table A, may be approved by TRPA for each 100 foot wide view corridor, or increments thereof in excess of 100 feet, provided as part of a tourist accommodation project. A view corridor, for purposes of this chapter, is defined as a view of Lake Tahoe from a major arterial which is unimpeded by buildings or other structures.
- (2) Additional Height For Increased Setback: Nine additional feet, up to a 12 foot increase in the maximum heights set forth in Table A, may be approved by TRPA for each 100 feet, or increments thereof in excess of 100 feet, of permanent set back from the high water line of Lake Tahoe, provided as part of a project in addition to the otherwise required setback.
- (3) Additional Height For Public Access: Nine additional feet, up to a 12 foot increase in maximum heights set forth in Table A, may be approved by TRPA for each 50 foot wide by 200 foot long area, or increments thereof in excess of 50 feet by 200 feet, of public access provided along the shoreline of Lake Tahoe as part of a tourist accommodation project.
- (4) Required Findings: Additional height may be approved under the provisions of Subparagraphs (1), (2), or (3) of this subsection, if TRPA makes findings (1), (2), (3), and (6) as set forth in Section 22.7.

22.4.C Additional Height For Redevelopment Projects Within The City Of South Lake Tahoe: Additional height for redevelopment projects within the City of South Lake Tahoe is set forth in Chapter 15.

22.4.D Additional Height for Special Height Districts: TRPA may designate

[§] Amended 12/21/05

special height districts as specified below. These special height districts shall be limited to areas which are within both a TRPA adopted re development plan and a TRPA adopted community plan. The boundaries of the special height districts and special standards for the district shall be included in the applicable redevelopment plan.

- (1) Findings for Special Height Districts: Special height districts may be specified in adopted re development plans if TRPA makes the following findings:
 - (a) The area is within 2300 feet of the center point of three or more buildings exceeding the height of 150 feet.
 - (b) The special height district provides a transition of height from the high-rise area to the surrounding area of lower permissible heights.
 - (c) The projects within the special height district utilize transit/pedestrian oriented development principles including, but not limited to, major transit facilities, side walks, limited parking, mixed uses, high densities, use of alleys and pedestrian oriented commercial opportunities.
 - (d) The special height district is consistent with the Policy 1.B, Goal 2, Community Design Subelement, Land Use Element, of the TRPA Goals and Policies Plan and the TRPA Scenic Quality Improvement Program.
- (2) Findings for Establishing Maximum Allowable Heights Within Special Height Districts: In order to establish maximum allowable heights within special height districts, TRPA shall make the following findings:
 - (a) The maximum height within a special height district is limited to 73 feet or three-fourths of the maximum height of the tallest trees within the special height district, whichever is lower. TRPA shall determine the height of the tallest trees within a special height district.
 - (b) Prior to approving additional height for a project within a special height district TRPA shall make Findings (1), (3), (5) (6) and (9) of Section 22.7.
- (3) Limitations on Height within the South Lake Tahoe Redevelopment Demonstration Plan Special Height District: In addition to the standards and limitations established above, the following additional limitations apply to the Special Height District as set forth in Section 1.11 of the South Lake Tahoe Redevelopment Plan Area Development Standards.
 - (a) Projects approved as part of the South Lake Tahoe Redevelopment Demonstration Project No. 1 are subject to Chapter 15 and shall not be eligible for additional height under the provisions of this subsection.
 - (b) Maximum heights for buildings which are eligible to gain the

additional height are established in Figure 1.1 of the South Lake Tahoe Redevelopment Demonstration Plan Redevelopment Plan Area Development Standards. Additional height for buildings located adjacent to U.S. 50 may not be used for a total linear distance of more than five hundred feet on each side of the street.

- (c) The additional height is limited to buildings in which the primary use is tourist accommodation, transit stations and terminals, or vehicle storage and parking. These buildings may also contain primary commercial uses provided that commercial uses other than vehicle parking and storage may not occupy more than 50% of the building's commercial floor area. Vehicle storage and parking buildings which use additional building height and which are located on the Lake Tahoe side of U.S. 50 must be set back a minimum of one hundred feet from the edge of the U.S. 50 right of way and must not provide vehicle access directly off of U.S. 50.
- (4) Qualification for Additional Height: Eligible buildings in special height districts may earn additional height greater than that permitted in Table A pursuant to the criteria listed below. The additional heights permissible below are additive within the limitations of this subsection. Additional height which is earned under this subsection may be applied to eligible uses throughout the project area. The additional height may be permissible if TRPA makes findings (1), (3), (5), (6) and (9) of Section 22.7.
- (a) Additional Height with Required Findings: The maximum heights specified in Table A may be increased by up to four feet, but not to exceed a maximum height of 38 feet, if TRPA makes the additional finding (7) in Section 22.7.
 - (b) Additional Height for Reduced Land Coverage: The maximum heights specified in Table A may be increased for reductions in the amount of land coverage otherwise permitted within a project area pursuant to Chapter 20. The maximum heights shall be increased by one foot for each onsite reduction in land coverage equal to five percent of the base allowable coverage, or existing land cover age, whichever is greater, up to eight additional feet, but not to exceed a maximum height of 46 feet.
 - (c) Addition Height for View Enhancement: The maximum heights specified in Table A may be increased three additional feet for each view enhancement provided, up to a maximum increase of nine additional feet. View enhancement for purposes of this subsection is defined in Section 22.2.
 - (d) Additional Height for Increased Setback: The maximum heights specified in Table A may be increased a maximum of ten additional feet when a 50 foot deep by 200 foot long area of open setback is provided for the portion of the building receiving the additional height, in excess of the

legally required setback from the edge of the right-of-way of a major arterial.

(e) Additional Height for Landscaped Public Pedestrian Area:
The maximum heights specified in Table A may be increased for provision of landscaped public pedestrian areas, including all required amenities established in the applicable community plan, as follows:

i An additional increase in maximum heights specified in Table A, not to exceed a maximum of fifteen additional feet may be permitted as follows. A maximum of ten additional feet for provision of a landscaped public pedestrian area along or through the special height district located on the mountain side of U.S. 50 which is at least thirty feet wide by 1800 feet long.

A maximum of five additional feet may be permitted at the rate of one foot of additional height for each additional thirty foot wide by 180 foot long landscaped public pedestrian area provided.

ii An additional increase in maximum heights specified in Table A, not to exceed a maximum of fifteen additional feet may be permitted as follows. A maximum of ten additional feet for provision of a landscaped public pedestrian area along U.S. 50 in or adjacent to the special height district located on the Lake Tahoe side of U.S. 50 which is at least ten feet wide by 1200 feet long. A maximum of five additional feet may be permitted at the rate of one foot of additional height for each additional ten foot wide by 120 foot long landscaped public pedestrian area provided.

iii An additional increase in maximum heights specified in Table A, not to exceed a maximum of five additional feet, for each 10,000 square feet of public plaza or outdoor space provided in the project area within which the additional building height is used.

(f) Additional Height for Public Access to Lake Tahoe:
Additional height for public access to Lake Tahoe may be permitted as follows:

i The maximum heights specified in Table A, may be increased a maximum of ten additional feet, for each one acre of public beach provided. The beach must contain at least 200 feet of continuous lake frontage on Lake Tahoe, and shall be located within one half mile from the height district. The beach shall be open to the public and contain restrooms, picnic tables, and other amenities. TRPA shall ensure, through deed restrictions, conveyance to a public agency, or other appropriate means, that the beach remains open to the public.

ii The maximum heights specified in Table A may be

increased a maximum of four additional feet, for providing a lake access trail described in a community plan.

- (g) Additional Height for Tree Preservation: The maximum heights specified in Table A may be increased a maximum of ten additional feet for the preservation and protection of 30 existing trees or 90 percent of the existing trees, whichever is greater, within the project area. To qualify, the trees to be preserved must be twelve inches diameter at breast height (dbh) or greater, and must be found by TRPA to provide screening benefits to the building or buildings using the additional height.
- (5) Security for Improvements: Projects which utilize any of the additional height provisions provided in subsections 22.4.D and 22.4 E and shall ensure the public benefit(s) for which the additional height was earned is implemented consistent with the following provisions.[§]
 - (a) Project Approval: TRPA shall require, as a condition of approval, of any project which relies on the use of an additional height provision provided in subsections 22.4.D and 22.4 E and, that all necessary permits for development of the associated public benefit be issued prior to commencement of construction of the project utilizing the additional height.^{§§}
 - (b) Project Funding: Prior to the commencement of construction of any project which relies on the use of an additional height provision provided in subsections 22.4.D, and 22.4 E; the project applicant shall demonstrate, and TRPA shall find, for each project, that irrevocable commitments to fund the public benefit for which the additional height was earned, have been obtained or secured. §§
 - (c) Project Completion: For each irrevocable commitment, the project applicant shall demonstrate, and TRPA shall find, sufficient evidence of intent and ability to complete development of the public benefit for which the additional height was earned.

22.4 E Additional Height for Affordable Housing Projects: The maximum height specified in table A 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 A 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 finds that.^{§§§}

§ Amended 1/20/10

§§ Amended 1/20/10

§§§ Amended 1/20/10

- (1) The project meets the findings set forth in Section 22.7(1), (3), (6), (8), and (9).
- (2) The additional height is required because of the increase in density permitted by Subsection 21.3.B.
- (3) The project meets the Kings Beach Commercial Community Plan Improvement requirements and special policies of the Special Area; and
- (4) The project meets the security requirements of Subparagraph 22.4.D(5) above.

22.4.F Additional Height for Special Projects within the North Stateline Community Plan:[§]

TRPA may designate additional height for special projects that are located within the TRPA approved North Stateline Community Plan, and are designated through Resolution 2008-11 to be Special Projects pursuant to TRPA Code Subsection 33.3.D(3) as specified below.

The maximum height is 75 feet or three-fourths of the maximum height of the tallest trees within the project area, whichever is lower. TRPA shall determine the height of the tallest trees within the project area based on a tree survey provided by the applicant.

The area proposed for additional height is located on the mountain side of State Route 28 within the North Stateline Community Plan boundary. Additional height available under this Code Section will not be available on the lake side of SR 28.

- (1) Findings for additional height: Additional height may be specified within the North Stateline Community Plan subject to the following requirements:
 - (a) Any existing buildings within the project area that have non-conforming height prior to the adoption of this ordinance shall be demolished; except when found to be historically significant and then the provisions of TRPA Code Chapter 29 shall prevail.
 - (b) Land coverage otherwise permissible within the project area pursuant to the Regional Plan shall be reduced by a minimum of 10 percent.
 - (c) In order to implement pedestrian/transit oriented development (PTOD), the project shall, at a minimum:
 - i. Satisfy the factors outlined in sub-sections (a-e) in TRPA Code Section 13.7.D (3); and
 - ii. Include and integrate major transit facilities, sidewalks, bike lanes and associated facilities; and
 - iii. Provide circulation connections and linkages between

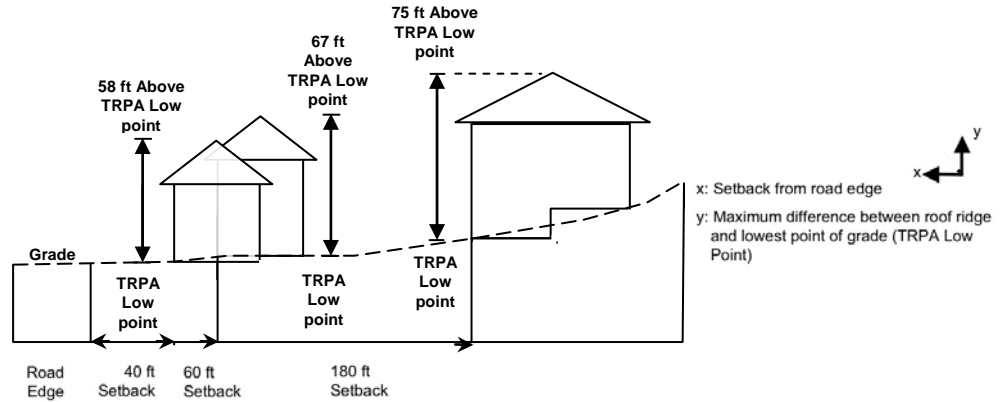
[§] Amended 4/27/2011 New Section

private open spaces, public spaces and recreational opportunities (for example, streetscapes, alleys, easements, parks) and commercial, residential, tourist uses both on and off-site; and

- iv. Provide alternative parking strategies (which may include shared parking, parking structures, underground parking); and
 - v. Be a mixed use development; and
 - vi. Orient building facades to the street; and
 - vii. Implement landscaping and hardscaping that enhances the scenic quality of the area and whenever possible, improves the scenic ratings per the adopted Scenic Quality Implementation Program and Technical Appendices (SQIP). This shall include improvements that:
 - (a) blend vegetation to accentuate and provide visual breaks in building façades and rooflines, for example, with the use of low lying shrubs and various sized trees; and
 - (b) enhance and emphasize pedestrian circulation routes with special design features that physically separate pedestrians from the flow of traffic or bike lanes, or provide direction. Features may include, garden beds, landscape planters, bollards, benches, sculpture/artistic elements, and/or other street furniture; and
 - (c) provide appropriate screening for any street level parking areas by balancing the need to screen vehicles from view and provide a safe pedestrian environment.
- (d) New structures along State Route 28 shall be set back from the travel route edge of pavement a minimum of 40 feet and stair-stepped upslope, providing a transition of height across the site (See Figure 22.1). Additional height for new structures satisfying these requirements may be permitted as follows:
- i. The maximum permissible height for structures with a minimum set back of 40 feet from the State Route 28 edge of pavement is 58 feet.
 - ii. The maximum permissible height for structures with a minimum set back of 60 feet from the State Route 28 edge of pavement is 67 feet.

- iii. The maximum permissible height for structures with a minimum set back of 180 feet from the State Route 28 edge of pavement is 75 feet.

Figure 22.1



- (e) The project shall result in an increase in the scenic threshold travel route rating for Roadway Unit 20D, North Stateline Core.
 - (f) The project shall retain and treat the 50-year one-hour storm utilizing on-site and offsite systems incorporating best available technologies.
 - (g) The project shall implement TRPA designated EIP Projects within the NSCP.
 - (h) The project shall achieve a reduction in vehicle miles traveled.
 - (i) Prior to approving additional height, TRPA shall make Findings (1), (3), (6), (8) and (9) of TRPA Code Section 22.7.
- (2) Security for Improvements: The project shall ensure the public benefit(s) set forth in TRPA Code Subsection **22.4.F(1)(f), (g), and (h)** are implemented consistent with the following provisions:
- (a) Project Approval. TRPA shall require, as a condition of approval, of any project which relies on the use of an additional height provision provided in TRPA Code Subsection 22.4.F that all necessary permits for development of the public benefits set forth in TRPA Code Subsection **22.4.F(1)(f), (g), and (h)** be issued prior to commencement of construction of the project utilizing the additional height.
 - (b) Project Funding. Prior to the commencement of construction of any project which relies on the use of an additional height provision provided in TRPA Code Subsection 22.4.F, the project applicant shall demonstrate, and TRPA shall find, for each project, that irrevocable commitments to fund the public benefit set forth in TRPA Code

Subsection 22.4.F(1)(f), (g) and (h) have been obtained or secured.

- (c) Project Completion. For each irrevocable commitment, the project applicant shall demonstrate, and TRPA shall find, sufficient evidence of intent and ability to complete development of the public benefit set forth in TRPA Code Subsection 22.4.F(1)(f), (g) and (h).

22.5 Height Standards For Structures Other Than Buildings: Except as provided for in Section 22.6, no structure, other than a building, shall have a maximum height greater than 26 feet.

22.6 Additional Height For Certain Structures: The maximum height specified in Section 22.5 may be increased for communication towers, antennas, utility poles, special features of public safety facilities, ski lift towers, and other similar projects, excluding buildings and signs, up to the minimum height necessary to feasibly implement such projects. Additional height may be approved under the provisions of this section if TRPA makes findings (4) and (7) as set forth in Section 22.7.

22.7 List Of Findings: The findings required in this chapter are as follows:

- (1)[§] When viewed from major arterials, scenic turnouts, public recreation areas or the waters of Lake Tahoe, from a distance of 300 feet, the additional height will not cause a building to extend above the forest canopy, when present, or a ridgeline. For height greater than that set forth in Table A for a 5:12 pitch, the additional height shall not increase the visual magnitude beyond that permitted for structures in the shoreland as set forth in Section 30.15.G, Additional Visual Magnitude, or Appendix H^{§§}, Visual Assessment Tool, of the Design Review Guidelines.
- (2) When outside a community plan, the additional height is consistent with the surrounding uses.
- (3) With respect to that portion of the building which is permitted the additional height, the building has been designed to minimize interference with existing views within the area to the extent practicable.
- (4) The function of the structure requires a greater maximum height than otherwise provided for in this chapter.
- (5) That portion of the building which is permitted the additional height, is adequately screened, as seen from major arterials, the waters of lakes, and other public areas from which the building is frequently viewed. In determining the adequacy of screening, consideration shall be given to the degree to which a combination of the following features causes the building to blend or merge with the background.
 - (a) The horizontal distance from which the building is viewed;

[§] Amended 11/20/02

^{§§} Amended 1/20/10

^{§§} Amended 1/22/03

- (b) The extent of screening; and
 - (c) Proposed exterior colors and building materials.
- (6) The building is located within an approved community plan, which identifies the project area as being suit able for the additional height being proposed.
 - (7) The additional height is the minimum necessary to feasibly implement the project and there are no feasible alternatives requiring less additional height.
 - (8) The maximum height at any corner of two exterior walls of the building is not greater than 90 percent of the maximum building height. The maximum height at the corner of two exterior walls is the difference between the point of lowest natural ground elevation along an exterior wall of the building, and point at which the corner of the same exterior wall meets the roof. This standard shall not apply to an architectural feature described as a prow.
 - (9) When viewed from a TRPA scenic threshold travel route, the additional height granted a building or structure shall not result in the net loss of views to a scenic resource identified in the 1982 Lake Tahoe Basin Scenic Resource Inventory. TRPA shall specify the method used to evaluate potential view loss.
 - (10) The building is no more than two stories in height.[§]
- 22.8 Existing Buildings And Structures: When a building or structure is being reconstructed or, whenever feasible when being modified, the building or structure shall comply with the height standards set forth in this chapter. Provisions of Chapter 4 regarding structures destroyed by calamity set forth exceptions to this section.
- 22.9 Additions to Existing Buildings: When an addition is proposed to an existing building which results in height greater than that permitted by Table A, the height of the addition may be calculated in accordance with Subsections 22.9.A and B, below. The height provisions of Section 22.9 may be utilized one-time only within a project area. A subsequent project in the same project area shall calculate height from the original low point. Projects using this Section are not eligible to apply under the Exempt or Qualified Exempt provisions of Chapter 4 of the Code.
- 22.9.A For Additions At Or Above the Low Point of An Existing Building, the height of the addition may be calculated as if the addition is a separate structure if findings (1) through (5) of Subsection 22.9.C. can be made. The height of the addition shall not exceed the maximum height permitted by Table A.
- 22.9.B For Additions Below The Low Point of An Existing Building, the height of the addition may be calculated as if the addition is a separate structure if findings (1) through (5) of Subsection 22.9.C can be made. The maximum height shall not exceed the maximum height permitted by Table A, less the difference between the existing and proposed low points of the structure.

[§] Amended 10/22/03

22.9.C Findings: The following is a list of findings applicable to this Section:

- (1) Findings (1), (2) and (8) as set forth in Subsection 22.7;
- (2) The addition is not visible from a TRPA-designated scenic threshold travel route, the waters of Lake Tahoe, a public recreation area, or a bicycle trail contained in the 1993 Lake Tahoe Basin Scenic Resource Evaluation;
- (3) The existing use is a permissible use in the plan area statement or community plan;
- (4) The existing building was legally existing prior to May 26, 1996;
and
- (5) The addition is no more than one story.

TABLE A
MAXIMUM HEIGHTS FOR BUILDINGS

Percent Slope Retained Across Building Site	ROOF PITCH										
	0:12	1:12	2:12	3:12	4:12	5:12	6:12	7:12	8:12	9:12	10:12 or >
0	24'-0"	25'-2"	26'-5"	27'-7"	28'-9"	30'-0"	31'-2"	32'-5"	33'-7"	34'-9"	36'-0"
2	24'-6"	25'-8"	26'-11"	28'-1"	29'-3"	30'-6"	31'-8"	32'-11"	34'-1"	35'-3"	36'-6"
4	25'-0"	26'-2"	27'-5"	28'-7"	29'-9"	31'-0"	32'-2"	33'-5"	34'-7"	35'-9"	37'-0"
6	25'-6"	26'-8"	27'-11"	29'-1"	30'-3"	31'-6"	32'-8"	33'-11"	35'-1"	36'-3"	37'-6"
8	26'-0"	27'-2"	28'-5"	29'-7"	30'-9"	32'-0"	33'-2"	34'-5"	35'-7"	36'-9"	38'-0"
10	26'-6"	27'-8"	28'-11"	30'-1"	31'-3"	32'-6"	33'-8"	34'-11"	36'-1"	37'-3"	38'-6"
12	27'-0"	28'-2"	29'-5"	30'-7"	31'-9"	33'-0"	34'-2"	35'-5"	36'-7"	37'-9"	39'-0"
14	27'-6"	28'-8"	29'-11"	31'-1"	32'-3"	33'-6"	34'-8"	35'-11"	37'-1"	38'-3"	39'-6"
16	28'-0"	29'-2"	30'-5"	31'-7"	32'-9"	34'-0"	35'-2"	36'-5"	37'-7"	38'-9"	40'-0"
18	28'-6"	29'-8"	30'-11"	32'-1"	33'-3"	34'-6"	35'-8"	36'-11"	38'-1"	39'-3"	40'-6"
20	29'-0"	30'-2"	31'-5"	32'-7"	33'-9"	35'-0"	36'-2"	37'-5"	38'-7"	39'-9"	41'-0"
22	29'-6"	30'-8"	31'-11"	33'-1"	34'-3"	35'-6"	36'-8"	37'-11"	39'-1"	40'-3"	41'-6"
24 or >	30'-0"	31'-2"	32'-5"	33'-7"	34'-9"	36'-0"	37'-2"	38'-5"	39'-7"	40'-9"	42'-0"

