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LAND COVERAGE EXEMPTIONS INFORMATION PACKET

I. OVERVIEW

Land coverage is an essential element of the Tahoe Regional Planning Agency's (TRPA) plan to protect and restore the clarity of Lake Tahoe. Permanent land disturbance is most commonly measured in terms of square feet of pervious and impervious surfaces, also called land coverage. It includes all human-made structures such as homes, driveways, and parking lots as well as areas of compacted soil created by human use and site improvements.

Each property is allowed a certain amount of land coverage depending on the land capability, or suitability of the property for development, and location. Some properties located in recognized town centers may be eligible for higher amounts of land coverage to encourage walkable, thriving community cores.

To encourage environmentally friendly development, TRPA Code of Ordinances section 30.4.6 includes full or partial exemptions for certain types of structures or improvements from the allowable land coverage calculation. This packet explains what those exemptions are and how to apply for those.

For more information on land capability or coverage, see TRPA's Land Coverage webpage. For the definition of land coverage, see TRPA Code of Ordinances Chapter 90.

For any questions regarding information within this packet, please call 775-589-5333 or email TRPA@trpa.gov to speak with a permitting technician.

II. CONSIDERATIONS FOR COVERAGE EXEMPTIONS

FULL COVERAGE EXEMPTIONS

For the definition of land coverage, see TRPA Code of Ordinances Chapter 90. Certain structures or improvements are fully exempt from coverage calculations **(i.e. do not count as coverage)**.

- ✓ **Defensible Space:** Gravel or similar pervious, non-flammable groundcover that is used for defensible space within five feet of a structure.
- ✓ **Small Foundations:** Post foundations and walls less than 12 inches at ground level. Total aggregate amount can not exceed 1% of the project area. (*Example:* A 6,000 square foot lot could only exempt up to 60 square feet under this provision.)
- ✓ **Bear Boxes:** Bear boxes that are three feet or less in depth and elevated six inches off the ground on a mono-pole.

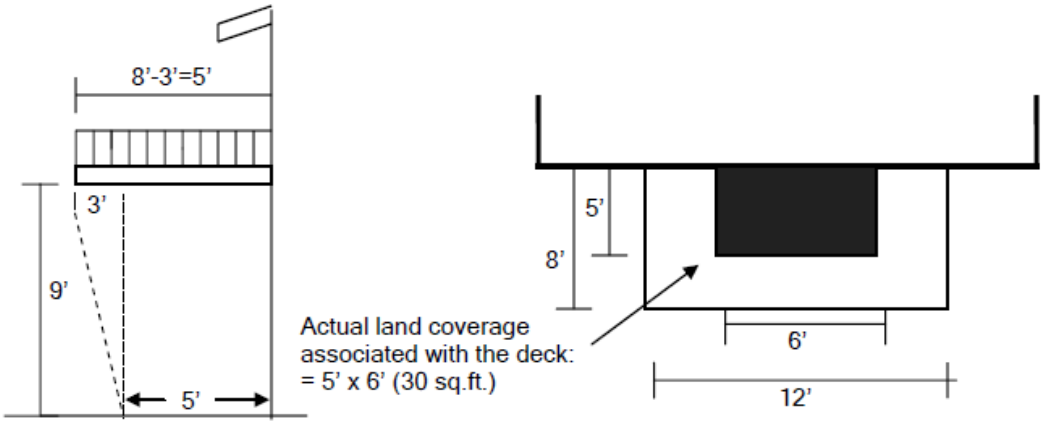
- ✓ **Utility Installations (six sq.ft.):** Utility improvement including boxes, vaults, and poles required for utility services that are surrounded by pervious surfaces and are less than six square feet in size. Utility improvements larger than six square feet may be eligible for partial exemptions (see below) or would need to be included in coverage calculations. This provision does not include generators and HVAC installations.

- ✓ **BMPs:** Stormwater infrastructure required by TRPA, or Best Management Practices (BMPs).

- ✓ **Landscaping Rocks:** Natural rocks for landscaping or slope retention, not including walkway or gathering areas. Please refer to the Lake Tahoe Home Landscaping Guide for appropriate landscaping treatments.

- ✓ **ADA Access:** Building access ramps and other facilities (not including parking) necessary to comply with the Americans with Disability Act (ADA). Not appliable for single family dwellings or multi-family complexes of less than three units. See TRPA Code of Ordinances section 30.4.6.C for additional information.

- ✓ **Overhangs:** Elevated decks or overhangs greater than one foot above the ground on existing or proposed structures. For site improvements that are high enough to expose a portion of the ground underneath to sun, snow, and rain. The portion of exposure does not need to be counted in your coverage calculation. The coverage reduction is calculated using a 3:1 ratio – meaning for every three feet above ground (measured from bottom of structure) the one foot of horizontal overhang dimension may be excluded from coverage calculations. See illustration below:



PARTIAL COVERAGE EXEMPTIONS

Partial coverage exemptions are allowances for structures or site improvements that create minimal impact on the environment. These should be included on any proposed site plans and coverage calculation tables (with amount exemption specified) if they exist.

Eligibility criteria for partial coverage exemptions:

- ✓ Structures or objects must have no permanent foundation and no sanitary service.
- ✓ The land capability and existing land coverage must be verified. Visit the Parcel Tracker and use the location address to determine what records are available relating to your property. If land capability and coverage has not been verified, you will need to apply for a verification.
- ✓ All coverage exemptions must be located on non-sensitive land. (Land Capability Classes 4, 5, 6, and 7, or IPES scores 726 or higher) Visit the Parcel Tracker and use the location address to determine land capability or IPES score.
- ✓ Any legally-existing excess coverage must be fully mitigated either through payment of mitigation fees as part of a permit or by permanent removal of the excess land coverage. This criteria can be significant and important to consider. See excess coverage mitigation fee worksheet.
- ✓ Any land coverage that was determined to be illegally-existing must be removed before applying for coverage exemptions.
- ✓ All permanent Best Management Practices (BMPs) must be installed and maintained. If BMPs have not been installed on your property, you will need to do this as part of the project and receive a certificate of completion.
- ✓ Exemptions cannot be applied to structures or facilities used for the access, parking, or storage of motorized vehicles.
- ✓ The maximum amount of coverage exemptions or credits in combination may not exceed 10 percent of the non-sensitive lands within the parcel or project area. Visit the Parcel Tracker and use the location address to determine the area of non-sensitive land.
- ✓ See the worksheet included in this packet to help determine the amount of coverage exemptions available for your property.

III. PARTIAL COVERAGE EXEMPTIONS BY TYPE

NON-PERMANENT STRUCTURES & UTILITY INSTALLATIONS

Up to 120 square feet of land coverage underlying non-permanent structures and small utility installations are exempt from the calculation of land coverage.

- **Non-Permanent Structures:** Emergency power generators, hot tubs, sheds, greenhouses, and similar improvements
- **Utility Installations:** Emergency power generators, HVAC installations, electric vehicle chargers, active solar energy systems, other utility installations (utility boxes, vaults, and poles)

Eligibility criteria for non-permanent structures and utility installations:

- *See all criteria for partial coverage exemptions in Section II above.*
- ONLY up to 30 square feet of eligible utility installations can be applied towards partial coverage exemptions. This amount would be included as part of the overall 120 square feet allowed for non-permanents structures, not in addition to.
- Emergency power generators are eligible as a partial coverage exemptions if meeting all of the criteria for partial coverage exemptions.
- Solar systems must have a panel reflectivity rating of 11% or less.
- Non-permanent structures must have their own BMPs installed.

PERVIOUS COVERAGE & DRIVEWAYS

Portions of pervious coverage can be partially exempted from land coverage calculations when installing newly constructed pervious material or swapping out asphalt or concrete driveways, sidewalks, or patios with a pervious material other than decking (e.g. pervious pavers).

Eligibility criteria for pervious coverage and driveways:

- *See all criteria for partial coverage exemptions in Section II above.*
- See detailed design and dimensional specifications in TRPA Code of Ordinances section 30.4.6.D and E.
- Does not apply to asphalt paving stone or pervious asphalt.
- Has no impervious base layer, as commonly used with heated driveways.
- Is appropriate as a plowable surface for snow removal.

PERVIOUS DECKS (RESIDENTIAL ONLY)

Portions of pervious coverage can be partially exempted from land coverage calculations when installing newly constructed pervious deck material or swapping impervious patios or surfaces with pervious material. Pervious decks exemptions are intended for pedestrian decks, not for elevated driveways. Metal grates are considered land coverage and eligible for partial exemptions under this provision.

Eligibility criteria for pervious coverage and driveways:

- *See all criteria for partial coverage exemptions in Section II above.*
- Pervious deck exemptions are only applicable to residential projects.
- Pervious deck exemptions cannot exceed five percent of the non-sensitive lands on a parcel or project area, or 750 sq. ft., whichever is less.
- Pervious deck exemptions apply to the first 500 sq.ft. of decking and are then reducing percentages from 80 to 20% for beyond 500 sq.ft. See attached worksheet.
- Pervious deck exemptions shall not be used for elevated driveways.

IV. HOW TO APPLY FOR COVERAGE EXEMPTIONS

Coverage exemptions are approved as part of an activity or project. Include both full and partial coverage exemptions, where applicable, on proposed site plans as part of a Qualified Exempt activity or development project. See the checklists on the applicable application.

V. PARTIAL COVERAGE EXEMPTIONS CALCULATION WORKSHEET

Use this worksheet to calculate partial coverage exemptions. You will need to know your parcel's land capability and the amount of verified existing coverage. Visit the Parcel Tracker and use the location address to determine if the land capability and coverage have been verified. In some cases, your local building department may have land capability and coverage data in their records. If the information is not on record, you will need to apply for a verification before applying for a coverage exemption.

Step 1: **Determine the maximum coverage exemption allowed on your property.** The *combined amount* of coverage exemptions permitted for non-permanent structures, pervious decks, and pervious paving may not exceed 10 percent of the non-sensitive lands on a given parcel or project area. Non-sensitive lands include all areas verified as Land Capability Class 4, 5, 6, or 7; or parcels with an IPES score 726 or higher.

_____**sq.ft.**	**x 10%**	**=**	_____	**sq.ft.**
Area of Non-Sensitive Land			**Maximum COMBINED Exemptions**	

Step 2: **Determine the allowable coverage exemption for non-permanent structures and small utility installations.** For non-permanent structures and utility installations, the combined

exemption may be up to 120 sq. ft. As part of 120 sq.ft., utility installations cannot exceed 30 square feet. Skip to Step 3 if you are not proposing a non-permanent structure or utility installation.

_____sq.ft.
Proposed Non-Permanent Structure or Utility Installation Exemption

Step 3a: **Determine the allowable pervious deck exemption. (RESIDENTIAL ONLY)** Pervious decks in non-sensitive lands are eligible for a coverage exemption on a sliding scale, however the total pervious deck exemption cannot exceed five percent of the non-sensitive lands on a parcel or project area, or 750 sq. ft., whichever is less. Skip to Step 4 f you are not proposing a pervious deck exemption.

_____sq.ft.	**x 5% =**	_____ **sq.ft.**
Area of Non-Sensitive Land		**Maximum PERVIOUS DECK Exemptions**

_____sq.ft.
Proposed PERVIOUS DECK Exemption
(not including overhang allowance)

Step 3b: **Calculate the pervious deck exemption per the sliding scale.** For any deck area greater than 500 square feet, the coverage exemption is reduced by a sliding scale, as shown in the calculation table. All deck areas greater than 1,000 square are not eligible for partial coverage exemptions and calculated as full coverage.

Total Proposed Deck Area (Step 3a) (after overhang allowance)	**sq.ft.**	
A. 0 - 500 sq.ft = 100% exempt	**sq.ft. x 1 =**	**500 sq.ft.**
B. 501 – 625 sq.ft = 80% exempt	**sq.ft. x 0.8 =**	**sq.ft.**
C. 626 - 750 sq.ft = 60% exempt	**sq.ft. x 0.6 =**	**sq.ft.**
D. 751 – 875 sq.ft. = 40% exempt	**sq.ft. x 0.4 =**	**sq.ft.**
E. 876 – 1,000 sq.ft. = 20% exempt	**sq.ft. x 0.2 =**	**sq.ft.**
F. 1,001+ sq.ft. (NOT EXEMPT)	**sq.ft. x 0 =**	**Not Exempt**
Total Proposed Pervious Deck Exemption (Add Lines A-E)[1]		**sq.ft.**

[1] Total cannot exceed maximum in Step 3a or 750 sq. ft.

Step 4: **Determine the allowable pervious coverage exemption.** Areas paved with a pervious material, and/or pavement replaced with a pervious material, can receive a **25 percent** credit for pervious coverage (e.g. driveways, walkways, or patios constructed of pervious

concrete). This provision does not have an individual maximum limitation, but the amount of credited coverage that can be used on site cannot go over the maximum combined coverage exemption limit of 10 percent of the non-sensitive areas calculated in Step 1. If you are not proposing a pervious coverage exemption, proceed to Step 5.

_____sq.ft.	**x 25%**	**=**	**_____ sq.ft.**
Proposed or Existing Pervious Coverage			**PERVIOUS COVERAGE Exemption**

Step 5: Calculate Total Proposed Coverage Exemption.

_____sq.ft.	**+**	**_____ sq.ft.**	**+**	**_____ sq.ft.**	**=**
Proposed Non-Perm/Utility Exemption		**Proposed Pervious Deck Exemption (RESIDENTIAL)**		**Proposed Pervious Coverage Exemption**	

_____sq.ft.
Total Proposed Coverage Exemption
Cannot exceed maximum combined exemption in Step 1.