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HOURS  
Mon. Wed. Thurs. Fri  
9 am-12 pm/1 pm-4 pm  
Closed Tuesday

New Applications Until 3:00 pm

## LAND COVERAGE INCENTIVES FOR RESIDENTIAL IMPROVEMENTS

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This information sheet explains the land coverage incentives adopted by the Tahoe Regional Planning Agency (TRPA) on December 12, 2012 and updated on June 26, 2013. While the new rules exempt certain structures from the calculation of land coverage on a property, the exemptions only apply to non-sensitive land (Land Capability Classes 4, 5, 6, and 7, or IPES scores 726 or higher). To receive an exemption, the property must also have a certificate of completion for water quality Best Management Practices (BMPs). In some cases, you may be able to apply for the certificate as part of your project.

Please note that even though the land coverage created may be exempted from your property's calculation, certain documentation permits and verifications are still required by TRPA and your local building department. This packet explains the process to follow to take advantage of these lake-saving incentives.

TRPA has reformatted and revised the [Code of Ordinances](#) to make its rules more understandable and easier to follow. The applicable Code sections for the coverage exemptions and credits are included with this packet as well as worksheets to help you determine the coverage exemptions available on your property.

### **Where to Process Your Exemption**

To streamline review of residential projects, TRPA has entered into agreements, or Memoranda of Understanding (MOUs), with some local building departments to review most residential projects under these exemptions. TRPA still reviews residential projects in Douglas County, but may be entering into an MOU with the County in 2013. TRPA reviews most projects visible from TRPA-designated scenic areas. If you have questions regarding your proposed project and your project is eligible to be reviewed by a local jurisdiction, please call your local building department:

City of South Lake Tahoe Building Department	(530) 542-6010
El Dorado County Building Department	(530) 573-3330
Placer County Building Department	(530) 581-6200
Washoe County Building Department	(775) 328-2020

## **Conditions to Receive Coverage Exemptions**

- ✓ Before you begin, TRPA or the local building department will need to know how much land coverage you currently have and what the land capability is for the parcel. Contact your local building department or TRPA to see if this information is already available. If not, you will first need to submit an application for a [Site Assessment](#).
- ✓ All coverage exemptions must be located on non-sensitive lands (Land Capability Classes 4, 5, 6, and 7, or IPES scores 726 or higher).
- ✓ Any land coverage that has not been determined to be legally-existing must be removed before applying for coverage exemptions or credits.
- ✓ Any legally-existing excess coverage must be fully mitigated either through payment of mitigation fees or by permanent removal of the excess land coverage [per TRPA Code Section 30.6.1].
- ✓ All permanent Best Management Practices (BMPs) must be installed and maintained. In some cases, you may be able to apply for the certificate as part of your project.
- ✓ 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.

**Please use the attached worksheets to help determine the coverage exemptions available on your property.**

**Sheds & Greenhouses** For non-permanent structures such as sheds, greenhouses, and other temporary structures that do not have a permanent foundation, a maximum of 120 sq. ft., or not more than 2 percent of the non-sensitive lands on the parcel, may be exempted from land coverage calculation.

Process and criteria:

- Complete either a [Qualified Exempt Declaration](#) and provide all requested items on the attached checklist or submit a [TRPA Single-Family project permit](#).
- The non-permanent structure must have its own BMPs installed.
- If utilizing a Qualified Exempt Declaration, BMPs must be currently installed and certified for the property before TRPA can process the exemption.
- If utilizing a TRPA Single-Family project permit, BMPs can be installed and certified as part of the project.
- Remove all non-verified coverage, and mitigate 100 percent of any verified excess coverage.

**Pervious Driveways** Portions of pervious coverage can be exempted from land coverage calculations when first installing pervious material or when swapping out traditional asphalt/concrete driveways, sidewalks or patios with pervious material. Pervious coverage is a broad category, but TRPA will accept any material that:

- Per manufacturer's specifications, allows 75 percent of stormwater runoff to infiltrate.
- Is not an asphalt paving stone or pervious asphalt.
- Has no impervious base layer such as commonly used with heated driveways.
- Installed consistent with the Best Management Practices Handbook available at [www.tahoebmp.org](http://www.tahoebmp.org).
- Is appropriate as a plowable surface for snow removal.

Process and criteria:

- BMPs can be currently installed and certified or installed and certified along with this project.
- This exemption can only be authorized through a TRPA Single-Family project permit.

- Remove all non-verified coverage, and mitigate 100 percent of any verified excess coverage.

**Pervious Decks** Portions of pervious residential decks can be exempted from land coverage calculations. A deck is considered pervious if it has gaps that allow water to pass freely to gravel underneath, designed in accordance with the Best Management Practices Handbook available at [www.tahoebmp.org](http://www.tahoebmp.org).

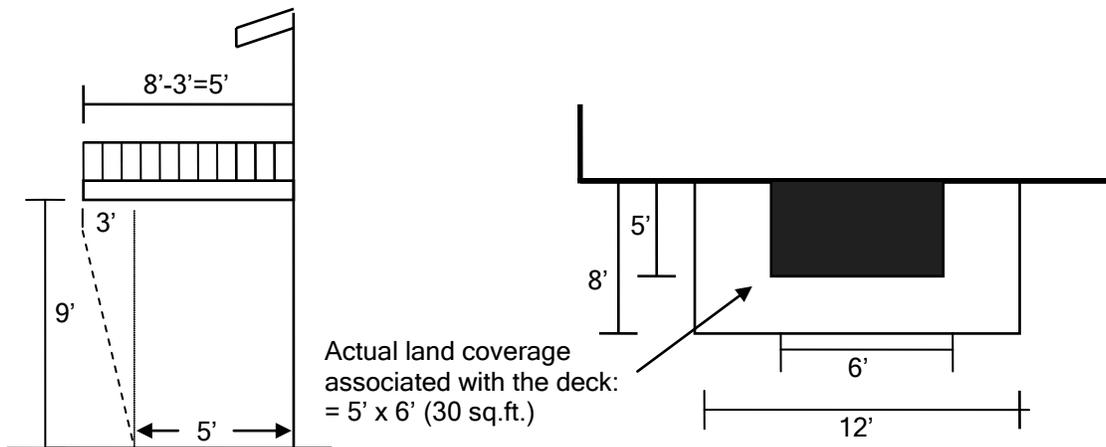
Process and criteria:

- BMPs can be currently installed and certified or installed and certified along with this project.
- This coverage exemption can only be authorized through a [TRPA Single-Family project permit](#).
- Remove all non-verified coverage, and mitigate 100 percent of any verified excess coverage.
- Use the attached worksheets to help determine the pervious deck coverage exemptions available on your property.

**Overhang Allowance (“Height Reduction”)** If the edge of a structure, such as a deck, eave or porch roof, is high enough to expose a significant portion of the ground underneath to sun, snow and rain, then not all of it needs to be counted as land coverage.

Process and criteria:

- Allowed on any Qualified Exempt or permitted project.
- Calculate the reduction at a 3:1 ratio for decks and other structures that are raised above ground level. For every three feet above ground (measured to the bottom of the structure), one foot of the horizontal overhang dimension may be excluded from land coverage calculations (see illustration below).
- This “height reduction” provision is applied to both existing structures and new structures and should be accounted for in your land coverage calculations.
- Please note that the height reduction for structures on a slope may vary from corner to corner.
- This reduction should be calculated on any deck or overhang more than one foot above the ground.
- This reduction should be taken prior to calculation of exempted coverage.



# RESIDENTIAL COVERAGE EXEMPTION CALCULATION WORKSHEET

Use this worksheet to calculate residential coverage exceptions described in TRPA Code of Ordinances 30.4.6.

To use this form, you need to know your parcel's land capability and the amount of existing coverage verified by TRPA or the local building department. If the information is not on record, you will need to apply for a [Site Assessment](#) 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:** For non-permanent structures such as sheds and greenhouses, the combined exemption may be up to **2 percent** of the area of non-sensitive lands on a parcel, or 120 sq. ft., whichever is less. Skip to Step 3 if you are not proposing a non-permanent structure.

sq. ft.	x 2% =	sq. ft.
Area of Non-Sensitive Land		Maximum Non-Permanent Exemptions
		sq. ft.
		Proposed Non-Permanent Exemption

**Step 3a:** Pervious decks in non-sensitive lands are eligible for a coverage exemption on a sliding scale, however the exemption cannot exceed **5 percent** of the non-sensitive lands on a parcel or project area, or 750 sq. ft., whichever is less. Skip to Step 4 if you are not proposing a pervious deck exemption.

sq. ft.	x 5% =	sq. ft.
Area of Non-Sensitive Land		Maximum Pervious Deck Exemption
		sq. ft.
		Proposed Pervious Deck Exemption (after overhang reduction)

**Step 3b:** Calculate the total pervious deck exemption. 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 area greater than 1,000 square is non-exempt and calculated as full coverage.

Proposed Deck Area after overhang reduction:	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 .80 =	sq. ft.
C. 626 – 750 sq. ft. -- 60% Exempt	sq.ft. x .60 =	sq. ft.
D. 751 – 875 sq. ft. -- 40% Exempt	sq.ft. x .40 =	sq. ft.
E. 876 – 1,000 sq. ft. -- 20% Exempt	sq.ft. x .20 =	sq. ft.
F. 1,001 + sq. ft. -- Non-exempt	sq.ft. x 0 =	0 sq. ft.
<b>Total Proposed Pervious Deck Exemption add lines A-E</b>		sq. ft.

Cannot exceed maximum in Step 3a or 750 sq. ft.

**Step 4:** 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. +	=	sq. ft
Proposed non-permanent exemption	Proposed pervious deck exemption	Proposed pervious coverage exemption		<b>Total proposed coverage exemption</b> Cannot exceed maximum combined exemption in Step 1

# 100 PERCENT EXCESS LAND COVERAGE MITIGATION FEE WORKSHEET

**For use only with coverage exceptions that require all excess coverage to be mitigated.**

1. Parcel size: \_\_\_\_\_ sq.ft.
2. Allowable land coverage: \_\_\_\_\_ sq.ft.

To calculate allowable land coverage, multiply your parcel size by the percent allowable land coverage.

**Parcel size: \_\_\_\_\_ sq.ft. × Percent allowable land coverage: \_\_\_\_\_%**

See your TRPA Land Capability Verification or Site Assessment for the percent allowable land coverage on your property. If you have more than one land capability district on your parcel, calculate total allowable land coverage by multiplying the percent allowable for each land capability district by the area of each land capability district.

3. Existing land coverage: \_\_\_\_\_ sq.ft.
4. Excess land coverage: \_\_\_\_\_ sq.ft.

To calculate excess land coverage, subtract allowable land coverage from existing land coverage.

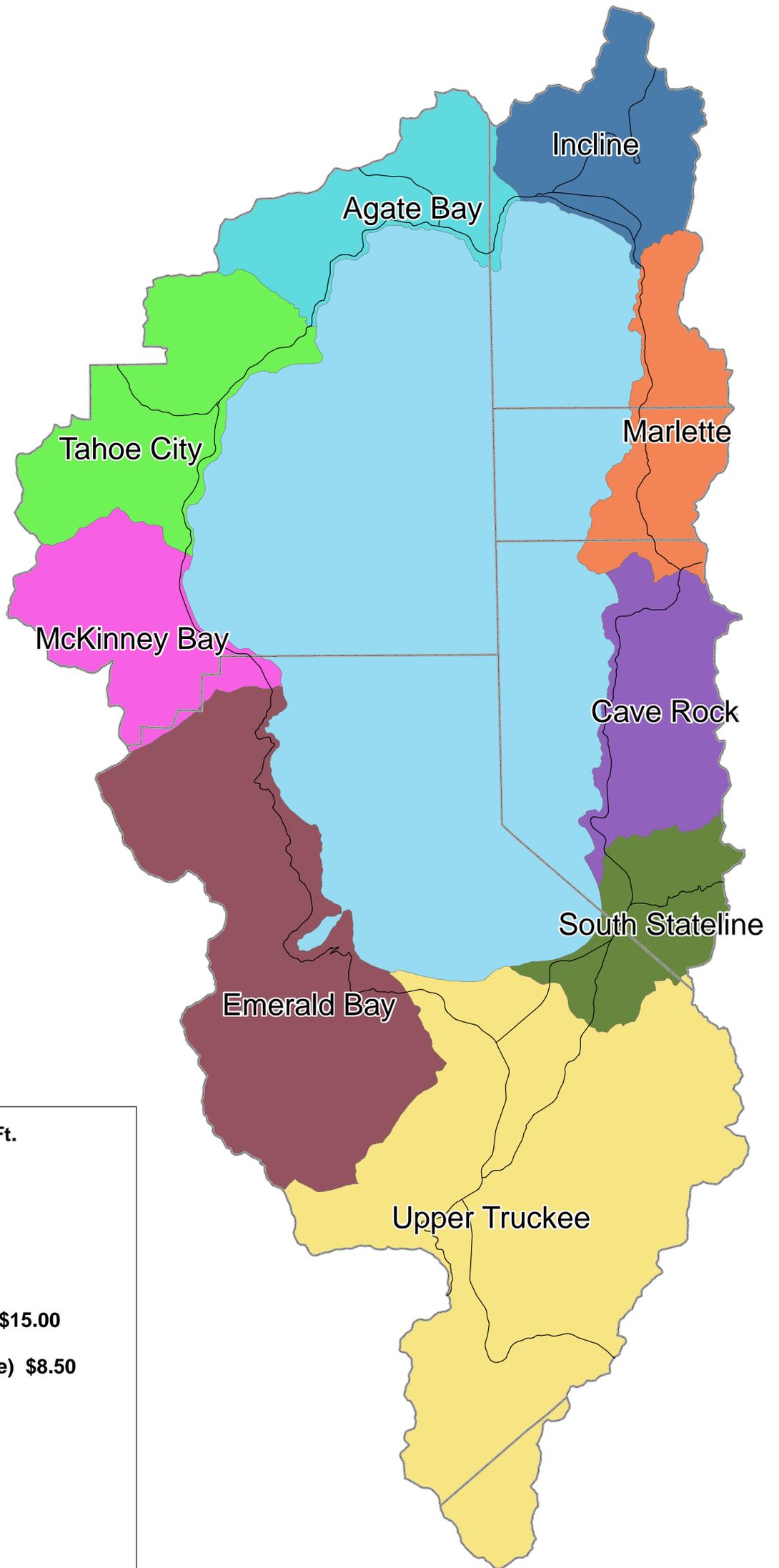
**Existing land coverage: \_\_\_\_\_ sq.ft. – Allowable land coverage: \_\_\_\_\_ sq.ft.**

If this number is zero or less, your parcel does not have excess land coverage, and no mitigation fee is required. If an excess coverage mitigation fee was previously paid on this property, you may reduce your total remaining excess land coverage by that amount. The cost per square foot of excess coverage has changed with changes in land costs across the Tahoe Basin, but the total square feet of coverage that may have previously been mitigated on your parcel has not. If you don't know that amount, you can search previous project files at TRPA or your local jurisdiction.

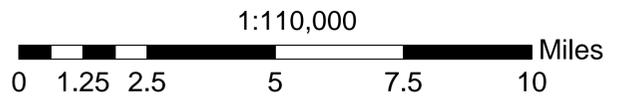
5. The number identified in item 4, above, less any previously mitigated excess coverage, is the amount of excess coverage that remains to be mitigated. You may either permanently remove and retire that amount of verified existing coverage from your parcel or project area, or you may pay a mitigation fee. To calculate the excess land coverage mitigation fee, the square footage of remaining excess land coverage is multiplied by the coverage mitigation cost fee for the hydrologic area in which the project is located (see table below).

_____ sq. ft. Excess Land Coverage	×	( _____ @ \$ _____ )	= \$	_____ Mitigation fee required
		Hydrologic area name      Price/sq.ft.		

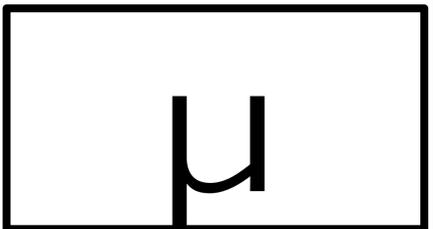
Incline - \$20.00	South Stateline (Nevada side) - \$15.00	Emerald Bay - \$8.50	Agate Bay (California side) - \$8.50
Marlette - \$12.00	South Stateline (California side) - \$8.50	McKinney Bay - \$8.50	Agate Bay (Nevada side) - \$18.00
Cave Rock - \$25.00	Upper Truckee - \$8.50	Tahoe City - \$8.50	



Hydrologic Transfer Area	Fee Per Sq. Ft.
Area 1 – Incline	\$20.00
Area 2 – Marlette	\$12.00
Area 3 – Cave Rock	\$25.00
Area 4 – South Stateline (Nevada side)	\$15.00
Area 5 – South Stateline (California side)	\$8.50
Area 5 – Upper Truckee	\$8.50
Area 6 – Emerald Bay	\$8.50
Area 7 – McKinney Bay	\$8.50
Area 8 – Tahoe City	\$8.50
Area 9 – Agate Bay (California side)	\$8.50
Area 9 – Agate Bay (Nevada side)	\$18.00



**Hydrologic Transfer Area  
Excess Coverage Mitigation  
Fee Schedule**



**30.4.6. Exemptions and Partial Exemptions from Calculation of Land Coverage**

**A. Exemption for Temporary Structures**

Land coverage underlying non-permanent structures are exempt from the calculation of land coverage. For purposes of this provision only, non-permanent structures are those with no permanent foundation, do not exceed 120 square feet in aggregate size, are located on non-sensitive lands, do not exceed two percent of the total amount of non-sensitive land on a parcel, and do not require a permit from TRPA. In addition, the following limitations apply:

1. This exemption shall apply only to parcels with installed and maintained BMPs meeting TRPA requirements and the exempted non-permanent coverage shall also have BMPs installed and maintained to meet TRPA requirements; and
2. This exemption shall not apply to structures or facilities used for access, parking, or storage of motorized vehicles.

**B. Overhang Allowance**

For every three feet an overhang structure, such as a deck or roof eave, is elevated above the ground surface, one foot of the perimeter horizontal dimension of the structure shall be excluded from land coverage calculations. The remainder of the overhang shall be counted.

**C. Americans with Disability Act (ADA) Compliance**

Land coverage required for compliance with the ADA are exempt from the calculation of land coverage, except that land coverage associated with vehicular use, such as parking spaces, are not exempt. This exemption shall apply only to parcels with installed and maintained BMPs meeting TRPA requirements. However, land coverage underlying building access ramps and other facilities that are required to be installed by the Americans with Disabilities Act (ADA) are exempt from the calculation of land coverage, subject to the following limitations:

1. This exemption shall apply only to ADA facilities that are constructed on or after January 1, 2013 to serve buildings that were constructed before January 1, 2013; and
2. The ADA facilities shall be constructed with the minimum amount of new coverage necessary to provide required access to buildings;
3. Where new coverage is required, pervious decking or other pervious surfaces shall be used wherever possible;
4. Facilities shall be constructed on non-sensitive land wherever possible; and
5. Parcels shall have a BMP Certificate to qualify for this exemption.

**D. Partial Exemptions from Calculation of Land Coverage**

1. Pervious Coverage --For pervious coverage on high capability lands, 25 percent of the size of the improvement shall not count towards the calculation of land coverage, subject to the following design and maintenance requirements:
  - a. The coverage shall comply with all applicable BMPs, including those relating to installation and maintenance.
  - b. Pervious asphalt is not eligible for credit under this provision.
  - c. This exemption shall apply only to parcels with installed and maintained BMPs meeting TRPA requirements.
  - d. This exemption shall apply only to locations with low sediment loads (e.g., locations that do not receive road abrasives, locations that are not tributary to runoff that may contain road

abrasives, locations that are not tributary to runoff associated with erodible surfaces) unless a redundant infiltration BMP is in place.

## 2. Pervious Decks

- a. Partial exemption from the calculation of land coverage is available for new residential pervious decks on non-sensitive lands provided the decks meet all applicable requirements of this Code, including installation of BMPs.
- b. The following exemptions are available:
  - (i) Applicable to the first 500 square feet of decking: 100 percent exemption
  - (ii) Applicable to decking above the first 500 square feet:
    - (1) 1 – 125 square feet decking: 80 percent exemption
    - (2) 126 – 250 square feet decking: 60 percent exemption
    - (3) 251 – 375 square feet decking: 40 percent exemption
    - (4) 376 – 500 square feet decking: 20 percent exemption

### Example of Calculation for Pervious Deck Land Coverage Exemption (Sec. 30.4.6.D.2.b)

Step 1: First 500 sq. ft. of pervious decking is exempt = 500 sq. ft. exempt maximum

Step 2: Next 125 sq. ft. of pervious decking is 80% exempt = 100 sq. ft. exempt maximum

Step 3: Next 125 sq. ft. of pervious decking is 60% exempt = 75 sq. ft. exempt maximum

Step 4: Next 125 sq. ft. of pervious decking is 40% exempt = 50 sq. ft. exempt maximum

Step 5: Next 125 sq. ft. of pervious decking is 20% exempt = 25 sq. ft. exempt maximum

Step 6: All pervious decking over 1,000 is not exempt

**Example 1:** 800 sq. ft. pervious deck = 695 sq. ft exemption (500 + 100 + 75 + 20 (50 x .4))

**Example 2:** 1,400 sq. ft. pervious deck = 750 sq. ft exemption (500 + 100 + 75 + 50 + 25)

- c. Existing decks that were legally established as of January 1, 2013, count as coverage and only qualify for this partial exemption if consistent with all approval criteria.
- d. This exemption shall apply only to residential parcels with installed and maintained BMPs meeting TRPA requirements.
- e. A deck shall be considered pervious if it has gaps that allow water to pass freely and in a distributed fashion to deck armoring underneath the deck meeting BMP requirements in the BMP Handbook.
- f. This exemption shall not exempt more than five percent of the total amount of non-sensitive land on a parcel or project area, or 750 square feet per parcel, whichever is less, provided that the pervious deck meets BMP requirements and is located on non-sensitive land.
- g. If decking qualifies for this partial exemption, applicants may determine which portion of the deck is exempt and which portion is not.

## 3. Non-Motorized Public Trails

(See [TRPA Code of Ordinances](#))

### E. Limit on Aggregate of Coverage Exemptions and Credits on Parcels or Project Areas

The total amount of coverage exemptions and credits on parcels or project areas applies only to non-permanent structures, pervious decks, and pervious coverage and shall not exceed in aggregate ten percent of the total amount of non-sensitive land on a parcel.

### F. Restriction on Parcels with Illegal or Excess Coverage

Prior to approval of any coverage credit or exemption for pervious coverage, pervious decks or non-permanent structures, TRPA shall verify that existing coverage on the parcel was legally established or will be removed in conjunction with permitted improvements; and any legally existing excess coverage has been fully mitigated in accordance subsection 30.6.1.