

LAND CAPABILITY CHALLENGE APPLICATION

The land capability for a parcel can be challenged at any time using this application. This process involves an in-depth review of the soil characteristics of a parcel to determine the accuracy of the original land capability mapping. Most property owners go through the [Land Capability Verification](#) process first, but it is not required. This process is not available for properties that were built under the IPES system.

I. APPLICATION PROCESS

- Step 1:** **Determine if a land capability verification has been completed.** Visit the [parcel tracker](#) to view TRPA records relating to land capability and IPES. In some cases, your local building department may have land capability data in their records.
- Step 2:** **Research to see if Land Capability Challenges have been approved on other properties in your area.** Search for your parcel on the TRPA [mapmaker](#) and turn on the layer for Land Capability Challenges. You may be able to gather information about the soil characteristics of your property by reviewing reports on neighboring properties.
- Step 3:** **(Optional) Hire a qualified independent soil scientist to prepare a soils report on your property** You may wish to hire someone to investigate your soils and prepare a report before applying to TRPA, and to be on-site when TRPA staff completes the field review.
- Step 4:** **Prepare a topographic survey.** The application checklist details all elements that must be included on the site plan.
- Step 5:** **Complete the application form in this packet and gather all required checklist items.**
- Step 6:** **Determine your [application fees](#) and deposit amount.** The amount of staff time needed depends on the complexity of the site. Any unused deposit funds will be refunded after completion of the project. The deposit may be waived if a report from an independent soil scientist is submitted with your application.
- Step 7:** **Submit your application and required checklist items to TRPA.**
- Step 8:** **Field Review.** Once your application is received it will be assigned to a TRPA soil scientist who will contact you to coordinate a date and time for the field review. Test pits need to be excavated by the applicant prior to the meeting. See soil test pit instructions in Section II. Please note, land capability challenges will not be processed when snow is on the ground.
- Step 9:** **Public Hearing.** Land Capability Challenge's must be reviewed and approved by the TRPA Hearings Officer. Once the field investigation has been completed, TRPA staff will prepare a report (including recommendations) and will schedule the project for a public hearing. You will be notified of the date in advance so you may attend if you wish. The staff report will be available on the TRPA [website](#) one week prior to the meeting.
- Step 10:** **Receive your results.** If approved at the Hearings Officer meeting, your official results will be sent to your mailing address.
- Step 11:** **Hearings Officer decisions may be appealed to the Governing Board.** You must file an [official appeal](#) and pay fees within 21 days of the Hearings Officer decision.

II. SOIL TEST PIT INSTRUCTIONS

- ✓ Do not excavate test pits until you coordinate with TRPA staff.
- ✓ Excavation is not permitted between October 15th and May 1 without special approval from TRPA.
- ✓ The applicant must confirm that test pit locations won't interfere with existing utilities, irrigation, etc.
- ✓ Dimensions of test pits are typically 3 feet in length, 2 feet in width, and 5 feet in depth.
- ✓ If groundwater is encountered during excavation, notify TRPA staff.
- ✓ Excavated ground material must be protected with temporary [Best Management Practices](#).
- ✓ The ground surface on one side of the test pit must be left undisturbed (i.e. no disturbance of surface soil and vegetation).
- ✓ Properly flag and cover the test pit to prevent accidents or injury.
- ✓ Backfill the test pits within 48 hours of TRPA review.

III. APPLICATION CHECKLIST

- Completed and signed application form
- [Application filing fee](#) and deposit
- Land Capability Verification results, if available
- Noticing materials for Hearings Officer Review
 - List of names, addresses, and APNs of property owners within 300 feet of the perimeter of the project area
 - Stamped, addressed envelopes to the same (mailing addresses) with no return address
 - 8 ½" x 11' plan reductions of the topographic site plan
- Three (3) copies of the topographic site plan (preferred size 24" x 36") showing the following:
 - Property lines, easements, building setbacks, and edge of pavement at street
 - Map scale, north arrow
 - Assessor's Parcel Number (APN), property address, property owner(s) name(s)
 - Topographic contour lines at 2-foot intervals
 - Parcel area in square feet
 - High and low water line, if adjacent to lake

LAND CAPABILITY CHALLENGE APPLICATION

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 (if any) _____

Property Access/Information (gate, dogs, etc.) _____

Property Restrictions/Easements *(List any deed restrictions, easements or other restrictions below in the space provided.)*

None _____

I hereby declare under penalty of perjury that all property restrictions and easements have been fully disclosed. **Initial here:** _____

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 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 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.

Owner(s) Signature(s):

_____ Date: _____
_____ Date: _____

FOR OFFICE USE ONLY

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