



LAND CAPABILITY CHALLENGE INFORMATION PACKET

I. OVERVIEW

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.

To learn more about land capability and IPES, visit TRPA.gov.

For any questions regarding information within this packet, please call 775-589-5333 to speak with a permitting technician.

II. PROCESS FOR LAND CAPABILITY CHALLENGES

- Step 1:** **Look up existing property information.** Visit the [Parcel Tracker](#) and use the location address to determine what records are available relating to your property, such as: general permit records, prior verifications, IPES information, and more. In some cases, your local building department may have land capability data in their records.
- Step 2:** **Research to see if other Land Capability Challenges have been approved on properties in your area.** Search for your parcel on the TRPA [Permit Review Map](#) and turn on the layer for “LCV, LCC, IPES, and Soils/Hydro Permits”. You may be able to gather information about the soil characteristics of your property by reviewing reports on neighboring properties.
- Step 3:** **Determine whether assistance may be needed.** (Optional) You may choose to hire a qualified independent soil scientist to prepare a soils report for your property before applying to TRPA. This individual can also be present at the time TRPA completes a field visit.
- Step 4:** **Prepare a topographic survey.** The application checklist included in this packet lists all elements that must be included on these plans. There are sample plans available [online](#).
- Step 5:** **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. See the [TRPA Fee Schedule](#).

- Step 6:** **Complete and submit your online application to TRPA via the [Accela Citizen Access Database](#) available at www.trpa.gov.** Each project category has a [TRPA Application and Form](#) listing specific items that are required at the time of submittal. TRPA created [sample plans](#) to help applicants determine what site plans should look like. Application [filing fees](#) are also due at the time of submittal.
- Step 7:** **Completeness review.** Once an application is received, TRPA will complete an initial review of materials within 30 days. The initial review ensures all checklist items, correct fees, and the correct application was provided, as well as ensuring the application was submitted to the correct agency. If the application is missing any checklist items, TRPA will send an incomplete letter to the applicant listed on the application.
- Step 8:** **Application assignment and review.** Once your application is complete it will be assigned to a planner for review. This planner will be the lead on the project, meaning the primary point of contact and the person completing project review and issuing the permit. You can view who is assigned to your project by visiting the [Parcel Tracker](#) and typing in the TRPA file number received when the application was submitted.
- TRPA holds itself up to the standard of issuing a permit in 120 days or less, determined from the time that all information needed to review the project is provided (i.e. once the completeness review is final).
- Review times vary based on application volumes and staffing. The planner will review the project to ensure it meets the requirements of the TRPA code of ordinances and local plan.
- If additional information is required to ensure the project meets code requirements, the planner will send an email requesting the additional information. When additional information is requested, the time for review is paused until the applicant is able to provide all required information.
- Step 9:** **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 10:** **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 11:** **Receive your results.** Upon completion of review, site assessment results will be sent to your mailing address. If you are planning a project on your house, share your results with your architect to help guide the design process.
- Step 12:** **Hearings Officer decisions may be appealed to the Governing Board.** If you choose to appeal the decision, you must file an official appeal and pay fees within 21 days of the Hearings Officer decision.

III. LAND CAPABILITY CHALLENGES CHECKLIST ITEMS

To submit an online Land Capability Challenge Application, click [here](#). The following section contains a checklist of items to be submitted with your application.

- ☐ **Completed and signed application form.**
- ☐ **Application [filing fee and deposit](#).**
- ☐ **Land capability verification results, if applicable.**
- ☐ **Noticing materials for Hearings Officer:**
 - a. List of names, addresses, and APNs of property owners within 300' of the project area perimeter.
 - b. Stamped, addressed envelopes to the same (mailing addresses) with no return address.
 - c. A 8 ½ x 11" plan reduction of site plan, elevations, and floor plans.
- ☐ **Site plan (minimum size 24" x 36") prepared by a licensed professional (i.e. surveyor, engineer, architect) showing the following: (Sample plans are available [online](#).)**
 - a. Property lines, easements, building setbacks, parcel area in square feet.
 - b. Map scale and north arrow.
 - c. Assessor's Parcel Number (APN), property address and property owner(s) name(s).
 - d. High and low water line, if adjacent to lake.
 - e. Trees greater than 14" dbh and rock outcrops.
 - f. Existing topographic contour lines at two-foot intervals.

IV. 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.



Mail

PO Box 5310
Stateline, NV 89449-5310

Location

128 Market Street
Stateline, NV 89449

Contact

Phone: 775-588-4547
Fax: 775-588-4527
www.trpa.gov

LAND CAPABILITY CHALLENGE APPLICATION

Applications to TRPA can be submitted online through [Accela Citizen Access](#). For assistance submitting a form or application online, please call 775-589-5333 or visit the TRPA front lobby.

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(s) _____

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:** _____

Property Access & Restriction Information: (gates, dogs, etc.)

☐ **YES**

☐ **NO**

If yes, describe: _____

Application Continues on Next Page

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. By submitting this application, I agree to all TRPA regulations regarding Project Review as stated in Article 5 of the TRPA Rules of Procedure and other TRPA regulatory documents, including the TRPA application fee refund policy. I acknowledge that once the application is submitted, if I withdraw it for any reason, I will not be entitled to a full refund, and the amount of any refund will be determined by TRPA.

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 Declaration Form **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: _____