

Chapter 36

INTERIM SINGLE FAMILY REVIEW SYSTEM

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36.0 Purpose: In accordance with Goal #1, Policy 2 of the Development and Implementation Priorities Subelement, Implementation Element of the Goals and Policies, this chapter sets forth interim standards for determining which vacant parcels are eligible to receive a TRPA permit to construct a new residential unit.

36.1 Applicability: Through December 31, 1988, until the Individual Parcel Evaluation System is implemented, or until December 31, 1991 in the case of certain residential parcels in Tyrolian Village, Units #1 through 5, inclusive, TRPA shall not approve a permit for construction of a new residential unit unless the parcel on which the unit is to be constructed meets the eligibility requirements set forth in this chapter.

36.2 Allocation Requirements: TRPA approval shall not be granted for the construction of a new residential unit unless a residential allocation has been obtained pursuant to Chapter 33.

36.3 Eligibility To Receive A Permit: The following categories of projects shall be eligible to receive a permit for the construction of a new residential unit, provided TRPA makes the findings specified in subsection 36.3.B.

36.3.A Categories Of Projects: The eligible categories are:

- (1) Parcels in California which received 1983 allocations;
- (2) Parcels with Placer County building permits which were extended by county ordinance to August 1, 1986, have expired CTRPA/TRPA permits, and on which construction has not commenced;
- (3) Parcels with local county building permits which were issued prior to December 19, 1980, and have been continuously renewed, and upon which construction has not commenced; and
- (4) Other parcels with a residential allocation pursuant to Chapter 33.

36.3.B Required Findings: The categories of parcels in subsection 36.3.A(1), (2) and (3) shall be eligible to receive a permit to construct a new residential unit if TRPA makes findings (1), (2) and (3). The category of parcels in Subsection 36.3.A(4) shall be eligible to receive a permit to construct a new residential unit if TRPA makes findings (4), (5), (6) and (7).

- (1) The construction is to be on land within Land Capability Districts 4, 5, 6, or 7 as determined by a field verification or land capability or man-modified challenge, in accordance with Chapter 20;
- (2) The parcel contains sufficient land area in Land Capability Districts 4, 5, 6 or 7, to be allowed at least 1,200 square feet of land coverage under the Bailey coefficients;
- (3) The parcel meets at least three of the basic service requirements: section 27.1 with respect to paved roads; section 27.2 with respect to water service; section 27.3 with respect to waste water treatment service; or section 27.4 with respect to electrical service;
- (4) The parcel contains sufficient land area in land capability districts 4, 5, 6 or 7 so that a single family house and related land coverage can be constructed in compliance with applicable land coverage standards set forth in Chapter 20;
- (5) The parcel meets all four requirements for basic services set forth in Chapter 27;
- (6) The project shall not result in disturbance or land coverage in Land Capability Districts 1a, 1b (stream environment zones), 1c, 2 or 3, except as provided for in Chapter 20; and
- (7) The parcel is otherwise eligible for development under the Regional Plan.

36.3.C Wastewater Treatment: Finding (3) in Subsection 36.3.B shall not operate to exempt a project from compliance with wastewater discharge provisions in Chapter 81.

36.4 Post-January 1, 1989 Applications: Applications for construction of a new or transferred residential unit shall be reviewed pursuant to this Chapter provided that application is made in accordance with one of the following subsections:

36.4.A Allocation Issued: Applications filed in connection with a 1989 residential allocation, which allocation was issued by the county on or before July 1, 1989, shall be reviewed pursuant to Chapter 36, and subsection 20.3.A (excluding subparagraph (4) thereof), provided a complete application is filed with TRPA not later than December 31, 1989.

- (1) For purposes of this Section, the date of issuance by the county shall be the date on which the county delivers the executed original allocation form to the parcel owner or, in the case of

delivery by mail, the date of deposit in the U.S. Mail. The date of issuance, and the assessor's parcel number of the parcel to which the allocation is being issued, shall be stated on the allocation form. Allocations which are carried over from previous years shall be treated as 1989 allocations.

- (2) Allocations which are subsequently reissued to a different parcel shall be deemed issued on the date of reissuance and shall not relate back to the date of issuance of the prior allocation. This provision shall not be construed to affect the replacement of lost original allocation forms reissued to the same parcel.

36.4.B Transfers of Allocations: Applications for transfer of a residential allocation issued on or before July 1, 1989, shall be reviewed pursuant to Section 34.3 of the Code except that the top rank of IPES shall not be applicable to the receiving or sending parcel provided that the transfer is complete, in accordance with Subsection 33.2.B, no later than December 31, 1989.

- (1) Upon transfer of an allocation, a complete application for an additional residential unit shall be filed no later than December 31, 1989. Failure to file a complete application by December 31, 1989, shall result in the forfeiture of the allocation to the city or county of origin. Such applications shall be reviewed pursuant to Chapter 36 and subsection 20.3.A (excluding subparagraph (4) thereof).

36.4.C Transfer of Existing Residential Units of Use: Transfers of existing residential units of use shall be reviewed in accordance with Section 34.4 of the Code except that the top rank of IPES shall not be applicable to the sending or receiving parcel provided that:

- (1) A complete application for the transfer is filed with TRPA not later than July 1, 1989; and
- (2) The transfer is complete, in accordance with Subsection 33.2.B, on or before December 31, 1989; and
- (3) Upon transfer of the existing residential unit of use, a complete application for a residential unit shall be filed no later than December 31, 1989. Such applications shall be reviewed pursuant to Chapter 36 and subsection 20.3.A (excluding subparagraph (4) thereof).

36.5 Tyrolian Village: Parcels in Tyrolian Village, Units #1 through 5, inclusive, for which complete applications were filed and accepted by TRPA pursuant to the "Agreement Between The Tyrolian Village, Inc. And The Tahoe Regional Planning Agency Regarding Erosion Control Improvements And Reclassification Of Upper Tyrolian Village" dated May 26, 1983, shall be eligible to receive a permit for the construction of a new residential unit provided an allocation is obtained pursuant to Chapter 33 and the project complies with the standards set forth below. Parcels eligible for review under this section shall also be eligible for review under IPES in accordance with Chapter 37.

- 36.5.A Coverage: Allowable base land coverage shall be calculated pursuant to subparagraph 20.3.A(3) and transferred coverage may be permitted up to the limits set forth in subparagraph 20.3.B(1)(b).
- 36.5.B Transfer: Transfer of coverage shall comply with subsection 20.3.C and may be accomplished by payment of a land coverage transfer fee to TRPA in the amount of \$6.50 per square foot, to be used for coverage retirement by a designated land bank or other TRPA-approved coverage retirement program.
- 36.5.C Slope: The slope of the building site shall not exceed 30 percent.
- 36.5.D General: Except as otherwise provided in this section, the project shall comply with the TRPA Regional Plan and Code.