



City of South Lake Tahoe

"making a positive difference now"

Frequently Asked Questions:

Q. What are the Planning Division office hours?

A. The planning counter is open Monday – Friday 8:00 am – 4:00 pm. There will be a Planner available to assist you during that time except for Monday, Tuesday and Thursday during the lunch hour (12:00 pm – 1:00 pm). We are closed for all legal holidays. Our office is also closed for mandatory furloughs every first and third Friday of the month through September 2011.

Q. Are all commercial uses allowed in commercial areas?

A. No. The City is divided into multiple plan areas and each area has a statement that describes permissible uses that are “Allowed” or “Special” which means they must be considered under the provision of a special use permit. Uses that are determined to not be compatible in a certain area are not listed and are prohibited.

Q. When is a Fence Permit needed?

A. A Fence Permit is required for any new residential or commercial fence. Routine maintenance and repairs to a fence do not require a Fence Permit.

If reconstruction of a damaged nonconforming fence is to be done, a fence permit application will need to be submitted to the Planning Division. Planning staff will determine whether repairs or reconstruction of a nonconforming fence will need to be brought into conformance upon review of the application.

Note: A “nonconforming fence” means a fence which does not meet the fence requirements in the City Code such as height, material, setback, or clear zone.

Please refer to the City of South Lake Tahoe Code for Fence and Wall Design Standards in § Chapter 5, Sections 30 through 37 at www.codepublishing.com/ca/southlaketahoe/.

A Fence Permit is typically issued over the counter.

The Fence Permit application is available on our web page.

Q. When is a Sign Permit needed?

A. A sign permit is needed anytime a business is installing new signs **or** changing their existing signage. CSLT Code § 25-22 states that all nonconforming signs must be brought into compliance within 15 years of the date of the adoption of this chapter (May 17, 2009). Planning staff will require any new or changes to existing signage to come into compliance when a Sign Permit is applied for.

Q. When is a Temporary Activity Permit required?

A. A person is allowed to apply for a Temporary Activity Permit for an organized event per TRPA Code of Ordinances Chapter 2 – Definition as follows:

“A temporary activity is an organized event or a commercial activity which does not occur more than four times in a calendar year and which does not exceed fourteen consecutive days in duration. Activities which are within the scope of a primary use, are conducted within the project area, and which would not otherwise require TRPA review and approval, are not deemed temporary activities. Examples of such activities are: a golf tournament at a golf course, or a ski race at a ski area (Amended 3/23/88).”

Typical temporary activities that require a permit are grand opening sales, sidewalk sales, tent sales, street fairs, fundraising events, and holiday events.

Planning staff will review the application and will approve or deny the application based upon their findings associated to the type of activity, noise, parking, land coverage disturbance, signage, etc.

A Temporary Activity Permit application needs to be submitted at least 2 weeks prior to the requested date of the Temporary Activity.

The Temporary Activity application is available on our web page.

Q. When is a Home Occupation Permit required?

A. A Home Occupation Permit is required for businesses operated in the home that meet the necessary criteria. Please refer to the City of South Lake Tahoe Code § 32-25 at www.codepublishing.com/ca/southlaketahoe/. for a complete explanation of the requirements and allowed home occupations.

If a permitted home occupation generates income at the home such as handicrafts, laundering, mail order, seamstress, cleaning and maintenance services, handiwork and repair services, telephone sales, and artisans, a Home Occupation Permit is required provided all the criteria is met.

A Home Occupation Permit is **not** required per the City of South Lake Tahoe Code § 32-26 if the business is only an office and office services, provided the following conditions are met:

- a. That the primary physical place of employment is at another site other than a personal residence; and
- b. That no outside physical activity and/or storage takes place at the residence; and
- c. All other criteria listed in the home occupation application are met.

A Home Occupation Permit is issued over the counter.

The Home Occupation application is available on our web page.

Q. How to find I find the zoning / land use for a specific property:

A. The purpose of zoning/land use in the City of South Lake Tahoe are to promote and protect the public health, safety, peace, comfort, convenience, general welfare and environment, natural and manmade. As set forth in the

general plan, the plan area statements provide detailed plans and policies for specific areas of the city.

To locate a specific Plan Area or Community Plan please follow the steps listed below:

1. Go to the zoning map and locate the area the property is located.
2. The zoning map will have a number within a colored area. This is the plan area or community plan area.
3. Using that number go to the list of Plan Areas or Community Plans for the property and click that statement. This will provide you a description of the area and list the permissible uses for the property.

Q. What is the difference between a Minor Design Review and a Major Design Review?

A. A Minor Design Review is used for a project which does not make major changes to the existing structure, the staff review is not extensive and the following findings can be made:

- The project does not directly impact the public right of way, such as requiring an encroachment permit for a new drive way or curb, gutter or sidewalk, and
- The project does not require the paving of land to create new coverage, and
- The building division (Building Official) determined that the project does not require the addition of a new parking lot or expansion of the existing parking lot to provide for handicapped parking, and
- The project is a remodel of an existing building, not a new building, and
- The project is not a result of a mandated Lahontan or TRPA 208 BMP retrofit project, or
- The engineering division (Engineering Manager) determined that although the project is a mandated Lahontan or TRPA 208 BMP retrofit, the project is minor and does not warrant a major design review, and
- The project is categorically exempt from CEQA

Examples of a Minor Design Review include a change to a roof, facade and minor changes to the exterior of a building or parking areas.

A Major Design Review is required for the comprehensive review of major projects (including remodels) and to verify consistency with Design Standards in the City Code. The submittal requirements are more extensive than for a

Minor Design Review. See the General Planning Application form for submittal requirements.

Minor Design Review and Major Design Review applications as well as the City Wide Design Checklists and Parking/Driveway Checklist are available on our web page.

Q. What are the setback requirements?

A. There are setback requirements for any structure being built, including dwellings, garages, carports, storage sheds, decks, residential refuse receptacle shelters, swimming pools, cornices, eaves and playground equipment per City Code § 32-14 through 32-18. Below is the general table for setbacks. Please refer to the City of South Lake Tahoe Code at www.codepublishing.com/ca/southlaketahoe/ for additional information and exceptions.

§ 32-14 Setbacks.

The following setbacks shall apply to the land use classifications for each plan area statement:

Land Use Classification	Setbacks	
Residential	Front	20 ft.
	Side, interior (lots greater than 10,000 s.f. and greater than 80 ft. wide)	10 ft.
	Side, interior (lots 10,000 s.f. or less and 80 ft. wide or less)	5 ft.
	Side, street	15 ft.
	Rear	15 ft. or 5 ft. for corner lots
Commercial – Professional Service	Front	20 ft.
	Side, interior	5 ft. (less if firewall)
		15 ft. if adjoins Residential Land Use Classification
	Side, street	15 ft.
	Rear, interior	5 ft. (less if firewall)
		15 ft. if adjoins Residential Land Use Classification

	Rear, street	15 ft.
Recreation	Front	50 ft.
	Side, interior	20 ft.
	Side, street	20 ft.
	Rear	50 ft.
Conservation	Front	50 ft.
	Side, interior	20 ft.
	Side, street	20 ft.
	Rear	50 ft.

(Ord. 902; Ord. 934 § 1)

Q. What kind of allocation is required in order to construct housing in the Lake Tahoe Basin?

A. New residential units either require an allocation and a development right for each unit or a specific TRPA Code exemption from the need for an allocation pursuant to Chapter 33 of the TRPA Code in order to be created. Development rights and allocation must be assigned or transferred to the property before a building permit will be issued. Transfers require both TRPA and City approval.

Development Rights: Development rights are **one-half** of what is required in order to build a residential unit. Each undeveloped residential lot automatically has one development right associated with it. If more than one housing unit is proposed for a site, additional development rights need to be purchased and transferred to the parcel to match the allocations received.

Allocations: An allocation is the **other half** of what is required in order to build a residential unit. When matched with a development right, an allocation provides the property owner to submit plans for construction of a new residential unit.

Q. If I need more than one development right to build, how do I get them?

A. Development rights available for transfer may be purchased privately or from the California Tahoe Conservancy (530-542-5580). The actual transfer of development rights is handled through an application process with the TRPA that takes several months to complete. Alternatively, bonus units may be substituted for development rights pursuant to Chapter 35 of the TRPA Code of Ordinances;

however, most developers find it most economical to purchase the development rights for transfer.

Q. How do I get an allocation?

A. An allocation can be obtained in several ways:

Within South Lake Tahoe, there are separate waiting lists for allocations for both single family homes and multifamily developments. The City is assigned allocations annually by TRPA. These allocations are made available to those people on the waiting list. To get on one of the City waiting lists, the residential allocation application form must be completed by the property owner, a copy of the grant deed in the property owner's name must be provided, the IPES score (single family) or Bailey land capability (multifamily) must be verified as buildable, and the application fee paid. For multifamily applicants, the administrative fee is charged per unit, but only one building fee deposit is required. The maximum number of multiple family allocations for one property each year is eight. The length of the wait before your property is eligible for an allocation depends upon the length of the waiting list, whether individual projects elect to "drop off" the list, and the number of allocations that the TRPA provides to the City each year. Consequently, City planners can only provide an estimate of when the allocations will be made available to those who sign up. This estimate is not a guarantee.

Positions on the allocation lists are parcel and person specific. They may not be transferred to any other property or owner. If title to the property changes, the property will be removed from the list and the original applicant may request the return of the refundable portion of the deposit. Once a property owner actually has the allocation in hand, title to the property can be transferred, although the allocation cannot be transferred to another parcel.

Other Mechanisms for Obtaining an Allocation: TRPA provides two other mechanisms for receiving allocations. As the waiting list for allocations lengthens, more people are availing themselves to one of these options. Because of this newfound interest in transferable allocations, the price of both transferable allocations and lots that qualify for retirement has been increasing.

1. *Environmentally sensitive parcels* may be permanently retired in exchange for a transferable residential allocation.

2. Allocations may also be *purchased on the open market* through a private party. A local realtor or newspaper is a good place to check listings.

Existing Residential Units of Use (both the development right and allocation): are available for sale/transfer when existing development is removed and the unit of use banked. TRPA has a unit of use verification process for determining whether a structure has a residential unit associated with it. TRPA verifications must be conducted before a structure is demolished and the unit of use banked. Transfers require both TRPA and City approval and must be associated with a current project.

Q. What is the process for addressing abandoned cars, garbage, trash, etc. on property?

A. You may notify the Community Services Officer at the Police Department. They will take your complaint information and address it. Their phone number is 530-542-6136 or 530-542-6135. If their first attempts to have the property owners address the issue fail, a hearing will be set up with the Zoning Administrator and further action will be taken.