

Board of Adjustment Staff Report

Meeting Date: June 5, 2014

Subject: Applicant(s): Agenda Item No.	Special Use Permit Case Number SB14-010 Christina Amundson 8.H.	
Project Summary:	Grading of approximately 3,500 cubic yards (83,315 square-feet)	
Recommendation:	Approval with Conditions	
Prepared by:	Trevor Lloyd - Senior Planner Planning and Development Division Washoe County Community Services Department Phone: 775.328.3620 E-Mail: tlloyd@washoecounty.us	

Description

Special Use Permit Case Number SB14-010 (Amundson Grading) – To grade approximately 3,500 cubic yards ($\pm 83,315$ square-feet) of dirt for the purpose of preparing the property for a residence, agricultural building and horse riding arena.

- Owner/Applicant:
- Location:
- Assessor's Parcel Number:
- Parcel Size:
- Master Plan Category:
- Regulatory Zone:
- Area Plan:
- Citizen Advisory Board:
- Development Code:
- Commission District:
- Section/Township/Range:
- Christina M Herbert Trust 0 Mountain Ranch Road 150-250-48 ±2.476 Rural Residential (RR) High Density Rural (HDR) Southwest Truckee Meadows South Truckee Meadows/Washoe Valley Authorized in Article 438, Grading Standards, Article 810 Special Uses 2 – Commissioner Humke Section 26, T18N, R19E MDM, Washoe

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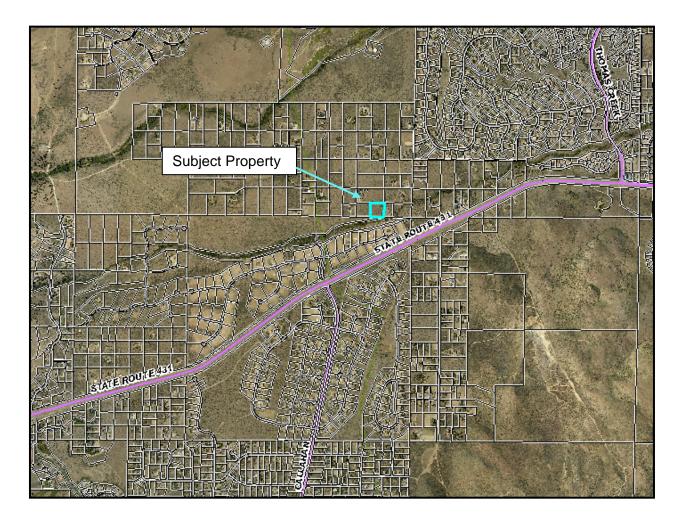
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Special Use Permit

The purpose of a Special Use Permit is to allow a method of review to identify any potential harmful impacts on adjacent properties or surrounding areas for uses that may be appropriate within a regulatory zone; and to provide for a procedure whereby such uses might be permitted by further restricting or conditioning them so as to mitigate or eliminate possible adverse impacts. If the Board of Adjustment grants an approval of the Special Use Permit, that approval is subject to Conditions of Approval. Conditions of Approval are requirements that need to be completed during different stages of the proposed project. Those stages are typically:

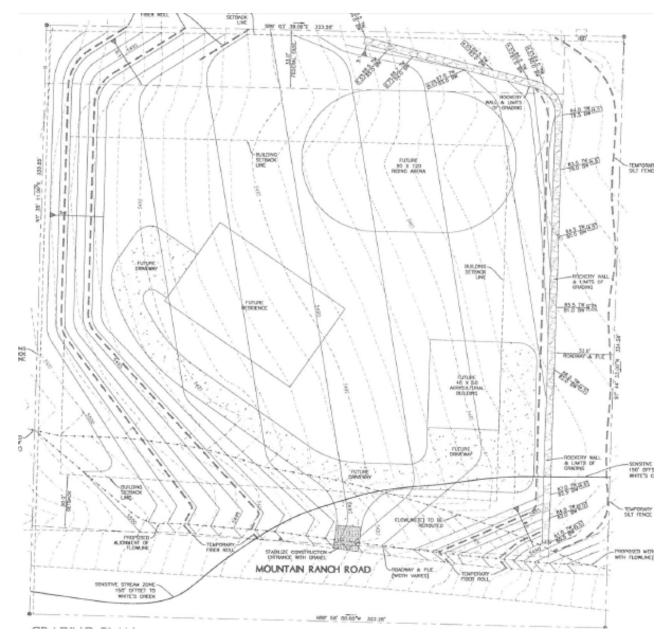
- Prior to permit issuance (i.e., a grading permit, a building permit, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy on a structure.
- Prior to the issuance of a business license or other permits/licenses.
- Some Conditions of Approval are referred to as "*Operational Conditions*." These conditions must be continually complied with for the life of the business or project.

The Conditions of Approval for Special Use Permit Case Number SB14-010 are attached to this staff report and will be included with the Action Order.

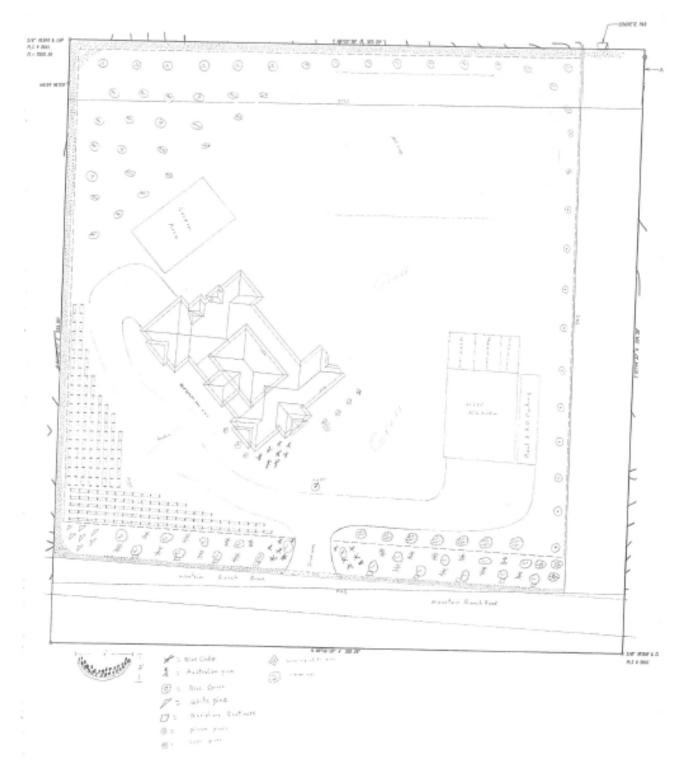


Vicinity Map

Washoe County Board of Adjustment



Site Plan



Conceptual Landscape Plan

Project Evaluation

The property owners of Assessor's Parcel Number 150-250-48 are asking to grade over 3,000 cubic yards and nearly two (2) acres of disturbance in order to create a level parcel to accommodate the construction of a single family residence that supports future buildings and an arena for horses on the property.

The ± 2.47 -acre property is currently vacant and zoned High Density Rural (HDR) in the Southwest Truckee Meadows Area Plan. All grading on the property will be balanced on-site. The property will be graded so that the middle of the property will be level and the west and east sides will be sloped. The west side of the property will contain a sloped grade that does not exceed a 5:1 slope and the east side of the property will contain a rockery wall that will not exceed four and one half feet (4.5') tall.

According to the geotechnical report that was included with the application, there will be about five to six feet of cut and about eight feet of fill required to attain the buildings to finish the floor elevations. Currently, the property is vacant and the site is covered with low grasses and sagebrush; no trees exist on the property. The southerly portion of the property is located within a sensitive stream zone, however, none of the property is located within the critical stream zone. Only a limited amount of grading will occur within the sensitive stream zone and none of the grading will take place closer than 100 feet from the existing stream.

The applicant will fully landscape the side slopes to help stabilize the exposed slopes. A conceptual landscape plan was submitted and is included in the graphic in this staff report.

The site plans show that the applicants are proposing to grade and construct a retaining wall within the 33-foot wide access easement along the northern boundary of the property. This easement has not been used for access purposes and it does not appear that the easement will be used for such purposes in the future. Staff is recommending the approval of a condition for the applicants to abandon this easement before any grading permits are issued for grading within this easement.

South Truckee Meadows/Washoe Valley Citizen Advisory Board

The proposed project was presented by the applicant's representative at the regularly scheduled Citizen Advisory Board meeting on May 8, 2014. The CAB unanimously recommended that the special use permit move forward to the Board of Adjustment as proposed. The attached memorandum from the CAB reflect discussion on the following items:

- Ensure that the applicant comply with dust control and drainage requirements.
- A question was raised regarding the existing easement around boundary of property.

Reviewing Agencies

The following agencies received a copy of the project application for review and evaluation.

- Washoe County Community Services Department
 - Washoe County Planning and Development
 - Washoe County Engineering and Capital Projects

- Washoe County Water Resources
- Washoe County Health District
 - Vector-Borne Diseases Division
 - Environmental Health Division
 - Air Quality Division
- Truckee Meadows Fire Protection District
- Regional Transportation Commission

Four out of the ten above listed agencies/departments provided comments and/or recommended conditions of approval in response to their evaluation of the project application. A **summary** of each agency's comments and/or recommended conditions of approval and their contact information is provided. The Conditions of Approval document is attached to this staff report and will be included with the Action Order.

- <u>Washoe County Planning and Development</u> addressed the grading design, landscaping and stabilization of the disturbed areas. Contact Trevor Lloyd, 775.328.3620, tlloyd@washoecounty.us
- <u>Washoe County Engineering</u> addressed the construction improvement drawings, the storm-water discharge permit and the requirement to abandon the northerly access easement.
 Contact Leo Vesely, 775.328.2040, Ivesely@washoecounty.us
- <u>Washoe County Health District Vector Borne Diseases</u> addressed additional design requirements for the drainage flow lines and the rockery walls Contact Jim Shaffer, 775.328.2434, jshaffer@washoecounty.us
- <u>Truckee Meadows Fire Protection District</u> addressed the need for applicant to comply with all requirements of Chapter 60 of the Washoe County Code. Contact Amy Ray, 775.328.6005, aray@tmfpd.us

Staff Comment on Required Findings

Section 110.810.30 of Article 810, *Special Use Permits*, within the Washoe County Development Code, requires that all of the following findings be made to the satisfaction of the Washoe County Board of Adjustment before granting approval of the request. Staff has completed an analysis of the special use permit application and has determined that the proposal is in compliance with the required findings as follows.

1. <u>Consistency.</u> That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Southwest Truckee Meadows Area Plan.

<u>Staff Comment:</u> The proposed grading does not conflict with any of the goals or policies of the Master Plan or Area Plan.

2. <u>Improvements.</u> That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided,

the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven.

<u>Staff Comment:</u> There are adequate utilities in place to support the project as proposed.

3. <u>Site Suitability.</u> That the site is physically suitable for the type of development, and for the intensity of such a development.

<u>Staff Comment:</u> The proposed grading will support the construction of a house, a barn and a horse corral all of which are appropriate and consistent uses on the subject property.

4. <u>Issuance Not Detrimental.</u> That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area.

<u>Staff Comment:</u> The proposed special use permit will be appropriately conditioned to ensure that the grading will include mitigation and stabilization measures to so that the project will not result in a significantly detriment.

5. <u>Effect on a Military Installation.</u> Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

<u>Staff Comment:</u> There is no Military Installation within close proximity of the subject property.

Recommendation

Those agencies which reviewed the application recommended conditions in support of approval of the project. Therefore, after a thorough analysis and review, Special Use Permit Case Number SB14-010 is being recommended for approval with conditions. Staff offers the following motion for the Board's consideration.

<u>Motion</u>

I move that after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Board of Adjustment approve with conditions Special Use Permit Case Number SB14-010 for Christina Amundson, having made all five findings in accordance with Washoe County Development Code Section 110.810.30:

- 1. <u>Consistency.</u> That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Southwest Truckee Meadows Area Plan;
- 2. <u>Improvements.</u> That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed

roadways, and an adequate public facilities determination has been made in accordance with Division Seven;

- 3. <u>Site Suitability.</u> That the site is physically suitable for type and scale of grading, and for the intensity of such a development;
- 4. <u>Issuance Not Detrimental.</u> That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;
- 5. <u>Effect on a Military Installation.</u> Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

Appeal Process

Board of Adjustment action will be effective 10 days after the public hearing date, unless the action is appealed to the County Commission, in which case the outcome of the appeal shall be determined by the Washoe County Commission.

xc: Applicant/Owner: Christina Amundson, 3744 Vancouver Drive, Reno, NV 89511 Representatives: K2 Engineering & Structural Design, Attn: Jared Krupa, 3100 Mill Street #107, Reno, NV 89502



Conditions of Approval Special Use Permit Case Number SB14-010

The project approved under Special Use Permit Case Number SB14-010 shall be carried out in accordance with the Conditions of Approval granted by the Board of Adjustment on June 5, 2014. Conditions of Approval are requirements placed on a permit or development by each reviewing agency. These Conditions of Approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. <u>These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act or to abide by all other generally applicable Codes.</u>

<u>Unless otherwise specified</u>, all conditions related to the approval of this Special Use Permit shall be met or financial assurance must be provided to satisfy the Conditions of Approval prior to issuance of a grading or building permit. The agency responsible for determining compliance with a specific condition shall determine whether the condition must be fully completed or whether the applicant shall be offered the option of providing financial assurance. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Planning and Development Division.

Compliance with the Conditions of Approval related to this Special Use Permit is the responsibility of the applicant, his/her successor in interest, and all owners, assignees, and occupants of the property and their successors in interest. Failure to comply with any of the conditions imposed in the approval of the Special Use Permit may result in the initiation of revocation procedures.

Washoe County reserves the right to review and revise the Conditions of Approval related to this Special Use Permit should it be determined that a subsequent license or permit issued by Washoe County violates the intent of this approval.

For the purpose of conditions imposed by Washoe County, "may" is permissive and "shall" or "must" is mandatory.

Conditions of Approval are usually complied with at different stages of the proposed project. Those stages are typically:

- Prior to permit issuance (i.e., grading permits, building permits, etc.).
- Prior to obtaining a final inspection and/or a certificate of occupancy.
- Prior to the issuance of a business license or other permits/licenses.
- Some "Conditions of Approval" are referred to as "Operational Conditions." These conditions must be continually complied with for the life of the project or business.

The Washoe County Commission oversees many of the reviewing agencies/departments with the exception of the following agencies.

• The DISTRICT BOARD OF HEALTH, through the Washoe County Health District, has jurisdiction over all public health matters in the Health District. Any conditions set by the District Health Department must be appealed to the District Board of Health.

- The RENO-TAHOE AIRPORT AUTHORITY is directed and governed by its own Board. Therefore, any conditions set by the Reno-Tahoe Airport Authority must be appealed to their Board of Trustees.
- The REGIONAL TRANSPORTATION COMMISSION (RTC) is directed and governed by its own board. Therefore, any conditions set by the Regional Transportation Commission must be appealed to that Board.

FOLLOWING ARE CONDITIONS OF APPROVAL REQUIRED BY THE REVIEWING AGENCIES. EACH CONDITION MUST BE MET TO THE SATISFACTION OF THE ISSUING AGENCY.

Washoe County Planning and Development Division

1. The following conditions are requirements of the Planning and Development Division, which shall be responsible for determining compliance with these conditions.

Contact Name – Trevor Lloyd, 775.328.3620, tlloyd@washoecounty.us

- a. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit. The Planning and Development Division shall determine compliance with this condition.
- b. The applicant shall submit complete construction plans and building permits shall be issued within two years from the date of approval by Washoe County. The applicant shall complete construction within the time specified by the building permits. Compliance with this condition shall be determined by the Planning and Development Division.
- c. The applicant shall attach a copy of the action order approving this project to all administrative permit applications (including building permits) applied for as part of this special use permit.
- d. A note shall be placed on all construction drawings and grading plans stating:

NOTE

Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted at the specific site and the State Historic Preservation Office of the Department of Museums, Library and Arts shall be notified to record and photograph the site. The period of temporary delay shall be limited to a maximum of two (2) working days from the date of notification.

- e. The following **Operational Conditions** shall be required for the life of the development:
 - 1. Failure to comply with the Conditions of Approval shall render this approval null and void. Compliance with this condition shall be determined by the Planning and Development Division.

2. The applicant and any successors shall direct any potential purchaser/operator of the site and/or the special use permit to meet with the Planning and Development Division to review Conditions of Approval prior to the final sale of the site and/or the special use permit. Any subsequent purchaser/operator of the site and/or the special use permit shall notify the Planning and Development Division of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.

Washoe County Engineering and Capital Projects

2. The following conditions are requirements of the Engineering and Capital Projects Division, which shall be responsible for determining compliance with these conditions.

Contact Name – Leo Vesely, 775.328.2040, lvesely@washoecounty.us

- a. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed onto adjacent property.
- b. The owner/applicant shall obtain from the Nevada Division of Environmental Protection a Stormwater Discharge Permit for construction and submit a copy to the Engineering and Capital Projects Division prior to issuance of a grading permit.
- c. The owner/applicant shall complete and submit the Construction Permit Submittal Checklist, the Performance Standards Compliance Checklist and pay the Construction Stormwater Inspection Fee prior to obtaining a grading permit. The County Engineer shall determine compliance with this condition.
- d. A grading bond of \$2,000/acre of disturbed area shall be provided to the Engineering and Capital Projects Division prior to issuance of a grading permit.
- e. The abandonment of the northern patent access easement shall be recorded prior to the issuance of a grading permit.

Washoe County Environment Health Department – Vector Borne Diseases

3. The following conditions are requirements of District Health Department, Vector Borne Diseases, which shall be responsible for determining compliance with these conditions. The District Board of Health has jurisdiction over all public health matters in the Health District. Any conditions set by the District Health Department must be appealed to the District Board of Health.

Contact Name – Jim Shaffer, 775.328.2434, jshaffer@washoecounty.us

a. The proposed flow line diversion will require 4-6 inch cobble rock in the flow line of these channels to reduce the downstream transport of sediment (040.021).

- b. In the design of rockery walls, voids shall be filled by placing smaller rock within 6 inches of the face of the rock wall for the entire height of the wall (040.081).
- c. Prior to the sign off of the building plans the above detail designs are required on the plans.

Truckee Meadows Fire Protection District

4. The following conditions are requirements of the Truckee Meadows Fire Protection District, which shall be responsible for determining compliance with these conditions.

Contact Name – Amy Ray, 775.326.6005, aray@tmfpd.us

a. The Truckee Meadows Fire Protection District will require compliance with Washoe County Code 60. All requirements of Chapter 60 that apply to this development shall be met.

*** End of Conditions ***

South Truckee Meadows/Washoe Valley Citizen Advisory Board



MEMORANDUM

To: Trevor Lloyd, Staff Representative
From: Allayne Donnelly-Everett, Administrative Recorder
Re: Special Use Permit SB14-010 Amundson Grading
Date: May 19, 2014

Special Use Permit Case Number SB14-010 (Amundson Grading)- Mike Vicks, K2 Engineering and Structural Design, representing the applicant provided information on the request to grade approximately 3,500 cubic yards (\pm 83.315 square feet) of dirt for the purpose of preparing the property of a residential agricultural building and horse riding arena. The \pm 2.476 parcel property is located at 0 Mountain Ranch Road. Section 26, T18N, R19E MDM, Washoe County, Christina M Herbert Trust, Owner/Applicant, Staff Representative: Trevor Lloyd, <u>tlloyd@washoecounty.us</u> 775-328-3620 This application is tentatively scheduled to be heard by the Board of Adjustment, Thursday, June 5, 2014. **MOTION**: Patricia Phillips moved to recommend that the application, SB14-010 move forward to the Board of Adjustment as presented. Jim Rummings seconded the motion. The motion carried unanimously.

Comments and Concerns

- Eric Scheetz disclosed that he is the property owner immediately north of the applicant's property. Mr. Scheetz stated that he had talked with the applicant and has discussed options regarding the natural drainage that exists on the applicant's property. Mr. Scheetz stated that he does not have any issues with the project as long as the applicant complies with dust controls and other conditions of approval. Mr. Vicks stated that the applicant plans to address the drainage issue and meet all conditions.
- In response to questions raised, Mr. Vicks stated that the Government easement still remains and at some point in the future, the driveway on the west side of the fire station, the realignment of a future driveway has been identified. Washoe County has relinquished their interest in the easement.
- There were no comments or opposition heard from the audience or community.

cc: Commissioner David Humke Tom Judy, Acting Chair Sarah Tone, Community Outreach Coordinator Al Rogers, Director of Management Services Nancy Leuenhagen, Community Relations Manager Andrea Tavener, CAB Program Assistant



WASHOE COUNTY COMMUNITY SERVICES DEPARTMENT

Engineering and Capital Projects Division

"Dedicated to Excellence in Public Service"

1001 East 9th Street PO Box 11130 Reno, Nevada 89520 Telephone: (775) 328-2040 Fax: (775) 328-3699

INTEROFFICE MEMORANDUM

FROM:	Leo R. Vesely, P.E., Engineering and Capitol Projects Division
TO:	Trevor Lloyd, Planning and Development Division
DATE:	May 02, 2014

SUBJECT: SB14-010 APN 150-250-48 AMUNDSON GRADING

I have reviewed the referenced special use permit and have the following conditions:

- 1. A complete set of construction improvement drawings, including an on-site grading plan, shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMP's) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site and not allowed onto adjacent property.
- 2. The owner/applicant shall obtain from the Nevada Division of Environmental Protection a Stormwater Discharge Permit for construction and submit a copy to the Engineering Division prior to issuance of a grading permit.
- 3. The owner/applicant shall complete and submit the Construction Permit Submittal Checklist, the Performance Standards Compliance Checklist and pay the Construction Stormwater Inspection Fee prior to obtaining a grading permit. The County Engineer shall determine compliance with this condition.
- 4. A grading bond of \$2,000/acre of disturbed area shall be provided to the Engineering Division prior to issuance of a grading permit.
- 5. The abandonment of the northern patent access easement shall be recorded prior to the issuance of a grading permit.

LRV/lrv



Tim Leighton Division Chief

Charles A. Moore *Fire Chief*

May 8, 2014

Washoe County Community Services Department 1001 East Ninth Street Reno, NV 89512

Re: Special Use Permit Case Number: SB 14-010 – The Amundson Residence

The Truckee Meadows Fire Protection District (TMFPD) will require compliance with Washoe County Code 60. All requirements of Chapter 60 that apply to this facility shall be met, which include conditions such as 12 foot access to the residence and a turn-around for fire apparatus, a residential fire sprinkler system for the home if it greater than 1000 feet from a fire hydrant, and construction elements in compliance with the Wildland Urban Interface Code for all structures on property.

There may be additional requirements at the time of permit submittal.

Please contact me with any questions at (775) 326-6005.

Thank you,

Amy Ray Fire Marshal



Washoe County Health District

ENVIRONMENTAL HEALTH SERVICES DIVISION



Washoe County Community Development C/O Trevor Lloyd 1001 E Ninth St. Reno, NV 89512 May 28, 2014

Dear Trevor,

After having reviewed the special use permit request from Amundson Grading (SB14-010), please be advised of the following.

- 1. The proposed flow line diversion will require 4-6 inch cobble rock in the flow line of these channels to reduce the downstream transport of sediment (040.021).
- 2. In the design of rockery walls, voids shall be filled by placing smaller rock within 6 inches of the face of the rock wall for the entire height of the wall (040.081).
- 3. Prior to the sign off of the building plans the above detail designs are required on the plans.

If there are any questions concerning the aforementioned vector-planning conditions as it relates to environmental health, please call us at 785-4599.

Sincerely,

J. L. Shaffer Coordinator/Planner Vector-Borne Diseases Program Environmental Health Division

OFFICIAL NOTICE OF PUBLIC HEARING

DATE: May 23, 2014

You are hereby notified that the **Washoe County Board of Adjustment** will conduct a public hearing at the following time and location:

1:30 p.m., Thursday, June 5, 2014 County Commission Chambers, 1001 East Ninth Street, Reno, NV 89512

RE: **PUBLIC NOTICE:** <u>Special Use Permit Case Number SB14-010 Amundson Grading</u> – To grade approximately 3,500 cubic yards (±83,315 square feet) of dirt for the purpose of preparing the property for a residence, agricultural building and horse riding arena.

•	Owner/Applicant:	Christina M Herbert Trust
•	Location:	0 Mountain Ranch Road
•	Assessor's Parcel Number:	150-250-48
•	Parcel Size:	±2.476
•	Master Plan Category:	Rural Residential (RR)
•	Regulatory Zone:	High Density Rural (HDR)
•	Area Plan:	Southwest Truckee Meadows
•	Citizen Advisory Board:	South Truckee Meadows/Washoe Valley
•	Development Code:	Authorized in Article 438, Grading Standards; and Article 810,
		Special Use Permits
•	Commission District:	2 – Commissioner Humke
•	Section/Township/Range:	Section 26, T18N, R19E MDM,
		Washoe County, NV
•	Staff:	Trevor Lloyd, Senior Planner
		Washoe County Community Services Department
		Planning and Development Division
•	Phone:	775-328-3620
•	E-mail:	Tlloyd@washoecounty.us

As an owner of property in the vicinity, you are invited to present testimony relative to these matters.

To access additional information about this item, please visit our website at <u>www.washoecounty.us/comdev/</u>, choose **Boards and Commissions**, then **Board of Adjustment Agendas**, **Staff Reports**, **Minutes and Roster**. A staff report related to this public hearing will be posted on Friday, six days prior to the meeting.

Special Use Permit Case SB14-010

Washoe County Board of Adjustment June 5, 2014







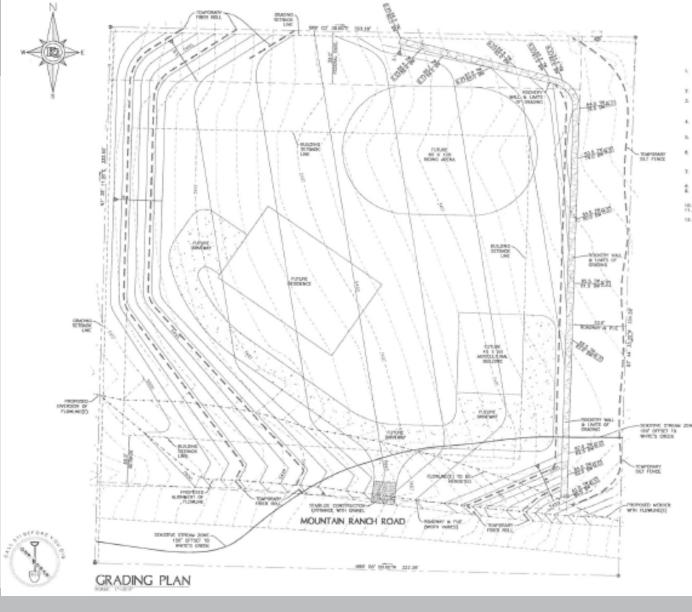
Vicinity Map







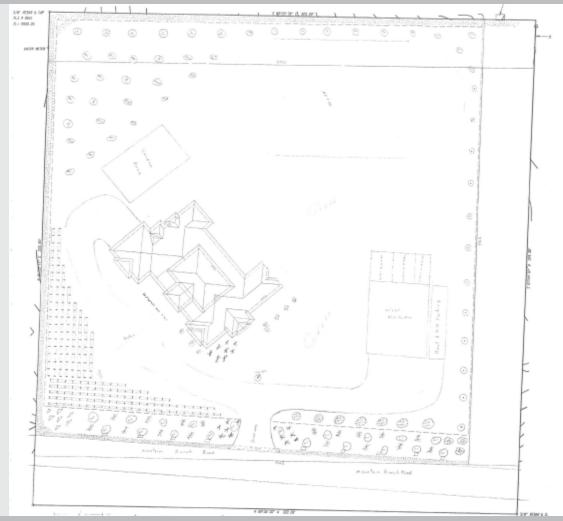
Site Plan







Landscape Plan







Project Specifics

- Grading of 83,315 square feet/3,500 cubic yards
- Will create a more level site for building pads and riding arena areas.
- Will result in slopes no greater than 3:1
- Zoned High Density Rural (HDR)





Dust and Erosion Control

- Best Management Practices (BMPs)
- Will not result in slopes no greater than 3:1
- Stormwater Discharge Permit through NDEP
- Use of silt fences and fiber rolls
- Site will be immediately landscaped and developed as a residential property





Citizen Advisory Board

- May 8, 2014 South Truckee
 Meadows/Washoe Valley CAB Meeting
- Unanimously supported by the CAB.





Possible Motion

I move that after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Board of Adjustment approve with conditions Special Use Permit Case No. SB14-010 for Christina Amundson, having made all five findings in accordance with Washoe County Development Code Section 110.810.30.



