Board of Adjustment Staff Report



Meeting Date: April 6, 2023

Agenda Item: 8E

SPECIAL USE PERMIT CASE NUMBER:	WSUP23-0007 (14025 Red Rock Rd)
BRIEF SUMMARY OF REQUEST:	Major grading associated with construction of a single-family dwelling
STAFF PLANNER:	Courtney Weiche, Senior Planner Phone Number: 775.328.3608 E-mail: cweiche@washoecounty.goy

CASE DESCRIPTION

For hearing, discussion, and possible action to approve a special use permit for major grading of 11,303 cubic yards of cut material and 10,975 cubic yards of fill material, disturbing a total of 179,744 square feet (4.12 acres) to provide for driveway access and building pads for a single-family dwelling and accessory structures. The applicant is also seeking to vary the following standards from Article 438; Section 110.438.45(c).

Applicant / Owner:	Elaine Yeoman
Location:	14025 Red Rock Road
APN:	079-351-01
Parcel Size:	46.7 acres
Master Plan:	Rural
Regulatory Zone:	General Rural
Area Plan:	North Valleys
Development Code:	Authorized in Article 810, Special Use Permits
Commission District:	5 – Commissioner Herman



STAFF RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

DENY

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 Washoe County Board of Adjustment approve with conditions Special Use Permit Case Number WSUP23-0007 for Elaine Yeoman, with the conditions included as Exhibit A to this matter, having made all five findings in accordance with Washoe County Code Section 110.810.30.

(Motion with Findings on Page 10)

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Exhibits Contents

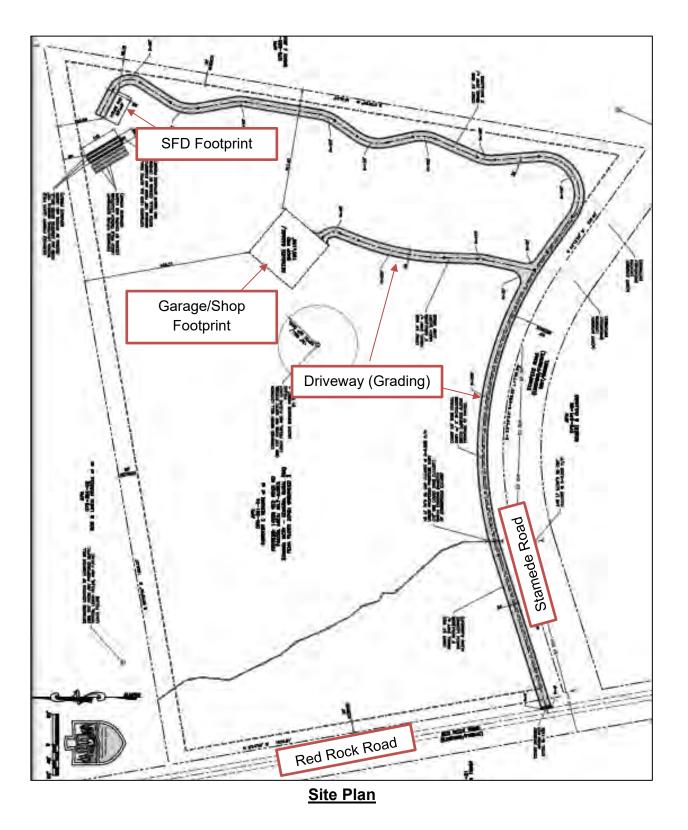
Conditions of Approval	Exhibit A
Agency Comments	Exhibit B
Public Notice	Exhibit C
Project Application	Exhibit D

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 WSUP23-0007 are attached to this staff report and will be included with the action order.



Project Evaluation

The project site (APN 079-351-01) consists of 46.70 acres located east of Red Rock Road and north of Stampede Road in the Red Rock Estates subdivision. Primary site access is via Red Rock Road to the west of the subject parcel. See below for aerial image and project location.

The subject property has a regulatory zone of General Rural (GR) and is located in the North Valleys Area Plan. The project site is vacant and covered in native vegetation. Adjacent parcels are of comparable size and developed with single family homes.

The site contains considerable topography, including slopes steeper than 30%. The design and location of the proposed single-family dwelling and garage/shop minimizes the use and disturbance of steeper slopes, to the greatest extent possible, while still achieving the most desirable and suitable location for the dwelling.



Article 438 – Grading

Construction of the single-family dwelling, garage/shop pad and associated driveway exceeds the major grading thresholds for traversing slopes greater than 30% and fills in excess of 1,000 cubic yards for both cut and fill on slopes greater than 15%.

The applicant indicates there will be approximately 4.12 acres of surface disturbance, 1,303 cubic yards of cut material and 10,975 cubic yards of fill material. The project nearly balances, with an excess of 328 cubic yards of material. The application exceeds two major grading permit thresholds in Article 438, Grading requiring approval of a special use permit. The thresholds are outlined below:

- 110.438.35(a)(2)(ii)(B) Importation of 1,000 cubic yards or more whether the materials is intended to be permanently located on the project site or temporarily stored on a site for relocation
- **110.438.35(a)(3)** Any driveway or road that traverses any slope of thirty (30) percent or greater (steeper)

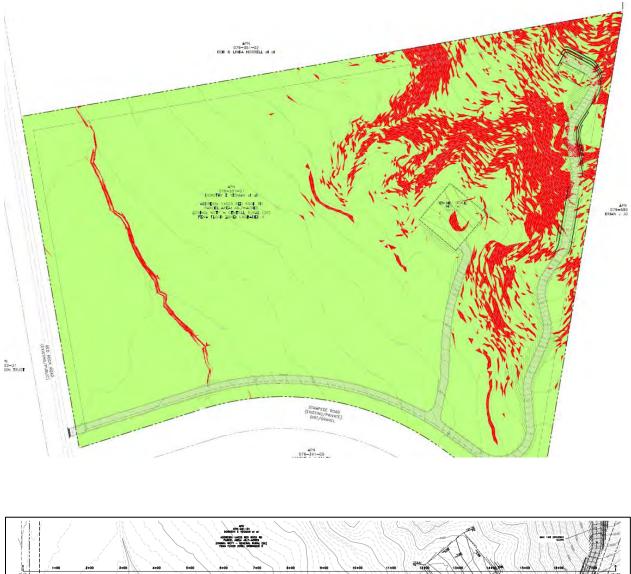
With the exception of WCC Section 110.438.45(c), the proposed grading conforms to the standards outlined in Article 438. All slopes must comply with Washoe County Code 110.438.45, which are summarized in the table below:

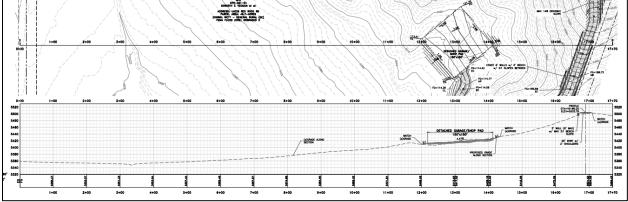
Type of Regulation	Requirements		
	Front Yard	Side Yard	Rear Yard
Slopes	3:1	3:1	3:1
Retaining Wall Height	4.5ft	6ft Res/8ft non res	6ft Res/8ft non res
Retaining Wall Terrace Widths	Min. 6ft	Min. 6ft	Min. 6ft
Retaining Wall Bench Widths	Min. 4ft	Min. 4ft	Min. 4ft

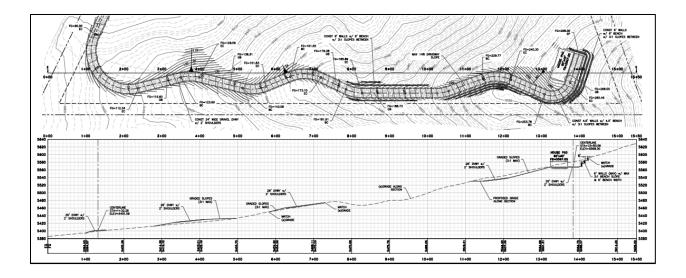
As part of the special use permit request, the applicant is seeking to vary grading standards – WCC Section 110.438.45(c), provided below. The applicant has provided a justification for the standard they are requesting to vary from as Exhibit C- project application. A summary of the request is provided below.

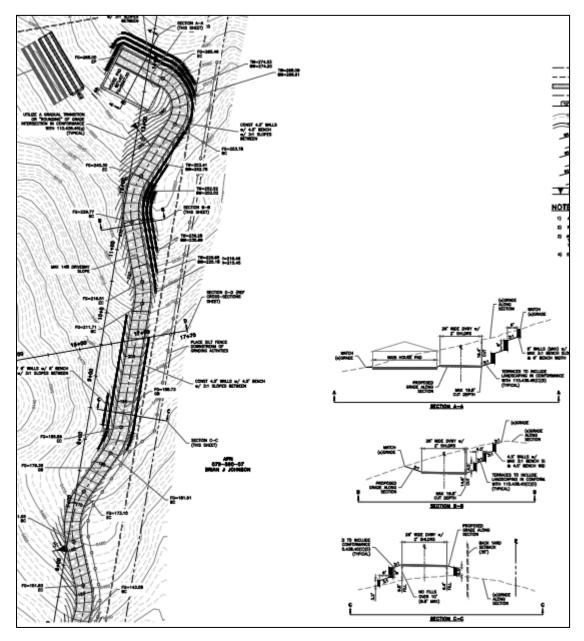
Section 110.438.45(c) - Finish grading shall not vary from the natural slope by more than ten (10) feet in elevation. Exposed finish grade slopes greater than ten (10) feet in height may be allowed upon the approval of a director's modification of standards by the Director of Community Development upon recommendation by the County Engineer.

Staff Comments: Staff supports varying the standard as requested due to existing site conditions and slope analysis. There are sections of the driveway that require cuts in excess of 10 feet. The maximum depth of cut is 19.8 feet, and the maximum fill area is 9.8 feet. The placement and design of the driveway is intended to limit the amount of grading on the steepest slopes, to the extent possible. Strict application of this standard would require the driveway to be significantly longer, thereby requiring much more disturbance to the parcel. Note that the deepest cut areas are directly behind the proposed house and will, therefore, largely be screened from public viewsheds. For full size cut sheets, please see Exhibit C - project application.









Article 424- Hillside Development

The regulations within Article 424, Hillside Development are intended to preserve and protect hillsides and ridgelines throughout Washoe County. The Hillside Development regulations are applicable to properties containing slopes in excess of fifteen (15) percent or greater on 20 percent or more of the site. The subject property normally would trigger Hillside Development requirements however Section 110.424.10 provides exemptions, specifically to parcels that were legally recorded prior to January 18, 1994.

Per the Washoe County assessor's records, the parcel was recorded in 1978, thereby satisfying the conditions for exemption from the hillside ordinance.

Area Plan Evaluation

The subject parcel is located within the North Valleys Area Plan. The following are the pertinent policies from the Area Plan that apply for this type of project request.

Relevant Alea Flan Folicies Reviewed				
Policy	Brief Policy Description	Complies	Condition of Approval	
NV 2.1	Use of curb and gutter minimized	Yes	NA	
NV 2.3	Noxious weed plan required	No	Staff provided conditions requiring a noxious weed plan in Exhibit A.	
NV 9.3	Slopes will not exceed 3:1 slope	Yes	NA	
NV 14.1	NDOW to be contacted for discretionary permits	Yes	NA	

Relevant Area Plan Policies Reviewed

Reviewing Agencies

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

Agencies 🗸	Sent to Review	Responded	Provided Conditions	Contact
NDOW (Wildlife)	х			
Washoe County Engineering & Capital Projects	x	x	x	Dwayne Smith, desmith@washoecounty.gov
Washoe County Land Development (All Apps)	x			
Washoe County Sewer	х			
Washoe County Traffic	х			
Washoe County Water Resource Planning	x			
Washoe County Water Rights Manager (All Apps)	x	x		
WCHD Air Quality	х	х	x	Genine Rosa, grosa@washoecounty.gov
WCHD Environmental Health	x			
TMFPD	Х	x	X	Brittany Lemon, blemon@tmfpd.us

All conditions required by the contacted agencies can be found in Exhibit A, Conditions of Approval.

Staff Comment on Required Findings

WCC Section 110.810.30, Article 810, *Special Use Permits*, 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.

(a) <u>Consistency.</u> That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the North Valleys Area Plan.

<u>Staff Comment:</u> The proposed use of major grading is consistent with the action programs, policies, standards, and maps of the Master Plan with the conditions recommended in Exhibit A.

(b) <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 no utility, sanitation, or water supply facilities necessary for the proposed grading of driveway access and building pads for future development of a single family dwelling and an accessory garage/shop. Future buildout will require the applicant to be responsible for their own water and sewage systems through the use of a well and a septic tank.

(c) <u>Site Suitability.</u> That the site is physically suitable for major grading and for the intensity of such a development.

<u>Staff Comment:</u> The parcel has been mapped since 1978, with the intention of locating a single house on the property. The proposed project is comparable in terms of size, intensity, and grading, to surrounding properties. The proposed project maintains the character of the area and the low-intensity development pattern.

(d) <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 parcel is generously sized and proposed construction of a single family dwelling and associated garage/shop will be located well away from adjacent dwellings. The project is comparable in scale and intensity to surrounding land use patterns and will not represent a disruption to the area or introduce any new land uses.

(e) <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.

Staff Comment: There are no military installations near the site.

Recommendation

After a thorough analysis and review, Special Use Permit Case Number WSUP23-0007 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 WSUP23-0007 for Elaine Yeoman, with the conditions included as Exhibit A to this matter, having made all five findings in accordance with Washoe County Code Section 110.810.30:

- (a) <u>Consistency.</u> That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the North Valleys Area Plan;
- (b) <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;
- (c) <u>Site Suitability.</u> That the site is physically suitable for major grading, and for the intensity of such a development;
- (d) <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;
- (e) <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 calendar days after the written decision is filed with the Secretary to the Board of Adjustment and mailed to the applicant, unless the action is appealed to the Washoe County Board of County Commissioners, in which case the outcome of the appeal shall be determined by the Washoe County Board of County Commissioners. Any appeal must be filed in writing with the Planning and Building Division within 10 calendar days from the date the written decision is filed with the Secretary to the Board of Adjustment

Property Owner:	Elaine Yeoman elainecherokee77@att.net
Consultant:	Derek Wilson dwilson@rubicondesigngroup.com



Conditions of Approval

Special Use Permit Case Number WSUP23-0007

The project approved under Special Use Permit Case Number WSUP23-0007 shall be carried out in accordance with the conditions of approval granted by the Board of Adjustment on April 6, 2023. 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. 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.

<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 Building 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 institution 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 Health District must be appealed to the District Board of Health.

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 Building Division

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

Contact Name – Courtney Weiche, Senior Planner, 775.328.3608, <u>cweiche@washoecounty.gov</u>

- a. The applicant shall attach a copy of the action order approving this project to all permits and applications (including building permits) applied for as part of this special use permit.
- b. The applicant shall demonstrate substantial conformance to the plans approved as part of this special use permit.
- c. The applicant shall submit construction plans, with all information necessary for comprehensive review by Washoe County, and initial 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.
- d. The applicant shall submit color and building material samples as part of the building permit submittal.
- e. A note shall be placed on all construction drawings and grading plans stating:

NOTE

Should any cairn or grave of a Native American be discovered during site development, work shall temporarily be halted at the specific site and the Sheriff's Office as well as the State Historic Preservation Office of the Department of Conservation and Natural Resources shall be immediately notified per NRS 383.170.

- d. Construction hours are 7am to 7pm Monday through Saturday. No construction activities shall take place on Sundays.
- e. If import is required in the course of construction, the applicant shall submit a noxious weed plan in accordance with North Valley Area Plan Policy NV.2.3.

Washoe County Engineering and Capital Projects

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

GENERAL CONDITIONS

Contact Information: Robert Wimer, P.E. (775) 328-2059

- A complete set of construction improvement drawings, including an on-site grading plan showing proposed driveway slopes, 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. For construction areas larger than 1 acre, the developer shall obtain from the Nevada Division of Environmental Protection a Stormwater Discharge Permit or Waiver for

construction and submit a copy to the Engineering Division prior to issuance of a grading permit.

- 3. The developer shall complete and submit the Construction Permit Submittal Checklist and pay the Construction Stormwater Inspection Fee prior to obtaining a grading permit. The County Engineer shall determine compliance with this condition.
- 4. Applicant shall indicate on the plans where exported materials will be taken and a grading permit shall be obtained for the import site.
- 5. Exported materials shall not be sold without the proper business license.
- 6. A grading bond of \$2,000/acre of disturbed area shall be provided to the Engineering Division prior to any grading.
- 7. Cross-sections indicating cuts and fills shall be submitted when applying for a grading permit. Estimated total volumes shall be indicated.
- 8. All disturbed areas left undeveloped for more than 30 days shall be treated with a dust palliative. Disturbed areas left undeveloped for more than 45 days shall be revegetated. Methods and seed mix must be approved by the County Engineer with technical assistance from the Washoe-Storey Conservation District. The applicant shall submit a revegetation plan to the Washoe-Storey Conservation District for review.

DRAINAGE (COUNTY CODE 110.416, 110.420, and 110.421)

Contact Information: Robert Wimer, P.E. (775) 328-2059

- 1. Standard reinforced concrete headwalls or other approved alternatives shall be placed on the inlet and outlet of all drainage structures and rip rap shall be used to prevent erosion at the inlets and outlets of all pipe culverts to the satisfaction of the County Engineer.
- 2. The developer shall provide pretreatment for petrochemicals and silt for all storm drainage from the site to the satisfaction of the County Engineer.
- 3. The following note shall be added to the construction drawings; "All properties, regardless if they are located within or outside of a FEMA designated flood zone, may be subject to flooding. The property owner is required to maintain all drainage easements and natural drainages and not perform or allow unpermitted and unapproved modifications to the property that may have detrimental impacts to surrounding properties."

TRAFFIC AND ROADWAY (COUNTY CODE 110.436)

Contact Information: Mitchell Fink, P.E. (775) 328-2050

1. An Encroachment & Excavation Permit shall be obtained from Washoe County Community Services Department (CSD) for any work performed in the Washoe County right-of-way.

Truckee Meadows Fire Protection District

3. The following condition is a requirement of the Truckee Meadows Fire Protection District, which shall be responsible for determining compliance with this condition.

Contact Name – Brittany Lemon; 775.326.6000; <u>blemon@tmfpd.us</u>

a. This project shall meet and comply with all requirements of currently adopted TMFPD fire codes, ordinances, and standards at the time of construction to include infrastructure for fire apparatus access roads and water supply. https://tmfpd.us/fire-code/.

Washoe County Air Quality Management

4. The following conditions are requirements of the Washoe County Air Quality Management Division, which shall be responsible for determining compliance with these conditions.

Contact Name – Genine Rosa, grosa@washoecounty.us

a. Any dust generating activity, regardless of size of disturbance, will be subject to the Washoe County District Board of Health Regulation Governing the Air Quality Management Division, 040.030 Dust Control. Except when engaged in commercial agricultural operations, no person may disturb the topsoil by removing, altering, or overlaying the ground cover through scraping, burning, excavating, storing of fill, application of palliative, or any other method on any real property unless reasonable precautions are taken to prevent generation of dust during both the active development phases and thereafter if the property is to remain unoccupied, unused, vacant or undeveloped. If disturbance will be greater than 1 acre then a Dust Control Permit will be required prior to breaking ground, failure to do so may result in enforcement action resulting in a Notice of Violation with associated fines. For Dust Control Permit questions call AQMD at 775-784-7200 or visit *www.OurCleanAir.com.*

*** End of Conditions ***



Washoe-Storey Conservation District

Bret Tyler Chairmen Jim Shaffer Treasurer Cathy Canfield Storey app Jean Herman Washice app

1365 Corputate Blvd. RenoNV 89502 775 857 6500 ext. 131 nevedacorsen aton.com

February 21, 2023

Washoe County Community Services Department

C/O Courtney Weiche, Senior Planner

1001 E Ninth Street, Bldg. A

Reno, NV 89512

R: WSUP23-0007 Red Rock Road

Dear Courtney,

In reviewing the special use permit for major grading associated with construction of a single-family dwelling, the Conservation District has the following comments.

The initial grading proposes a separate driveway to the garage/shop site. If possible, to reduce additional grading, the District recommends a road constructed to the shop from the proposed driveway to the residence.

The District requests reviewing the revegetation plans. These plans have not yet been sent to us for our review.

With rock walls proposed, we recommend filling the voids in the face of the entire wall to prevent the undermining of small mammals.

The District recommends the paint color palette utilize soft earth tone colors for the primary residence, detached garage including the roofing material.

Thank you for providing us the opportunity to review the project that may have impacts on our natural resources any questions call us (775-750-8272.

Sincerely,

Jim Shaffer

From:	Lemon, Brittany
To:	Weiche, Courtney
Cc:	<u>Way, Dale</u>
Subject:	WSUP23-0007 (14025 Red Rock Road) Conditions of Approval
Date:	Wednesday, February 15, 2023 8:06:06 AM
Attachments:	image001.png

Good Morning Courtney,

"This project shall meet and comply with all requirements of currently adopted TMFPD fire codes, ordinances, and standards at the time of construction to include infrastructure for fire apparatus access roads and water supply." https://tmfpd.us/fire-code/.

This project will require an approved Alternate Materials and Method from TMFPD.

Thank you,

Brittany Lemon

Fire Captain - Fire Prevention | Truckee Meadows Fire & Rescue blemon@tmfpd.us | Office: 775.326.6079 | Cell: 775.379.0584 3663 Barron Way, Reno, NV 89511 tmfpd_final_sunset_logo

"Committed to excellence, service, and the protection of life and property in our community"



WASHOE COUNTY COMMUNITY SERVICES

INTEGRITY COMMUNICATION SERVICE

1001 East 9th Street Reno, Nevada 89520-0027 Phone: (775) 328-3600 Fax: (775) 328-3699

February 15, 2023

TO: Courtney Weich, Senior Planner, CSD, Planning & Development Division

FROM: Vahid Behmaram For Timber Weiss, Licensed Engineer, CSD

SUBJECT: Special Use Permit Case Number WSUP23-0007 (14025 Red Rock Road)

Project description:

For hearing, discussion, and possible action to approve a special use permit for major grading associated with the construction of a single-family dwelling. The proposal also includes a request to vary grading standards, specifically 110.438.45 (c).

Location: Assessor's Parcel Number: 079-351-01.

The Community Services Department (CSD) recommends approval of this project with the following Water Rights conditions:

No comments or conditions.



Special Use Permit Case Number WSUP23-0005 (Piute Creek Grading)

Special Use Permit Case Number WSUP23-0007 (14025 Red Rock Road)

Both receive the following comments:

Any dust generating activity, regardless of size of disturbance, will be subject to the Washoe County District Board of Health Regulation Governing the Air Quality Management Division, 040.030 Dust Control. Except when engaged in commercial agricultural operations, no person may disturb the topsoil by removing, altering, or overlaying the ground cover through scraping, burning, excavating, storing of fill, application of palliative, or any other method on any real property unless reasonable precautions are taken to prevent generation of dust during both the active development phases and thereafter if the property is to remain unoccupied, unused, vacant or undeveloped.

If disturbance will be greater than 1 acre then a Dust Control Permit will be required prior to breaking ground, failure to do so may result in enforcement action resulting in a Notice of Violation with associated fines. For Dust Control Permit questions call AQMD at 775-784-7200 or visit <u>www.OurCleanAir.com</u>.

Tentative Parcel Map Case Number WTPM23-0003 (Wells)

No Comments

P.S. Please be sure to click the link below and sign up to receive air quality news, updates, public notices and more via email.

Genine Rosa

Senior Air Quality Specialist | Air Quality Management Division | Washoe County Health District grosa@washoecounty.gov | O: (775) 784-7204 | 1001 E. Ninth St., Bldg. B, Reno, NV 89512

Working Hours M-Th: 7 AM-4:30 PM and F: 7 AM-11 AM

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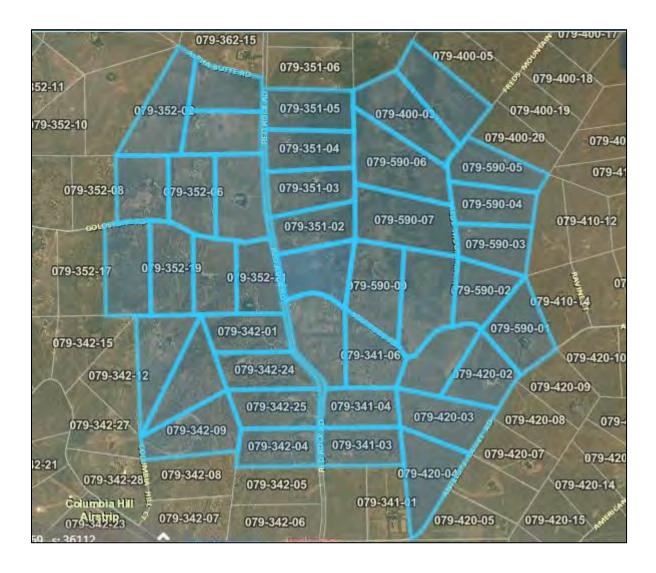
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Public Notice

Washoe County Code requires that public notification of Special Use Permit be mailed to a minimum of 30 separate property owners within a minimum 500-foot radius of the subject property a minimum of 10 days prior to the public hearing date. This proposal was noticed within a 3,500-foot radius of the subject property, noticing 41 separate property owners a minimum of 10 days prior to the public hearing date.



Public Notice Map Special Use Permit Case Number WSUP23-0007

14025 Red Rock Road Grading

Special Use Permit

Prepared for: Elaine Yeoman 116 Bernoulli St Reno, NV 89506

Prepared by: Derek Wilson 1985 Chimney Rock Trail Reno, Nevada 89523 (775) 527-6710

February 8, 2023

Introduction

This application includes the following requests:

- A **Special Use Permit** to allow for grading of an undeveloped residential parcel in the General Rural (GR) zone.
- A Director's Modification to Development Code Section 110.438.45(c) Grading of Slopes.

Project Location

The project site (APN 079-351-01) consists of 46.70 acres located east of Red Rock Road, north of Stampede Road, in the Red Rock Estates subdivision. Primary site access is via Red Rock Road on the west of the site. Figure 1 (below) provides the project location.



Figure 1 – Vicinity Map

Access

Access to the project site can theoretically be achieved from either Red Rock Road or Stampede Road. The parcel map, shown in Figure 2 below, provides access and parcel detail. Informal access has been conducted via a jeep trail from Stampede Road. This informal access route partially overlays the most logical route for the proposed single family driveway. It is the preference of the owner to install formal access from Red Rock Road. As the major public roadway in the area, Red Rock is the most reliable method of achieving road access to the property. The current property owner has not yet installed any driveways or conducted any grading.



5

Existing Conditions

The subject property is zoned General Rural (GR). The project site is entirely vacant and appears to never have contained any development. The site is accessed by an informal jeep trail extended from Stampede Road. Portions of this jeep trail appear to have been cleared of sagebrush by a former owner but due to snow cover it is not currently possible to evaluate the condition of this jeep trail.

The site is designated Zone X, minimal flood hazard by FEMA.

The site is surrounded by GR zoning on all sides. Adjacent parcels are of comparable sizes to the project site.

Parcels on all sides are developed with single family homes.

Washoe County mapping data does not identify any water courses or water resources on the project property.

The site does contain considerable topography, including slopes steeper than 30%. As will be discussed below, the proposed development of the site minimizes the use and disturbance of steeper slopes to the greatest extent possible while achieving a suitable house location.

Figure 3 shows the existing onsite conditions.



View of property, looking northeast from Stampede Road

Figure 3 – Existing Conditions



View from proposed housing pad looking south with adjacent property on the left.



View of adjacent house showing comparable development Figure 3 – Existing Conditions (continued)

Project Request

This request seeks the approval of a Special Use Permit for grading. The goal is to construct a single family house, separate garage, and driveway on the property. The current owners acquired the property in 2021.

The site is undeveloped but has been mapped as part of the Red Rock Estates subdivision since 1978.

Figure 4 below provides the proposed site plan for the property.

Note that full-size engineering exhibits are included with this application. The reduced versions included in this text are for convenience.

This request also includes a Director's Modification of Code Section 110.438.45(c) Grading of Slopes.

This code section reads: Finish grading shall not vary from the natural slope by more than ten (10) feet in elevation. Exposed finish grade slopes greater than ten (10) feet in height may be allowed upon the approval of a director's modification of standards by the Director of Community Development upon recommendation by the County Engineer.

There are sections of the driveway that require cuts in excess of 10 feet. The placement of the driveway achieves access to the proposed building site while incurring the minimum disturbance of steeper slopes. The Director's Modification makes sense in this case because to avoid these limited areas of 10 foot cuts, the driveway would be much longer and would disturb more of the site. Adherence to the code would therefore increase the grading disturbance. Additional discussion of this issue is included in the *Cut/Fill Areas* section of this document.

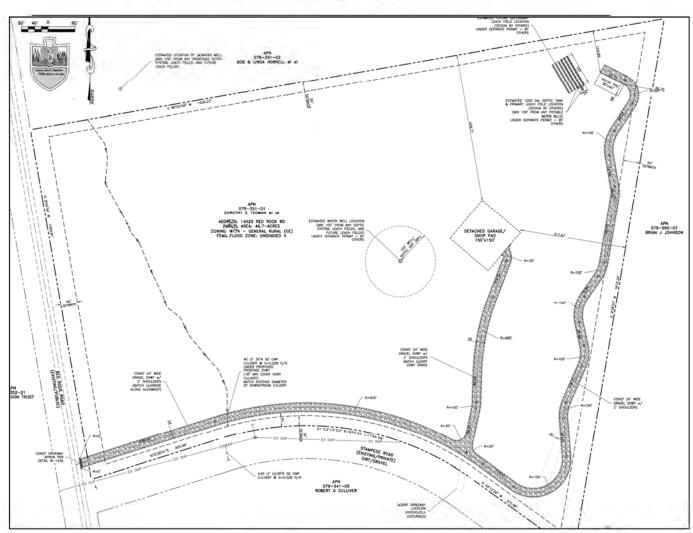


Figure 4 – Proposed Site Plan

The proposed layout includes the following components:

-driveway to house, driveway to garage -house pad and single family house (permitted by right with building permit) -garage pad and detached garage (permitted by right with building permit) -septic system (permitted by right with health department review) -domestic well (permit obtained)

As seen from these project components, the proposed development is a standard single family layout. It is comparable to existing development in the neighborhood and in the area as a whole. It is only the grading associated with the driveway, and the existence of steeper slopes on the parcel, that result in the need for

the approval of a Special Use Permit. It is somewhat common for parcels of this size to trigger an SUP for grading when installing the necessary long driveways.

Grading volume

The grading plan includes 11,303 cubic yards of cut material and 10,975 cubic yards of fill. The balance of 328 cubic yards will be disposed of in an appropriate manner in compliance with code.

Cut/Fill Areas

A cut/fill exhibit is included with this application. The maximum depth of cut is 19.8 feet. The maximum fill area is 9.8 feet. The project therefore is subject to Code Section 110.438.45(c) Grading of Slopes, and the requirement that any grading that differs from the natural slopes by more than 10' in height must pursue a Director's Modification. As noted, the driveway design is specifically intended to limit the amount of grading on steep slopes while also serving the house pad. Relocating the driveway would result in more grading as the driveway would gain length.

Note that the deepest cut areas are directly behind the proposed house and are therefore largely screened from view. There will not be extensive cut areas visible to the public.

Below are the criteria for evaluating a Director's Modification, with comments provided in **bold** type.

(1) Approval of a director's modification of standards requires a determination that: (i) The proposed cut and/or fill slopes include stepped-back structural containment (retaining walls) that form terraces, and;

The proposed grading includes terraced retaining walls. Please see the included grading plan.

(2) The proposed terraces include landscaping, are a minimum of six (6) feet in width, and have a slope flatter than three horizontal to one vertical (3:1).

The proposed terraces exceed the required minimum width and are not steeper than 3:1.

(3) Retaining walls used to create terraces are limited to a maximum vertical height of ten (10) feet, when located outside any required yard setback.

All retaining walls are below this maximum limit. The tallest retaining wall is 6'.

(4) Terrace widths shall be at least sixty (60) percent of the height of the higher of the two (2) adjacent retaining walls.

The terrace widths meet this standard. The narrowest terrace is 100% of the height of the adjacent retaining walls.

(5) Bench widths shall be at least four (4) feet. (2) An exception to the terrace width may be allowed subject to the approval of a director's modification of standards by the Director of Community Development, upon recommendation by the County Engineer for cuts into stable rock, supported by a geotechnical report

The project is not proposing bench widths of less than 4'. The narrowest bench is 4.5'.

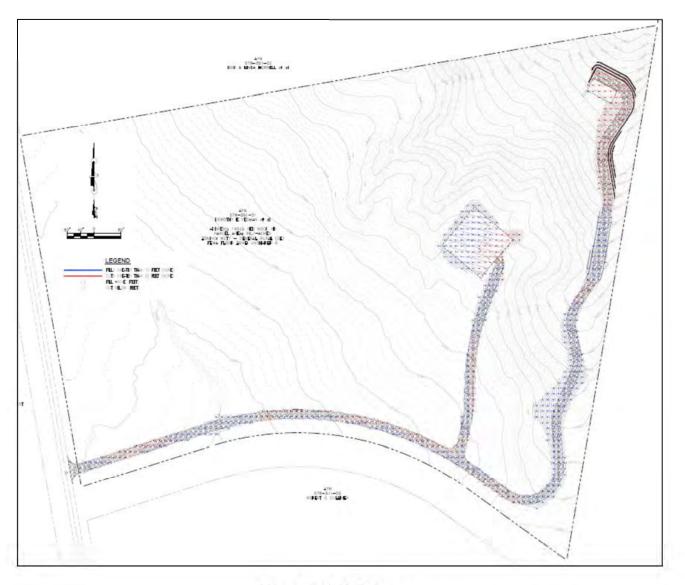


Figure 5 – Cut/Fill Map

Slopes

While the subject parcel contains substantial topography, the site is exempt from the provisions of the hillside ordinance. The relevant code reads as follows:

Section 110.424.10 Exemptions. The following use types are exempt from the provisions of this article: (a) Residential Use Types. The following residential use types are exempt from the provisions of this article: (2) A parcel entitled to one dwelling unit legally recorded as of January 18, 1994, the adoption date of this article

Per the Washoe County assessor's records, the parcel was recorded in 1978 and is residentially zoned, satisfying the conditions for exemption from the hillside ordinance.

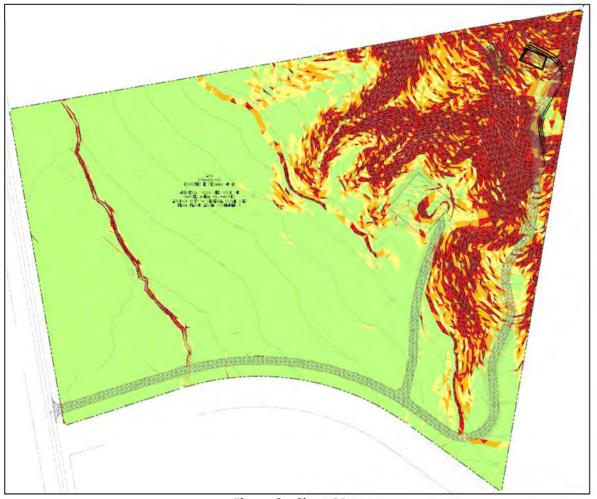


Figure 6 – Slope Map

Development Pattern

As noted, the project is comparable to existing residential development. It is common for single family homes to trigger the need for an SUP in this area, given the large parcel sizes and the varied topography. A review of nearby parcels provides examples of this.

1. 1210 Stampede Road: directly east of project site. Special Use Permit SB01-013 for grading. This parcel is developed in exactly the same manner as the proposed project, with a long driveway being required to access the building pad. The photo below provides another view of this property. The proposed project is less visible than this existing house and does not utilize a hilltop building pad.



- 120 Columbia Hill Court: southwest of project site, across Red Rock Rd. Special Use Permit WSUP21-0031 for grading. Again, the same style of development with a lengthy driveway necessary to reach the building pad.
- 3. 14010 Red Rock Rd: south of project site. Special Use Permit SB06-020 for grading.
- 4. 13930 Red Rock Rd: south of project site. Special Use Permit SB07-004 for grading.
- 5. 120 Cobalt Lane: north of project site. Special Use Permit WSUP21-0005 for grading.

Area Plan Compliance

This request was analyzed against the development standards contained in the North Valleys Area Plan. There are no provisions in the Area Plan that discourage the proposed project. The project conforms to the goals of the area plan by maintaining the existing zoning and Master Plan land use designations and by maintaining the low-density rural character of the area.

The Area Plan devotes very limited attention to single-family parcel development. It is more concerned with ensuring that subdivisions and commercial development do not alter the character of the area. This project will not alter the character of the area as the proposed development is directly comparable to other residences in the area.

Relevant excerpts from the Area Plan are included below with comments in bold type.

Character Statement, page 3: Antelope Valley, Red Rock, Rancho Haven, Bedell Flats and Sierra Ranchos contribute to a distinct character of large and very large lot residential uses.

The proposed project maintains the character of the area by proposing a single family house on a large lot.

NV.3.5 Whenever feasible, new homes should be located in a manner that facilitates the immediate use of, or future conversion to, renewable energy technologies. This includes home orientation to solar and wind exposure and geothermal resources

The siting of the house will maximize the potential to harvest solar energy at the site. The proposed house location faces south and allows an unobstructed view of the sky.

Code Section 110.208.0-45 North Valleys Area

The proposed project conforms to all the standards listed in this section.

Special Use Permit Findings

Section 110.810.30 of the Washoe County Development Code contains findings that must be made in order to approve a Special Use Permit. These findings are included below, with responses provided in **bold type**.

1. Consistency. The proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the applicable area plan;

The proposed project is in direct conformance with the Master Plan in that the existing land use designations will remain in place. Additionally, the project is consistent with the character statement in the North Valley Area Plan which recognizes large-lot residential as a primary use in this area.

2. Improvements. 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;

The project is very modest in scope and only contains a single residence. It is far too small to impact area utilities or other infrastructure. The project will be responsible for its own water and sewage systems through the use of a well and a septic tank.

3. Site Suitability. The site is physically suitable for the type of development and for the intensity of development.

The parcel has been mapped since 1978, with the intention of locating a single house on the property. The proposed project is comparable in terms of size, intensity, and grading, to surrounding properties. The proposed project maintains the character of the area and the low-intensity development pattern.

4. Issuance Not Detrimental. 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; and

The parcel is generously sized and development will be located well away from neighboring houses. The project is comparable in scale and intensity to surrounding land use patterns and so will not represent a disruption to the area or introduce any new land uses.

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

Not relevant. There are no military installations near the site.

Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Building staff at 775.328.6100.

Project Information	5	Staff Assigned Case No.:	
Project Name: 14025	Red Rock I	Road Grading S	UP
100 cription:	n SUP and Director house, garage, a	or's Modification for grading	g associated with
Project Address: 14025 Red R	ock Road		
Project Area (acres or square fe	eet): 46.7 acres		
Project Location (with point of r	eference to major cross	s streets AND area locator):	
Intersection of I	Red Rock I	Rd and Stamped	de Rd
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
079-351-01	46.7		
Case No.(s). no permits is	sued	Is associated with this applic	
Property Owner:		Professional Consultant:	,,
Name: Elaine Yeoman		Name: Derek Wilson	
Address: 116 Bernoulli St Ren	o, NV 89506	Address: 1985 Chimney Rock Trail	
	Zip:	Reno, NV 89523	Zip:
Phone:	Fax:	Phone: 775-527-6710 Fax:	
Email: elainecherokee77@att.r	net	Email: dwilson@rubicondesigr	ngroup.com
Cell: 775-745-8773	Other:	Cell:	Other:
Contact Person:		Contact Person:	
Applicant/Developer:		Other Persons to be Conta	cted:
Name: Elaine Yeoman			
Address: 116 Bernoulli St Reno, NV 89506		Address:	
Zip:			Zip:
Phone: 775-745-8773 Fax:		Phone: Fax:	
Email: elainecherokee77@att.net		Email:	
Cell: Other:		Cell: Other:	
Contact Person:		Contact Person:	
	For Office	e Use Only	
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

Special Use Permit Application Supplemental Information

(All required information may be separately attached)

1. What is the project being requested?

An SUP and a Director's Modification for grading associated with a single family house, garage, and driveway.

2. Provide a site plan with all existing and proposed structures (e.g. new structures, roadway improvements, utilities, sanitation, water supply, drainage, parking, signs, etc.)

Full engineering documents are included with this application.

3. What is the intended phasing schedule for the construction and completion of the project?

The project will be completed in a single phase, with construction to start as soon as possible.

4. What physical characteristics of your location and/or premises are especially suited to deal with the impacts and the intensity of your proposed use?

The project is very low intensity, in keeping with the character of the area. Development in the area is comparable to the proposed project. All construction will be well away from neighboring houses.

5. What are the anticipated beneficial aspects or affects your project will have on adjacent properties and the community?

The parcel will be developed in a low-intensity manner that fits with the character of the area. The completed project will match surrounding development in terms of intensity and land use.

6. What are the anticipated negative impacts or affect your project will have on adjacent properties? How will you mitigate these impacts?

The project will have very limited impacts on other properties. It will not block anyone's views or impose noise or visual impacts on surrounding properties.

 Provide specific information on landscaping, parking, type of signs and lighting, and all other code requirements pertinent to the type of use being purposed. Show and indicate these requirements on submitted drawings with the application.

Full engineering materials are included with this application.

Washoe County Planning and Building SPECIAL USE PERMITS APPLICATION SUPPLEMENTAL INFORMATION December 2018

8. Are there any restrictive covenants, recorded conditions, or deed restrictions (CC&Rs) that apply to the area subject to the special use permit request? (If so, please attach a copy.)

🗆 Yes	No No	
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9. Utilities:

a. Sewer Service	septic
b. Electrical Service	NV Energy
c. Telephone Service	ATT
d. LPG or Natural Gas Service	NV Energy
e. Solid Waste Disposal Service	Waste Management
f. Cable Television Service	Charter
g. Water Service	domestic well

For most uses, Washoe County Code, Chapter 110, Article 422, Water and Sewer Resource Requirements, requires the dedication of water rights to Washoe County. Please indicate the type and quantity of water rights you have available should dedication be required.

h. Permit #	acre-feet per year	
i. Certificate #	acre-feet per year	
j. Surface Claim #	acre-feet per year	
k. Other #	acre-feet per year	

Title of those rights (as filed with the State Engineer in the Division of Water Resources of the Department of Conservation and Natural Resources).

10. Community Services (provided and nearest facility):

a. Fire Station	TRUCKEE MEADOWS FIRE STATION 42	_
b. Health Care Facility	SAINT MARY'S NORTH VALLEYS URGENT CARE	
c. Elementary School	GOMES ELEM.	
d. Middle School	COLD SPRINGS MIDDLE SCH.	
e. High School	SIERRA NEVADA HIGH SCH.	
f. Parks	LEMMON VALLEY PARK	
g. Library	NORTH VALLEYS LIBRARY	
h. Citifare Bus Stop	RTC ROUTE 7 STEAD BLVD	

Special Use Permit Application for Grading Supplemental Information

(All required information may be separately attached)

1. What is the purpose of the grading?

To allow for the construction of a single family home, a garage, and the associated driveways.

2. How many cubic yards of material are you proposing to excavate on site?

The grading plan includes 11,303 cubic yards of cut material and 10,975 cubic yards of fill.

3. How many square feet of surface of the property are you disturbing?

179,744 square feet

4. How many cubic yards of material are you exporting or importing? If none, how are you managing to balance the work on-site?

The project nearly balances, with an excess of 328 cubic yards of material. This excess will be disposed of in an approved manner.

 Is it possible to develop your property without surpassing the grading thresholds requiring a Special Use Permit? (Explain fully your answer.)

It is not possible to make use of the most appealing parts of the property without a grading SUP. To avoid a grading SUP, the house would have to be located close to Red Rock Road.

6. Has any portion of the grading shown on the plan been done previously? (If yes, explain the circumstances, the year the work was done, and who completed the work.)

The current owner has not performed any grading. A previous owner appears to have cleared sage brush from sections of an informal jeep trail that is in place.

 Have you shown all areas on your site plan that are proposed to be disturbed by grading? (If no, explain your answer.)

9

Yes, complete engineering materials are attached.

8. Can the disturbed area be seen from off-site? If yes, from which directions and which properties or roadways?

Yes, the proposed project can be seen from both Red Rock Rd and Stampede Road on the west and south respectively.

9. Could neighboring properties also be served by the proposed access/grading requested (i.e. if you are creating a driveway, would it be used for access to additional neighboring properties)?

Surrounding properties are already developed with driveways in place so it is unlikely that neighbors would need to use the proposed driveway.

10. What is the slope (horizontal/vertical) of the cut and fill areas proposed to be? What methods will be used to prevent erosion until the revegetation is established?

Please refer to the attached engineering materials.

11. Are you planning any berms?

Yes No.	X If yes	s, how tall is the berm at its highest?
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12. If your property slopes and you are leveling a pad for a building, are retaining walls going to be required? If so, how high will the walls be and what is their construction (i.e. rockery, concrete, timber, manufactured block)?

Yes, walls are required. Please see the attached engineering materials.

13. What are you proposing for visual mitigation of the work?

Landscaping is included on all terraces. Visual impacts are comparable to other development in the area.

14. Will the grading proposed require removal of any trees? If so, what species, how many and of what size?

There are no significant trees on the property. There are a few small evergreens that may have to be removed due to grading.

15. What type of revegetation seed mix are you planning to use and how many pounds per acre do you intend to broadcast? Will you use mulch and, if so, what type?

A licensed landscaper will be engaged to perform this work in accordance with local practice.

16. How are you providing temporary irrigation to the disturbed area?

A licensed landscaper will be engaged to perform this work in accordance with local practice.

17. Have you reviewed the revegetation plan with the Washoe Storey Conservation District? If yes, have you incorporated their suggestions?

The property owner will work with local experts to ensure compliance with any requirements.

18. Are there any restrictive covenants, recorded conditions, or deed restrictions (CC&Rs) that may prohibit the requested grading?

Yes	NoX	If yes, please attach a copy.

11

Director's Modification of Standards Supplemental Information

(All required information may be separately attached)

1. What modification or deviation are you requesting? Be specific.

The maximum depth of cut is 19.8 feet. The maximum fill area is 9.8 feet. The project therefore is subject to Code Section 110.438.45(c) Grading of Slopes, and the requirement that any grading that differs from the natural slopes by more than 10' in height must pursue a Director's Modification.

 Why is the modification or deviation necessary to the success of the project/development? <u>Be</u> <u>specific.</u> Are there any extenuating circumstances or physical conditions on the proposed project/development site?

The proposed driveway design is specifically intended to limit the amount of grading on steep slopes while also serving the house pad. Relocating the driveway would result in more grading as the driveway would gain length.

3. Are you proposing to mitigate the effect of the modification or reduction?

The project is comparable to surrounding development. The proposed grading will not appear out of character with the area. The areas of deepest cut slopes will be screened by the proposed house and are therefore mitigated by the layout of the project.

4. What section of code are you requesting to modify or deviate? <u>Be specific</u>. List the code section and if there are specific requirements for the modification, provide detailed information. For deviation, provide the percentage of the deviation.

Code Section 110.438.45(c) Grading of Slopes. The proposed cut depth deviates by 98%. Please see the attached engineering exhibits.

5. For Minor Deviation request; list what properties/parcels are affected by the deviation? Explain if there will be any impacts to the affected neighboring properties. (At a minimum, affected property owners are those owners of parcels that immediately abut the location of the proposed minor deviation.)

The project is well separated from neighboring properties and there will be no impacts to them. The project is comparable to other development in the area.

