



Board of Adjustment Staff Report

Meeting Date: March 2, 2023

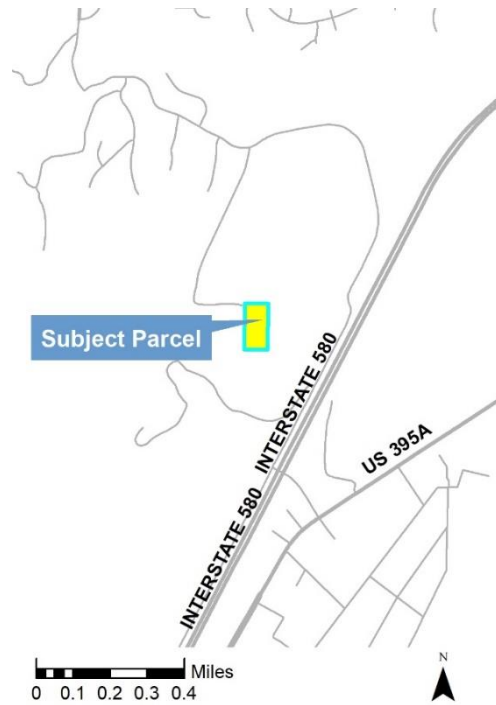
Agenda Item: 8C

SPECIAL USE PERMIT CASE NUMBER:	WSUP22-0036 (Southwind Drive Grading)
BRIEF SUMMARY OF REQUEST:	Major grading special use permit for a driveway traversing 30% slopes and unpermitted grading.
STAFF PLANNER:	Chris Bronczyk, Senior Planner Phone Number: 775.328.3612 E-mail: cbronczyk@washoecounty.gov

CASE DESCRIPTION

For hearing, discussion, and possible action to approve a special use permit for major grading to allow for a driveway to traverse 30% or greater slopes. The request also addresses unpermitted grading that previously occurred on the subject parcel. Additionally, the applicant is requesting to vary the following grading standard. WCC 110.438.45(c) to allow for fills in excess of 10 feet.

Applicant / Owner: Fuquay Land Co. LLC
 Location: 21 Southwind Drive
 APN: 046-060-20
 Parcel Size: 5 acres
 Master Plan: Rural (R)
 Regulatory Zone: General Rural (GR)
 Area Plan: South Valleys
 Development Code: Authorized in Article 810, Special Use Permits; and Article 438, Grading
 Commission District: 2 – Commissioner Clark



Vicinity Map

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 WSUP22-0036 for Fuquay Land Co, LLC, 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, and South Valleys Area Plan Policy SV 2.16:

(Motion with Findings on Page 10)

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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:

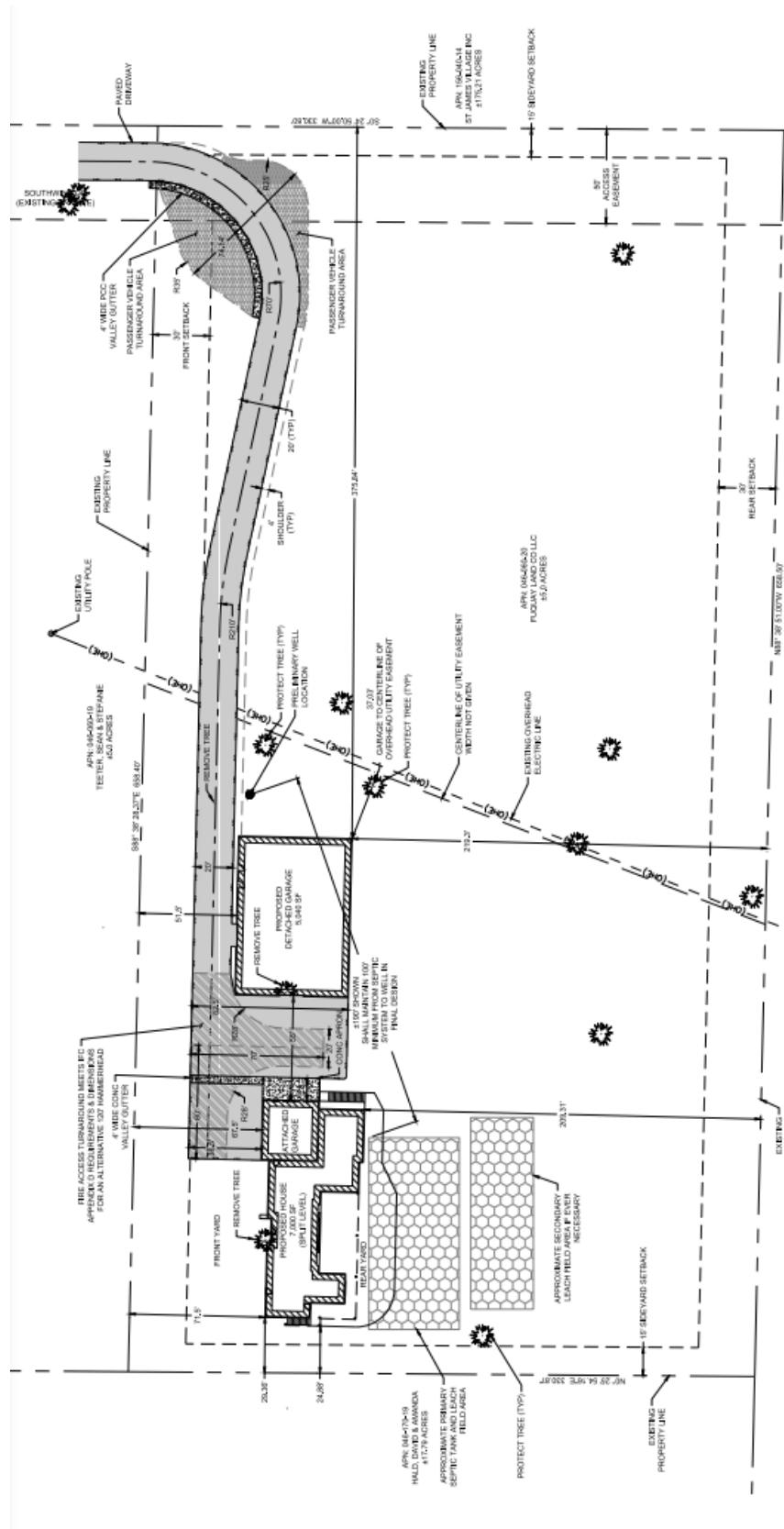
- Prior to permit issuance (i.e. a grading permit, a building permit, etc.)
- Prior to obtaining a final inspection and/or a certificate of occupancy on a structure
- Prior to the issuance of a business license or other permits/licenses
- Some conditions of approval are referred to as “operational conditions.” 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 WSUP22-0036 are attached to this staff report and will be included with the action order.

The subject property is designated as General Rural (GR). The proposed use of major grading is permitted in the GR regulatory zone with a special use permit per WCC 110.438.35. Therefore, the applicant is seeking approval of this SUP from the Board of Adjustment

Additionally, Article 810, Special Use Permits, allows the Board of Adjustment to vary development code standards in conjunction with the approval process per WCC 110.810.20(e). The Board of Adjustment will be ruling on the request to vary standards below:

Variance Requested	Relevant Code
Finish grading shall not vary from the natural slope by more than ten (10) feet in elevation	Section 110.438.45(c)



Site Plan

Project Evaluation

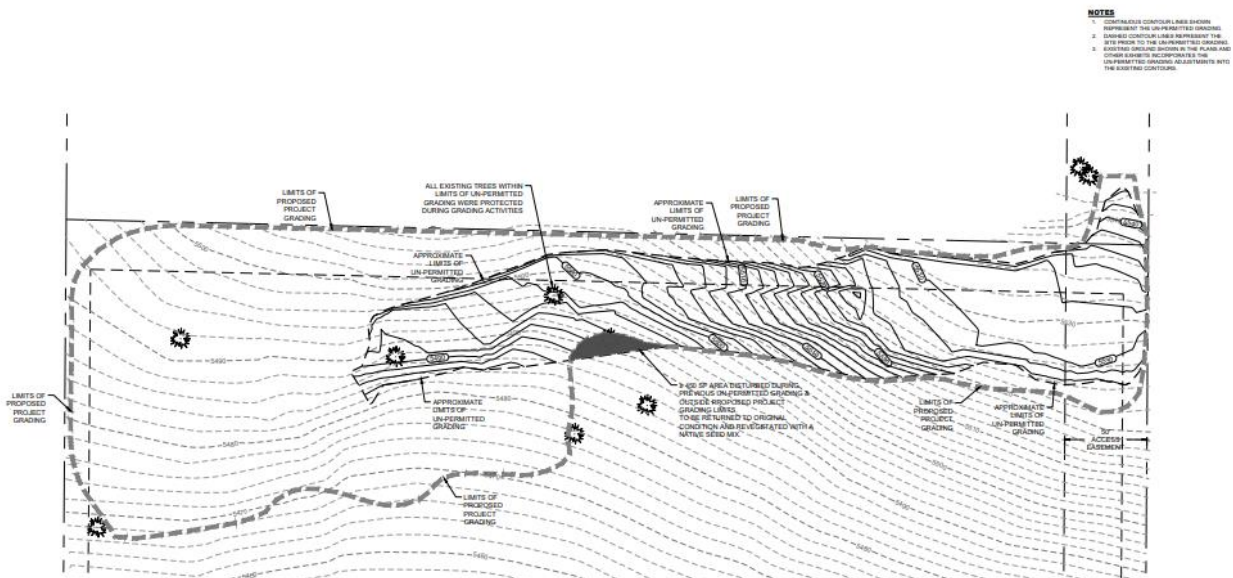
The applicant is requesting a major grading permit to construct a paved driveway to a proposed single-family home and detached garage. The subject parcel (APN: 046-060-20) is 5 acres and has a regulatory zone of General Rural (GR). The property is served by Southwind Drive, which is accessed off of Joy Lake Road. Southwind Drive currently provides access to two other properties on similar sized parcels directly west of the subject parcel.

The proposed driveway exceeds the major grading thresholds for traversing slopes greater than 30% and fills in excess of 1000 cy for both cut and fill on slopes greater than 15%. The applicant is also requesting to modify standards found in Article 438, Grading – specifically Section 110.438.45(c),

Unpermitted Grading

This application was originally submitted on the November 2022 intake cycle, however upon staff conducting a site visit it was realized that unpermitted grading had already taken place on the subject site. The applicant’s representative provided staff with a waiver of time on December 5, 2022, and resubmitted an updated application on January 9, 2023. The resubmittal contains updated plans and information related to the proposal as well as the inclusion of recognizing the unpermitted grading.

The applicant states that the unpermitted grading was done when a contractor accessed the site to conduct required percolation testing for a septic system and leach field. It should be noted that septic test trenches themselves are exempt from Article 438 and do not require a grading permit, the grading that was conducted to reach the test trench location was significant and is not exempt from the special use permit requirement. Most of the grading occurred within the area of the overall planned site grading, and the unpermitted grading roughly follows the proposed driveway alignment. Staff recognizes that percolation testing is a requirement of Washoe County, if the applicant had gone through with the special use permit and gained approval before moving forward with the percolation tests, the grading that would have occurred would have been covered by the special use permit, and therefore would have been permitted.



Unpermitted Grading Limits

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.

The applicant provided Quitclaim Deed, Document #378371 within the submitted application materials. The document was recorded on September 19, 1975, which outlines parcel 5's creation (the subject parcel). Due to the parcel being created in 1975, the request is exempt from the code provisions outlined within Article 424, Hillside Development.

Article 438 – Grading

The applicant is requesting a major grading permit for a proposed driveway that traverses 30% or greater slopes and will require 970 cy of cut and 1,250 cy of fill. The max depth of cut is 14.36 feet, and the max depth of fill is 19 feet as proposed by the applicant. The total area of disturbance is 1.75 acres. The proposal exceeds three major grading permit thresholds in Article 438, Grading. The thresholds are outlined below:

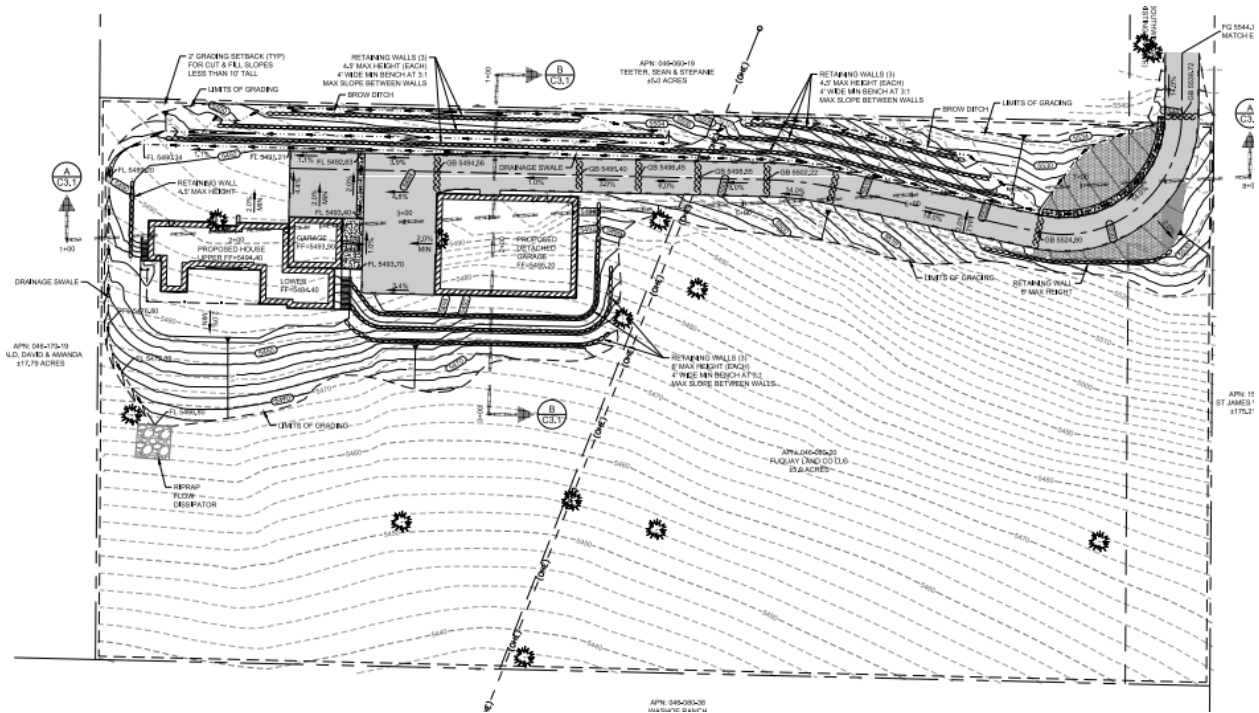
- **110.438.35(a)(2)(ii)(B)** – Importation of 1,000 cubic yards or more whether the materials is intended to be permanently located on the project site or temporarily stored on a site for relocation
- **110.438.35(a)(3)** – Any driveway or road that traverses any slope of thirty (30) percent or greater (steeper)
- **110.438.35(a)(4)** - Grading to construct a permanent earthen structure greater than four and one-half (4.5) feet in height within the required front yard setback, or greater than six (6) feet in height on the remainder of the property. The height of an earthen structure is measured from existing grade at the time of permit issuance; or

Additionally, the applicant is requesting to modify the following standard found within Article 438, Grading.

- **110.438.45(c)** – This section of code identifies that “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.”

The request to modify standards can be done through the Special Use Permit process instead of through a Director’s Modification, per WCC 110.810.20(e). As part of the request, the applicant notes that Truckee Meadows Fire Protection District (TMFPD) is requiring a fire turnaround and 20-foot-wide driveway consistent with the International Fire Code (IFC).

Due to the existing topography of the site, plus the requirements to meet the necessary fire requirements the applicant must seek the modification. Staff is supportive of the modification.

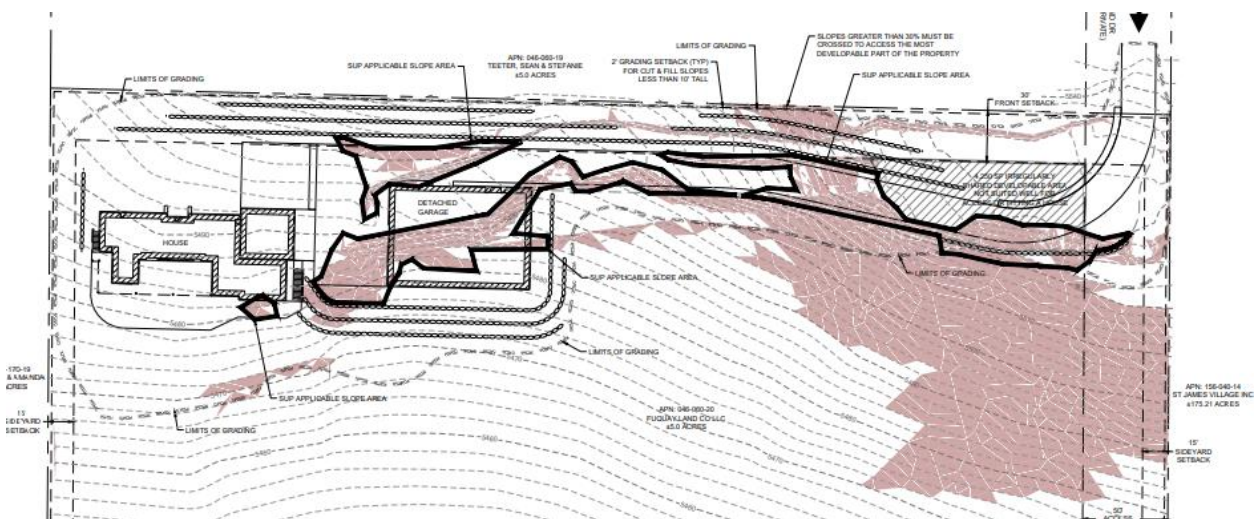


Grading Plan

Parts of the request are exempt from Article 438 standards, as outlined below:

- 110.438.35(b)(3) - The area under a building footprint, paved roadway, or paved parking lot on natural slopes less than (flatter than) thirty (30) percent.

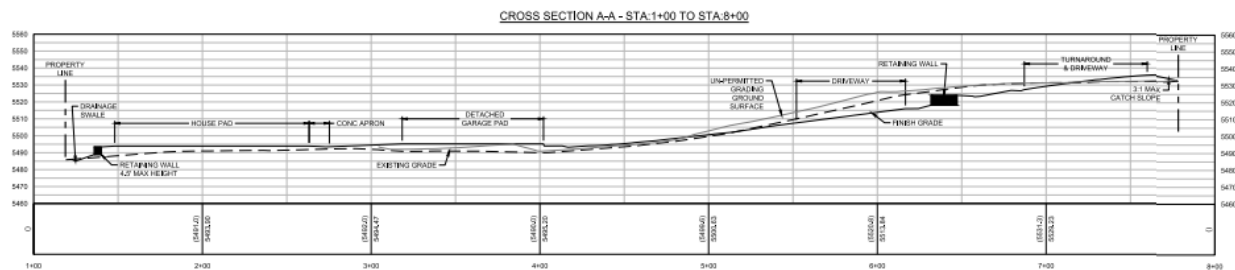
Due to the exemptions, substantial amounts of grading volume (cut and fill) are exempted from the special use permit requirement. Similarly, the total disturbed area is reduced from 1.75 acres to 0.23 acres. The disturbed slopes will be revegetated and landscaped with trees, shrubs, and other natural vegetation. The applicant provided a seed mix which can be found within the application.



SUP Applicable Areas

Rockery walls are proposed to be used as part of the project and will be limited to 4.5 feet in the front yard setbacks, and 6 feet in other areas on site.

The proposed grading conforms to the standards outlined in Article 438 as all slopes are 3:1 or less with the exception of areas exempted for drainage purposes or heights less than 30 inches per WCC110.438.45(a)1-2, exemptions.



Area Plan Evaluation

The subject parcel is located within the South Valleys Area Plan. The following are the pertinent policies from the South Valleys Area Plan:

SV.2.11 All landscape designs will emphasize the use of native vegetation, with nonnative and atypical vegetation integrated sparingly into any landscaped area.

Staff Comment: The applicant states that the landscape plan for the future residence will be developed with the final plan submittal and will incorporate a native vegetation mix that incorporates local drought-tolerant tree and shrub plantings.

SV.2.16 The approval of all special use permits and administrative permits must include a finding that the community character as described in the Character Statement can be adequately conserved through mitigation of any identified potential negative impacts.

Staff Comment: The proposed major grading SUP will not negatively impact the surrounding parcels owners nor community character. The proposed future home on the existing 5-acre parcel conforms to the rural character as noted in the Character Statement of the South Valleys Area Plan.

SV.12.3 The grading design standards referred to in Policy SV.12.2 will, at a minimum, ensure that disturbed areas shall be finished and fill slopes will not exceed a 3:1 slope, and that hillside grading will establish an undulating naturalistic appearance by creating varying curvilinear contours.

Staff Comment: The project application shows all exposed graded areas with a 3:1 slope and or walls that meet the requirements outlined within the development code. The applicant states that the contour configuration will emulate the existing smooth slopes that exist naturally.

SV.12.4 When necessary to mitigate the impact of road cuts, driveways and similar features on prominent hillsides, staff may require the installation of landscaping that will significantly soften the visual impact within three years of installation. Maintenance plans for these landscaped areas may be required.

Staff Comment: Landscaping comprised of native vegetation and locally appropriate trees and shrub will be incorporated on all graded slopes on the site.

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)	X			
Washoe County Engineering & Capital Projects	X			
Washoe County Land Development (All Apps)	X	X	X	Rob Wimer, rwimer@washoecounty.gov
Washoe County Parks & Open Space	X	X	X	Faye-Marie Pekar, Fpekar@washoecounty.gov
Washoe County Sewer	X			
Washoe County Traffic	X	X	X	Mitch Fink, MFink@washoecounty.gov
Washoe County Water Rights Manager (All Apps)	X	X		
WCHD Air Quality	X			
WCHD Environmental Health	X	X	X	Jim English, jenglish@washoecounty.gov; Wes Rubio, wrubio@washoecounty.gov;
TMFPD	X	X	X	Dale Way, dway@tmfpd.us; Brittany Lemon,
Regional Transportation Commission	X			

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) **Consistency.** That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the South Valleys Area Plan.

Staff Comment: 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) **Improvements.** 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.

Staff Comment: The proposed use is to place roadway improvements, specifically a driveway and to identify unpermitted grading. There are no utility, sanitation, or water supply facilities necessary.

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

Staff Comment: The proposed site is physically suitable for major grading to allow for a driveway to serve one single family residence.

- (d) Issuance Not Detrimental. 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.

Staff Comment: The proposed grading is required to ensure the safe access to the parcel by the current property owners, Truckee Meadows Fire Protection District, and EMS.

- (e) 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.

Staff Comment: There are no military installations within the notice area.

South Valleys Area Plan Policy SV.2.16

SV.2.16 The approval of all special use permits and administrative permits must include a finding that the community character as described in the Character Statement can be adequately conserved through mitigation of any identified potential negative impacts.

Staff Comment: The proposed major grading SUP will not negatively impact the surrounding parcels owners nor community character. The proposed future home on the existing 5-acre parcel conforms to the rural character as noted in the Character Statement of the South Valleys Area Plan.

Recommendation

After a thorough analysis and review, Special Use Permit Case Number WSUP22-0036 is being recommended for approval with conditions. Staff offers the following motion for the Board's consideration.

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 WSUP22-0036 for Fuquay Land Co, LLC, 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, and South Valleys Area Plan Policy SV 2.16:

- (a) Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the South Valleys Area Plan;
- (b) Improvements. 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) Site Suitability. That the site is physically suitable for major grading and for the intensity of such a development;

- (d) Issuance Not Detrimental. 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) 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.

South Valleys Area Plan Policy SV.2.16

- (f) **SV.2.16** The approval of all special use permits and administrative permits must include a finding that the community character as described in the Character Statement can be adequately conserved through mitigation of any identified potential negative impacts.

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 and mailed to the applicant.

Applicant / Owner: Fuquay Land Co LLC
Attn: Janice and Joel Fuquay
PO Box 9203
Reno, NV 89507

Representatives: Lumos & Associates
Attn: Billy Anderson, PE
wanderson@lumosinc.com

Representatives: CFA, Inc.
Attn: Dave Snelgrove
dsnlgrove@cfareno.com



Conditions of Approval

Special Use Permit Case Number WSUP22-0036

The project approved under Special Use Permit Case Number WSUP22-0036 shall be carried out in accordance with the conditions of approval granted by the Board of Adjustment on March 2, 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.

Unless otherwise specified, 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 – Chris Bronczyk, Senior Planner, 775.328.3612, cbronczyk@washoecounty.gov

- 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. 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 activities shall be limited to the hours between 7am to 7pm, Monday through Saturday only. Construction machinery or construction personal gatherings are also limited to these hours. No construction activities shall take place on Sundays.

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, rwimer@washoecounty.gov

- 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. Cross-sections indicating cuts and fills shall be submitted when applying for a grading permit. Estimated total volumes shall be indicated.
- c. 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

- a. 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, mfink@washoecounty.gov

- a. The Regional Road Impact Fee (RRIF) will be charged at the single-family dwelling rate with the building permit.

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; blemon@tmfspd.us

- 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://tmfspd.us/fire-code/>

Washoe County Parks and Open Space

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

Contact Name – Faye-Marie Pekar, Parks Planner, 775.328.3623, fpekar@washoecounty.gov

- a. All earthen material imported as part of this project is required to be "certified weed free" to prevent the spread of noxious and invasive weeds within the county.

Washoe County Health District- Environmental

5. The following conditions are requirements of the Health District, 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 Health District must be appealed to the District Board of Health.

Contact Name: James English, Environmental Health Specialist Supervisor, 775.328.2610, jenglish@washoecounty.gov

- a. The WCHD has reviewed the application, the project is proposed on a property that is served by onsite sewage disposal system and residential domestic well.
- b. WCHD does not have a concern with proposed grading so long as all applicable setbacks and requirements for the installation of the onsite sewage disposal system and domestic well meet all sections of the WCHD regulations.
- c. If the special use permit is approved all construction plans for the parcel must be routed to WCHD for review and approval based on Condition #2.

*** End of Conditions ***



Date: January 23, 2022

To: Chris Bronczyk, Senior Planner

From: Robert Wimer, P.E., Licensed Engineer

Re: Special Use Permit for **Southwind Grading WSUP22-0036**
APN 046-060-20

GENERAL PROJECT DISCUSSION

Washoe County Engineering staff has reviewed the above referenced application. The Special Use Permit is for the construction of a single-family residence, driveway, and detached shop and is located on approximately 5 acres approximately 2,200 feet south of the intersection of Southwind Drive and Joy Lake Road and at the terminus of Southwind Drive. The Engineering and Capital Projects Division recommends approval with the following comments and conditions of approval which supplement applicable County Code and are based upon our review of the site and the application prepared by Lumos & Associates, Inc. The County Engineer shall determine compliance with the following conditions of approval.

For questions related to sections below, please see the contact name provided.

GENERAL CONDITIONS

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

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. Cross-sections indicating cuts and fills shall be submitted when applying for a grading permit. Estimated total volumes shall be indicated.
3. 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.

WSUP22-0036
EXHIBIT B

DRAINAGE (COUNTY CODE 110.416, 110.420, and 110.421)

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

1. 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. The Regional Road Impact Fee (RRIF) will be charged at the single-family dwelling rate with the building permit.

WSUP22-0036
EXHIBIT B

**WASHOE COUNTY
HEALTH DISTRICT**
ENHANCING QUALITY OF LIFE

November 29, 2022

Washoe County Community Services
Planning and Development Division

RE: Southwind Drive Grading; 046-060-20
Special Use Permit; WSUP22-0036

Dear Washoe County Staff:

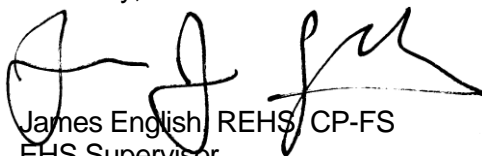
The following conditions are requirements of the Washoe County Health District, Environmental Health Division, which shall be responsible for determining compliance with these conditions.

Contact Name – James English - jenglish@washoecounty.us

- a) Condition #1: The WCHD has reviewed the application, the project is proposed on a property that is served by onsite sewage disposal system and residential domestic well.
- b) Condition #2: WCHD does not have a concern with proposed grading so long as all applicable setbacks and requirements for the installation of the onsite sewage disposal system and domestic well meet all sections of the WCHD regulations.
- c) Condition #3: If the special use permit is approved all construction plans for the parcel must be routed to WCHD for review and approval based on Condition #2.

If you have any questions or would like clarification regarding the foregoing, please contact James English, EHS Supervisor at jenglish@washoecounty.us regarding all Health District comments.

Sincerely,



James English, REHS, CP-FS
EHS Supervisor
Environmental Health Services
Washoe County Health District





WASHOE COUNTY

COMMUNITY SERVICES DEPARTMENT

Regional Parks and Open Space

1001 EAST 9TH STREET
RENO, NEVADA 89520-0027
PHONE (775) 328-3600
FAX (775) 328.3699

TO: Chris Bronczyk, Senior Planner

FROM: Faye-Marie Pekar, Park Planner

DATE: January 23, 2023

SUBJECT: Special Use Permit Case Number WSUP22-0036 (Southwind Drive Grading)



I have reviewed the application for case number WSUP22-0036 (Southwind Drive Grading) on behalf of the Washoe County Regional Parks and Open Space Program (Parks Program) and prepared the following comments:

If approved, this special use permit would allow for major grading to allow for a driveway to traverse 30% or greater slopes. Project activities would include: ±0.23 acres of disturbance, 970 cubic yards of excavation and ±280 cubic yards of fill.

Given these considerations, the Parks Program requires the following conditions of approval:

1. All earthen material imported as part of this project is required to be “certified weed free” to prevent the spread of noxious and invasive weeds within the county.



From: [Lemon, Brittany](#)
To: [Bronczyk, Christopher](#)
Cc: [Way, Dale](#)
Subject: WSUP22-0036 (Southwind Drive Grading) Conditions of Approval
Date: Thursday, January 19, 2023 2:14:44 PM
Attachments: [image001.png](#)

Hi Chris,

“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 parcel is located in a high Fire Hazard Severity Zone and has non-conforming water. It does not appear that 50 feet of defensible space will be attainable on all sides of the building to the lot line. With non-conforming water and non-conforming defensible space, Ignition Resistant Construction 1 non-combustible (IR1 NC) is required.

The home is proposed to be 7,000 square feet and will require a fire sprinkler system. With over 10% grade for the driveway an alternate materials and methods will be required.

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



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



Washoe-Storey Conservation District

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

1365 Corporate Blvd.
Reno NV 89502
775 857-8500 ext. 131
nevadaconservation.com

January 19, 2023

Washoe County Community Services Department

C/O Chris Bronczyk, Senior Planner

1001 E Ninth Street, Bldg. A

Reno, NV 89512

R: WSUP22-0036 Southwind Drive grading

Dear Chris,

In reviewing the special use grading for a driveway, the Conservation District has the following comments.

With areas in Washoe County having a noxious weed control plan to prevent the spread of noxious weeds, the applicant develops an onsite noxious weeds management plan with the import of material to ensure weed seeds do not impact the project site.

The District supports the Generic revegetation seed mix except we recommend a total of 32.00 lbs. per acre.

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

In constructing the brow ditches and swales, we recommend lining the flow line with 2–3-inch rock to prevent the flow of sediment downstream.

With the removal of three pine trees 6-to-12-inch diameter stated in the document, the District recommends a 2:1 ratio replacement with this tree loss using the same size diameter.

The District recommends the paint color palette utilize soft earth tone colors for the primary residence and detached garage.

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



JOE LOMBARDO
Governor

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
310 Galletti Way
Sparks, Nevada 89431

TRACY LARKIN THOMASON, P.E.
Director

January 23, 2023

Washoe County
1001 E. Ninth Street
Reno, NV 89512
Attention: Adriana Albarran

SENT VIA ELECTRONIC MAIL

RE: Washoe County Development Projects

Dear Ms. Albarran,

Nevada Department of Transportation (NDOT) District II staff has reviewed the following applications received via e-mail on January 13, 2023.

Special Use Permit Case Number WSUP22-0036 (Southwind Drive Grading) - For hearing, discussion, and possible action to approve a special use permit for major grading to allow for a driveway to traverse 30% or greater slopes. The request also addresses unpermitted grading that previously occurred on the subject parcel. Additionally, the applicant is requesting to vary the following grading standard. WCC 110.438.45(c) to allow for fills in excess of 10 feet.

DocuSigned by:

AC9895B83A75469
Michelle Hawvichorst, PE
Professional Engineer
District II

- Cc: Mike Fuess, PE, PTOE – NDOT District Engineer
District II Traffic Engineering Distribution List
Michelle Hawvichorst, PE – Traffic Engineer
Rod Schilling, PE – Traffic Operations Chief
Sondra Rosenberg – Assistant Director, Planning
Shelia Gamez – Permits Technician
Dale Keller – RTC
Courtney Weiche, Washoe County Senior Planner
Julee Olander, Washoe County Planner
Chris Bronczyk, Washoe County Senior Planner
Katy Stark, Washoe County Planner
File

From: [Weiss, Timber A.](#)
To: [Bronczyk, Christopher](#)
Cc: [Behmaram, Vahid](#)
Subject: No water right comments for WSUP22-0036
Date: Tuesday, January 24, 2023 10:00:10 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Hello,

No water right comments for WSUP22-0036.

Thank you,



Timber Weiss, PE | Professional Engineer

Engineering & Capital Projects Division | Community Services Department

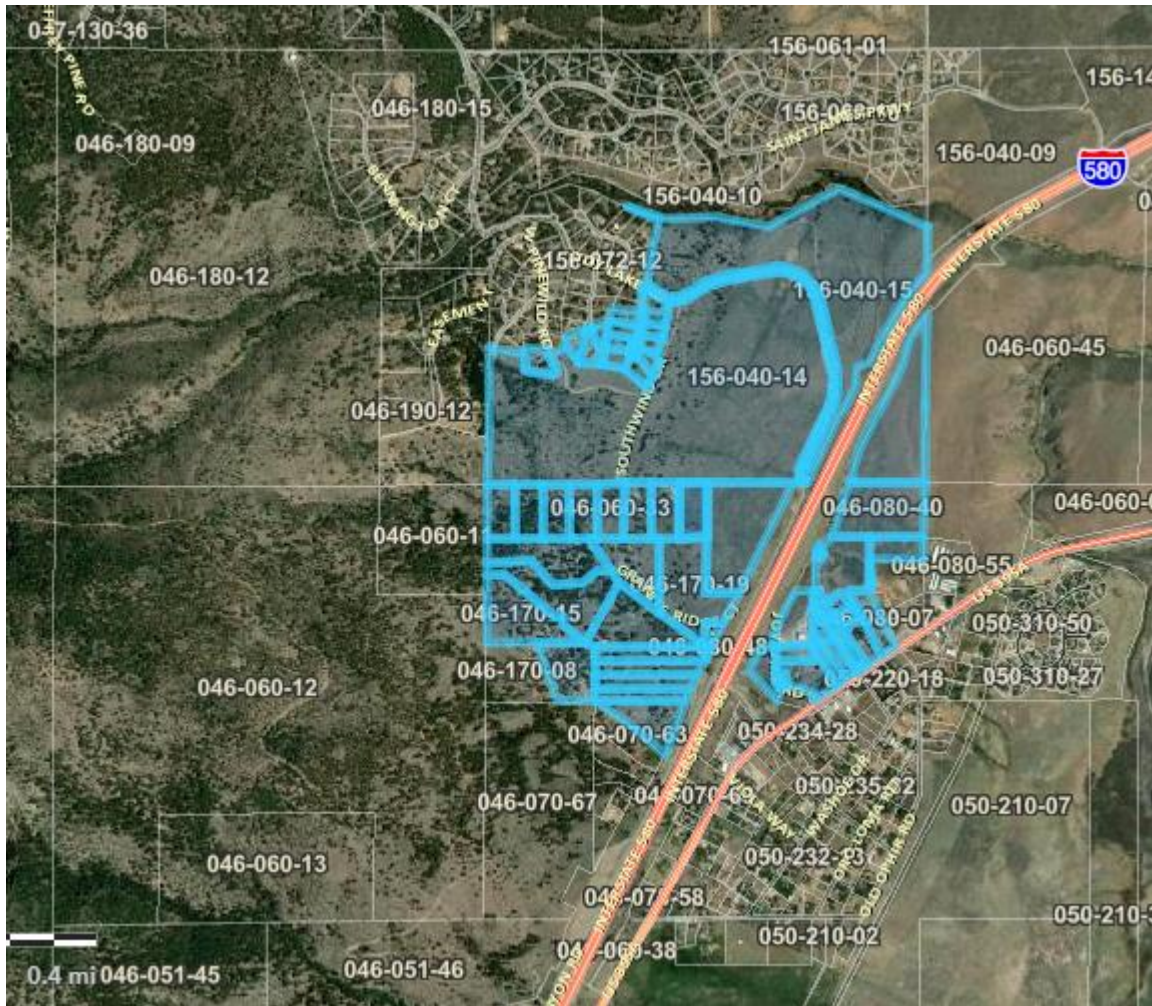
1001 E. 9th Street, Bldg A Reno, NV 89512

tweiss@washoecounty.gov | Office Voice Mail: 775.954.4626 or 775.433.0769

Visit us first online: www.washoecounty.us/csd

For additional information, email engineering@washoecounty.us or call 775.328.2040





58 Parcels within 2,000 Feet.

Exhibit D: Project Application

The project application is extensive. To review the complete project application, click [here](#). Or visit, https://www.washoecounty.gov/csd/planning_and_development/applications/files-planning-development/comm_dist_two/2023/Files/WSUP22-0036_app.pdf