

STAFF REPORT FOR THE PLANNING COMMISSION MEETING OF JANUARY 30, 2019

FILE NO: SUP-18-184

AGENDA ITEM: I.1

STAFF CONTACT: Hope Sullivan, Planning Manager

AGENDA TITLE: For Possible Action: To consider a request for a Special Use Permit to develop a portion of a parcel with an average slope of thirty three percent or more located on property zoned Single Family 1 Acre and located on the west side of Knoll Drive, APN 007-131-19 and -20. (Hope Sullivan, hsullivan@carson.org)

Summary: The subject properties are vacant and have slopes ranging from 12 percent to 38 percent. The applicant is proposing to improve the property with a 2966 square foot home, utilizing a septic system and well. Development on property with an average slope of thirty three percent or more is subject to a Special Use Permit.

RECOMMENDED MOTION: I move to approve a modification to SUP-18-184, based on the findings and subject to the conditions of approval contained in the staff report.

VICININTY MAP:



RECOMMENDED CONDITIONS OF APPROVAL:

1. The applicant must sign and return the Notice of Decision for conditions of approval within 10 days of receipt of notification. If the Notice of Decision is not signed and returned within 10 days, then the item may be rescheduled for the next Planning Commission meeting for further consideration.
2. All development shall be substantially in accordance with the development plans approved with this application, except as otherwise modified by these conditions of approval.
3. All on- and off-site improvements shall conform to City standards and requirements.
4. The use for which this permit is approved shall commence within 12 months of the date of final approval. A single, one year extension of time may be requested in writing to the Planning Division thirty days prior to the one year expiration date. Should this permit not be initiated (obtain a Building Permit) within one year and no extension granted, the permit shall become null and void.
5. Prior to any construction permits, the two properties must be merged into one, and the lot line deletion recorded.
6. Prior to building occupancy, the site must be stabilized and revegetated. This means plans must be growing in disturbed area as opposed to only seeding.
7. Prior to building occupancy, the project engineer shall certify to the building department that all work was performed in accordance with approved plans.
8. For steep ditches and swales, class 150 rip-rap must be used to prevent erosion. Native rock may be used instead of class 150 rip rap for ditches as long as native rock meets size requirements of class 150 rip rap.
9. The existing drainage channel along the frontage of Knoll Drive must be regraded and the driveway must have an appropriately sized culvert.
10. The plans for the site improvement permit must meet Carson City municipal code and development standards including CCDS Division 7 Hillside Development.
11. Cuts and fills must be rounded off in order to avoid the appearance of scarring.
12. Areas to not be disturbed during construction are to be fenced off during construction, with signs placed on the fences noting the purposed of the fence and advising that construction equipment is not permitted within the fenced areas.
13. The applicant shall submit a staging plan with the construction permit application demonstrating the location of employee parking, temporary bathrooms, equipment and material storage, and delivery drop off. The staging plan must demonstrate that construction will not be in the right-of-way, while showing the staging will not compromise areas of the site not intended for disturbance. The staging plan shall be subject to review and approval by the City Engineer.

LEGAL REQUIREMENTS: CCMC 18.02.080 (Special Use Permits), CCMC 18.08 (Hillside

Development); Development Standards Division 7 (Hillside Development)

MASTER PLAN DESIGNATION: Low Density Residential (LDR)

PRESENT ZONING: Single Family 1 Acre (SF1A)

KEY ISSUES: Will the proposed development on the hillside minimize the potential of landslides, erosion, sedimentation, deforestation, flooding, and/or the aesthetic degradation of the city's natural environment?

SURROUNDING ZONING AND LAND USE INFORMATION:

NORTH: Single Family 1 Acre (SF1A) / Vacant

EAST: Single Family 1 Acre (SF1A) / Single Family Home

WEST: Public Community (PC) / Vacant and Single Family Home

SOUTH: Single Family 1 Acre (SF1A) / Single Family Home

ENVIRONMENTAL INFORMATION:

FLOOD ZONE: Zone X shaded (between the 100 year flood and 500 year flood)

EARTHQUAKE POTENTIAL: Zone II, Moderate earthquake potential

SLOPE/DRAINAGE: Hillside

FAULT ZONE: Beyond 500 feet

SITE DEVELOPMENT INFORMATION:

LOT SIZE: 4.49 acres

PROPOSED STRUCTURE SIZE: 2,966 SQFT

VARIANCES REQUESTED: None

PREVIOUS REVIEW: none

DISCUSSION:

The subject request is a Special Use Permit to allow development on land with an average slope of 33 percent.

The subject property located on the west side of Knoll Drive consists of two lots: one is 2.33 acres and the other is 2.16 acres. Both properties are vacant, and consist of steep slopes. The geotechnical engineer's report describes the site as "relatively steep and generally sloping down to the north at approximate slope of 35 percent. Vegetation consists of sage brush."

The applicant proposes to merge the lots, and build a 2966 square foot home, with a height of 26 feet. The site is proposed to utilize a well and septic system for water and waste water. The site is proposed to be served by a 1,010 foot long driveway that will incorporate two 10 foot wide by 30 foot long turnouts for fire protection. The driveway terminates at the house pad and incorporates a hammerhead design for fire truck turnaround movements.

CCMC Chapter 18.08 in conjunction with Division 7 of the Development Standards regulates hillside development. The purpose of Chapter 18.08 is to regulate development on hills and slopes in such a manner as to protect the public health, safety and welfare by minimizing the potential of such development to cause or contribute to landslides, erosion and sedimentation, deforestation, flooding or the aesthetic degradation of the city's natural environment. It is the intent to regulate development in hillside and skyline areas in order to accomplish the following:

- To minimize the water runoff and soil erosion problems incurred in adjustment of the terrain to meet onsite and off-site development needs;

- To provide for safe vehicular and pedestrian access and circulation;
- To ensure that the open space as shown on any development plan is consistent with the objectives of the city master plan elements;
- To minimize grading and cut and fill operations inconsistent with the retention of the natural character of hill areas and to shape essential grading to complement natural forms of the land;
- To follow an alternative approach to conventional flatland practices of development in hillside areas;
- To preserve significant features of hillside and skyline areas in essentially their natural state as part of a comprehensive open space system by allocating to open space and recreational use areas not suited for development as evidenced by topography, soils, geology and hydrology investigation reports; and
- To preserve the skyline views of the city's hill areas.

The applicant has provided a conceptual grading plan, a drainage study, and a geotechnical investigation report. These materials have been reviewed by City staff in the Fire Department and in Development Engineering. The comments of these agencies have been incorporated into the recommended conditions of approval.

PUBLIC COMMENTS: Public notices were mailed to 35 property owners within 1100 feet of the subject site on January 11, 2019. As of the writing of this report, no comments in support or in opposition of the request have been received. Any comments that are received after this report is completed will be submitted to the Planning Commission prior to or at the meeting, depending on the date of submission of the comments to the Planning Division.

OTHER CITY DEPARTMENTS OR OUTSIDE AGENCY COMMENTS: The following comments were received by various city departments.

Fire Department:

1. Project must comply with the 2018 IFC and northern Nevada fire code amendments.
2. Project must comply with the 2018 International WUI Code and northern Nevada WUI Code amendments.

Engineering Division:

The Engineering Division has no preference or objection to the special use request provided that the following conditions are met:

14. For steep ditches and swales, class 150 rip-rap must be used to prevent erosion. Native rock may be used instead of class 150 rip rap for ditches as long as native rock meets size requirements of class 150 rip rap.
15. The existing drainage channel along the frontage of Knoll Drive must be regraded and the driveway must have an appropriately sized culvert.
16. The plans for the site improvement permit must meet Carson City municipal code and development standards including CCDS Division 7 Hillside Development.

ENGINEERING DISCUSSION:

The Engineering Division has reviewed the application within our areas of purview relative to adopted standards and practices and to the provisions of CCMC 18.02.080, Conditional Uses. The Engineering Division offers the following discussion:

CCMC. 18.02.080 (5a) - Master Plan

The request is not in conflict with any Engineering Master Plans.

CCMC 18.02.080 (5b) – Use, Peaceful Enjoyment, Economic Value, Compatibility

Development Engineering has no comment on this finding.

CCMC 18.02.080 (5c) - Traffic/Pedestrians

The request should have no effect on Traffic/Pedestrians.

CCMC 18.02.080 (5d) - Public Services

The request has a negligible effect on Public Services. Private well and septic are proposed for this project. The merging of these parcels will reduce the potential for any future well interference, since only one well will be installed, rather than two potential wells being installed under the existing lot layouts. Storm drainage impacts will be mitigated per the proposed design and above conditions of approval.

CCMC 18.02.080 (5e) – Title 18 Standards

Development Engineering has no comment on this finding.

CCMC 18.02.080 (5f) – Public health, Safety, Convenience, and Welfare

The project meets engineering standards for health and safety based on the submitted design and above conditions of approval. One of the largest concerns for public safety when reviewing a project for hillside development is an increase in potential erosion which might affect the subject parcel, roadways, and neighboring properties.

Review of the SUP packet dated December 20, 2018 clearly addresses potentials for erosion, and successfully addresses any concerns through appropriate mitigation measures. Some examples of this are stabilization of the hillside "...with three sections of 4-foot (maximum height) retaining walls along the edge of the driveway." Additionally, "drainage ditches with swales will be constructed on both sides of the walls, comprised of 2-foot wide and 9-inch deep gravel drainage swales. Ditches will be protected with an 8 oz. geotextile overlain with ... class 150 rip-rap. Sediment control has been addressed through a series of check dams to be installed every 15-feet on slopes greater than 10 percent. To handle runoff, class 150 rip-rap, approximately 1-foot deep, will be placed at the channel outflows. This occurs on the north and south ends of the property and drains water into an existing ditch along Knoll Drive." Additionally page 11 states "All disturbed land will be revegetated and returned to a natural environment."

The Engineering department finds these to be acceptable mitigation measures to combat erosion and drainage, and to protect the public. These mitigation measures will likely reduce chances of large erosion events, versus if the lot is left in its current natural state, and not developed.

CCMC 18.02.080 (5g) – Material Damage or Prejudice to Other Property

Development Engineering has no comment on this finding. For potential impacts of erosion regarding Material Damage or Prejudice to Other Property, and the proposed mitigation to reduce these chances for any impacts, please see comments regarding erosion mitigation under "Public health, Safety, Convenience, and Welfare", above. The proposed home is single story and of similar size and construction to other homes in the area.

CCMC 18.02.080 (5h) – Adequate Information

The plans and reports provided were adequate for this analysis.

FINDINGS: Staff's recommendation is based upon the findings as required by CCMC Section 18.02.080 (Special Use Permits) enumerated below and substantiated in the public record for the project.

1. *Will be consistent with the objectives of the Master Plan elements.*

The subject property has a Master Plan designation of Low Density Residential. A single family home on a 4.49 acre property is consistent with this designation.

The Master Plan discourages hillside development. Policy 3.2a of the Master Plan states "Limit future hillside development through the retention of public lands at the Local, State, or Federal level, and by discouraging hillside development on private lands through the use of existing cluster development and steep slope provisions as contained in Chapter 18.08."

The property is privately owned. By merging the properties, the development potential for hillside development will be reduced. Hillside Development standards apply when a parcel exhibits an average slope of fifteen percent or more. A slope analysis of the site demonstrates that most of the property is comprised of slopes in excess of fifteen percent. It is not possible to develop the site without developing on slopes that constitute hillside development.

2. *Will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; and is compatible with and preserves the character and integrity of adjacent development and neighborhoods or includes improvements or modifications either on-site or within the public right-of-way to mitigate development related to adverse impacts such as noise, vibrations, fumes, odors, dust, glare or physical activity.*

The subject property is on a street with single family homes on large lots. This land use and intensity will be compatible with other uses on the street. Building setbacks will be met. All grading will be on the site. Revegetation and stabilization of the slopes will be required prior to occupancy of the home so as to avoid any adverse impact on the roadway at the base of the property.

3. *Will have little or no detrimental effect on vehicular or pedestrian traffic.*

The single family home will not have a detrimental effect on vehicular or pedestrian traffic. The subject property is accessed by paved roads, and will produce traffic consistent with a single family home.

4. *Will not overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public improvements.*

The proposed home will not overburden public services and facilities. The driveway is being designed to accommodate fire access. Water will be supplied by a private well, and wastewater will be handled through a private septic system. The on-site drainage system will be designed to avoid additional runoff onto Knoll Drive.

5. *Meets the definition and specific standards set forth elsewhere in this Title for such particular use and meets the purpose statement of that district.*

As the applicant is seeking to develop in an area with an average slope in excess of 33 percent,

a Special Use Permit is required. As conditioned, the development will comply with the Hillside Development Standards.

6. *Will not be detrimental to the public health, safety, convenience and welfare.*

As part of the site improvement permit, the applicant will be required to prepare a slope stabilization and re-vegetation plan. Additionally, storm water systems must be designed so that water on roadways does not flow in an uncontrolled manner off of the roadway. The development cannot significantly increase hazards of avalanche, rock fall, landslide, flooding, or soil erosion.

7. *Will not result in material damage or prejudice to other property in the vicinity, as a result of proposed mitigation measures.*

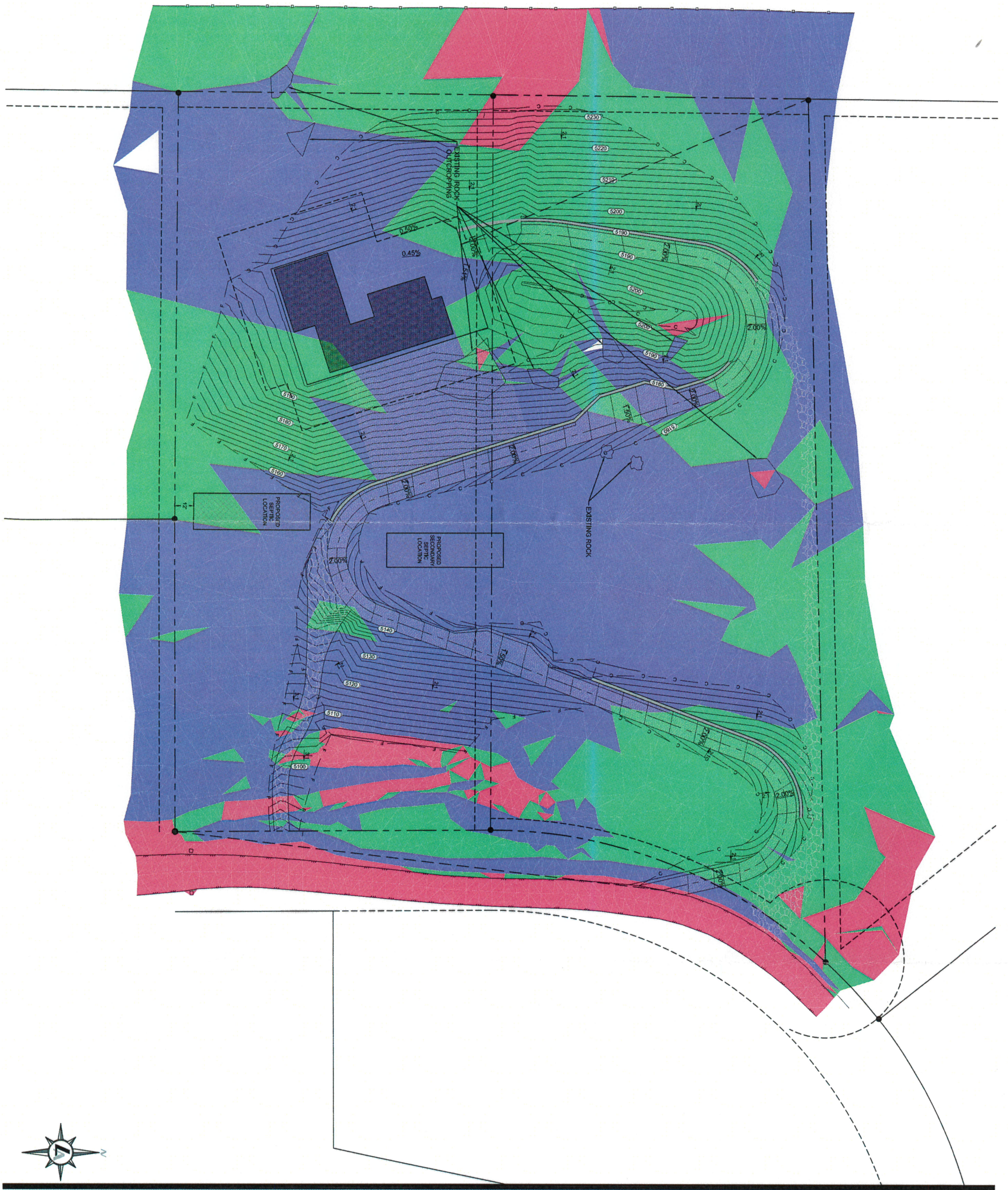
As conditioned to require the slope stabilization, the re-vegetation plan, a storm water design to avoid water running off the roadway, and avoiding increases to hazardous conditions, the project will not result in material damage or prejudice to other property in the vicinity.

Attachments:

1. Slope exhibit
2. Application SUP-18-184

LEGEND

- 0% - 15% SLOPE
- 15% - 30% SLOPE
- 30%+ SLOPE
- PROPOSED CONTOUR LINE
- 2:1 CUT CATCH POINT
- 2:1 FILL CATCH POINT
- PROPERTY LINE
- EASEMENT
- 4' ROCKERY WALL
- PROPOSED HOUSE FOOTPRINT
- RIP-RAP SWALE
- AGG BASE DRIVEWAY AND GRADING AREA
- POSSIBLE SEPTIC LOCATION



IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

MAP 2

DRAWN BY: KLN
 DESIGNED BY: KLN
 CHECKED BY: RS
 JOB NO.: 9407.001

REV	DATE	DESCRIPTION	BY

PERMIT SET

JANUARY 2019

JACK AND COLLEEN BRITTON

**KNOLL DRIVE
 SITE GRADING PROJECT
 CONSTRAINTS MAP**

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