

## STAFF REPORT FOR ADMINISTRATIVE HEARING MEETING OF NOVEMBER 15, 2022

FILE NO: LU-2022-0441

AGENDA ITEM: 3.A

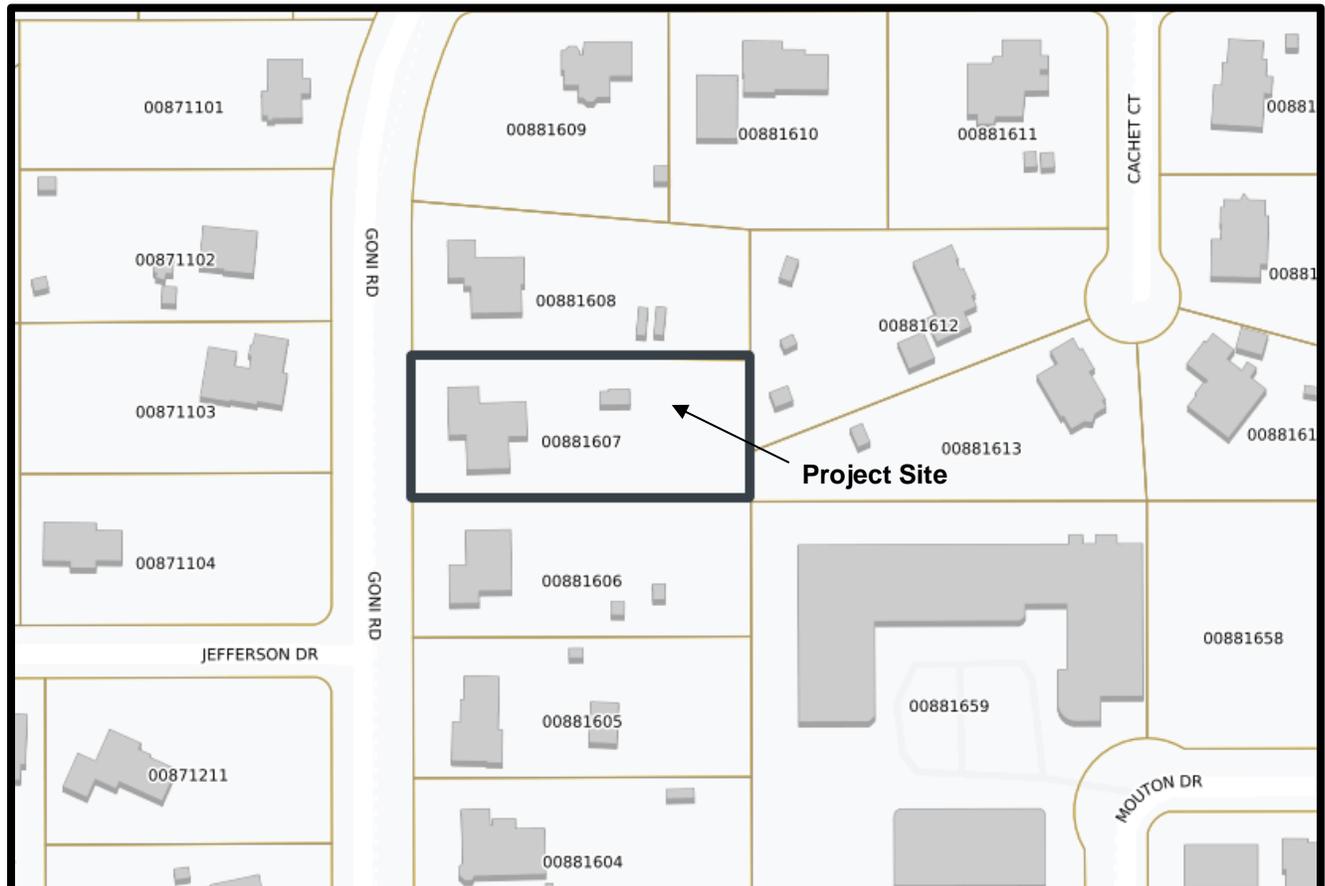
STAFF AUTHOR: Lena Reseck, Assistant Planner

**AGENDA TITLE:** LU-2022-0441 For Possible Action: Discussion and possible action regarding an application from David Blacow (“Applicant”) for an Administrative Permit to allow for the construction of an accessory structure with a cumulative square footage totaling 59.42 percent of the size of the primary structure on property zoned Single Family 1 Acre (“SF1A”) located at 5263 Goni Road, Assessor’s Parcel Number (“APN”) 008-816-07. (Lena Reseck, lreseck@carson.org)

Staff Summary: The applicant is proposing construction of an 1,800 square foot shop. A shop is a permitted accessory use in the Single Family 1 Acre zoning district; however, Carson City Municipal Code (“CCMC”) 18.05.055 requires approval of an Administrative Permit if the cumulative square footage of the accessory structure(s) on-site are more than 50 percent, but less than 75 percent of the square footage of the primary structure.

**PROPOSED ACTION:** “I approve the administrative permit based on the findings and subject to the conditions of approval contained in the staff report.”

### VICINITY MAP:



**RECOMMENDED CONDITIONS OF APPROVAL:**

**The following shall be completed prior to commencement of the use:**

1. The applicant must sign and return the Notice of Decision for conditions for 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 Administrative Permit Hearing 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 applicant shall meet all the conditions of approval and commence the use for which this permit is granted, within 12 months of the date of Administrative Permit Hearing approval. A single, one-year extension of time may be granted if requested in writing to the Planning Division 30 days prior to the one-year expiration date. Should this permit not be initiated within one-year and no extension granted, the permit shall become null and void.

**The following shall be submitted with a Building Permit application:**

5. The applicant shall submit a copy of the Notice of Decision and conditions of approval with the Building Permit application.
6. The exterior building materials and colors shall be compatible with the existing residence. The proposed colors shall be submitted to the Planning Division for review and approval during the Building Permit submission.

**The following are general requirements applicable through the life of the project:**

7. Any increase to the square footage or other changes to the approved plans will require additional review and may require an amendment to the Administrative Permit. Any other detached accessory structures proposed for the site will require additional review and approval of an Administrative Permit or Special Use Permit prior to construction.

**LEGAL REQUIREMENTS:** CCMC 18.02.110 (Administrative Permits), 18.04.055 (Single Family 1 Acre, Accessory Permitted Uses), 18.04.190 (Residential Districts Intensity and Dimensional Standards), 18.05.055 (Accessory Structures).

**MASTER PLAN DESIGNATION:** Low-Density Residential (“LDR”)

**PRESENT ZONING:** Single Family 1 Acre

**KEY ISSUES:** Will the proposed accessory structure have an adverse impact on the adjacent residential neighborhood?

**SURROUNDING ZONING AND LAND USE INFORMATION:**

NORTH: Single Family 1 Acre /Single Family Residence  
EAST: Single Family 1 Acre /Single Family Residence  
SOUTH: Single Family 1 Acre /Single Family Residence  
WEST: Single Family 1 Acre /Single Family Residence

**ENVIRONMENTAL INFORMATION:**

1. FLOOD ZONE: Zone X and AE
2. EARTHQUAKE FAULT: III (Moderate Severity), IV (Least Severity), and V (Variable Severity) beyond 500 feet
3. SLOPE/DRAINAGE: Site is relatively flat.

**SITE DEVELOPMENT INFORMATION:**

1. LOT SIZE: 1.0000 acres
2. PROPOSED STRUCTURE SIZE: 1,800 square feet
3. PROPOSED STRUCTURE HEIGHT: 18.5 feet
3. SETBACKS:  
Required per CCMC 18.04.190  
Front: 30 feet; Side: 15 feet; Street Side: 20 feet; Rear: 30 feet

Proposed

Front: 261 feet; Side: 62.3 feet on south side and 41.10 feet on north side; Rear: 44.36 feet  
Proposed structure is not located in the 40 foot drainage easement at the rear of the property or in the 60 foot building setback in the southeast corner of the property.

**DISCUSSION AND BACKGROUND:**

The applicant is seeking to construct a detached shop. A detached shop is a permitted accessory use in the Single Family 1 Acre zoning district; however, CCMC 18.05.055 requires approval of an Administrative Permit if the cumulative square footage of the accessory structure(s) on-site are more than 50 percent, but less than 75 percent, of the square footage of the primary structure. The subject property contains a single-family residence, totaling 3,352 square feet. The square footage of the proposed accessory structure totals 1,800 square feet. There is an existing accessory structure on the property (shed - 192 square feet). The total accessory structure square footage including the proposed accessory structure will be 1,992 square feet or 59.42 percent of the residence.

**PUBLIC COMMENTS:** Pursuant to CCMC 18.02.045, public notices were mailed to 39 adjacent property owners within 600 feet of the subject site on November 3. As of the writing of this report, no written comments have been received. Any comments that are received after this report is completed will be submitted to the Hearings Examiner prior to or at the meeting on November 15, 2022, depending on the date of submission of the comments to the Planning Department.

**AGENCY COMMENTS:** The following comments were received from City departments. Comments have been incorporated into the recommended conditions of approval where applicable.

**Environmental Health Division:**

Compliance is required for sewage disposal and individual sewage disposal systems under NAC 444 (where applicable).

**Development Engineering Division:**

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

- The project must meet all Carson City Development Standards and Standard Details including but not limited to the following:
  - The project must be designed to drain properly.

## **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:

### **C.C.M.C. 18.02.080 (5a) - Master Plan**

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

### **C.C.M.C. 18.02.080 (5b) – Use, Peaceful Enjoyment, Economic Value, Compatibility**

Development Engineering has no comment on this finding.

### **C.C.M.C. 18.02.080 (5c) - Traffic/Pedestrians**

The project will have a negligible impact on vehicular and pedestrian traffic.

### **C.C.M.C. 18.02.080 (5d) - Public Services**

The project will have no impact on City sanitary sewer or water, and a negligible impact on City stormwater infrastructure.

### **C.C.M.C. 18.02.080 (5e) – Title 18 Standards**

Development Engineering has no comment on this finding.

### **C.C.M.C. 18.02.080 (5f) – Public health, Safety, Convenience, and Welfare**

The project meets engineering standards for health and safety.

Earthquake faults: There are no known faults within 500 feet.

FEMA flood zones: No floodplain requirements if building is constructed in the Unshaded X zone as shown on the site plan provided.

Site slope: The site is relatively level.

### **C.C.M.C. 18.02.080 (5g) – Material Damage or Prejudice to Other Property**

Development Engineering has no comment on this finding.

### **C.C.M.C. 18.02.080 (5h) – Adequate Information**

The plans and reports provided were adequate for this analysis.

### **Fire Department:**

- The project shall meet or exceed the 2018 International Fire Code requirements
- The project shall meet or exceed the 2018 International Fire Code Northern Nevada Amendments
- The project is located within the wildland urban interface and shall meet or exceed the 2018 International wildland-urban interface code and the northern Nevada amendments to the code

These comments are based on a very general site plan and do not indicate a complete plan review. All pertinent requirements of the adopted local and state laws will still apply at the time of plan review and site inspections.

**FINDINGS:** Staff's recommendation is based upon the findings as required by CCMC Section 18.02.110 (Administrative Permits) enumerated below and substantiated in the public record for the project.

1. **Will be consistent with the master plan elements.**

The primary use of the Low-Density Residential master plan designation is neighborhoods which primarily include single-family residences. A detached shop is considered an accessory use in the Single Family 1 Acre zoning district and is therefore consistent with the master plan. The project site is a larger, single family lot in a rural setting. Detached accessory structures are common in such areas.

**2. Will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; and will cause no objectionable noise, vibrations, fumes, odors, dust, glare or physical activity.**

The proposed shop will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or general neighborhood. The need for the Administrative Permit is due to the cumulative square footage of the accessory structure, not the use itself. Detached accessory structures such as garages, shops, and sheds are common on larger single family lots in rural areas.

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

A detached shop is a permitted accessory use in the Single Family 1 Acre zoning district. The construction of the shop will not result in an increase in vehicular or pedestrian traffic beyond what is assumed for a single-family residential use and will therefore have little or no detrimental effect on vehicular or pedestrian traffic.

**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.**

A detached shop is a permitted accessory use in the Single Family 1 Acre zoning district. The project does not include new connections to sewer or water and does not require modifications to the existing storm drain infrastructure. The construction of the accessory structure will have no impact on existing services and facilities.

**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.**

The application has been reviewed for compliance with the code. The subject parcel is zoned Single Family 1 Acre. The intent of this zoning is to provide for development of low-density, large lot, single family detached residential units. A detached shop is a permitted accessory use in this zoning district. Per CCMC 18.05.055, the cumulative square footage of detached accessory structures exceeding 50 percent but less than 75 percent of the size of the primary structure requires approval of an Administrative Permit. The proposed 1,800 square foot accessory structure along with existing 192 square foot shed is 59.42 percent of the size of the primary residence. The primary residence is 3,352 square feet. The proposed detached shop will be placed in compliance with all required setbacks and height limitations of the Single Family 1 Acre zoning district. As designed and conditioned the accessory structure meets the standards outlined in Title 18.

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

A detached shop is a permitted accessory use in the Single Family 1 Acre zoning district. An Administrative Permit is only required because the cumulative square footage of the accessory structures is more than 50 percent, but less than 75 percent of the size of the primary structure. The square footage of the accessory structure will not be detrimental to the public health, safety,

convenience, and welfare. Prior to construction beginning, the applicant will be required to obtain a building permit for the accessory structure which will ensure the structure will be built to current standards.

**7. Will not result in material damage or prejudice to other property in the vicinity.**

The subject parcel is zoned Single Family 1 Acre. The intent of this zoning is to provide for development of low-density, large lot, single family detached residential units. Accessory structures, such as shops, are permitted accessory uses in this zoning district. Per CCMC 18.05.055, if the cumulative square footage of detached accessory structures exceeds 50 percent but less than 75 percent of the size of the primary structure an Administrative Permit is required. The proposed 1,800 square foot accessory structure along with existing 192 square foot shed is 59.42 percent of the size of the primary residence and will be constructed in compliance with all required setbacks and height limitations of the Single Family 1 Acre zoning district. As proposed and conditioned the accessory structure will not result in the material damage or prejudice to other property in the vicinity.

Attachments

Application (LU-2022-0441)