



DCA Case Number WDCA17-0006

Washoe County Planning Commission

October 3, 2017

“Minor Deviations”



Proposed Code Amendment

- **Section 110.804.35 Minor Deviations.** The Director of the Planning and Building Division may grant a minor deviation of standards to this chapter for deviations less than 10 percent of the applicable Development Code standard pursuant NRS 278.319.

- (a) **Application.** The applicant must file a Director's Modification of Standards application, accompanied by the appropriate fee, with the Planning and Building Division, and must clearly describe the extenuating circumstances or unique physical conditions on the project site to justify the need for the requested deviation. The applicant must provide a description of the requested deviation, and how the request will remedy the circumstances and/or conditions. As part of the application submittal, the applicant must provide written consent from the owner(s) of real property that would be affected by the request. At minimum, affected property owners means those owners of parcels that immediately abut the location of the proposed minor deviation. The Director may require the written consent from additional owner(s) of real property if deemed necessary by the Director to provide notice to all owners of affected real property.

- (b) **Director's Decision.** The Director shall provide a written decision on the application for a minor deviation within 15 working days of receipt of a completed application. The Director may grant or deny the application, or may determine that the application exceeds the 10% threshold and require submission of a Variance application pursuant to this Article. The findings specified in section 804.25 of this Code are not required for minor deviations but the Director must find that the requested minor deviation does not result in a substantial detriment to the public good and does not impair the purpose of the zoning district or any regulations adopted by Washoe County. The Director's decision may be appealed following the provisions of section 804.40 of this Code.



Minor Deviations

Typical Deviations to be expected:

- 1) Setbacks
- 2) Building Heights
- 3) Fence Heights

What Minor Deviations will not allow:

- 1) Lot size reductions
- 2) Varying of allowable uses
- 3) Accessory dwelling sizes



Community Meeting

- **All CAB/Community workshop**
 - Wednesday, September 6, 2017





Findings

- 1. **Consistency with Master Plan.** The proposed Development Code amendment is in substantial compliance with the policies and action programs of the Washoe County Master Plan;
- 2. **Promotes the Purpose of the Development Code.** The proposed Development Code amendment will not adversely impact the public health, safety or welfare, and will promote the original purposes for the Development Code as expressed in Article 918, Adoption of Development Code;
- 3. **Response to Changed Conditions.** The proposed Development Code amendment responds to changed conditions or further studies that have occurred since the Development Code was adopted by the Board of County Commissioners, and the requested amendment allow for a more desirable utilization of land within the regulatory zones; and,
- 4. **No Adverse Affects.** The proposed Development Code amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Master Plan.



Possible Motion for WDCA17-0006

Initiation

I move that, after giving reasoned consideration to the information contained in the staff report and received during the public hearing, the Washoe County Planning Commission initiate the amendment to Washoe County Code Chapter 110 within Article 804, *Variances*, as described in the staff report for WDCA17-0006.

Amendment

I move that, after giving reasoned consideration to the information contained in the staff report and received during the public hearing, the Washoe County Planning Commission recommend approval of WDCA17-0006, to amend Washoe County Code Chapter 110 within Article 804, *Variances*, as described in the staff report for this matter. I further move to authorize the Chair to sign the resolution contained in Attachment A on behalf of the Planning Commission and to direct staff to present a report of this Commission's recommendation to the Washoe County Board of County Commissioners within 60 days of today's date. This recommendation for approval is based on all of the following four findings in accordance with Washoe County Code Section 110.818.15(e).