



STAFF REPORT

Date: July 14, 2022

To: TRPA Hearings Officer

From: TRPA Staff

Subject: Brodsky Land Capability Challenge, 767 Charles Court, Washoe County, Nevada, Assessor's Parcel Number 125-254-06, TRPA File Number LCAP2022-0219

Proposed Action:

Hearings Officer review and approve the proposed Land Capability Challenge.

Staff Recommendation:

Staff recommends the TRPA Hearings Officer approve the land capability challenge on the subject parcel. The challenge changes Class 3 -7,920 sq. ft. (100 percent of parcel) to Class 6-7,920 sq. ft. (100 percent of parcel).

Background:

The subject parcel is shown as Class 1a on TRPA Land Capability Overlay Maps (aka Bailey Land Capability maps). The Soil Conservation Service *Soil Survey of Tahoe Basin Area, California-Nevada* (Rogers, 1974) places the subject parcel in the MsE, Meeks very stony coarse sand, 15 to 30 percent slope mapunit. A land capability verification completed in 2021 verified the entire parcel as Class 3, MsE, Meeks very stony coarse sand, 15 to 30 percent slope mapunit. The updated *Soil Survey of Tahoe Basin Area, California and Nevada* (NRCS, 2007) maps this parcel as mapunit 7485- Meeks very stony coarse sand, 15 to 30 percent slopes. This parcel has a geomorphic mapping of E2 Outwash, till, and lake deposits (Low hazard lands). The Meeks soils formed in glacial outwash and moraines from primarily granitic parent material. Meeks soils have a very stony loamy coarse sand A-horizon, with gravelly and very gravelly loamy coarse sand subsurface textures. A weakly cemented silica horizon occurs between depths of 41 to 70 inches. A thin (1 millimeter thick) silica lamina occurs on the surface of this horizon.

A land capability challenge (LCAP2022-0219) was filed by the land owner, John Brodsky, on February 28, 2022. A private soil consultant was not hired for this land capability challenge, but David Herzog organized the soil pit investigation. TRPA consultant, Marchel Munnecke, visited the site on May 5, 2022, and described one soil pit.

Findings:

One soil pit was excavated by backhoe to 63 inches. The pit was located approximately 15 feet south of the of the southwest corner of the residence. This parcel is situated on a small, broad, ridge within a concave side slope. The ridge is dry with upland vegetation, but there are areas with willows and wetter vegetation in the swales to either side of the ridge.

The closest stream environment zone (SEZ) is approximately 70 feet north of this parcel in a swale with subsurface flow. The soil pit has distinct layers of volcanic colluvium, over a possible alluvial layer, over reddish volcanic flow deposits. This soil is characterized by a coarse sandy loam surface texture, with coarse sandy loam, sandy loam, and gravelly sandy clay loam subsurface textures. Argillic horizons begin at 10 inches below the surface and continue to the depth of the pit. Below 37 inches is highly weathered, yellowish red volcanic mud flow material. Very fine to medium sized roots are common to 56 inches, with few roots extending to the depth of the pit. This soil is very deep, well drained, and is a member of Soil Hydrologic Group B. The vegetation on this parcel is primarily Jeffrey pine with a few white fir trees and patches of greenleaf manzanita and snowbrush ceanothus in open areas. The groundcover is relatively sparse with sticky cinquefoil, blue-eyed Mary, and other native and landscaped vegetation.

In the Soil Conservation Service *Soil Survey of Tahoe Basin Area, California-Nevada* (Rogers, 1974), the Meeks soils are described as forming primarily in granitic parent material, and the soil on this parcel formed in volcanic parent material. The Meeks soils have greater than 35 percent rock fragments and lack argillic soil development, whereas this soil has less than 35 percent rock fragments, and has an argillic soil development. The Meeks soils have a thin silica cemented layer at depths of 40 to 70 inches, which was not observed in this soil. The Umpa, Jorge and Tahoma soils are mapped in this area and occur on volcanic soils. This soil is dissimilar to the Umpa soil because they are deeper than 40 inches, and dissimilar to the Jorge soils because it has less than 35 percent rock fragments. This soil is within the range and characteristics of the Tahoma soil. Based on the natural slopes of this parcel, it is mapped as JwD- Jorge – Tahoma very stony sandy loam, 2 to 15 percent slope mapunit, land capability Class 6.

There is approximately a 10-foot linear section along Charles Court, where the slope is over-steepened due to the road cut. The natural slope appears to be very gentle in this area, based on slopes above the cut and in the vicinity. This area is Class 6 based on natural slopes.

The table below summarizes the changes in land capability as concluded by this land capability challenge.

Land Capability District	Area (sq. ft.) 2021 LCV	Area (sq. ft.) 2021 LCC
Class 3 (MsE, 15 to 30 % slopes)	7,920	0
Class 6 (JwD, 2 to 15 % slopes)	0	7,920
Total Parcel Area	7,920	7,920

Contact Information:

This staff report was prepared by Senior Planner, Julie Roll. If you have questions on this Hearings Officer item, please contact Julie Roll, 775-589-5247, or email at jroll@trpa.gov.

BAILEY LAND CAPABILITY CHALLENGE FINDINGS

Site Information	
Assessor's Parcel Numbers: (APN)	125-254-06
TRPA File No. / Submittal Date:	LCAP2022-0219 / 2/28/2022
Owner or Applicant:	John Brodsky
Address:	797 Charles Court, Incline Village, NV, 89451

Environmental Setting	
Bailey Soil Mapping Unit¹ / Hydrologic Soil Group (HSG) / Land Class / Geomorphic Hazard Unit	MsE, Meeks very stony coarse sand, 15 to 30 percent slope / HSG B E2 (Outwash, till, and lake deposits, (Low hazard lands).
Soil Parent Material	Volcanic colluvium over volcanic flow deposits
Slopes and Aspect	2 to 14 percent natural slopes, with over-steepened road to slopes to 30 percent. Parcel slopes to the south.
Elevation and Datum	7,157 to 7,166 feet, Arnett and Associates ⁸ site topo, 8-22-2021
Rock Outcrops and Surface Configuration	NA.
SEZ and Hydrology Source	There is no SEZ on this parcel. There is a swale with willows approximately 70 feet north of this parcel, that flows away from this parcel to the southeast.
Vegetation	The vegetation is a Jeffrey pine forest with a few white fir trees. Native shrubs included greenleaf manzanita and snowbrush ceanothus. The understory is sparse, with landscaped vegetation in sections.
Ground Cover Condition	Good (vegetation 65 %, litter/duff 70 % cover)
Site Features	Residence, paved driveway, A/C walkway, gravel paths, three decks, and steps to side road.

Field Investigation and Procedures	
Consultant and Address	Marchel Munnecke PO Box 1015 Twin Bridges, CA 95735
TRPA Staff Field Dates	May 5, 2022
SEZ Mapping / NRCS Hydric Soil	No SEZ on the parcel
Number of Soil Pits or Auger Holes and Description Depth	1 pit excavated by backhoe to 63 inches.
Additional or Repetitive TRPA Sample Locations	NA

¹ TRPA currently relies upon the Soil Survey of Tahoe Basin, California-Nevada (Rogers and Soil Conservation Service, 1974), which the Bailey Land Capability system is predicated upon.

Representative Soil Profile Descriptions	Attachment B
Areas Not Examined	Residence, paved driveway, A/C walkway, gravel paths, three decks, and steps to side road.

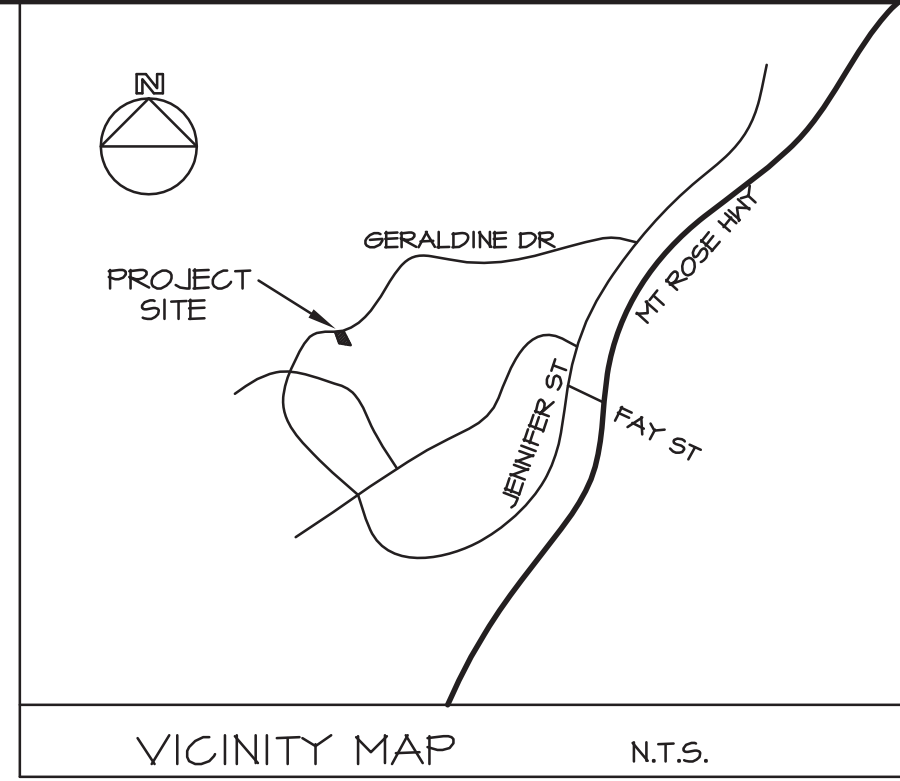
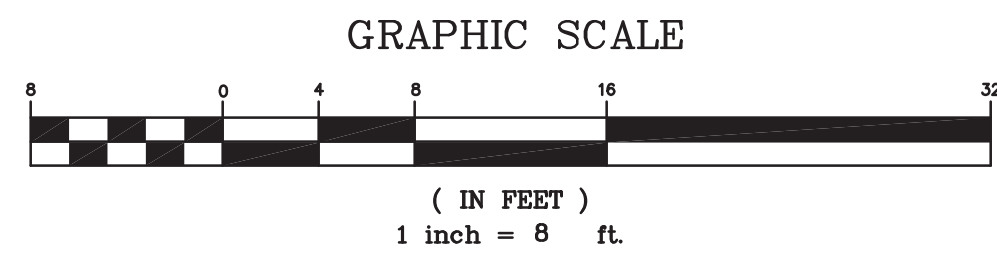
TRPA Findings	
2006 Soil Survey Map Unit	7485- Meeks very stony coarse sand, 15 to 30 percent slopes. Class 1a, but slopes are actually less than 15 percent, and would be equivalent to Class 5.
Consultant Soil Mapping Determination and Rationale	<p>Based on slopes and soil characteristics this parcel is mapped as JwD- Jorge – Tahoma very stony sandy loam 2 to 15 percent slopes mapunit, land capability Class 6.</p> <p>In the Soil Conservation Service <i>Soil Survey of Tahoe Basin Area, California-Nevada</i> (Rogers, 1974), the Meeks soils are described as forming primarily in granitic parent material, and the soil on this parcel formed in volcanic parent material. The Meeks soils have greater than 35 percent rock fragments and lack argillic soil development, whereas this soil has less than 35 percent rock fragments, and has an argillic soil development. The Meeks soils have a thin silica cemented layer at depths of 40 to 70 inches, which was not observed in this soil. The Umpa, Jorge and Tahoma soils are mapped in this area and occur on volcanic soils. This soil is dissimilar to the Umpa soil because they are deeper than 40 inches, and dissimilar to the Jorge soils because it has less than 35 percent rock fragments. This soil is within the range and characteristics of the Tahoma soil. Based on the natural slopes of this parcel, it is mapped as JwD- Jorge – Tahoma very stony sandy loam, 2 to 15 percent slope mapunit, land capability Class 6.</p> <p>There is approximately a 10-foot linear section along Charles Court, where the slope is over-steepened due to the road cut. The natural slope appears to be very gentle in this area, based on slopes above the cut and in the vicinity. This area is considered Class 6 based on natural slopes.</p>
Slope Determination	5 to 30 percent slopes.
TRPA Conclusion(s)	TRPA concurs with consultants' determination and rationale above.
Applicable Area	See parcel map for soil delineations.

Attachments:

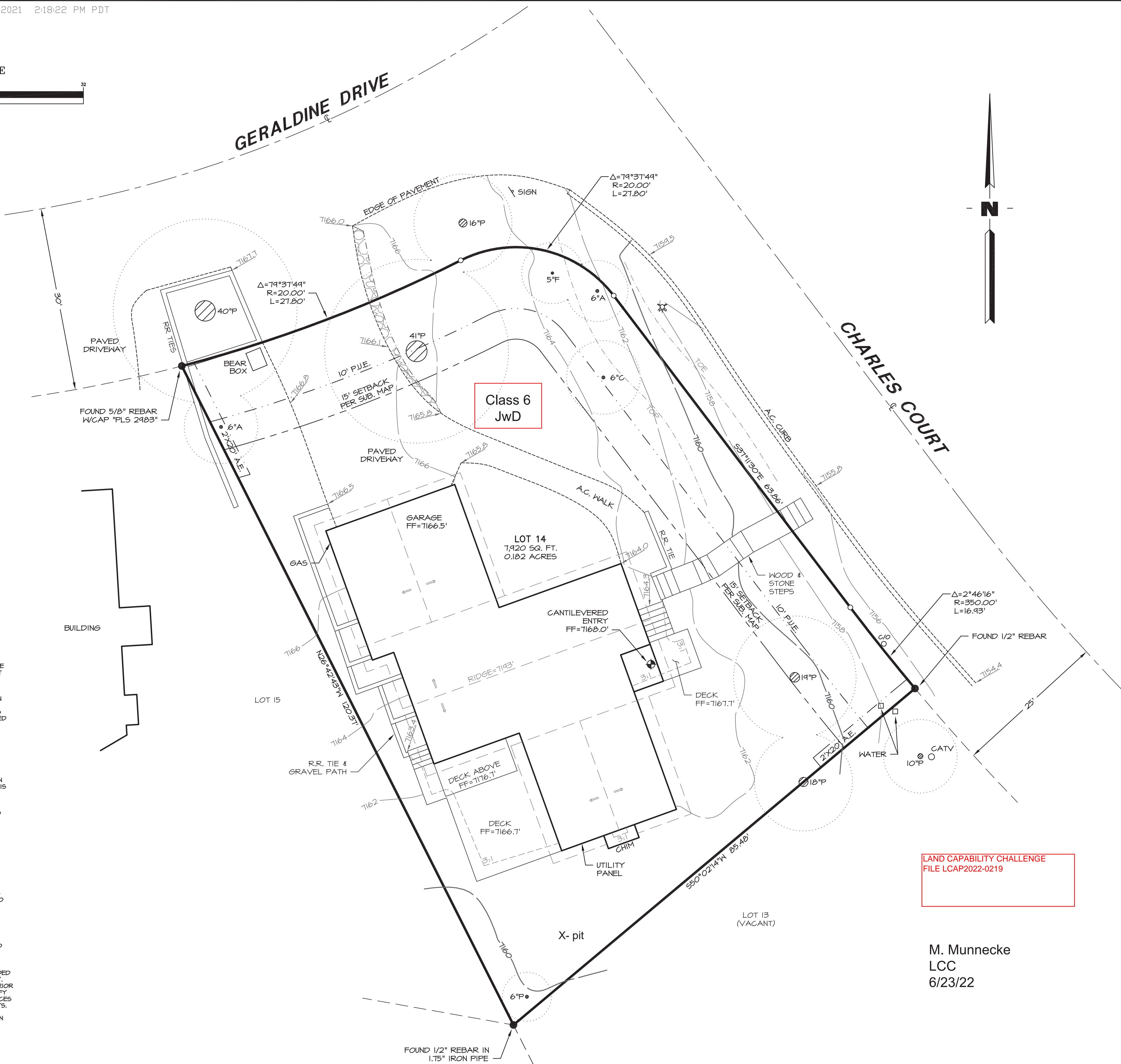
- A. Parcel map with soil map units delineated
- B. Soil description
- C. Site photographs

Attachment A

Parcel map with soil map units delineated



REVISIONS	BY



- LEGEND**
- FOUND MONUMENT AS NOTED
 - NOTHING FOUND OR SET
 - 104.9 SPOT ELEVATION
 - CLEAN OUT
 - ⊗ FIRE HYDRANT
 - UTILITY AS NOTED
 - A.E. ANCHOR EASEMENT
 - P.U.E. PUBLIC UTILITY EASEMENT
 - TREE W/DRIPLINE, DIAMETER & TYPE
P=PINE, F= FIR, C= CEDAR

COVERAGE CALCULATIONS

LOT AREA = 7,920 S.F. (0.182 AC.)

EXISTING LAND COVERAGE

RESIDENCE	1,660 S.F.*
PAVED DRIVEWAY	662 S.F.
DECKS	327 S.F.*
A.C. WALK	244 S.F.
WOOD	45 S.F.
TOTAL	2,938 S.F. (38%)

*CALCULATED WITH 3:1 HEIGHT REDUCTION

OFFSITE COVERAGE

PAVED DRIVEWAY	251 S.F.
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LAND CAPABILITY CHALLENGE
FILE LCAP2022-0219

M. Munnecke
LCC
6/23/22

THIS DRAWING WAS PREPARED EXCLUSIVELY FOR JAKE BRODSKY AND BORELLI ARCHITECTURE AND ACCURATELY REPRESENTS, TO THE BEST OF OUR KNOWLEDGE, THE MATTERS CONTAINED HEREIN AS OF THE DATE STATED HEREON. THIS DRAWING MAY NOT BE RELIED UPON BY ANY OTHER PERSON OR ENTITY FOR ANY PURPOSE WHATSOEVER. THIS MAP IS VALID FOR A PERIOD OF EIGHTEEN (18) MONTHS FROM THE DATE OF ISSUE. SUBSEQUENT USE OF THE MAP WILL REQUIRE A FIELD SITE VISIT AND MAPPING UPDATES.

KENNETH R. ARNETT
PROFESSIONAL LAND SURVEYOR
FLS 7624



Digitally signed by
Kenneth R. Arnett
Reason: I am the
author of this
document
Date: 2021-08-02
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- NOTES:**
- BEFORE DRAWING PLANS, PROPERTY OWNERS AND THEIR REPRESENTATIVES SHOULD REVIEW THIS MAP FOR CONSISTENCY WITH ASSESSOR AND AGENCY RECORDS. DESIGNER TO CHECK FOR ZONING, SETBACKS, ASSOCIATION DESIGN AND CC&R REQUIREMENTS, OPEN SPACE REQUIREMENTS, HEIGHT RESTRICTIONS, ETC. AN INVESTIGATIVE VISIT TO THE SITE BY THE DESIGNER AND/OR A SITE ASSESSMENT TO DETERMINE LEGALLY EXISTING COVERAGE AND LAND CAPABILITY THRESHOLDS, AND TO VERIFY TOPOGRAPHY SHOULD BE CONDUCTED PRIOR TO RELIANCE ON THIS PLAN. LAND COVERAGES SHOWN DO NOT REFLECT ANY LAND COVERAGE CREDITS THAT MAY BE APPLICABLE BY TRPA FOR PERVIOUS DECKING, PERVIOUS CONCRETE, ETC. ANY OBSERVED DISCREPANCIES SHALL BE BROUGHT TO THE IMMEDIATE ATTENTION OF THE SURVEYOR PRIOR TO PROCEEDING WITH DESIGN/APPLICATION OR PERMITTING OF A PROJECT.
 - TREES SMALLER THAN 6" IN DIAMETER HAVE NOT BEEN SHOWN.
 - THE VERTICAL DATUM OF THIS SURVEY IS BASED ON THE WASHOE COUNTY GIS. THE CONTOUR INTERVAL IS 2 FEET. THE ACCURACY OF THIS SURVEY IS ONE-HALF CONTOUR INTERVAL.
 - FIELD WORK FOR THIS SURVEY WAS ACCOMPLISHED ON 7/14/21.
 - ALL EASEMENTS OF RECORD PER THE SUBDIVISION TRACT MAP HAVE BEEN SHOWN. NO INVESTIGATION HAS BEEN MADE FOR EASEMENTS OF RECORD, ENCUMBRANCES, COVENANTS AND CONDITIONS OWNERSHIP, TITLE EVIDENCE, OR ANY OTHER FACTS WHICH A CURRENT TITLE SEARCH MAY DISCLOSE, OTHER THAN THOSE SHOWN HEREON.
 - THIS MAP INDICATES THE LOCATION OF SURFACE UTILITIES DISCOVERED DURING THE COURSE OF THIS SURVEY. UTILITY COMPANIES SHOULD BE CONSULTED FOR LOCATION OF UNDERGROUND FACILITIES OR OTHER UTILITIES NOT SHOWN HEREON.
 - THE BOUNDARY LINES AND PROPERTY CORNERS SHOWN ON THIS TOPOGRAPHIC SURVEY ARE TAKEN FROM RECORD DATA. A BOUNDARY SURVEY TO RE-MONUMENT MISSING PROPERTY CORNERS SHOULD BE DONE PRIOR TO RELIANCE ON THIS PLAN FOR CONSTRUCTION.
 - THE EXISTING BUILDING FOOTPRINT SHOWN IS INTENDED TO BE USED FOR LAND COVERAGE PURPOSES ONLY. SAID FOOTPRINT IS REPRESENTATIVE OF THE EXTERIOR STRUCTURE. DESIGNER AND CONTRACTOR TO VERIFY AS-BUILT INFORMATION AND ACCOUNT FOR VARIANCES DUE TO SIDING, TRIM, AND OTHER BUILDING ELEMENTS.
 - SUBJECT PARCEL IS ZONED HIGH DENSITY SUBURBAN (HDS) PER WASHOE COUNTY DEVELOPMENT CODE, TABLE 110.406.05.1. BUILDING SETBACKS FOR HDS ARE 20' FRONT AND REAR, AND 5' SIDES.

IMPERVIOUS COVERAGE SURVEY
LOT 14, BLOCK "C", INCLINE VILLAGE UNIT NO. 1
APN 125-254-06 WASHOE COUNTY NEVADA
ADDRESS: 147 CHARLES CT., INCLINE VILLAGE, NV

ARNETT & ASSOCIATES, INC.
LAND SURVEYORS & PLANNERS
150 COUNTRY CLUB DR. NO. 10, INCLINE VILLAGE, NEVADA 89417
NORTH RANGE (775) 831-8858
TRUCKEE (530) 587-0822
SOUTH RANGE (530) 643-3008

DATE	8/2/21
SCALE	1" = 8'
DRAWN	JDT
JOB	21-04-16
FILE	TOPD.DWG
SHEET	1

OF 1 SHEETS

Attachment B

Soil description

Jake Brodsky Land Capability Challenge
July 21, 2022, Hearing Officer Meeting

**767 Charles Court,
Incline Village, Washoe County, NV 89451
APN 125-254-06, LCAP2022-0219.**

Soil Profile Descriptions

Marchel Munnecke

Field Date: 5-5-2022



Pit 125-254-06:

Soil Classification: Fine-loamy, isotic, frigid Ultic Haploxeralfs

Soil Series: Tahoma soil, Jwe- Jorge- Tahoma ,very stony sandy loam, 2 to 15 percent slopes, Capability Class 6.

Drainage Class: Well Drained

Hydrologic Group: B

Parent Material: Colluvium from volcanic parent material over volcanic flow deposits.

Slope: 6 % **Aspect:** Southeast

Description:

- Oi 0 to 3 inches; mulch and pine needles; clear smooth boundary.
- A1 3 to 10 inches; coarse sandy loam, very dark grayish brown (10YR 3/2) moist; moderate medium granular structure; soft, very friable, nonsticky and nonplastic; many very fine to fine, and common medium roots; many very fine to fine irregular pores; 5 percent gravels; clear smooth boundary.
- Bt1 10 to 24 inches; coarse sandy loam, very dark grayish brown (10YR 3/2) moist; moderate thick platy structure; moderately hard, firm, nonsticky and nonplastic; many very fine to coarse roots; many very fine to fine irregular pores; common thin clay films bridging sand grains; 5 percent gravel; gradual smooth boundary.
- Bt2 24 to 37 inches; sandy loam, dark brown (7.5YR 3/2) moist; moderate thick platy structure; soft, very friable, slightly sticky and slightly plastic; common very fine to fine roots; many very fine and fine irregular pores; few thin clay films bridging sand grains; 5 percent gravel; clear smooth boundary.
- Bt3 37 to 56 inches; gravelly sandy clay loam, yellowish red (5YR 4/6), reddish brown (5YR 4/4) moist; moderate medium subangular blocky structure; slightly hard, friable, slightly sticky and slightly plastic; many very fine to medium roots; many very fine and fine irregular pores; many thick clay films coating sand grains and on ped faces; 15 percent gravel, 2 percent cobbles and 2 percent stones; gradual smooth boundary.
- Bt4 56 to 63+ inches; gravelly sandy clay loam, strong brown (7.5YR 5/6), brown (7.5YR 4/4) moist; moderate medium subangular blocky structure; slightly hard, friable, slightly sticky and slightly plastic; few fine roots; many very fine and fine irregular pores; many thick clay films coating sand grains and on ped faces; 25 percent gravel, 5 percent cobbles.

Attachment C

Site photographs

PHOTOGRAPHS (Addendum to APN 125-254-06, July 21, 2022 Staff Summary)



Photo 1 – a. Stop 1 pit. Photo 1- b. View from south of residence looking north east.



Photo 2 – a. View of house from Geraldine Drive. Photo 2 – b View of house from Charles Court.



Image 3 – Google Earth image of area.

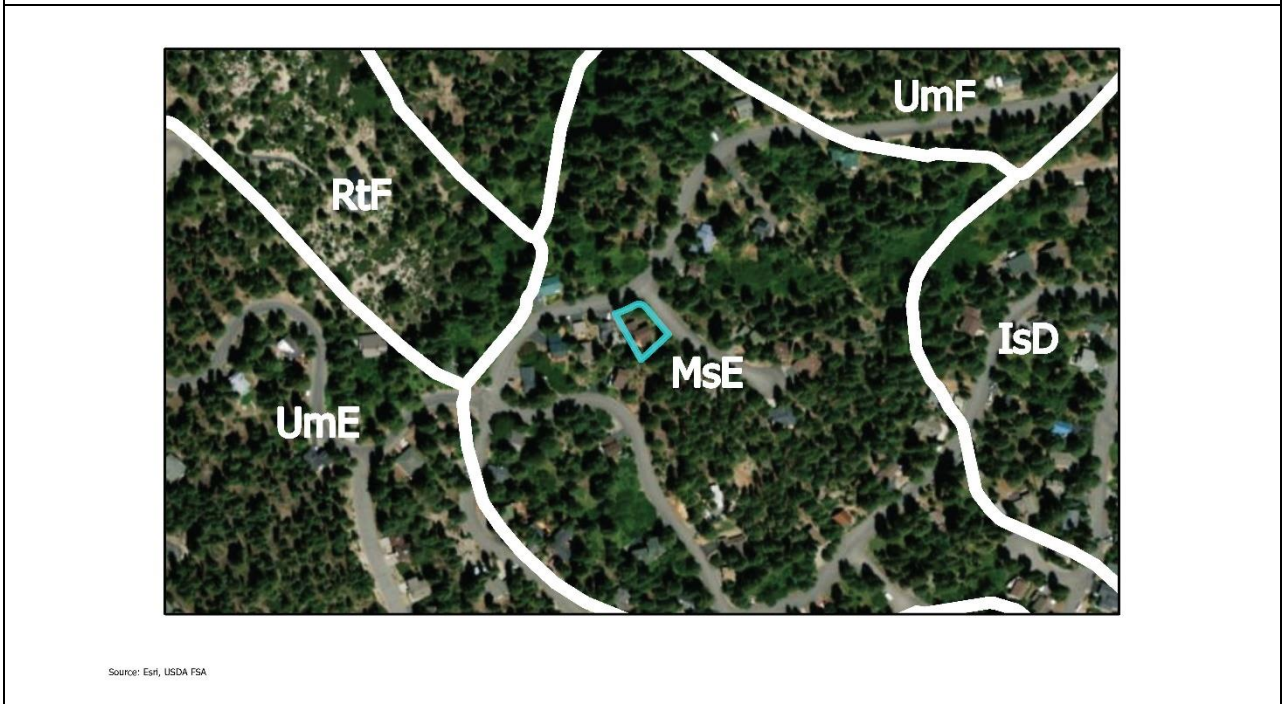


Image 4– 1974 Soil Mapping with parcel 125-254-06 shown in blue.