



WASHOE COUNTY

Integrity Communication Service

www.washoecounty.us

STAFF REPORT

BOARD MEETING DATE: December 10, 2019

DATE: November 8, 2019

TO: Board of County Commissioners

FROM: Julee Olander and Sophia Kirschenman, Planning and Building Division, Community Services Department, 775.328.3627 (Julee), 775.328.3623 (Sophia), jolander@washoecounty.us; skirschenman@washoecounty.us

THROUGH: Mojra Hauenstein, Arch., Planner, Division Director, Planning & Building Division, Community Services Department, 328-3619, mhauenstein@washoecounty.us

SUBJECT: Public Hearing: Master Plan Amendment Case Number WMPA19-0004 (Bennington Court) to adopt an amendment to the Forest Area Plan, a component of the Washoe County Master Plan, to change the master plan category on five (5) parcels (APNs 046-151-05, 046-153-08, 046-153-09, 046-153-10, and 046-161-09) totaling ±8.34 acres, from Open Space (OS) to Suburban Residential (SR) for owners St. James's Village, Inc. and David Houston. If adopted, the master plan amendment will take effect after a determination of conformance with the Truckee Meadows Regional Plan by the Truckee Meadows Regional Planning Commission.

AND

Regulatory Zone Amendment Case Number WRZA19-0003 (Bennington Court) to adopt, subject to final approval of the associated master plan amendment and a favorable conformance review by the regional planning authorities, an amendment to the Forest Regulatory Zone Map, a component of the Forest Area Plan, to change the regulatory zone on these same five (5) parcels (APNs 046-151-05, 046-153-08, 046-153-09, 046-153-10, and 046-161-09) totaling ±8.34 acres, from OS to Low Density Suburban (LDS) (1 dwelling unit/acre) for owners St. James's Village, Inc. and David Houston.

AND

If approved, authorize the Chair to sign the resolutions to that effect. (Commission District 2.)

SUMMARY

This is a request to change the master plan category on five (5) parcels, totaling ±8.34 acres, from OS to SR, and if approved, to change the regulatory zone on these same five parcels from OS to LDS. The five (5) subject parcels are located within the existing St. James' Village Development and the proposed changes would bring the regulatory zone designations for these parcels into conformity with the surrounding properties in this development.

AGENDA ITEM # _____

Washoe County strategic objective supported by this item: Proactive Economic Development and Diversification

PREVIOUS ACTION

On October 1, 2019, the Washoe County Planning Commission heard the master plan and regulatory zone amendment requests in question and unanimously recommended adoption of these amendments.

On August 1, 2019, Master Plan Amendment Case Number WMPA19-0004 and Regulatory Zone Amendment Case Number WRZA19-0003 were reviewed at the South Truckee Meadows/Washoe Valley Citizen Advisory Board (CAB) meeting. This meeting also fulfilled the neighborhood meeting requirement. The CAB members voted unanimously in support of the requests.

BACKGROUND

During review of WSUP19-0008 (Houston Grading), a grading permit for a residential driveway, staff realized that APN 046-151-05 is designated with the incorrect master plan designation and regulatory zone, as it is inconsistent with the surrounding parcels in the St. James' Village development. The staff report stated that Washoe County staff would initiate master plan and regulatory zone amendments for the parcel, proposing the same master plan designation and regulatory zone as the other parcels in the development.

Upon further review, staff discovered that four (4) additional parcels on Bennington Court are master planned OS and zoned OS. The four (4) other parcels are 046-153-08, 046-153-09, 046-153-10, and 046-161-09. In total, these five (5) parcels are privately owned within the St. James's Village residential development and have a master plan designation of OS and a regulatory zone designation of OS, while the surrounding parcels have a master plan designation of SR and regulatory zone designation of LDS. Staff was then directed to correct the master plan designation and regulatory zone designation for these five (5) parcels to be consistent with the surrounding parcels. This was the impetus for the current amendment requests.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

It is recommended that the Board of County Commissioners adopt and authorize the Chair to sign the resolution contained as Attachment A to this staff report to amend the Master Plan as set forth in Master Plan Amendment Case Number WMPA19-0004; and, subject to final approval of the associated master plan amendment and a favorable conformance review by the Truckee Meadows Regional Planning Commission, adopt and authorize the Chair to sign the resolution contained as Attachment B to this staff report to amend the Forest Regulatory Zone Map, as set forth in Regulatory Zone Amendment Case Number WRZA19-0003.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be:

“Move to adopt:

Master Plan Amendment Case Number WMPA19-0004, to amend the Forest Area Plan, a component of the Washoe County Master Plan, to change the master plan category on five (5) parcels (APNs 046-151-05, 046-153-08, 046-153-09, 046-153-10, and 046-161-09) totaling ±8.34 acres, from Open Space (OS) to Suburban Residential (SR) for owners St. James's Village, Inc. and David Houston; and to authorize the Chair to sign the resolution contained as Attachment A to this staff report to that effect. If adopted, the master plan amendment will take effect after a determination of conformance with the Truckee Meadows Regional Plan by the Truckee Meadows Regional Planning Commission;

AND subject to final approval of the associated master plan amendment and a favorable conformance review by the Truckee Meadows Regional Planning Commission, adopt:

Regulatory Zone Amendment Case Number WRZA19-0003, to amend the Forest Regulatory Zone Map, a component of the Forest Area Plan, to change the regulatory zone on these same five (5) parcels (APNs 046-151-05, 046-153-08, 046-153-09, 046-153-10, and 046-161-09) totaling ±8.34 acres, from Open Space (OS) to Low Density Suburban (LDS) (1 dwelling unit/acre) for owners St. James's Village, Inc. and David Houston; and to authorize the Chair to sign the resolution contained as Attachment B to this staff report to that effect.

In making this motion, the Board is able to make the findings for the master plan amendment as required by Washoe County Code Section 110.820.15(d):

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan.
2. Compatible Land Uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare.
3. Response to Change Conditions. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.
4. Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed Master Plan designation.
5. Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.

In making this motion, the Board is also able to make the required Forest Area Plan finding:

Goal Twenty-two: Amendments to the Forest Area Plan will be for the purpose of further implementing the Vision and Character Statement, or to respond to new or changing circumstances. Amendments will conform to the Forest Vision and Character Statement. Amendments will be reviewed against a set of criteria and thresholds that are measures of the impact on, or progress toward, the Vision and Character Statement

Further, the Board is able to make the findings for the regulatory zone amendment as required by Washoe County Code Section 110.821.15(d):

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan.
2. Compatible Land Uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare.
3. Response to Change Conditions; more desirable use. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.
4. Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed amendment.
5. No Adverse Effects. The proposed amendment will not adversely affect the implementation of the policies and action programs of the Washoe County Master Plan.
6. Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.
7. Effect on a Military Installation When a Military Installation is Required to be Noticed. The proposed amendment will not affect the location, purpose and mission of the military installation.”

Attachments:

- A. MPA Resolution
- B. RZA Resolution
- C. Planning Commission MPA Resolution
- D. Planning Commission RZA Resolution
- E. Planning Commission Staff Report
- F. Planning Commission Minutes



WASHOE COUNTY COMMISSION

1001 E. 9th Street
Reno, Nevada 89512
(775) 328-2000

**RESOLUTION
ADOPTING AN AMENDMENT TO THE WASHOE COUNTY MASTER PLAN,
FOREST MASTER PLAN MAP (WMPA19-0004)**

WHEREAS, Washoe County is requesting approval of Master Plan Amendment Case No. WMPA19-0004 to change the master plan category on five (5) parcels (APNs 046-151-05, 046-153-08, 046-153-09, 046-153-10, and 046-161-09) totaling, ±8.34 acres, from Open Space (OS) to Suburban Residential (SR) in the Forest Area Plan, a component of the Washoe County Master Plan; and

WHEREAS, on October 1, 2019, the Washoe County Planning Commission held a public hearing on the proposed amendment, adopted Master Plan Amendment Case No. WMPA19-0004, authorized the Planning Commission Chair to sign Resolution Number 19-20 to that effect, and recommended that the Washoe County Board of County Commissioners adopt the proposed amendment; and

WHEREAS, upon holding a subsequent public hearing on December 10, 2019, this Board voted to adopt the proposed amendment, having affirmed the following findings made by the Planning Commission in accordance with Washoe County Code Section 110.820.15:

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan.
2. Compatible Land Uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare.
3. Response to Changed Conditions. The proposed amendment identifies and responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.
4. Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed Master Plan designation.
5. Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource.

Forest Area Plan Finding – Goal Twenty-two. Amendments to the Forest Area Plan will be for the purpose of further implementing the Vision and Character Statement, or to respond to new or changing circumstances. Amendments will conform to the Forest Vision and Character Statement. Amendments will be reviewed against a set of criteria and thresholds that are measures of the impact on, or progress toward, the Vision and Character Statement. And;

WHEREAS, Under NRS 278.0282, before this adoption can become effective, this Board must submit this proposed amendment to the Regional Planning Commission and receive a final determination that the proposed amendment conforms with the Truckee Meadows Regional Plan;

NOW THEREFORE BE IT RESOLVED,

That this Board does hereby ADOPT the amendment to the Forest Area Master Plan Map (Case No. WMPA19-0004), as set forth in Exhibit A-1 attached hereto, to become effective if and when the County has received a final determination that the amendment conforms to the Truckee Meadows Regional Plan.

ADOPTED this 10th day of December 2019, to be effective only as stated above.

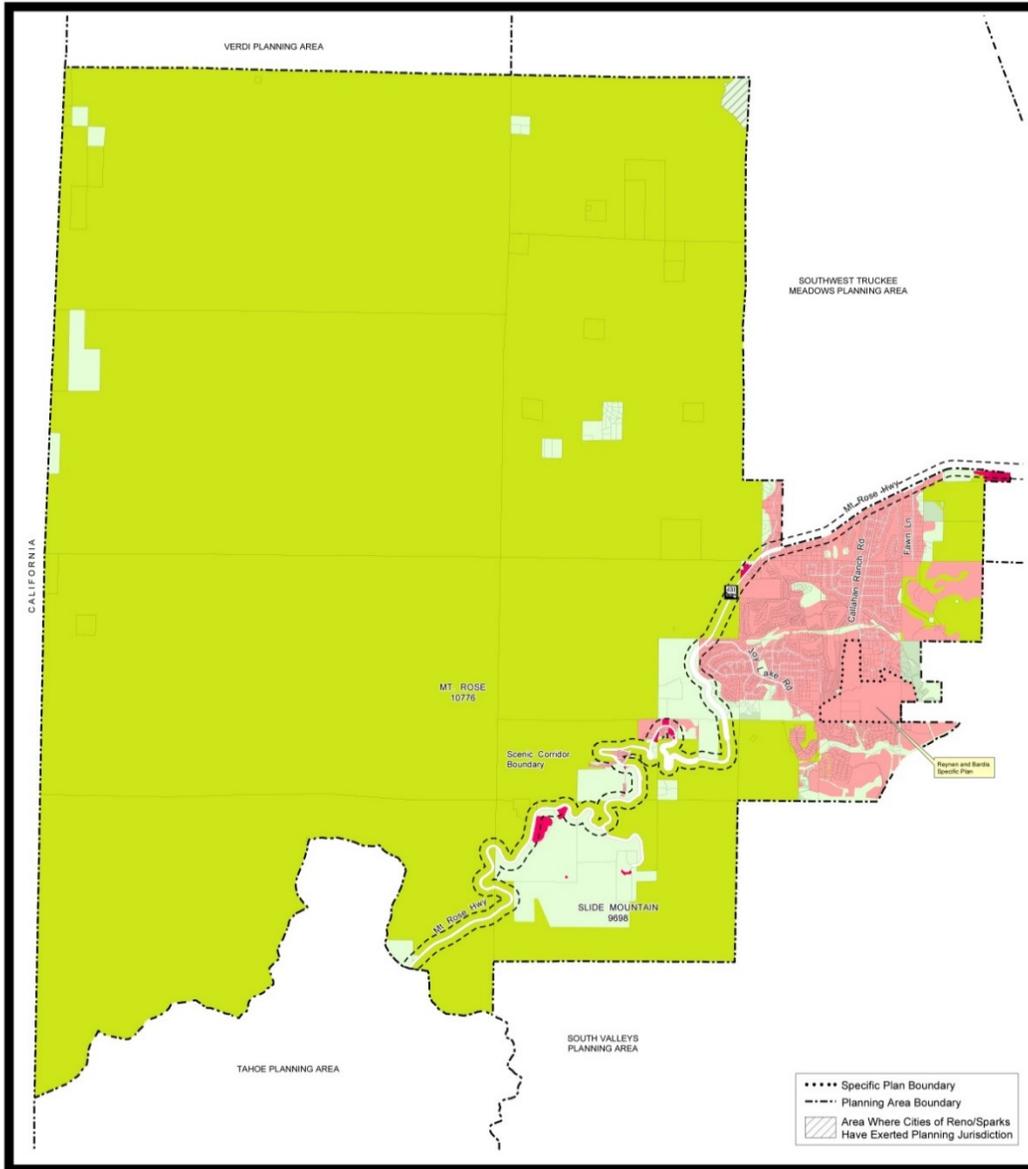
WASHOE COUNTY COMMISSION

Vaughn Hartung, Chair

ATTEST:

Nancy Parent, County Clerk

Exhibit A-1: WMPA19-0004



FOREST MASTER PLAN MAP

- RURAL
- RURAL RESIDENTIAL
- SUBURBAN RESIDENTIAL
- URBAN RESIDENTIAL
- COMMERCIAL
- INDUSTRIAL
- OPEN SPACE

SOURCE: Planning and Building Division

NOTE: THE SCALE AND CONFIGURATION OF ALL INFORMATION SHOWN HEREON ARE APPROXIMATE ONLY AND ARE NOT INTENDED AS A GUIDE FOR DESIGN OR SURVEY WORK. REPRODUCTION IS NOT PERMITTED WITHOUT PRIOR WRITTEN PERMISSION FROM THE WASHOE COUNTY PLANNING AND BUILDING DIVISION.

Scale: 0 1,500 3,000 6,000 Feet

CERTIFICATION: THIS DOCUMENT HAS BEEN REVIEWED AND APPROVED AS AN ACCURATE REPRESENTATION OF THE ADOPTED MASTER PLAN MAPS OF WASHOE COUNTY, NEVADA, BY THE WASHOE COUNTY PLANNING AND BUILDING DIVISION.

DATE: _____ DIRECTOR: _____

**Community Services
Department**

**WASHOE COUNTY
NEVADA**

1001 E Ninth St
Reno, Nevada 89512 (775) 328-3600

PC DATE: August 6, 2019
ICC DATE:
NPC DATE:
RESOLUTION DATE:



WASHOE COUNTY COMMISSION

1001 E. 9th Street
Reno, Nevada 89512
(775) 328-2000

**RESOLUTION
ADOPTING AN AMENDMENT TO THE FOREST
REGULATORY ZONE MAP (WRZA19-0003)**

WHEREAS, Washoe County is requesting approval of Regulatory Zone Amendment Case No. WRZA19-0003 to change the regulatory zone on five (5) parcels (APNs 046-151-05, 046-153-08, 046-153-09, 046-153-10, and 046-161-09) totaling ± 8.34 acres, from Open Space (OS) to Low Density Suburban (LDS) in the Forest Area Plan; and

WHEREAS, On October 1, 2019, the Washoe County Planning Commission held a public hearing on the proposed amendment, adopted Regulatory Zone Amendment Case No. WRZA19-0003, authorized the Planning Commission Chair to sign Resolution Number 19-21 to that effect, and recommended that the Washoe County Board of County Commissioners adopt the proposed amendment; and

WHEREAS, upon holding a subsequent public hearing on December 10, 2019, this Board voted to adopt the proposed amendment, having affirmed the following findings as made by the Planning Commission, pursuant to Washoe County Code Section 110.821.35:

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan.
2. Compatible Land Uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare.
3. Response to Change Conditions; more desirable use. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.
4. Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed amendment.
5. No Adverse Effects. The proposed amendment will not adversely affect the implementation of the policies and action programs of the Washoe County Master Plan.
6. Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.
7. Effect on a Military Installation When a Military Installation is Required to be Noticed. The proposed amendment will not affect the location, purpose and mission of the military installation.

WHEREAS, this action will become effective after the adoption of Master Plan Amendment Case No. WMPA19-0004 by this Board and a subsequent favorable conformance review of that amendment with the Truckee Meadows Regional Plan;

NOW THEREFORE BE IT RESOLVED,

That this Board does hereby ADOPT the amendment to the Forest Regulatory Zone Map (Case No. WRZA19-0003), as set forth in Exhibit B-1 attached hereto, to become effective if and when the County has received a final determination that Master Plan Amendment Case No. WMPA19-0004 conforms to the Truckee Meadows Regional Plan.

ADOPTED this 10th day of December 2019, to be effective only as stated above.

WASHOE COUNTY COMMISSION

Vaughn Hartung, Chair

ATTEST:

Nancy Parent, County Clerk



RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

ADOPTING AMENDMENTS TO THE WASHOE COUNTY MASTER PLAN, FOREST AREA PLAN, MASTER PLAN MAP (WMPA19-0004), AND RECOMMENDING ITS ADOPTION TO THE BOARD OF COUNTY COMMISSIONERS

Resolution Number 19-20

Whereas, Master Plan Amendment Case Number WMPA19-0004 came before the Washoe County Planning Commission for a duly noticed public hearing on October 1, 2019; and

Whereas, the Washoe County Planning Commission heard public comment and input from both staff and the public regarding the proposed master plan amendments; and

Whereas, the Washoe County Planning Commission gave reasoned consideration to the information it received regarding the proposed master plan amendments;

Whereas, the Washoe County Planning Commission has made the following findings necessary to support adoption of the proposed Master Plan Amendment Case Number WMPA19-0004, as set forth in NRS chapter 278 and Washoe County Code Chapter 110 (Development Code), Article 820:

Washoe County Code Section 110.820.15 (d) Master Plan Amendment Findings

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan.
2. Compatible Land Uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare.
3. Response to Change Conditions. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.
4. Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed Master Plan designation.
5. Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.
6. Effect on a Military Installation. The proposed amendment will not affect the location, purpose and mission of the military installation.

Forest Area Plan Required Findings

Goal Twenty-two: Amendments to the Forest Area Plan will be for the purpose of further implementing the Vision and Character Statement, or to respond to new or changing circumstances. Amendments will conform to the Forest Vision and Character Statement. Amendments will be reviewed against a set of criteria and thresholds that are measures of the impact on, or progress toward, the Vision and Character Statement.

Now, therefore, be it resolved that pursuant to NRS 278.210(3):

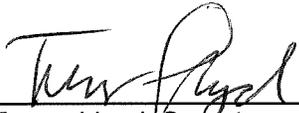
- (1) Subject to approval by the Washoe County Board of County Commissioners and a finding of conformance with the Truckee Meadows Regional Plan, the Washoe County Planning Commission does hereby adopt Master Plan Amendment Case Number WMPA19-0004, comprised of the map as included as Exhibit A to this resolution, descriptive matter and other matter intended to constitute the amendments as submitted at the public hearing noted above; and,
- (2) To the extent allowed by law, this approval is subject to the conditions adopted by the Planning Commission at the public hearing noted above.

A certified copy of this resolution shall be submitted to the Board of County Commissioners and any appropriate reviewing agencies in accordance with NRS 278.220.

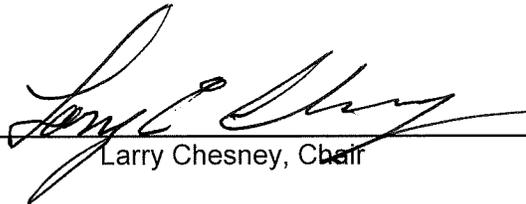
ADOPTED on October 1, 2019

WASHOE COUNTY PLANNING COMMISSION

ATTEST:



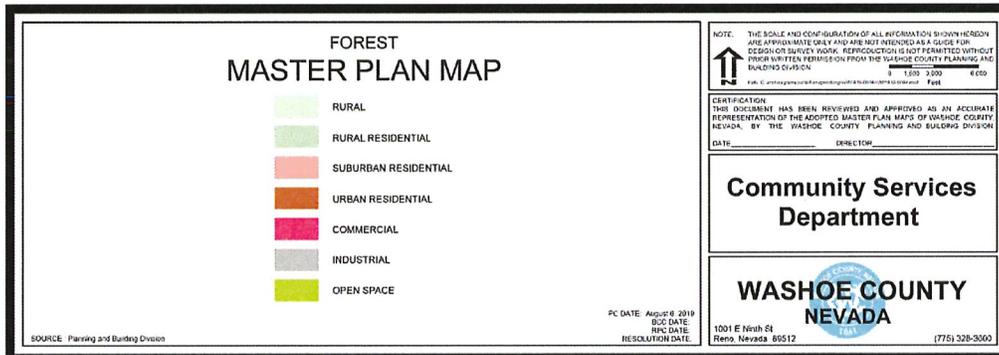
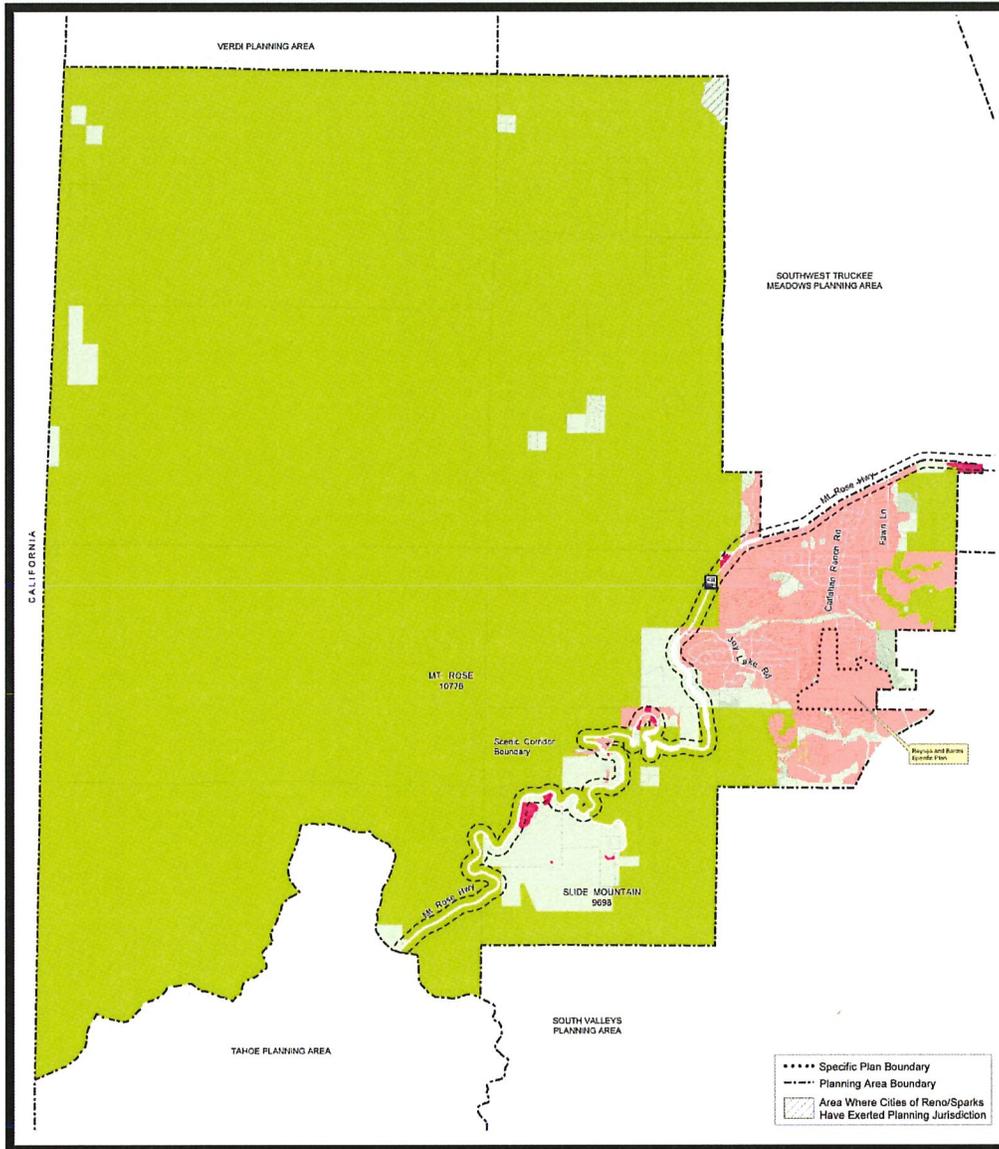
Trevor Lloyd, Secretary



Larry Chesney, Chair

Attachment: Exhibit A – Forest Master Plan Map

Exhibit A, WMPA19-0004





RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

RECOMMENDING ADOPTION OF REGULATORY ZONE AMENDMENT CASE NUMBER WRZA19-0003 AND THE AMENDED FOREST AREA PLAN REGULATORY ZONE MAP

Resolution Number 19-21

Whereas Regulatory Zone Amendment Case Number WRZA19-0003, came before the Washoe County Planning Commission for a duly noticed public hearing on October 1, 2019; and

Whereas the Washoe County Planning Commission heard public comment and input from staff regarding the proposed Regulatory Zone Amendment; and

Whereas the Washoe County Planning Commission has given reasoned consideration to the information it has received regarding the proposed Regulatory Zone Amendment; and

Whereas the Washoe County Planning Commission has made the findings necessary to support adoption of this proposed Regulatory Zone Amendment as set forth in NRS Chapter 278 and Washoe County Code Chapter 110, Article 821, Amendment of Regulatory Zone;

Whereas the proposed Regulatory Zone Amendment shall be recommended for adoption pending adoption of the accompanying proposed Master Plan Amendment (WMPA19-0004) by the Washoe County Board of County Commissioners and a finding of conformance by the Truckee Meadows Regional Planning Commission; and

Whereas, pursuant to Washoe County Code Section 110.821.15(d), in making this recommendation, the Washoe County Planning Commission finds that this proposed Regulatory Zone Amendment:

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan;
2. Compatible Land Uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare;
3. Response to Change Conditions; more desirable use. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land;
4. Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed amendment;

5. No Adverse Effects. The proposed amendment will not adversely effect the implementation of the policies and action programs of the Washoe County Master Plan,
6. Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services; and
7. Effect on a Military Installation When a Military Installation is Required to be Noticed. The proposed amendment will not affect the location, purpose and mission of a military installation.

Now, therefore, be it resolved that the Washoe County Planning Commission does hereby recommend adoption of Regulatory Zone Amendment Case Number WRZA19-0003 and the amended Forest Area Plan Regulatory Zone Map included as Exhibit A to this resolution to the Washoe County Board of County Commissioners.

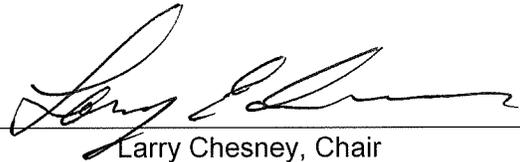
ADOPTED on October 1, 2019.

WASHOE COUNTY PLANNING COMMISSION

ATTEST:



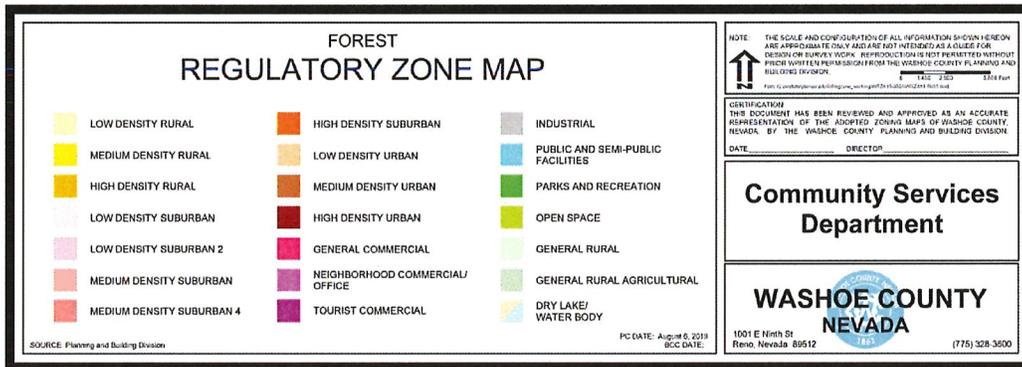
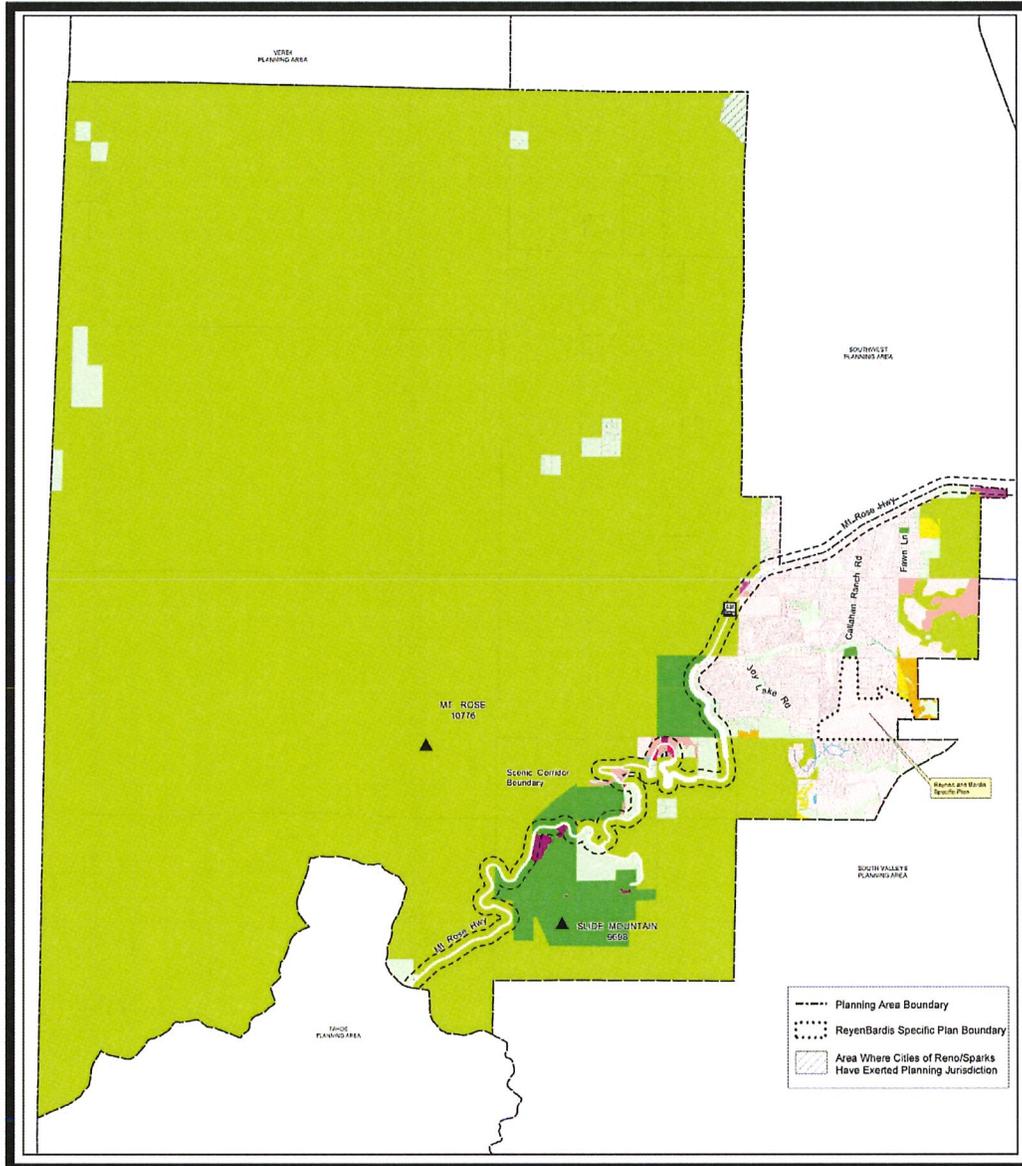
Trevor Lloyd, Secretary



Larry Chesney, Chair

Attachment: Exhibit A – Forest Area Plan Regulatory Zone Map

Exhibit A, WRZA19-0003





Planning Commission Staff Report

Meeting Date: October 1, 2019

Agenda Item: 8A

MASTER PLAN AMENDMENT CASE NUMBER: WMPA19-0004 (Bennington Court)
REGULATORY ZONE AMENDMENT CASE NUMBER: WRZA19-0003 (Bennington Court)

BRIEF SUMMARY OF REQUEST: To adopt an amendment to the Washoe County Master Plan Forest Area Plan and amend the Forest Regulatory Zone Map for five parcels

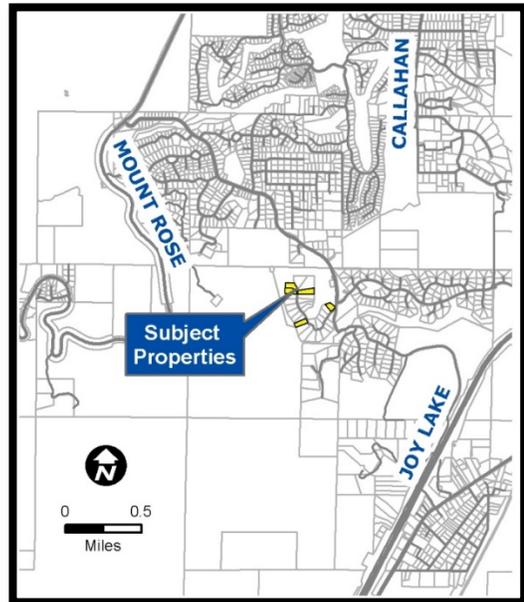
STAFF PLANNERS: Planners' Names: Julee Olander; Sophia Kirschenman
Phone Numbers: 775.328.3627 (Julee); 775.328.3623 (Sophia)
E-mails: jolander@washoecounty.us;
skirschenman@washoecounty.us

CASE DESCRIPTION

For possible action, hearing, and discussion:

(1) To adopt an amendment to the Forest Area Plan, a component of the Washoe County Master Plan, to change the Master Plan Category on five parcels (APN: 046-151-05, 046-153-08, 046-153-09, 046-153-10, and 046-161-09), totaling ±8.34 acres, from Open Space (OS) to Suburban Residential (SR), and, if approved, authorize the chair to sign a resolution to this effect; and
(2) Subject to final approval of the associated Master Plan Amendment change and a finding of conformance with the Truckee Meadows Regional Plan, to recommend adoption of an amendment to the Forest Regulatory Zone Map, to change the Regulatory Zone on five parcels (APN: 046-151-05, 046-153-08, 046-153-09, 046-153-10, and 046-161-09), totaling ±8.34 acres, from Open Space (OS) to Low Density Suburban (LDS) (1 dwelling unit/acre max), and, if approved, authorize the chair to sign a resolution to this effect.

Applicant: Washoe County
Property Owners: David Houston and St. James Village, Inc.
Location: Bennington Court
APNs and Parcel Sizes: 046-151-05 (±2.23 ac); 046-153-08 (±1.46 ac); 046-153-09 (±1.63 ac); 046-153-10 (±1.66 ac); and 046-161-09 (±1.36 ac)
Master Plan: Open Space (OS)
Regulatory Zone: Open Space (OS)
Area Plan: Forest
Citizen Advisory Board: South Truckee Meadows/Washoe Valley
Development Code: Authorized in Article 820, Amendment of Master Plan; and Article 821, Amendment of Regulatory Zone
Commission District: 2 – Commissioner Lucey



MASTER PLAN AMENDMENT STAFF RECOMMENDATION

APPROVE

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 Planning Commission adopt the resolution contained as Exhibit A to this staff report to amend the master plan as set forth in Master Plan Amendment Case Number WMPA19-0004, having made the following five findings in accordance with Washoe County Code Section 110.820.15(d) and the required Forest Area Plan finding. I further move to certify the resolution and the proposed Master Plan Amendments in WMPA19-0004 as set forth in this staff report for submission to the Washoe County Board of County Commissioners and authorize the chair to sign the resolution on behalf of the Planning Commission.

(Motion with Findings on Pages 16 and 17)

REGULATORY ZONE AMENDMENT STAFF RECOMMENDATION

APPROVE

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 Planning Commission adopt the resolution included as Exhibit B, recommending adoption of Regulatory Zone Amendment Case Number WRZA19-0003, having made all of the following findings in accordance with Washoe County Code Section 110.821.15(d). I further move to certify the resolution and the proposed Regulatory Zone Amendment in WRZA19-0003 as set forth in this staff report for submission to the Washoe County Board of County Commissioners and authorize the chair to sign the resolution on behalf of the Washoe County Planning Commission.

(Motion with Findings on Pages 17 and 18)

Staff Report Contents

Explanation of a Master Plan Amendment 4

Explanation and Processing of a Regulatory Zone Amendment 5

Background..... 6

Analysis 7

Forest Area Plan Requirements11

Compatible Land Uses.....12

South Truckee Meadows/ Washoe Valley Citizen Advisory Board (STMWV CAB).....13

Public Notice for Master Plan Amendment13

Agency Comments.....14

Staff Comment on Required Master Plan Amendment Findings.....14

Forest Area Plan Findings.....15

Staff Comment on Required Regulatory Zone Amendment Findings15

Master Plan Amendment Recommended Motions16

Regulatory Zone Amendment Recommended Motions17

Appeal Process.....18

Exhibit Contents

Master Plan Amendment ResolutionExhibit A

Regulatory Zone Amendment ResolutionExhibit B

Noticing Map Exhibit C

Agency Comments..... Exhibit D

Explanation of a Master Plan Amendment

The purpose of a master plan amendment application is to provide a method of review for requests to amend the Washoe County Master Plan.

The Master Plan guides growth and development in the unincorporated areas of Washoe County, and consists of three volumes. By establishing goals and implementing those goals through policies and action programs, the Master Plan addresses issues and concerns both countywide and within each community. Master plan amendments ensure that the Master Plan remains timely, dynamic, and responsive to community values. The Washoe County Master Plan can be accessed on the Washoe County website at <http://www.washoecounty.us>, select Departments, Planning and Building, then Planning Documents (Master Plan, Regulatory Zone) - or it may be obtained at the front desk of the Washoe County Planning and Building Division.

Volume One of the Master Plan outlines six countywide priorities through the year 2025. These priorities are known as elements and each is summarized below. The Land Use and Transportation Element, in particular, play a vital role in the analysis of a Master Plan Amendment.

- **Population Element.** Projections of population, housing characteristics, trends in employment, and income and land use information for the County.
- **Conservation Element.** Information, policies and action programs, and maps necessary for protection and utilization of cultural and scenic, land, water, air and other resources.
- **Land Use and Transportation Element.** Information, policies and action programs, and maps defining the County's vision for development and related transportation facilities needed for the forecasted growth, and protection and utilization of resources.
- **Public Services and Facilities Element.** Information, policies and action programs, and maps for provision of necessary services and facilities (i.e. water, sewer, general government and public safety facilities, libraries, parks, etc.) to serve the land use and transportation system envisioned by the County.
- **Housing Element.** Information, policies and action programs, and maps necessary to provide guidance to the County in addressing present and future housing needs.
- **Open Space and Natural Resource Management Plan Element.** Information, policies and action programs, and maps providing the necessary framework for the management of natural resources and open spaces.

Volume Two of the Master Plan consists of 13 area plans, which provide detailed policies and action programs for local communities in unincorporated Washoe County relating to conservation, land use and transportation, public services and facilities information, and maps.

Volume Three of the Master Plan houses specific plans, joint plans and community plans that have been adopted by the Washoe County Board of County Commissioners. These plans provide specific guiding principles for various districts throughout unincorporated Washoe County.

Requests to amend the Master Plan may affect text and/or maps within one of the six elements, one of the 13 area plans, or one of the specific plans, joint plans or community plans. Master plan amendments require a change to the Master Plan and are processed in accordance with Washoe County Chapter 110 (Development Code), Article 820, *Amendment of Master Plan*.

When making a recommendation to the Washoe County Board of County Commissioners to adopt a master plan amendment, the Planning Commission must make at least three of the five findings as set forth in Washoe County Code (WCC) Section 110.820.15(d). If a military

installation is required to be noticed, then an additional finding of fact pursuant to WCC Section 110.820.15(d)(6) is required. If there are findings relating to master plan amendments contained in the area plan in which the subject property is located, then the Planning Commission must also make all of those findings. A recommendation to adopt the master plan amendment requires an affirmative vote of at least 2/3's of the Planning Commission's total membership.

If adopted by the Planning Commission, it will then need to be adopted by the Washoe County Board of County Commissioners. After which it will require conformance review with Truckee Meadows Regional Plan.

This master plan amendment is proposing to change the master plan category for five parcels, totaling ±8.34 acres from Open Space (OS) to Suburban Residential (SR).

Explanation and Processing of a Regulatory Zone Amendment

The following explains a regulatory zone amendment, including its purpose and the review and evaluation process involved for an application with such a request.

The purpose of a regulatory zone amendment (RZA) is to provide a method for amending Washoe County's regulatory zone maps. The regulatory zone maps depict the regulatory zones (i.e. zoning) adopted for each property within the unincorporated area of Washoe County. The regulatory zones establish the uses and development standards applied to each property.

Regulatory zones are designed to implement and be consistent with the Master Plan by ensuring that the stability and character of the community will be preserved for those who live and work in the unincorporated areas of the County. A regulatory zone cannot be changed if it conflicts with the objectives or policies of the Master Plan, including area plans that further define policies for specific communities. The Master Plan is the blueprint for development within the unincorporated County. Pursuant to NRS 278, any action of the County relating to zoning must conform to the Washoe County Master Plan.

Evaluation of the proposed regulatory zone amendment involves review for compliance with countywide policies found in Volume One of the Washoe County Master Plan and applicable area plan policies found in Volume Two of the Washoe County Master Plan. If the subject parcel(s) is within a specific plan, joint plan or community plan found in Volume Three of the Master Plan, then supplemental review shall be required to ensure compliance with the applicable plan. Additionally, the analysis includes review of the proposed amendment against the findings found in Article 821 of the Washoe County Development Code and any findings as set forth in the appropriate area plan.

Requests to change a regulatory zone affecting a parcel of land or a portion of a parcel are processed under Article 821, Amendment of Regulatory Zone, of the Washoe County Development Code. Rezoning or reclassification of a lot or parcel from one regulatory zone to another requires action by both the Planning Commission and the Board of County Commissioners.

The Planning Commission may deny a regulatory zone amendment or it may recommend approval or modification of an amendment to the Board of County Commissioners. Upon an affirmative recommendation by the Planning Commission, the Board of County Commissioners is required to hold a public hearing which must be noticed pursuant to WCC Section 110.821.20. Final action is taken by the Board of County Commissioners who may adopt, adopt with modifications, or deny the proposed amendment.

This amendment to the Forest Regulatory Zone Map is proposing to change the regulatory zone on five parcels, totaling ± 8.34 acres, from Open Space (OS) to Low Density Suburban (LDS).

Background

During the review of WSUP19-0008 (Houston Grading), a grading permit for a residential driveway, staff realized that APN 046-151-05 was designated with the incorrect master plan designation and regulatory zoning, which was inconsistent with the master plan designation and regulatory zoning of the surrounding parcels in the St. James’s Village development. The staff report stated that Washoe County staff would initiate a master plan and regulatory zone amendment for the parcel, proposing the same master plan designation and regulatory zoning as the other surrounding residential parcels in the area.

Upon further review, staff discovered that four other additional parcels on Bennington Court were master planned Open Space (OS) and zoned Open Space (OS). The four other parcels are 046-153-08, 046-153-09, 046-153-10, and 046-161-09. These five parcels have a master plan designation of OS and a regulatory zoning of OS, while the surrounding parcels have a master plan designation of Suburban Residential (SR) and regulatory zone of Low Density Suburban (LDS). Staff was then directed to correct the master plan designation and zoning for these five parcels to be consistent with the surrounding parcels.

The St. James’s Village development Tentative Map Application Case Number TM5-2-92, to develop 530-lot single family subdivision in multiple phases on 1,626 acres was approved on August 18, 1992. The map from TM5-2-92 shows the parcels on Bennington Court were intended to be developed as residential lots.

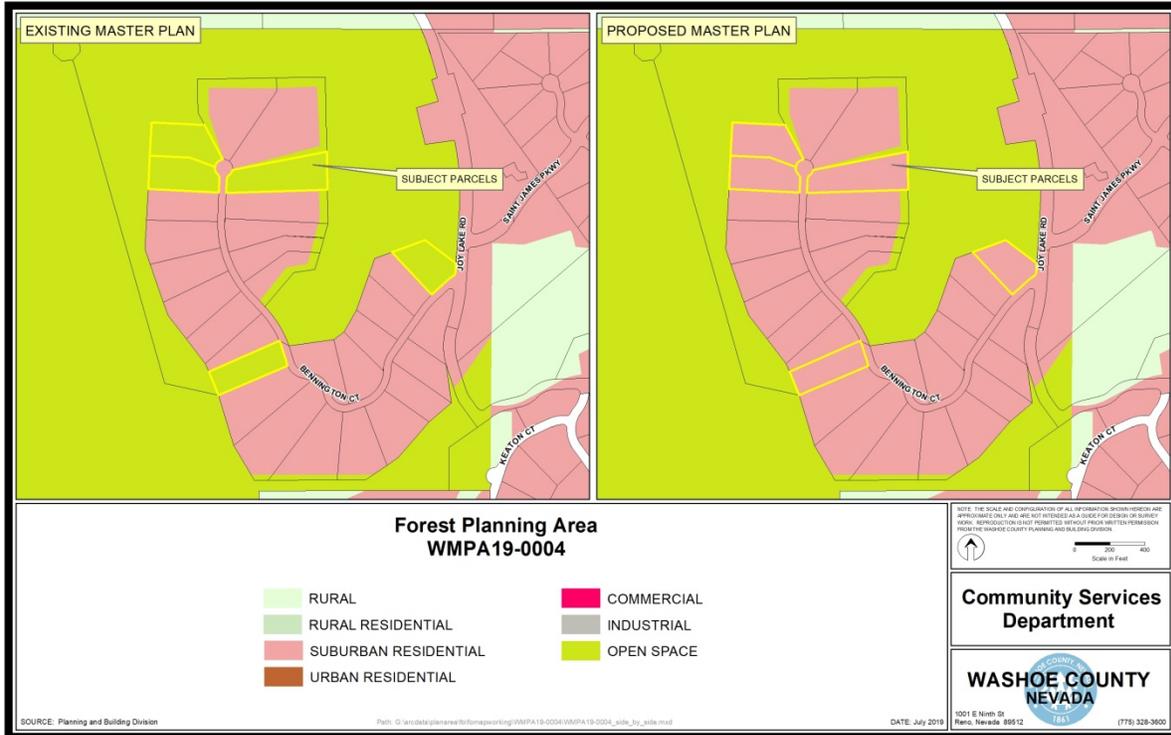


Tentative Map of Bennington Court Area

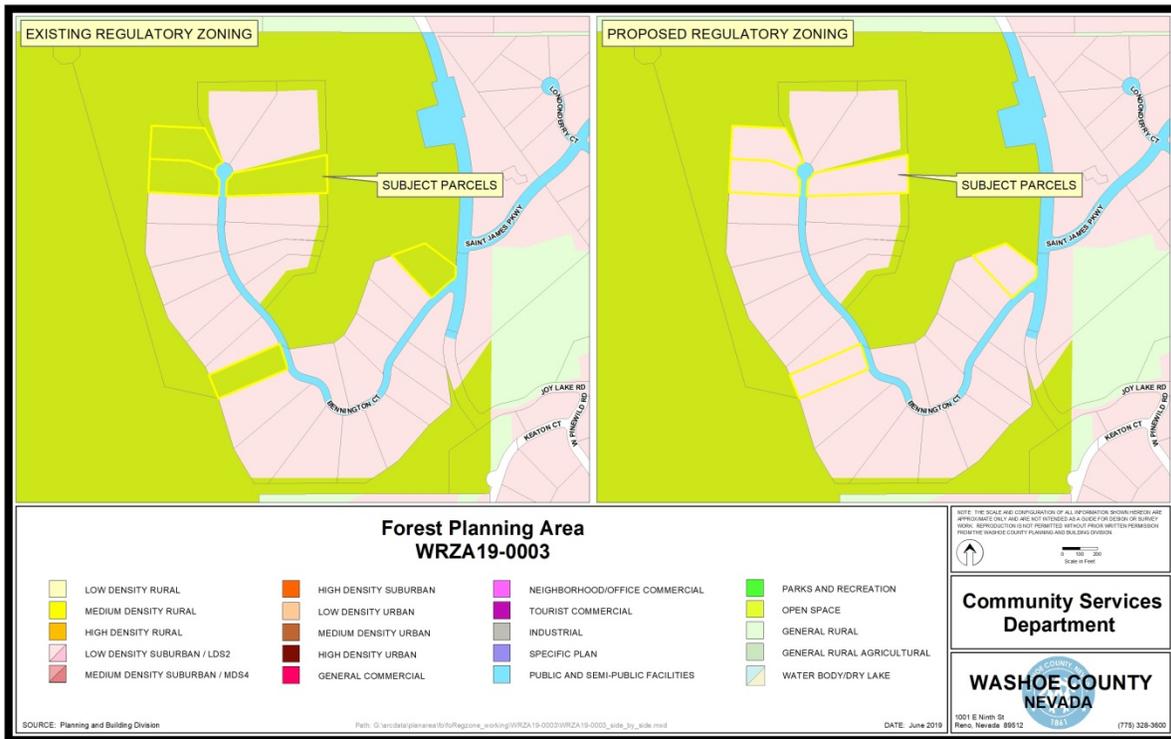
Analysis

The request is to change the master plan designation and regulatory zone for five parcels, totaling ±8.34 acres. These parcels are located less than a mile east of Mt. Rose Hwy. and roughly 1.5 miles west of US 395, and are within the boundaries of the Forest Area Plan and within the St. James's Village subdivision. In effect, this request would change the master plan category for these parcels from Open Space (OS) to Suburban Residential (SR) and the regulatory zone from Open Space (OS) to Low Density Suburban (LDS). The parcels are currently vacant; however, the property owner for APN 046-151-05 is planning to construct a driveway on a portion of the parcel to connect to a single family residence located on the adjacent parcel (APN 046-151-06). It is also understood that the remaining parcels (APNs 046-153-08, 046-153-09, 046-153-10, and 046-161-09) will likely be developed in the future.





Existing and Proposed Master Plan Designation



Existing and Proposed Regulatory Zoning

Constraints

The parcels in question are characterized by steep slopes, with portions of the sites containing slopes between 15% and 30% and portions of the sites containing slopes greater than 30%. Development of these parcels would likely trigger major grading thresholds and would require approval of a special use permit. However, it is the opinion of staff that there are developable areas on each site.

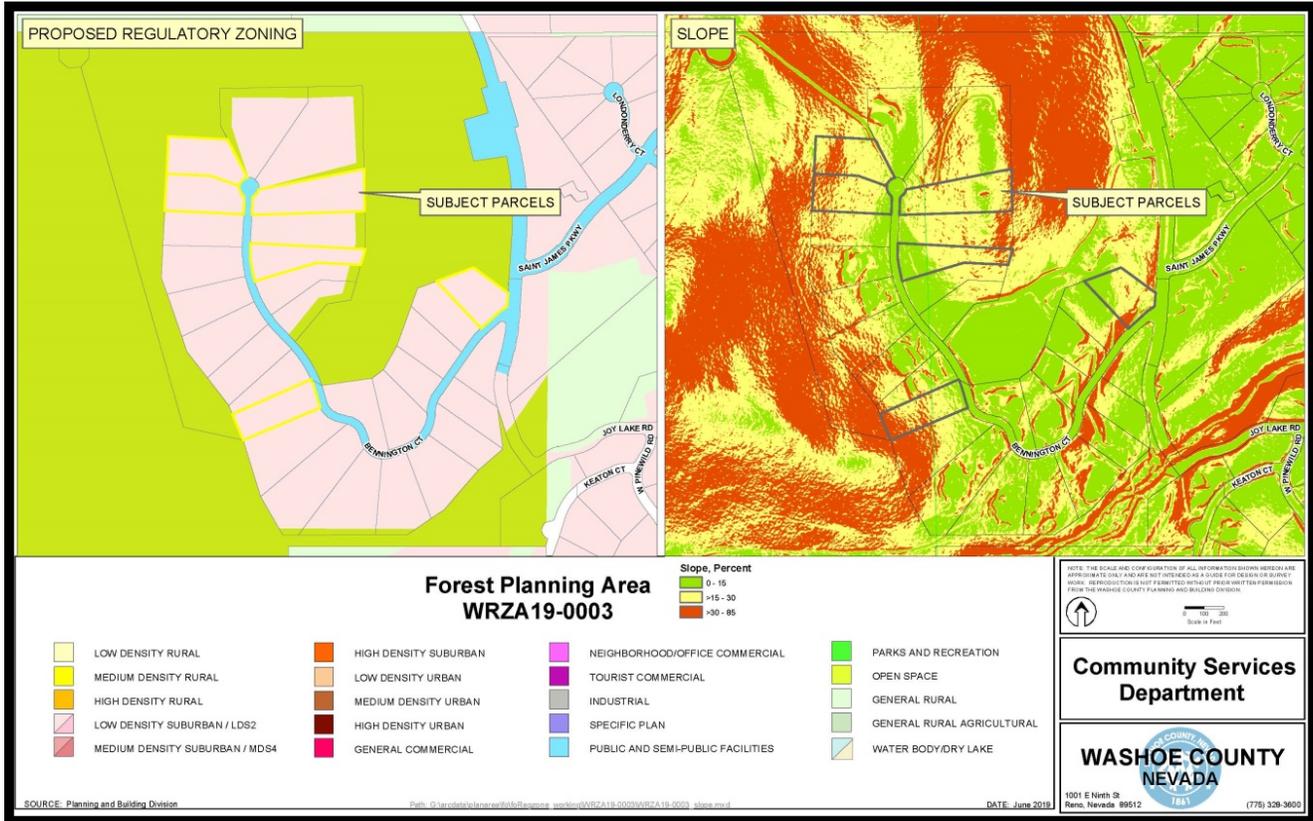




Photo taken at the top of Bennington Ct., looking north at APNs 046-153-10 & 046-153-09



Photo of APN 046-161-09, where Bennington Ct. connects with Joy Lake Rd.

Forest Area Plan Requirements

Master plan amendments are required to be reviewed for compliance with applicable goals and policies of the Forest Area Plan, which is a part of the Washoe County Master Plan. The following goals and policies of the Forest Area Plan are applicable to the proposed amendment requests.

F.1.2 Policy Growth Level: In order to manage the conservation of the Forest planning area's distinctive character, future amendments to this plan which seek to intensify growth opportunities will be carefully reviewed by the community and staff for their potential impact to the sustainable management of the area's natural resources, including but not limited to water and wildlife habitat. The resource management policies and procedures articulated in this plan must ensure that all growth in the Forest planning area occurs within the limits of sustainable resource management.

Staff Comment: This application was sent to the Nevada Department of Wildlife (NDOW) and the Nevada Department of Environmental Protection (NDEP) for review and no comments were received. Additionally, the subject parcels are located within an existing common open space subdivision. Impacts related to the subdivision have already been considered and deemed acceptable. Further, the St. James's Village development, including the subject parcels, is surrounded by parcels with OS regulatory zoning and lands owned and managed by the US Forest Service are located roughly a mile to the west, southwest, and south of the subject properties, thus maintaining the suburban, rural, and open space character described in the Forest Area Plan Character Statement.

F.1.4 The following Regulatory Zones are permitted within the Galena-Callahan Suburban Character Management Area (GCSCMA):

- a. Low Density Rural (LDR -- One unit per 10 acres).
- b. Medium Density Rural (MDR -- One unit per 5 acres).
- c. High Density Rural (HDR -- One unit per 2.5 acres).
- d. Low Density Suburban (LDS -- One unit per acre).**
- e. Medium Density Suburban (MDS -- Three units per acre).
- f. High Density Suburban (HDS -- Seven units per acre detached, Nine units per acre attached).
- g. Public/Semi-public Facilities (PSP).
- h. Parks and Recreation (PR).
- i. General Rural (GR).
- j. Open Space (OS).
- k. Specific Plan (See appendix "A" for Reynen and Bardis Specific Plan details).
- l. Neighborhood Commercial (NC -- Maximum Commercial Floor Area Ratio of 10 percent).

Staff Comment: The proposed Low Density Suburban (LDS) is an allowed regulatory zone within the Galena-Callahan Suburban Character Management Area.

F.9.1 Prior to the approval of master plan amendments, tentative maps, or public initiated capital improvements in the Forest planning area, the Nevada State Historic Preservation Office will be contacted and, if the department requests, an appropriate archaeological investigation will be conducted.

Staff Comment: This application was sent to the Nevada State Historic Preservation Office (SHPO) for review and no comments were received.

F.14.1 Prior to the approval of master plan amendments, tentative maps, public initiated capital improvements, or any project impacting 10 or more acres in the Forest planning area, the Nevada Department of Wildlife will be contacted and given an opportunity to provide conservation, preservation, or other wildlife and habitat management input to the project.

Staff Comment: This application was sent to NDOW for review and no comments were received.

Goal Twenty-two: Amendments to the Forest Area Plan will be for the purpose of further implementing the Vision and Character Statement, or to respond to new or changing circumstances. Amendments will conform to the Forest Vision and Character Statement. Amendments will be reviewed against a set of criteria and thresholds that are measures of the impact on, or progress toward, the Vision and Character Statement.

Staff Comment: The proposed change is not in conflict with this goal and is responding to the circumstances. The change will implement the Vision and Character Statement and meet all of the Forest Area Plan policies.

Compatible Land Uses

In determining compatibility with surrounding land uses, staff reviewed the Land Use Compatibility Matrix with the proposed regulatory zones. The compatibility matrix is found in the Land Use and Transportation Element in Volume One of the Washoe County Master Plan. The compatibility between the proposed and existing adjacent regulatory zones is captured in the table below:

Compatibility Rating of Proposed Regulatory Zone with Existing Regulatory Zones on Closest Adjacent Parcels

APN	Proposed Regulatory Zone	Existing Regulatory Zones on Closest Adjacent Parcels	Compatibility Rating
046-161-09	Low Density Suburban (LDS)	Open Space (OS) (located to the north)	High
		OS (located to the east)	High
		LDS (located to the south)	High
		OS (located to the west)	High
046-151-05	LDS	LDS (located to the north)	High
		OS (located to the east)	High
		LDS (located to the south)	High

		Currently OS, but proposed to be LDS (located to the west)	High
046-153-08	LDS	LDS (located to the north)	High
		LDS (located to the east)	High
		LDS (located to the south)	High
		OS (located to the west)	High
046-153-09 & 046-153-10	LDS	OS (located to the north)	High
		Currently OS, but proposed to be LDS (located to the east)	High
		LDS (located to the south)	High
		OS (located to the west)	High

South Truckee Meadows/ Washoe Valley Citizen Advisory Board (STMWV CAB)

NRS 278.210(2) and WCC Section 110.820.20 require a neighborhood meeting for any proposed master plan amendment. The neighborhood meeting was held at the regularly scheduled STMWV CAB meeting on August 1, 2019. No comments in support or opposition were received and the CAB members voted unanimously in favor of the request. The CAB minutes were not available at the time that the staff report was prepared.

Public Notice for Master Plan Amendment

Notice for master plan amendments must be given in accordance with the provisions of Nevada Revised Statutes 278.210(1), as amended and WCC Section 110.820.23. Notice was provided in a newspaper of general circulation within Washoe County at least 10 days before the public hearing date. A legal ad was placed with the Reno Gazette Journal for August 23, 2019 and October 20, 2019. A minimum of 30 property owners within 750 feet of the area to which the proposed amendment pertains must be noticed by mail at least 10 days before the public hearing date. Notice must also be given in a newspaper of general circulation within Washoe County at least 10 days before the public hearing date.

Noticing for this proposal: Thirty-four (34) property owners were noticed by mail not less than 10 days before the public hearing. (See Exhibit C)

Public Notice for Regulatory Zone Amendment

Notice for Regulatory Zone amendments must be given in accordance with the provisions of Nevada Revised Statutes 278.260, as amended.

Owners of all real property to be noticed are owners identified on the latest County Assessor's ownership maps and records. Such notice is complied with when notice is sent to the last known addresses of such real property owners as identified in the latest County Assessor's records. Any person who attends the public hearing is considered to be legally noticed unless those

persons can provide evidence that they were not notified according to the provisions of Section 110.821.20 of the Washoe County Development Code.

A minimum of 30 property owners within 750 feet of the area to which the proposed amendment pertains must be noticed by mail at least 10 days before the public hearing date. Notice must also be given in a newspaper of general circulation within Washoe County at least 10 days before the public hearing date.

Noticing for this proposal: 34 property owners within 1,100 feet of the subject parcel(s) were noticed by mail not less than 10 days before today's public hearing. (See Exhibit C)

Agency Comments

The proposed amendment was submitted to the following agencies for review and comment.

- Washoe County Community Services Department
 - Engineering and Capital Projects
 - Planning and Building
- Washoe County Health District
 - Environmental Health Services
- Truckee Meadows Fire Protection District
- Nevada Department of Wildlife
- Nevada Department of Environmental Protection
- State Historic Preservation Offices

Staff Comment on Required Master Plan Amendment Findings

WCC Section 110.820.15(d) requires the Planning Commission to make at least three of the six findings of fact to recommend approval of the amendments to the Washoe County Board of County Commissioners. The following findings and staff comments on each finding are presented for the Planning Commission's consideration:

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan.

Staff Comment: The proposed amendment does not conflict with the policies and action programs of the Master Plan.

2. Compatible Land Uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare.

Staff Comment: The subject site is adjacent to areas that are developed at a similar density to the proposed density.

3. Response to Change Conditions. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.

Staff Comment: The subject properties were approved residential lots within the St. James's Village subdivision map. Additionally, the parcels are adjacent to residentially designated parcels and the proposed master plan designation is more desirable.

4. Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed Master Plan designation.

Staff Comment: The parcels either are or can be served by well and septic systems to support the uses and densities proposed. The properties can be accessed via Mt. Rose Hwy and existing residential streets.

5. Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.

Staff Comment: The properties are located within the existing St. James's Village development. The proposed master plan and regulatory zone amendments are consistent with the area's growth patterns.

Forest Area Plan Findings

Goal Twenty-two: Amendments to the Forest Area Plan will be for the purpose of further implementing the Vision and Character Statement, or to respond to new or changing circumstances. Amendments will conform to the Forest Vision and Character Statement. Amendments will be reviewed against a set of criteria and thresholds that are measures of the impact on, or progress toward, the Vision and Character Statement.

Staff Comment: The proposed change will further the Vision and Character Statement by allowing for possible residential opportunities. Low Density Suburban (LDS) is an allowed regulatory zone in the area plan, is consistent with the other properties within the St. James's Village development, and is compatible with the surrounding open space parcels.

Staff Comment on Required Regulatory Zone Amendment Findings

Washoe County Code Section 110.821.15 requires that all of the following findings be made to the satisfaction of the Washoe County Planning Commission before recommending adoption to the Board of County Commissioners. Staff has completed an analysis of the regulatory zone amendment application and has determined that the proposal is in compliance with the required findings as follows.

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the master plan.

Staff Comment: The proposed amendment does not conflict with the policies and action programs of the master plan.

2. Compatible Land Uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare.

Staff Comment: The subject sites are adjacent to areas that are developed at a similar density to the proposed density.

3. Response to Change Conditions; more desirable use. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.

Staff Comment: The change in the area is to match the existing regulatory zone of the surrounding properties as discussed in the staff report.

4. Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed amendment.

Staff Comment: There are adequate transportation, recreation, utility, and other facilities for the properties.

5. No Adverse Effects. The proposed amendment will not adversely affect the implementation of the policies and action programs of the Washoe County Master Plan.

Staff Comment: The proposed amendment will not impact the implementation of the policies and action programs of the Washoe County Master Plan.

6. Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.

Staff Comment: The proposed amendment will establish a land use on the subject properties that is consistent with the surrounding parcels, which promotes the desired pattern of growth in the area.

7. Effect on a Military Installation when a Military Installation is required to be noticed. The proposed amendment will not affect the location, purpose and mission of a military installation.

Staff Comment: There are no military installations within the required noticing area; therefore this finding does not have to be made.

Master Plan Amendment Recommended Motions

Recommendation

It is recommended that the Washoe County Planning Commission adopt the resolution contained at Exhibit A of this staff report to amend the Master Plan as set forth in Master Plan Amendment Case Number WMPA19-0004. It is further recommended that the Planning Commission to forward the master Plan amendment to the Washoe County Board of County Commissioners for their consideration of adoption. The following motion is provided for your 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 Planning Commission adopt the resolution contained at Exhibit A to this staff report to amend the Master Plan as set forth in Master Plan Amendment Case Number WMPA19-0004 having made the following five findings in accordance with Washoe County Code Section 110.820.15(d) and the required Forest Area Plan finding. I further move to certify the resolution and the proposed Master Plan Amendments in WMPA19-0004 as set forth in this staff report for submission to the Washoe County Board of County Commissioners and authorize the chair to sign the resolution on behalf of the Planning Commission.

Washoe County Development Code Section 110.820.15(d) Master Plan Amendment Findings

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan.

2. Compatible Land Uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare.
3. Response to Change Conditions. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.
4. Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed Master Plan designation.
5. Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.

Forest Area Plan Required Finding

Goal Twenty-two: Amendments to the Forest Area Plan will be for the purpose of further implementing the Vision and Character Statement, or to respond to new or changing circumstances. Amendments will conform to the Forest Vision and Character Statement. Amendments will be reviewed against a set of criteria and thresholds that are measures of the impact on, or progress toward, the Vision and Character Statement.

Regulatory Zone Amendment Recommended Motions

Recommendation

After a thorough analysis and review, it is recommended that the proposed Regulatory Zone Amendment be recommended for adoption to the Board of County Commissioners. The following motion is provided for your 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 Planning Commission adopt the resolution included as Exhibit B, recommending adoption of Regulatory Zone Amendment Case Number WRZA19-0003, having made all of the following findings in accordance with Washoe County Code Section 110.821.15(d). I further move to certify the resolution and the proposed Regulatory Zone Amendment in WRZA19-0003 as set forth in this staff report for submission to the Washoe County Board of County Commissioners and authorize the chair to sign the resolution on behalf of the Washoe County Planning Commission.

Washoe County Development Code Section 110.821.35 Regulatory Zone Amendment Findings

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan.
2. Compatible Land Uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare.
3. Response to Change Conditions; more desirable use. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was

adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.

4. Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed amendment.
5. No Adverse Effects. The proposed amendment will not adversely affect the implementation of the policies and action programs of the Washoe County Master Plan.
6. Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.
7. Effect on a Military Installation When a Military Installation is Required to be Noticed. The proposed amendment will not affect the location, purpose and mission of the military installation.

Appeal Process

Planning Commission action will be effective 10 calendar days after the written decision is filed with the Secretary to the Planning Commission and mailed to the original 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 Planning Commission and mailed to the original applicant.

Property Owners: David Houston
432 Court St.
Reno, NV 89501

St. James Village Inc.
4100 Joy Lake Rd.
Reno, NV 89511



RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

ADOPTING AMENDMENTS TO THE WASHOE COUNTY MASTER PLAN, FOREST AREA PLAN, MASTER PLAN MAP (WMPA19-0004), AND RECOMMENDING ITS ADOPTION TO THE BOARD OF COUNTY COMMISSIONERS

Resolution Number 19-20

Whereas, Master Plan Amendment Case Number WMPA19-0004 came before the Washoe County Planning Commission for a duly noticed public hearing on October 1, 2019; and

Whereas, the Washoe County Planning Commission heard public comment and input from both staff and the public regarding the proposed master plan amendments; and

Whereas, the Washoe County Planning Commission gave reasoned consideration to the information it received regarding the proposed master plan amendments;

Whereas, the Washoe County Planning Commission has made the following findings necessary to support adoption of the proposed Master Plan Amendment Case Number WMPA19-0004, as set forth in NRS chapter 278 and Washoe County Code Chapter 110 (Development Code), Article 820:

Washoe County Code Section 110.820.15 (d) Master Plan Amendment Findings

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan.
2. Compatible Land Uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare.
3. Response to Change Conditions. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.
4. Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed Master Plan designation.
5. Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.
6. Effect on a Military Installation. The proposed amendment will not affect the location, purpose and mission of the military installation.

Forest Area Plan Required Findings

Goal Twenty-two: Amendments to the Forest Area Plan will be for the purpose of further implementing the Vision and Character Statement, or to respond to new or changing circumstances. Amendments will conform to the Forest Vision and Character Statement. Amendments will be reviewed against a set of criteria and thresholds that are measures of the impact on, or progress toward, the Vision and Character Statement.

Now, therefore, be it resolved that pursuant to NRS 278.210(3):

- (1) Subject to approval by the Washoe County Board of County Commissioners and a finding of conformance with the Truckee Meadows Regional Plan, the Washoe County Planning Commission does hereby adopt Master Plan Amendment Case Number WMPA19-0004, comprised of the map as included as Exhibit A to this resolution, descriptive matter and other matter intended to constitute the amendments as submitted at the public hearing noted above; and,
- (2) To the extent allowed by law, this approval is subject to the conditions adopted by the Planning Commission at the public hearing noted above.

A certified copy of this resolution shall be submitted to the Board of County Commissioners and any appropriate reviewing agencies in accordance with NRS 278.220.

ADOPTED on October 1, 2019

WASHOE COUNTY PLANNING COMMISSION

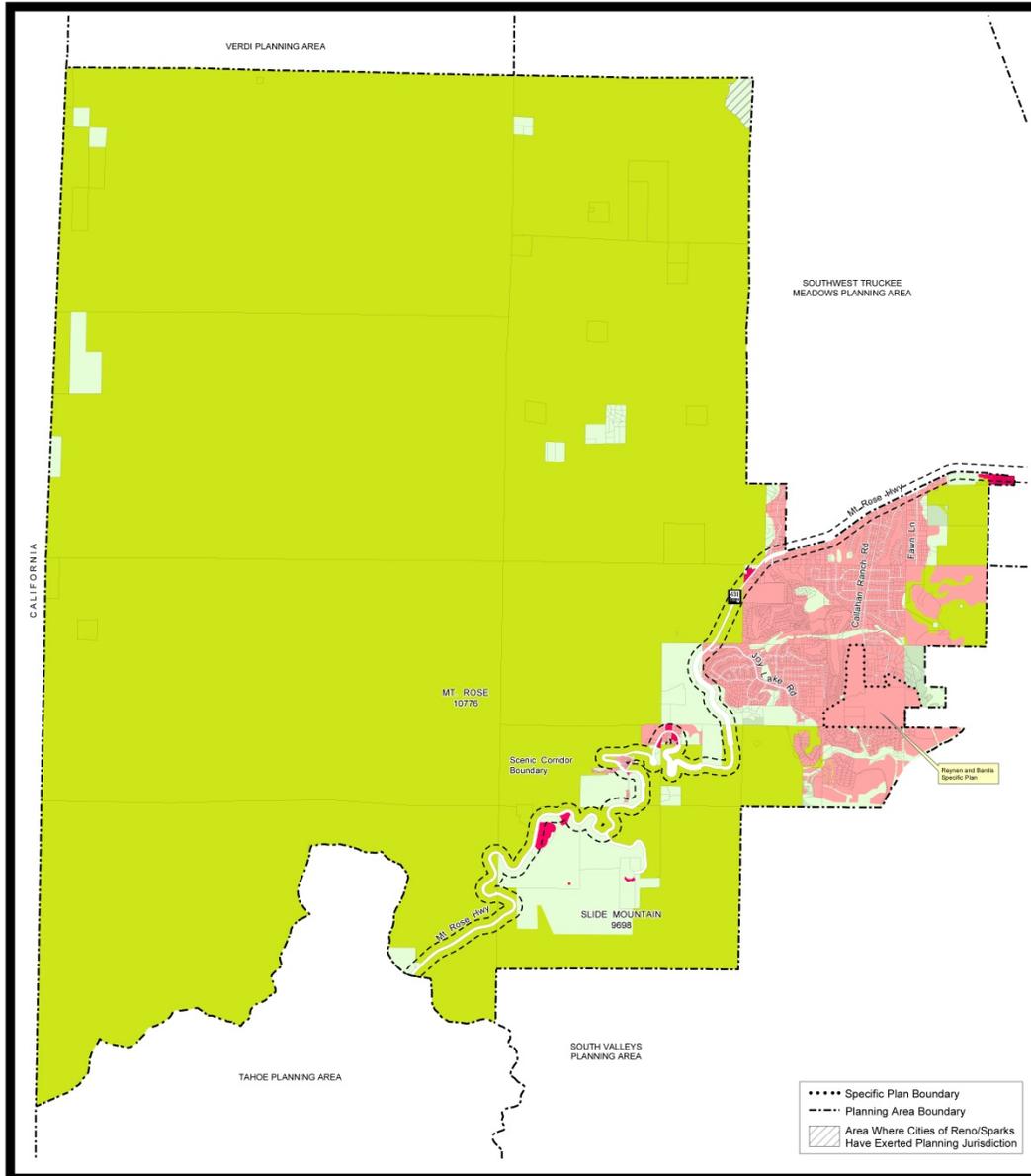
ATTEST:

Trevor Lloyd, Secretary

Larry Chesney, Chair

Attachment: Exhibit A – Forest Master Plan Map

Exhibit A, WMPA19-0004



FOREST MASTER PLAN MAP

 RURAL
 RURAL RESIDENTIAL
 SUBURBAN RESIDENTIAL
 URBAN RESIDENTIAL
 COMMERCIAL
 INDUSTRIAL
 OPEN SPACE

SOURCE: Planning and Building Division

NOTE: THE SCALE AND CONFIGURATION OF ALL INFORMATION SHOWN HEREON ARE APPROXIMATE ONLY AND ARE NOT INTENDED AS A GUIDE FOR DESIGN OR SURVEY WORK. REPRODUCTION IS NOT PERMITTED WITHOUT PRIOR WRITTEN PERMISSION FROM THE WASHOE COUNTY PLANNING AND BUILDING DIVISION.

0 1,500 3,000 6,000 Feet

CERTIFICATION: THIS DOCUMENT HAS BEEN REVIEWED AND APPROVED AS AN ACCURATE REPRESENTATION OF THE ADOPTED MASTER PLAN MAPS OF WASHOE COUNTY, NEVADA, BY THE WASHOE COUNTY PLANNING AND BUILDING DIVISION.

DATE: _____ DIRECTOR: _____

**Community Services
Department**

**WASHOE COUNTY
NEVADA**

1001 E Ninth St
Reno, Nevada 89512 (775) 328-3600

PC DATE: August 6, 2019
BOC DATE:
RPC DATE:
RESOLUTION DATE:



RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

RECOMMENDING ADOPTION OF REGULATORY ZONE AMENDMENT CASE NUMBER WRZA19-0003 AND THE AMENDED FOREST AREA PLAN REGULATORY ZONE MAP

Resolution Number 19-21

Whereas Regulatory Zone Amendment Case Number WRZA19-0003, came before the Washoe County Planning Commission for a duly noticed public hearing on October 1, 2019; and

Whereas the Washoe County Planning Commission heard public comment and input from staff regarding the proposed Regulatory Zone Amendment; and

Whereas the Washoe County Planning Commission has given reasoned consideration to the information it has received regarding the proposed Regulatory Zone Amendment; and

Whereas the Washoe County Planning Commission has made the findings necessary to support adoption of this proposed Regulatory Zone Amendment as set forth in NRS Chapter 278 and Washoe County Code Chapter 110, Article 821, Amendment of Regulatory Zone;

Whereas the proposed Regulatory Zone Amendment shall be recommended for adoption pending adoption of the accompanying proposed Master Plan Amendment (WMPA19-0004) by the Washoe County Board of County Commissioners and a finding of conformance by the Truckee Meadows Regional Planning Commission; and

Whereas, pursuant to Washoe County Code Section 110.821.15(d), in making this recommendation, the Washoe County Planning Commission finds that this proposed Regulatory Zone Amendment:

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan;
2. Compatible Land Uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare;
3. Response to Change Conditions; more desirable use. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land;
4. Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed amendment;

5. No Adverse Effects. The proposed amendment will not adversely effect the implementation of the policies and action programs of the Washoe County Master Plan,
6. Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services; and
7. Effect on a Military Installation When a Military Installation is Required to be Noticed. The proposed amendment will not affect the location, purpose and mission of a military installation.

Now, therefore, be it resolved that the Washoe County Planning Commission does hereby recommend adoption of Regulatory Zone Amendment Case Number WRZA19-0003 and the amended Forest Area Plan Regulatory Zone Map included as Exhibit A to this resolution to the Washoe County Board of County Commissioners.

ADOPTED on October 1, 2019.

WASHOE COUNTY PLANNING COMMISSION

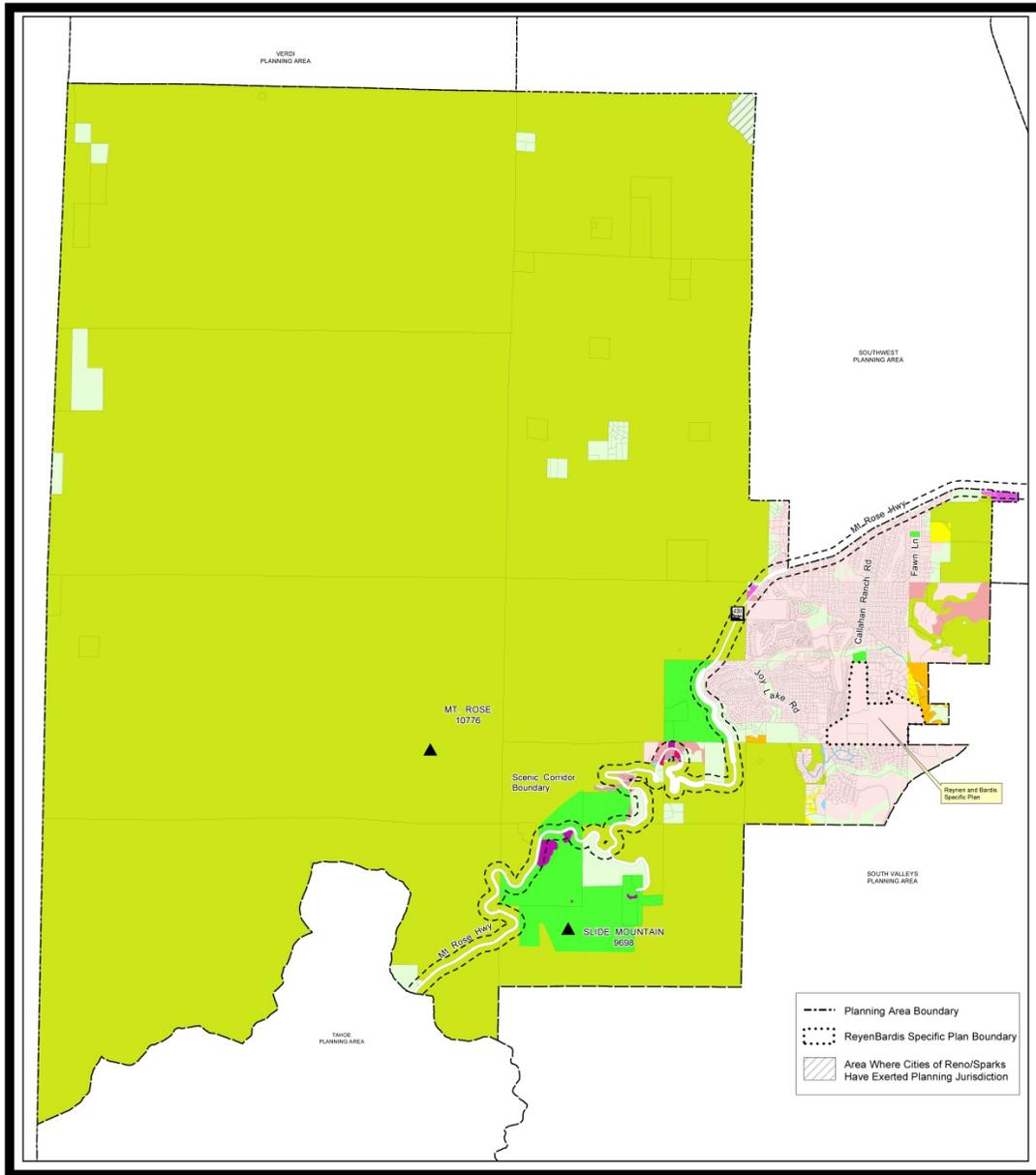
ATTEST:

Trevor Lloyd, Secretary

Larry Chesney, Chair

Attachment: Exhibit A – Forest Area Plan Regulatory Zone Map

Exhibit A, WRZA19-0003



FOREST REGULATORY ZONE MAP

<ul style="list-style-type: none"> LOW DENSITY RURAL MEDIUM DENSITY RURAL HIGH DENSITY RURAL LOW DENSITY SUBURBAN LOW DENSITY SUBURBAN 2 MEDIUM DENSITY SUBURBAN MEDIUM DENSITY SUBURBAN 4 	<ul style="list-style-type: none"> HIGH DENSITY SUBURBAN LOW DENSITY URBAN MEDIUM DENSITY URBAN HIGH DENSITY URBAN GENERAL COMMERCIAL NEIGHBORHOOD COMMERCIAL/OFFICE TOURIST COMMERCIAL 	<ul style="list-style-type: none"> INDUSTRIAL PUBLIC AND SEMI-PUBLIC FACILITIES PARKS AND RECREATION OPEN SPACE GENERAL RURAL GENERAL RURAL AGRICULTURAL DRY LAKE/WATER BODY
--	---	--

SOURCE: Planning and Building Division

NOTE: THE SCALE AND CONFIGURATION OF ALL INFORMATION SHOWN HEREON ARE APPROXIMATE ONLY AND ARE NOT INTENDED AS A GUIDE FOR DESIGN OR SURVEY WORK. REPRODUCTION IS NOT PERMITTED WITHOUT PRIOR WRITTEN PERMISSION FROM THE WASHOE COUNTY PLANNING AND BUILDING DIVISION.

File: C:\arcgis\workspace\wrza19\Regzone_washoe\WRZA19-0003\FRZ19-0003.mxd

1:600 1:300 1:150 1:75 0 150 300 450 600 Feet

CERTIFICATION: THIS DOCUMENT HAS BEEN REVIEWED AND APPROVED AS AN ACCURATE REPRESENTATION OF THE ADOPTED ZONING MAPS OF WASHOE COUNTY, NEVADA, BY THE WASHOE COUNTY PLANNING AND BUILDING DIVISION.

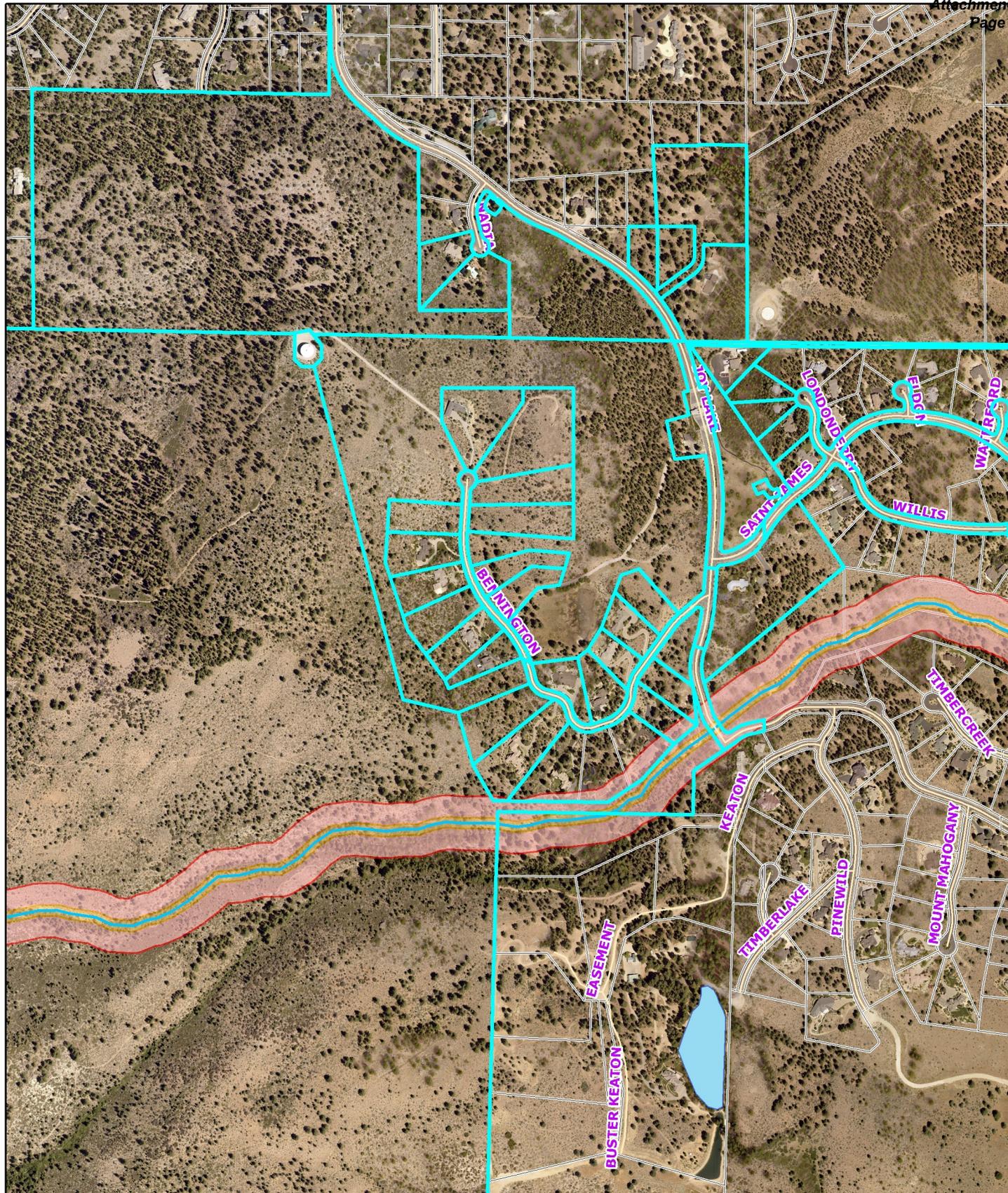
DATE: _____ DIRECTOR: _____

Community Services Department

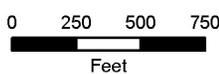
WASHOE COUNTY NEVADA

1001 E Ninth St
Reno, Nevada 89512 (775) 328-3600

PC DATE: August 6, 2019
BCG DATE:



WMPA19-0004 & WRZA19-0003 (Bennigton Court)
Noticed 1,100 from site



Community Services
Department

**WASHOE COUNTY
NEVADA**

1001 E Ninth St
Reno, Nevada 89512 (775) 328-3600

Source: Planning and Building Division

Date: 06/11/2019



WASHOE COUNTY

COMMUNITY SERVICES DEPARTMENT

Engineering and Capital Projects

Attachment E
Page 26
1001 EAST 9TH STREET
RENO, NEVADA 89512
PHONE (775) 328-3600
FAX (775) 328.3699

Date: August 9, 2019

To: Julee Olander, Planner

From: Kristine R. Klein, P.E., Senior Licensed Engineer
Leo R. Vesely, P.E., Licensed Engineer

Re: St. James Village Parcels
Master Plan Amendment WMPA19-0004 & Regulatory Zone Amendment WRZA19-0003
APN: 046-151-05, 046-153-08, 09, 10 & 046-161-09

DRAINAGE & GRADING (COUNTY CODE 110.416, 110.420, 110.421 and 110.438)

Contact Information: Leo Vesely, P.E. (775) 328-2041

Staff has reviewed the referenced master plan and regulatory zone amendments updated July 27, 2019 to add 4 more parcels, and we see no significant CSD –Engineering (public works) service impacts.

Per our recent discussion, there appears to be a typo in the APN page number listed in your 7/24/19 email that added the new parcels; new parcels 046-151-08, 09 & 10, should have been parcels 046-153-08, 09 & 10.

TRAFFIC AND ROADWAY (COUNTY CODE 110.436)

Contact Information: Mitch Fink (775) 328-2050

There are no Traffic and Roadway related comments

UTILITIES (County Code 422 & Sewer Ordinance)

Contact Information: Tim Simpson, P.E. (775) 954-4648

There are no Utility related comments.



INTEGRITY



EFFECTIVE COMMUNICATION



QUALITY PUBLIC SERVICE

From: [Coon, Don](#)
To: [Olander, Julie](#)
Cc: [Coon, Don](#)
Subject: WDLP19-0002 Comments
Date: Monday, July 29, 2019 8:02:49 AM

WDLP19-0002

Truckee Meadows Fire Protection District (TMFPD)

1. The following conditions are requirements of the Truckee Meadows Fire Protection District, which shall be responsible for determining compliance with these conditions. Unless otherwise stated, these conditions shall be met prior to the issuance of any building or grading permit or on an ongoing basis as determined by TMFPD.

Contact Name – Don Coon, 775.326.6077, Dcoon@tmfpd.us

- a. Fire protection of the new structures shall be as required by the current adopted International Fire Code, (*IFC*) International Wildland Urban Interface Code (*IWUIC*) 2012 *Ed*, with amendments and the requirements of the NFPA standard(s). (<https://codes.iccsafe.org/content/IWUIC2012>
<https://codes.iccsafe.org/content/IFC2012>)
- b. Provide Fire Apparatus Access Road to within 150’ the furthest exterior wall to the rear of the new structure. The road shall not exceed 10% grade. The road shall be a minimum 20’ wide of well drained, compacted base material. (*IFC Chapter #5 and Appendix B,C and D*) Provide turnouts and turnarounds as required. (*IWUIC, Chapter #4*)

Don Coon, MCP
Fire Prevention Specialist II
Truckee Meadows Fire Protection District
1001 E. 9th St. Bldg. D
Reno, NV. 89512
775-326-6077 off.
775-360-8397 cell
dcoon@tmfpd.us



From: [English, James](#)
To: [Olander, Julee](#)
Cc: [Rubio, Wesley S](#)
Subject: RE: WMPA19-0004 & WRZA19-0003 (Bennington Ct.)
Date: Tuesday, June 11, 2019 2:43:44 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Julie,

The only comment from Health would be to require a test trench and/or percolation test to demonstrate the property can handle the disposal of sewage as there is no public sewer system in the subdivision.

Regards,

James English, REHS, CP-FS

Environmental Health Specialist Supervisor | Environmental Health Services | Washoe County Health District
jenglish@washoecounty.us | (775) 328-2610 | 1001 E. Ninth St., Bldg. B, Reno, NV 89512



WashoeEats.com

From: Olander, Julee
Sent: Tuesday, June 11, 2019 2:24 PM
To: Vesely, Leo <LVesely@washoecounty.us>; Klein, Kris <KKlein@washoecounty.us>; Coon, Don <Dcoon@tmfpd.us>; English, James <JEnglish@washoecounty.us>; Rubio, Wesley S <WRubio@washoecounty.us>
Cc: Lloyd, Trevor <TLloyd@washoecounty.us>; Stark, Katherine <KRStark@washoecounty.us>
Subject: WMPA19-0004 & WRZA19-0003 (Bennington Ct.)

Washoe County is initiating a master plan amendment and regulatory zone change for parcel 046-151-05. Currently the parcel is master planned and zoned Open Space (OS), however this is a residential lot in St James Village. The proposal is to designate the parcel Suburban Rural (SR) and to zone it Low Density Suburban (LDS) similar to the surrounding residential parcels. This is a MPA and RZA and I am asking you for any comments that you might have concerning the proposed change. Let me know if you have any questions. This is scheduled to go to the Planning Commission on August 6th and I need any comments by July 12th.

Pezonella Associates, Inc.

Location	Percolation Rate (minutes per inch)	Maximum Trench Depth (Feet)
Lot 318 Northern Portion	60	5
Lot 318 Southern Portion	30	sand filter bottomed at 1' maximum below existing ground
Lot 319	60	5
Lot 320	60	9
Lot 321	40	sand filter bottomed at 2' maximum below existing ground
Lots 322-323	60	sand filter bottom at 2' maximum below existing ground
Lot 324	30	sand filter bottom at 2' maximum below existing ground
Lot 325-327	60	sand filter bottomed at 1' maximum below existing ground
Lot 328	30	9
Lot 329	30	9

Pezonella Associates, Inc.

Required Total Length of Standard Gravel Filled Disposal Trenches²

Percolation Rate (Minutes/Inch)	Total Depth of Trench (Feet)	Lineal Feet Based on Septic Tank Capacity	
		1000 gallons	1500 gallons
30	9	75	112
60	5	233	349
60	9	100	150

Required Bottom Area for Intermittent Sand Filter Beds

Percolation Rate (Minutes/Inch)	Square Feet Based on Septic Tank Capacity	
	1000 gallons	1500 gallons
30	1096	1643
60	1549	2324

²Based on 20 inches to the pipe invert. Maximum trench length is 100 feet; for even distribution, multiple trenches shall be uniform lengths.

From: [Dayton, Brittany](#)
To: [Olander, Julee](#)
Subject: RE: WMPA19-0004 & WRZA19-0003 (Bennington Ct.)
Date: Thursday, July 25, 2019 9:16:04 AM
Attachments: [image010.png](#)
[image011.png](#)
[image012.png](#)
[image013.png](#)
[image014.png](#)
[image015.png](#)
[image016.png](#)

Hello Julee,

The EMS Program does not currently have any comments regarding WMPA19-0004 & WRZA19-0003 (Bennington Ct.). Please contact me if you have any questions.

Thank you,
Brittany

Brittany Dayton, MPA

EMS Coordinator | Division of Epidemiology & Public Health Preparedness | [Washoe County Health District](#)
bdayton@washoecounty.us | O: (775) 326-6043 | C: (775) 544-4847 | F: (775) 325-8131 | 1001 E. Ninth St., Bldg. B, Reno, NV 89512



From: Olander, Julee
Sent: Wednesday, July 24, 2019 12:31 PM
To: Vesely, Leo; Klein, Kris; Coon, Don; English, James; Rubio, Wesley S; rlpalmer@shop.nv.gov; Patrick Mohn; Mark Freese; Dayton, Brittany
Cc: Lloyd, Trevor; Stark, Katherine; Kirschenman, Sophia
Subject: RE: WMPA19-0004 & WRZA19-0003 (Bennington Ct.)

This request was sent to you previously however we are now including 4 more parcels (APN: 046-151-08, 09, 10 & 046-161-09) in the MPA/ RZA amendments – see the map below. Just to state again -Washoe County is initiating a master plan amendment and regulatory zone change. Currently the parcels are master planned and zoned Open Space (OS), however these are residential lot in St James Village they should be master planned Suburban Rural (SR) and zoned Low Density Suburban (LDS) same as the surrounding residential parcels.



If you have already sent comments let me know if you have any other comments with these changes,. For those who have not sent comments or are just receiving this email for the first time , please provide comments **by August 2nd**. If you have any questions please contact me.

Thanks you,

| **Julee Olander**



WASHOE COUNTY PLANNING COMMISSION Meeting Minutes

Planning Commission Members

Larry Chesney, Chair
Francine Donshick, Vice Chair
James Barnes
Thomas B. Bruce
Sarah Chvilicek
Philip Horan
Kate S. Nelson
Trevor Lloyd, Secretary

Tuesday, October 1, 2019
6:30 p.m.

Washoe County Commission Chambers
1001 East Ninth Street
Reno, NV

The Washoe County Planning Commission met in a scheduled session on **Tuesday, October 1, 2019**, in the Washoe County Commission Chambers, 1001 East Ninth Street, Reno, Nevada.

1. *Determination of Quorum

Chair Chesney called the meeting to order at 6:30 p.m. The following Commissioners and staff were present:

Commissioners present: Larry Chesney, Chair
Francine Donshick, Vice Chair
James Barnes
Thomas B. Bruce
Sarah Chvilicek
Philip Horan
Kate S. Nelson

Staff present: Trevor Lloyd, Secretary, Planning and Building
Julee Olander, Planner, Planning and Building
Roger Pelham, MPA, Senior Planner, Planning and Building
Daniel Cahalane, Planner, Planning and Building
Dwayne Smith, Director, Engineering and Capital Projects
Nathan Edwards, Deputy District Attorney, District Attorney's Office
Katy Stark, Recording Secretary, Planning and Building
Donna Fagan, Office Support Specialist, Planning and Building

2. *Pledge of Allegiance

Commissioner Horan led the pledge to the flag.

3. *Ethics Law Announcement

Nathan Edwards, Deputy District Attorney, provided the ethics procedure for disclosures.

4. *Appeal Procedure

Secretary Lloyd recited the appeal procedure for items heard before the Planning Commission.

5. *General Public Comment and Discussion Thereof

Sarah Chvilicek thanked Staff and Regional Planning Commission for their support with the Regional Plan Update. The Regional Planning Commission recommended adoption of the 2019 Regional Plan update.

With no further requests for public comment, Chair Chesney closed the public comment period.

6. Approval of Agenda

In accordance with the Open Meeting Law, Vice Chair Donshick moved to approve the agenda for the October 1, 2019 meeting as written. Commissioner Bruce seconded the motion, which passed unanimously with a vote of seven for, none against.

7. Approval of September 3, 2019 Draft Minutes

Vice Chair Donshick moved to approve the minutes for the September 3, 2019 Planning Commission meeting as written. Commissioner Chvilicek seconded the motion, which passed unanimously with a vote of seven for, none against.

8. Planning Items

A. Master Plan Amendment Case Number WMPA19-0004 and Regulatory Zone Amendment Case Number WRZA19-0003 (Bennington Court) – For possible action, hearing, and discussion:

(1) To adopt an amendment to the Forest Area Plan, a component of the Washoe County Master Plan, to change the Master Plan Category on five parcels (APN: 046-151-05, 046-153-08, 046-153-09, 046-153-10, and 046-161-09), totaling ±8.34 acres, from Open Space (OS) to Suburban Residential (SR), and, if approved, authorize the chair to sign a resolution to this effect; and

(2) Subject to final approval of the associated Master Plan Amendment change and a finding of conformance with the Truckee Meadows Regional Plan, to recommend adoption of an amendment to the Forest Regulatory Zone Map, to change the Regulatory Zone on five parcels (APN: 046-151-05, 046-153-08, 046-153-09, 046-153-10, and 046-161-09), totaling ±8.34 acres, from Open Space (OS) to Low Density Suburban (LDS) (1 dwelling unit/acre max), and, if approved, authorize the chair to sign a resolution to this effect.

- Applicant: Washoe County
- Property Owners: David Houston and St. James Village, Inc.
- Location: Bennington Court
- Assessor's Parcel Numbers/Sizes: 046-151-05 (±2.23 ac); 046-153-08 (±1.46 ac); 046-153-09 (±1.63 ac); 046-153-10 (±1.66 ac); and 046-161-09 (± 1.36 ac)
- Master Plan Category: Open Space (OS)
- Regulatory Zone: Open Space (OS)
- Area Plan: Forest
- Citizen Advisory Board: South Truckee Meadows/Washoe Valley
- Development Code: Authorized in Article 820, Amendment of Master Plan; and Article 821, Amendment of Regulatory Zone
- Commission District: 2 – Commissioner Lucey

- Prepared by: Julee Olander, Planner, and Sophia Kirschenman, Park Planner
Washoe County Community Services
Department
Planning and Building Division
- Phone: 775.328.3627 (Julee) and
775.328.3623 (Sophia)
- E-Mail: jolander@washoecounty.us and
skirschenman@washoecounty.us

Chair Chesney opened the Planning Item. He called for any disclosures by the Commissioners. There were no disclosures by the Commissioners.

Julee Olander, Washoe County Planner, provided a staff presentation.

No public comment was requested. Chair Chesney closed the public comment period.

There were no questions from the Commission. Chair Chesney closed the public hearing.

MOTION: Master Plan Amendment Case Number WMPA19-0004 (Bennington Court). Commissioner Chvilicek moved that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission adopt the resolution contained at Exhibit A to this staff report to amend the Master Plan as set forth in Master Plan Amendment Case Number WMPA19-0004 having made the following five findings in accordance with Washoe County Code Section 110.820.15(d) and the required Forest Area Plan finding. She further moved to certify the resolution and the proposed Master Plan Amendments in WMPA19-0004 as set forth in this staff report for submission to the Washoe County Board of County Commissioners and authorize the chair to sign the resolution on behalf of the Planning Commission.

Washoe County Development Code Section 110.820.15(d) Master Plan Amendment Findings

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan.
2. Compatible Land Uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare.
3. Response to Change Conditions. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.
4. Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed Master Plan designation.
5. Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.

Forest Area Plan Required Finding

Goal Twenty-two: Amendments to the Forest Area Plan will be for the purpose of further implementing the Vision and Character Statement, or to respond to new or changing circumstances. Amendments will conform to the Forest Vision and Character Statement. Amendments will be reviewed against a set of criteria and thresholds that are measures of the impact on, or progress toward, the Vision and Character Statement.

Vice Chair Donshick seconded the motion to approve Master Plan Amendment Case Number WMPA19-0004 (Bennington Court). The motion carried unanimously, with a vote of seven for, none against.

MOTION: Regulatory Zone Amendment Case Number WRZA19-0003 (Bennington Court). Vice Chair Donshick moved that after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission adopt the resolution included as Exhibit B, recommending adoption of Regulatory Zone Amendment Case Number WRZA19-0003, having made all of the following findings in accordance with Washoe County Code Section 110.821.15(d). She further moved to certify the resolution and the proposed Regulatory Zone Amendment in WRZA19-0003 as set forth in this staff report for submission to the Washoe County Board of County Commissioners and authorize the chair to sign the resolution on behalf of the Washoe County Planning Commission.

Washoe County Development Code Section 110.821.35 Regulatory Zone Amendment Findings

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan.
2. Compatible Land Uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare.
3. Response to Change Conditions; more desirable use. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.
4. Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed amendment.
5. No Adverse Effects. The proposed amendment will not adversely affect the implementation of the policies and action programs of the Washoe County Master Plan.
6. Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.
7. Effect on a Military Installation When a Military Installation is Required to be Noticed. The proposed amendment will not affect the location, purpose and mission of the military installation.

Commissioner Bruce seconded the motion to approve Regulatory Zone Amendment Case Number WRZA19-0003 (Bennington Court), which passed unanimously with a vote of seven for, none against.

B. Tentative Subdivision Map Case Number WTM19-004 (Falcon Ridge North) – For possible action, hearing, and discussion to approve a tentative map to allow the subdivision

of 6.19 acres into a 52 lot common open space development. The overall density of the project would be 8.4 dwelling units per acre.

- Applicant/Property Owner: Falcon Ridge by Desert Wind LP
- Location: at terminus of Falcon Rock Lane
- Assessor's Parcel Number: 035-721-02
- Parcel Size: 6.19 acres
- Master Plan Category: Urban Residential (UR)
- Regulatory Zone: Low Density Urban (LDU) (maximum density of 10 units per acre)
- Area Plan: Sun Valley
- Citizen Advisory Board: Sun Valley
- Development Code: Article 408, Common Open Space Development and Article 608, Tentative Subdivision Maps
- Commission Districts: 3 – Commissioner Jung & 5 – Commissioner Herman
- Prepared by: Julee Olander, Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775.328.3627
- E-Mail: jolander@washoecounty.us

Chair Chesney opened the Planning Item. He called for any disclosures. There were no disclosures.

Julee Olander, Washoe County Planner, provided a staff presentation.

Derek Wilson, Rubicon Design Group, applicant's representative, provided a PowerPoint presentation.

Commissioner Horan asked if the traffic light has been approved. Ms. Olander confirmed it's been approved with the first phase of Falcon Ridge.

Public Comment:

Carol Burns, Sun Valley Citizen Advisory Board (CAB) member, she said she didn't receive notification of this project. She said it's not appropriate since we should have had a public discussion at the CAB. She said there are a lot changes out there in Sun Valley. She spoke about Wildcreek High School going in at El Rancho. She spoke about concerns with traffic and accidents in Sun Valley. She said this will make them landlocked. More homes and a traffic light won't allow them to move. Let the CAB do their jobs. She said El Rancho Drive is four lanes now. She said we need more homes, but these are being crammed in. She spoke about other developments. She said they are stuck.

With no further requests for public comment, Chair Chesney closed the public comment period.

There were no questions or comments from the Commissioners.

MOTION: Tentative Subdivision Map Case Number WTM19-004 (Falcon Ridge North): Vice Chair Donshick moved that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission approve, with the conditions included as Exhibit A to this matter and with an additional condition for the HOA, Tentative Subdivision Map Case Number WTM19-004 for

Falcon Ridge by Desert Wind LP, having made all ten findings in accordance with Washoe County Code Section 110.608.25:

- 1) Plan Consistency. That the proposed map is consistent with the Master Plan and any specific plan;
- 2) Design or Improvement. That the design or improvement of the proposed subdivision is consistent with the Master Plan and any specific plan;
- 3) Type of Development. That the site is physically suited for the type of development proposed;
- 4) Availability of Services. That the subdivision will meet the requirements of Article 702, Adequate Public Facilities Management System;
- 5) Fish or Wildlife. That neither the design of the subdivision nor any proposed improvements is likely to cause substantial environmental damage, or substantial and avoidable injury to any endangered plant, wildlife or their habitat;
- 6) Public Health. That the design of the subdivision or type of improvement is not likely to cause significant public health problems;
- 7) Easements. That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision;
- 8) Access. That the design of the subdivision provides any necessary access to surrounding, adjacent lands and provides appropriate secondary access for emergency vehicles;
- 9) Dedications. That any land or improvements to be dedicated to the County is consistent with the Master Plan; and
- 10) Energy. That the design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

Secretary Lloyd asked if the motion included the removal of Condition 1.j. and the additional condition. Vice Chair Donshick confirmed that her motion included the amended conditions.

Commissioner Chvilicek seconded the motion to approve Tentative Subdivision Map Case Number WTM19-004 (Falcon Ridge North). The motion carried unanimously, with a vote of seven for, none against.

C. Tentative Subdivision Map Case Number WTM19-001 (Pleasant Valley Estates) –

For possible action, hearing, and discussion to approve a 58-lot single-family residential, common-open-space tentative subdivision map, with lots ranging in size from 12,507 to 74,591 square feet. The subject site includes slopes greater than 15% on 20% or more of the site and is subject to Hillside Development standards. The maximum allowable number of dwelling is 58.

- Applicant/Property Owner: Pleasant Valley Estates, LLC.
- Location: Between the eastern terminus of Chance Lane and the southern terminus of Rocky Vista Road
- Assessor's Parcel Numbers: 017-410-39, 017-410-38 and 017-200-30
- Parcel Sizes: ±19.67, ±19.67 and ±2.0 acres
- Master Plan Categories: Suburban Residential (SR) and Rural Residential (RR)

- Regulatory Zones: Medium Density Suburban (MDS 3du/ac), Low Density Suburban (LDS 1du/ac) and Medium Density Rural (MDR1du/2.5ac)
- Area Plans: Southeast Truckee Meadows and South Valleys
- Citizen Advisory Board: South Truckee Meadows / Washoe Valley
- Development Code: Article 608, Tentative Subdivision Maps and Article 424, Hillside Development
- Commission District: 2 – Commissioner Lucey
- Prepared by: Roger Pelham, MPA, Senior Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775.328.3622
- E-Mail: rpelham@washoecounty.us

Chair Chesney opened the planning item. He called for any disclosures by the Commissioners. Commissioner Barnes noted he received a phone call and an email and provided copies of a letter from John B. Rhodes who is a neighbor who raised issues of why this project should be denied. DDA Edwards asked that the clerks confirm copies of the letters have been provided to the public. Commissioner Nelson stated her brother lives on the western end of Chance Lane. DDA Edwards asked her questions to determine her disclosures. DDA Edwards said the disclosure was appropriate, the four categories of a disclosure. The statutes provided a lower threshold for disclosures and a higher threshold for recusal. He asked if she can make an impartial decision with the evidence provided in the record. DDA Edwards doesn't believe the threshold of recusal has been met. He said he believes she can participate.

Roger Pelham, Washoe County Planner, provided a staff presentation.

Commissioner Bruce asked who will maintain Rocky Vista Road. Mr. Pelham said only the portion on the project site will be maintained by the HOA, and the rest would be maintained by those who live on Rocky Vista. Mr. Pelham said it's not emergency access; it's additional access. He said the required emergency access goes to the east onto Star Point.

Commissioner Nelson said Rhodes Road is narrow by the bridge. She asked if the County has plans to widen Rhodes Road, or only the bridge. Dwayne Smith, Washoe County Engineering, said Rhodes Road bridge needs to be addressed even without this project. He said the second inspection is the basis for their recommendation of a repair or other alternatives. He said it's important to replace the bridge. He said they had a conversation with TMFPD about options and needs. Andrew Lane is currently access for emergency access. This is an important consideration to the community. He said they don't anticipate widening Rhodes Road other than the bridge, but they are reviewing scope of work. Commissioner Nelson said construction trucks are heavy, and asked if we can ask them not to use that access. Mr. Pelham said that could be part of the conditions. Mr. Smith said developments are required to have an approved haul route, and we could restrict that access.

John Krmpotic and Jason Gilles with KLS, applicant representatives, provided a presentation. Mr. Krmpotic noted the special conditions. He said they will do a special assessment district. He said they will contribute to the replacement of the bridge. He noted Rocky Vista would be legal access for everyone. He said the development is consistent with zoning on the property.

Commissioner Nelson said primary access on Rocky Vista would have been cheaper and more appropriate; she asked why Chance Lane is the primary access. Jason Gilles said it was chosen because the easements, utilities, and sewer. He said access through Rocky Vista would

have been a maze. He said it's a challenge. He said we proposed 6%-12% grades and worked with County staff. He said they are working on their fourth draft of this proposal. He spoke about different grades with cuts and fills. He said the final draft will meet the 10% grade. Commissioner Nelson asked if they can get to 3:1 slopes with retaining walls. He said the plan worked out with Staff will be acceptable. She asked if there is enough snow storage; he said yes.

Dwayne Smith said the only alternative standard considered for approval for this is the proposed 410 feet, 420 feet of Chance Lane that would allow for up to a 12% grade. Final design requirements will include things such as pavement service treatment, intersection grades must meet Washoe County standards and requirements, the grades for the existing driveways must meet Washoe County standards and requirements, the secondary emergency access roads must also meet Washoe County standards and requirements. In this project, the only alternative standard that staff has looked at has been this 410-420 feet section of Chance Lane. All other conditions will be required to be met as part of the final design submitted to Washoe County.

Chair Chesney asked to hear from Fire. Alex Kukulus, Deputy Chief of Truckee Meadows Fire, TMFPD representative, spoke about the bridge. He said in abundance of caution, we stopped using the bridge for fire access. We have evaluated response times for the area, and suburban and rural areas have different times. Suburban is 10 minutes or less; Rural is 20 minutes or less. He said this project is the mix of the two. GIS shows this is 10 minutes. He said that is long for suburban, but within reach for rural standards. He said the nearby stations can converge onto this area in acceptable time.

Public Comment:

Don Waite said he lives on the west side of this development. He said the development is bordered by one acre homes. This project does not fit in the surrounding community. He said Chance Lane is a narrow, unapproved road. The current traffic is 10 car trips which would increase to 90 car trips daily which would require improvements. The improvements should not be at the expense to the County. Rocky Vista is barely accessible with a 4-wheeler. Chance Lane is primary access to the property. The development includes a historical grave site. It shouldn't be surrounded by 1/3 acre lots. This will lower the values of the nearby homes.

Marye Anne Read said she lives on Rocky Vista. She said she can see the stars at night. She asked about lighting. She asked if the road will be widened. She said we don't have a lot of traffic; we like it like that. She asked about the schools. The schools are over capacity.

Emerson Read reviewed lot A, and asked if that lot have access to Rocky Vista. He asked if this development can slip in a road or cul-de-sac and have access to Rocky Vista road. He spoke about primary and secondary access. He asked if the development will be enclosed by a wall. He said Chance Lane, Rocky Road, and Rhodes Roads are all one lane dirt roads. He spoke about prevailing winds. The fire department has 5.7 minutes to get from the station to this development, but that is if they have a straight shot. He said he is against it.

Ginger Pierce, president of Steamboat association, spoke about the name requested for this development. He isn't in Pleasant Valley; he is in Steamboat. She said the Pleasant Valley Estates have already been established. This develop can't be that name. There are no water rights attached to this property.

Delia Greenhalgh said she is concerned with this development. She said 22 of the homes are less than 1/3 acre. This is not rural preservation. She showed maps and showed how they are not consistent with the surrounding area.

William Naylor spoke about the findings including plan consistency, natural characteristics, and improvements per master plan. He spoke about how the area plan addresses natural characteristics, and minimizes cuts and fills and erosions. He said the developer presented cross sections. He spoke about the fill going into the cross sections. The developer said they are proposing 231,000 cubic yards of fill from the property. He showed where they will be disturbing. It's against development standards. He spoke about hillside standards. They are going into the topography. He said he doesn't believe the findings 1&2 can be met.

Colleen Morissette said she sent an email to Commissioners with photos. She said her main concerns have been expressed by the other speakers. She wanted to show support not in favor. It doesn't maintain the rural characteristics. She understands development needs to happen, but responsibly. She spoke about access. The emergency access hasn't been located. We don't believe this developer will do a good job with the grave site. She asked how it will be protected and how the public can access it. She asked the Commission deny this development.

Elizabeth Schuler asked the Commission not to approve the development. She spoke about the rural impact. Steamboat valley is a rural area. This is the rural agricultural area between Reno and Carson City. Let's do development the right way. Neighbors take care of neighbors. There is plenty of preapproved development on the books. She spoke about hydrology, and showed picture of water flow and flooding. She said the culverts fill up. The traffic will impact in the area.

Richard Mahoney said we moved into the valley and found it was quiet, rural, and pleasant; that is why people move there. He said his concern is with traffic even with connection with Toll Road. He said there is 1,000s of homes going north of Geiger Grade. He said there are bicyclists, equestrians, and wild horses. It's inappropriate to put more pressure on this narrow road. It would change the rural nature of the neighborhood. He asked the Commission to deny this project. He spoke about the transition between rural and suburban. This is a slap in the face for those who have worked on transition. A small subdivision is not appropriate in this location. He requested their denial.

Amie Haskill said she has lived there for a year. She said she bought the house because she liked the area and that the houses are on an acre or more. She said she likes the country, and no subdivisions. She likes to see the wild horses. She said this will be near her house. She doesn't want more traffic down the road. She said it breaks her heart to hear this can go in after she bought the house.

Andrea Nichols said she echoes the reasons of denial made by the CAB: road access, connection, and Chance Lane is used by equestrians and pedestrians. Rhodes Road is very narrow. The bridge goes over the creek. The fire trucks cannot use it at this point. This is a narrow road, and in some spots, it's almost single lane. Andrew Lane access also has a bridge. Both bridges are known to get flooded. Andrew Lane has been evacuated 2 times due to fires. She spoke about equestrian centers. Horses also need to be evacuated too. In order for you to approve this, you have to make 10 findings – Staff cannot make the first 3. Subdivision is not consistent with the area; design improvement standards; site is not suitable for the subdivisions. Please deny it because the findings cannot be made.

John Phenix said he is for this project. He said he knows the developers well; he said he knows they will follow all the standards, grading on the site, quality development, and it will increase home values. He said he is a local. We have to develop and build somewhere. He said he hopes to have this work. The developer will address everything and the concerns expressed. He will follow through.

Kim Burahowski said we would be ok with this development if it was more in-tune with the houses out there. She spoke about the topography. She asked if anyone consulted with the Paiute tribe about the burial site. No archeological study has been done.

Russell James said the residents have done a great job tonight. He said the area plan talks about emergency access. He said these lots do not meet the agricultural feel of the area. He recommends denial.

No further Public Comment was requested. Chair Chesney closed the public comment period.

Commissioner Chvilicek asked Mr. Pelham if anyone has asked the tribe about the authenticity of this burial site. Mr. Pelham said it wasn't sent to the tribes, but it was sent to State Historical Preservation Office. He said the design of the subdivision includes an area around that to be set aside as Common Open Space. She said it's very troubling the tribe was not consulted.

Commissioner Nelson asked for clarification and said she read in the report regarding the approval of the grading plan. Mr. Pelham said yes, a separate SUP for grading is not required because the grading will be reviewed during the tentative map review. He said the slopes are required to be 3:1; they are currently 2:1. Commissioner Nelson asked if we can separate the grading plan from tentative map. DDA Edwards said we cannot split up the application, but you can make conditions.

MOTION: Tentative Subdivision Map Case Number WTM19-001 (Pleasant Valley Estates): Vice Chair Donshick moved that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission deny Tentative Subdivision Map Case Number WTM19-001 for Pleasant Valley Estates, LLC, being unable to make all ten findings in accordance with Washoe County Code Section 110.608.25, specifically Plan Consistency, Design or Improvement, and Type of Development.

- 1) Plan Consistency. That the proposed map is consistent with the Master Plan and any specific plan;
- 2) Design or Improvement. That the design or improvement of the proposed subdivision is consistent with the Master Plan and any specific plan;
- 3) Type of Development. That the site is physically suited for the type of development proposed;
- 4) Availability of Services. That the subdivision will meet the requirements of Article 702, Adequate Public Facilities Management System;
- 5) Fish or Wildlife. That neither the design of the subdivision nor any proposed improvements is likely to cause substantial environmental damage, or substantial and avoidable injury to any endangered plant, wildlife or their habitat;
- 6) Public Health. That the design of the subdivision or type of improvement is not likely to cause significant public health problems;
- 7) Easements. That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision;
- 8) Access. That the design of the subdivision provides any necessary access to surrounding, adjacent lands and provides appropriate secondary access for emergency vehicles;

- 9) Dedications. That any land or improvements to be dedicated to the County is consistent with the Master Plan; and
- 10) Energy. That the design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

Commissioner Chvilicek seconded the motion to deny Tentative Subdivision Map Case Number WTM19-001 (Pleasant Valley Estates). Commissioner Horan supports the motion as stated, and agreed the findings are not being met. There are too many issues identified. The motion carried unanimously, with a vote of seven in support of the motion, none against.

10. Chair and Commission Items

*A. Future agenda items - None

*B. Requests for information from staff – Commissioner Chvilicek encourage staff to include all tribal entities when discussing tribal sites. Mr. Lloyd said we do include tribal entities when applicable and SHPO was included. The area plan includes language regarding this matter.

11. **Director's and Legal Counsel's Items** – Mr. Lloyd congratulated the Regional Planning Commission on completing the updated Regional Plan. He said we are grateful; it was quite a process. He said it's a great plan.

*A. Report on previous Planning Commission items – The BCC approved a DCA that came before this Commission regarding off-street parking spaces. It cleaned up the issue of personal storage spaces.

*B. Legal information and updates – None

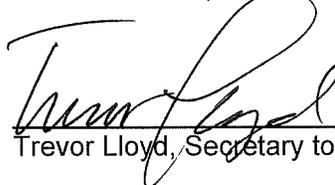
12. *General Public Comment and Discussion Thereof

There were no requests for public comment. Chair Chesney closed the public comment period.

13. Adjournment – The meeting adjourned at 8:23 p.m.

Respectfully submitted by Misty Moga, Independent Contractor.

Approved by Commission in session on November 5, 2019.



Trevor Lloyd, Secretary to the Planning Commission