



Planning Commission Staff Report

Meeting Date: October 6, 2015

Subject: **Regulatory Zone Amendment Case Number RZA15-004**

Applicant: Washoe County Planning and Development Division

Agenda Item Number: 9B

Proposed amendment: To consider and adopt a resolution to amend the regulatory zone on one property within the Southwest Truckee Meadows Regulatory Zone map from Public Semi-Public Facilities to Medium Density Suburban

Recommendation: Recommended adoption and authorize the Chair to sign the attached resolution to amend the Southwest Truckee Meadows Regulatory Zone map

Prepared by: Lora R. Robb, Water Management Planner
Washoe County Community Services Department

Phone: 775.954.4636

E-Mail: lrobb@washoecounty.us

Description

Regulatory Zone Amendment Case Number RZA15-004 – Hearing, discussion and possible action to adopt by resolution an amendment to the Southwest Truckee Meadows Regulatory Zone map. The amendment is required in order to correct a regulatory zone error created by Washoe County when a boundary line adjustment was completed in 2004. The amendment would change the current regulatory zone on a 0.317-acre portion of the 1.083-acre subject property from Public Semi-Public Facilities (PSP) to Medium Density Suburban (MDS).

- Applicant: Washoe County
 - Property Owner: Karen Thomas
 - Location: 5300 Canyon Drive
Reno, NV 89519
 - Assessor's Parcel No: 009-105-03
 - Parcel Size: 1.083 acres
 - Current Regulatory Zone: Public Semi-Public Facilities (PSP)
 - Proposed Regulatory Zone: Medium Density Suburban (MDS)
 - Area Plan: Southwest Truckee Meadows
 - Citizen Advisory Board: West Truckee Meadows
 - Development Code: Article 821, *Amendment of Regulatory Zone*
 - Commission District: 1 – Commissioner Berkgigler
 - Section/Township/Range: Sec 20, T19N, R19E, MDM
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Explanation and Processing of a Regulatory Zone Amendment

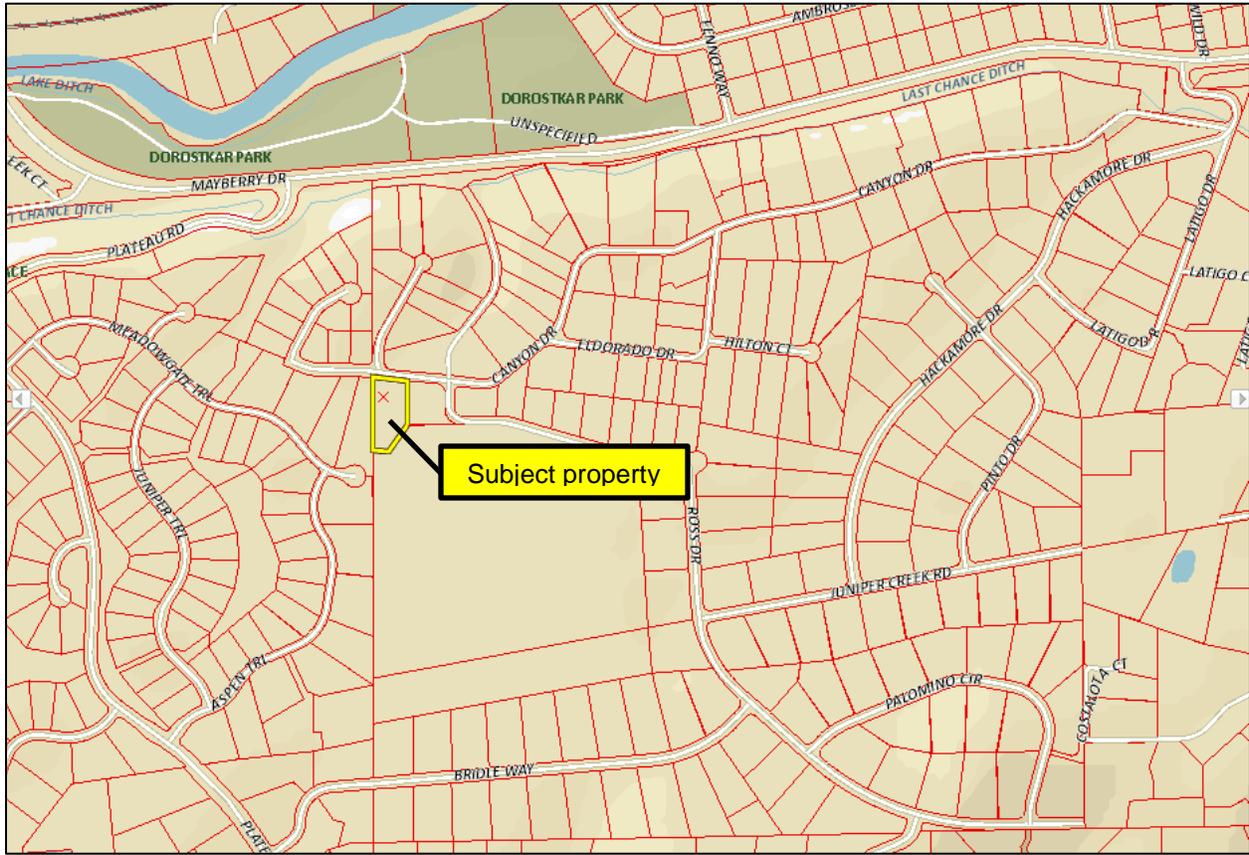
The purpose of a Regulatory Zone Amendment (RZA) is to provide a method for amending the Regulatory Zone Maps which depict the regulatory zones adopted for properties within the unincorporated area of Washoe County. The Regulatory Zones establish the uses and development standards applied to each property.

The Washoe County Development Code provides that amendments to Washoe County Regulatory Zone maps may be initiated in one of three fashions:

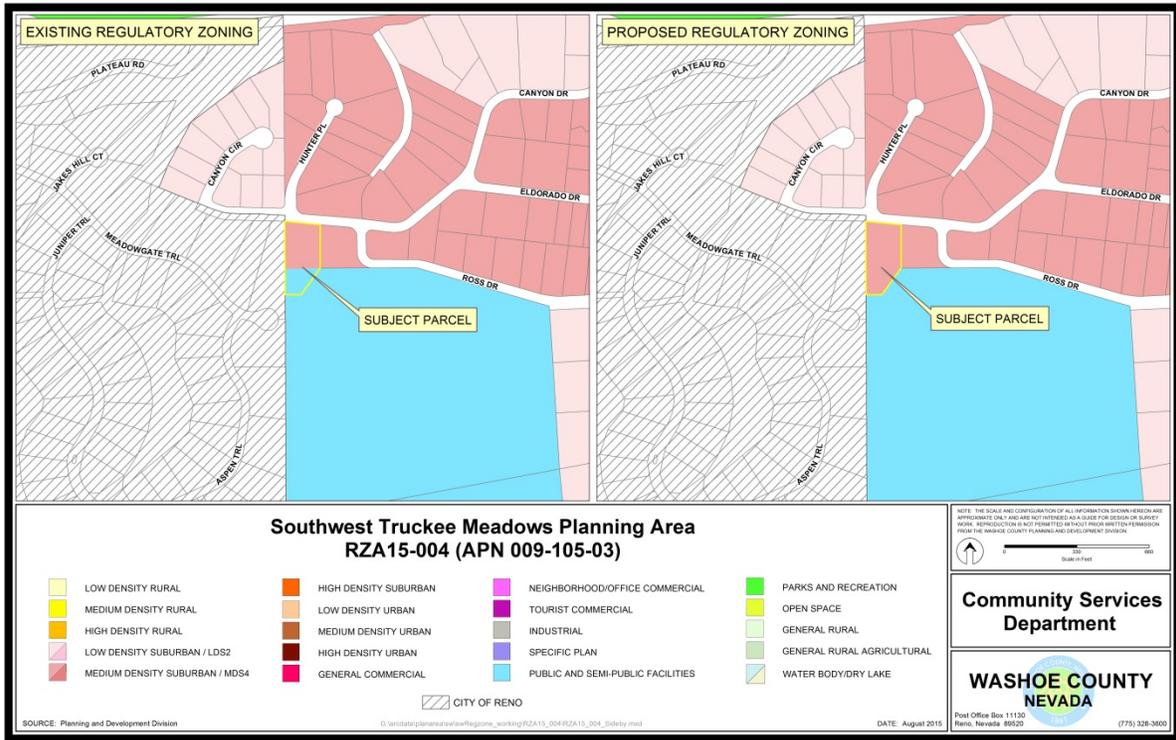
1. Real property owners may submit an application to initiate an amendment;
2. The Planning Commission or Board of County Commissioners may initiate an amendment through a simple majority vote; or
3. The Director of the Planning and Development Division may initiate an amendment.

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 a lot or parcel from one Regulatory Zone to another requires action by both the Planning Commission and the Board of County Commissioners.

After initiation, public notices and neighborhood meetings take place, after which the Planning Commission considers the proposed RZA in a public hearing. The Planning Commission may recommend approval, approval with modifications or denial of the proposed amendments. 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 Section 110.821.20 of the Washoe County Development Code. Final action is taken by the Board of County Commissioners who may adopt, adopt with modifications or deny the proposed amendment.



Vicinity Map



Existing and Proposed Regulatory Zones on Subject Properties

Background

The Director of the Planning and Development Division initiated an amendment on August 17, 2015 (Attachment B) to the Southwest Truckee Meadows Regulatory Zone map for the purpose of changing the existing regulatory zone on the southern portion of a parcel (APN 009-105-03) from Public Semi-Public Facilities (PSP) to match the same regulatory zone Medium Density Suburban (MDS) as the northern portion of the same parcel. The PSP zoning on the southerly portion of the parcel (0.317 acres) was initially placed on the property to reflect the presence of a water reservoir owned by the Truckee Meadows Water Authority (TMWA). The PSP regulatory zone was not changed in 2004 when the property owner acquired the property from TMWA and completed a boundary line adjustment enlarging the overall parcel (1.083 acres) zoned MDS. The proposed amendment corrects an existing mapping inconsistency (the southern portion of the parcel is not connected with the public use of the water reservoir), bringing the property into conformance with the established residential uses on the property and the surrounding residential parcels.

Current Conditions & Compatible Land Uses

The parcel is located in an established and built-out residential neighborhood. There is an existing house located on the parcel as well as a detached outbuilding located on the portion of the parcel currently designated PSP. The property receives water service from TMWA and sewer service from Washoe County.

The surrounding parcels have a master plan category of Suburban Residential (SR). The regulatory zone on surrounding parcels to the north, east and west is MDS. The Regulatory Zone of the parcel to the south is PSP and is the location of Hunter Creek Reservoir, part of TMWA's water system. The proposed amendment to the new regulatory zone is highly compatible with existing development in the surrounding area.

Citizen Advisory Board (CAB)

The proposed amendment was submitted to the West Truckee Meadows Citizen Advisory Board (CAB) and discussed during the September 14, 2015, CAB meeting. At the time of this writing, the minutes from the September 14 CAB meeting are not available. The CAB took unanimous action to recommend approval of the RZA.

Public Notice

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 Washoe County Code Section 110.821.20.

A minimum of 30 property owners within 750 feet of the area to which the proposed amendment pertains must be notified 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.

Sixty-two property owners within 750 feet of the subject parcel(s) will be noticed by mail on September 25 for the proposed Regulatory Zone Amendment (see Noticing Map, Attachment C). Additionally, notice of this public hearing was published in the newspaper at least 10 days prior to this meeting, and the Chair and membership of all Citizen Advisory Boards were likewise notified of the public hearing. Such notification was accomplished and staff can provide proof of notification if requested.

Agency Comments

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

- City of Reno, Community Development Department
- Regional Transportation Commission
- Truckee Meadows Regional Planning Agency
- Truckee Meadows Water Authority
- Truckee Meadows & Sierra Fire Protection Districts
- Washoe County Health District, Environmental Health Division
- Washoe County Engineering, Capital Projects and Utility Division

Washoe County has not received any agency comments on the proposed amendment.

Required Findings

Required findings for Regulatory Zone Amendments are found in Article 821, *Amendment of Regulatory Zone*, of the Washoe County Development Code, and in Southwest Truckee Meadows Area Plan Policy SW.20.1 (a part of the Master Plan). 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 and Regulatory Zone Map.

Staff Comment: The proposed amendment is in substantial compliance as detailed in this staff report. The proposed amendment cleans up a zoning inconsistency created by Washoe County when the boundary line adjustment transferring this piece of property to the subject property owner was recorded.

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 proposed amendment provides for land uses highly compatible with existing adjacent land uses. The proposed Medium Density Suburban (MDS) Regulatory

Zone will match the Regulatory Zone of the northern portion of the property as well as all properties to the east, west and south of the property. The proposed amendment will not impact 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.

Staff Comment: The proposed amendment corrects a Regulatory Zone inconsistency that resulted from a 2004 boundary line adjustment. Therefore, the requested amendment represents current uses on the existing property and a 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.

Staff Comment: There are adequate facilities to accommodate the existing and potential uses on the property and the densities permitted by the proposed amendment.

5. Master Plan Policies and Action Programs. 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 does not conflict with any 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 compliments the desired pattern for growth and development of the County without impairing natural resources and public services.

7. Effect on a Military Installation. The proposed amendment will not affect the location, purpose and mission of a military installation.

Staff Comment: There are no military installations located within the required 3,000 foot noticing distance from the subject property; therefore, the proposed amendment does not affect a military installation and this finding does not need to be made pursuant to Washoe County Code Section 110.821.15(d).

Recommendation

It is recommended that the Washoe County Planning Commission recommend approval of RZA15-004 for adoption by the Washoe County 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 recommend approval of RZA15-004 for the Washoe County Board of County Commissioners to adopt the proposed Regulatory Zone Amendment. I further move to authorize the Chair to sign the resolution contained in Attachment A on behalf of the Washoe County Planning Commission. This recommendation for approval is based on all seven of the following findings in accordance with 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 and Regulatory Zone Map.
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 amendment.
5. Master Plan Policies and Action Programs. 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.

Appeal Process

A person aggrieved by a decision of the Planning Commission may appeal the decision to the Washoe County Board of County Commissioners. The appeal must be in writing and delivered to the Planning and Development Division within 10 calendar days from the date that the written decision being appealed is filed with the Secretary of the Planning Commission.

xc: Property Owner: Karen Thomas, 5300 Canyon Drive, Reno NV 89519
 Owner's Agent: Greta Mestre, Dickson Realty, 500 Damonte Ranch Pkwy
 Ste 625, Reno, Nevada, 89521



RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

RECOMMENDING ADOPTION OF REGULATORY ZONE AMENDMENT CASE NUMBER RZA15-004 AND THE AMENDED SOUTHWEST TRUCKEE MEADOWS REGULATORY ZONE MAP

Resolution Number 15-18

WHEREAS

- A. Regulatory Zone Amendment Case Number RZA15-004 came before the Washoe County Planning Commission for a duly noticed public hearing on October 6, 2015; and
- B. The Washoe County Planning Commission heard input from both staff and the public regarding the proposed Regulatory Zone Amendment; and
- C. The Washoe County Planning Commission gave reasoned consideration to the information it has received regarding the proposed Regulatory Zone Amendment; and
- D. Pursuant to Washoe County Code Section 110.821.15(d), , the Washoe County Planning Commission made the following findings necessary to support its recommendation for adoption of the proposed Regulatory Zone Amendment, Case Number RZA 15-004:
1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan and the Regulatory Zone map;
 2. Compatible Land Uses. The proposed amendment will provide for land use 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 adequate transportation, recreation, utility and other facilities to accommodate the uses and densities permitted by the proposed Regulatory Zone Amendment;
 5. Master Plan Policies and Action Programs. 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, and

NOW, THEREFORE, BE IT RESOLVED that pursuant to Washoe County Code Section 110.821.15(c) and (d):

1. The Washoe County Planning Commission does hereby recommend APPROVAL of Regulatory Zone Amendment Case Number RZA15-004 and the amended Southwest Truckee Meadows Regulatory Zone map as contained in Exhibit A to this resolution, changing the current regulatory zone on a 0.317-acre portion of the 1.083-acre subject property at 5300 Canyon Drive (APN 009-105-003) from Public Semi-Public Facilities (PSP) to Medium Density Suburban (MDS); and,
2. A report describing this amendment and the discussion of it at this public hearing, this recommendation, and the vote on the recommendation be forwarded to the Washoe County Board of County Commissioners.

ADOPTED on October 6, 2015

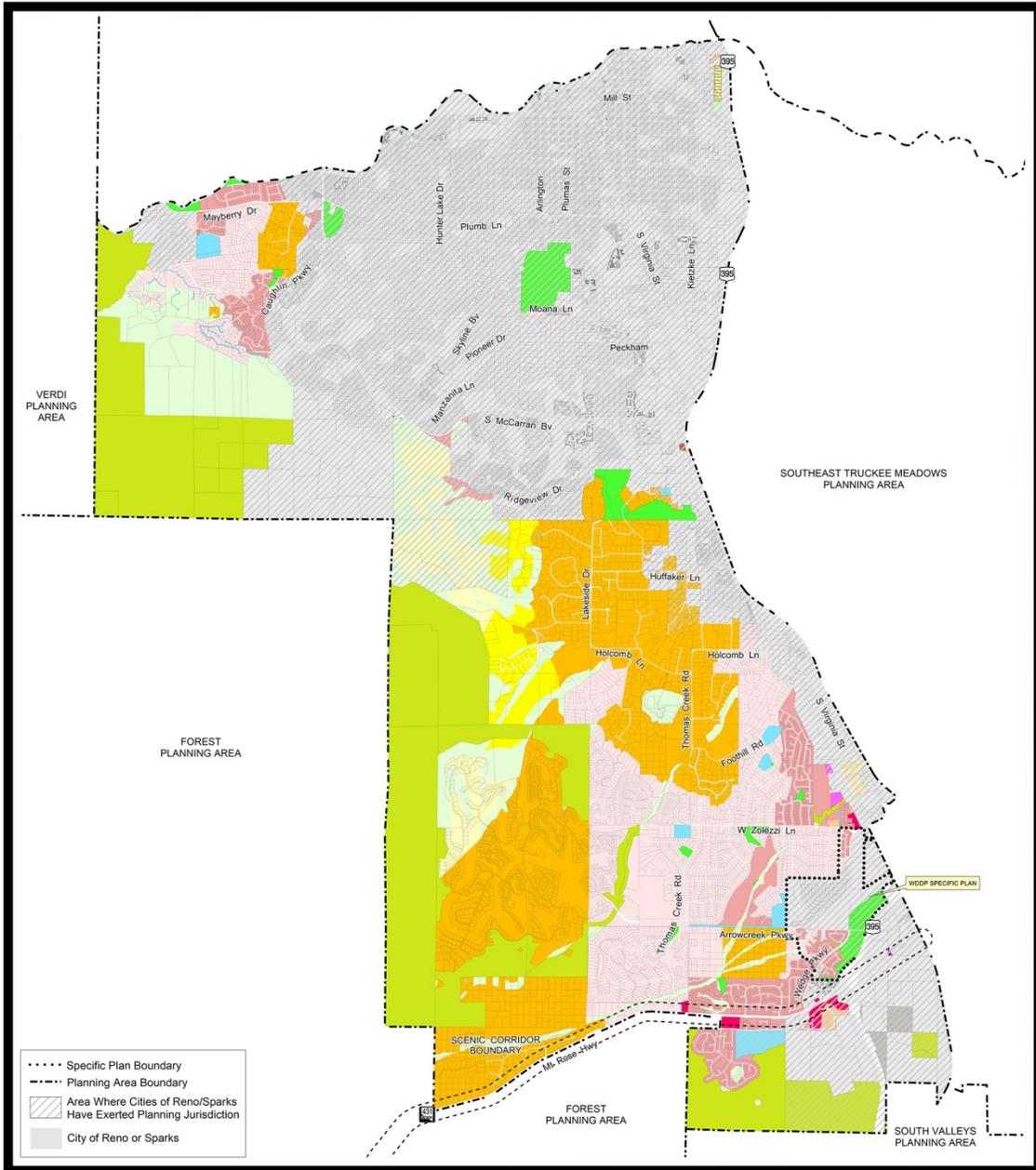
WASHOE COUNTY PLANNING COMMISSION

ATTEST:

Carl R. Webb, Jr., AICP, Secretary

James Barnes, Chair

Exhibit A – Southwest Truckee Meadows Regulatory Zone Map



SOUTHWEST 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
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Planning and Development Division

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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 DEVELOPMENT DIVISION.

DATE: _____ DIRECTOR: _____

Community Services Department

WASHOE COUNTY NEVADA

Post Office Box 11130
Reno, Nevada 89520

(775) 328-3600

PC Date: October 6, 2015
BCC Date:



Washoe County
COMMUNITY SERVICES DEPARTMENT
Planning and Development Division

August 17, 2015

The Washoe County Development Code provides that amendments to the Master Plan may be initiated by the Director of Planning and Development Division.

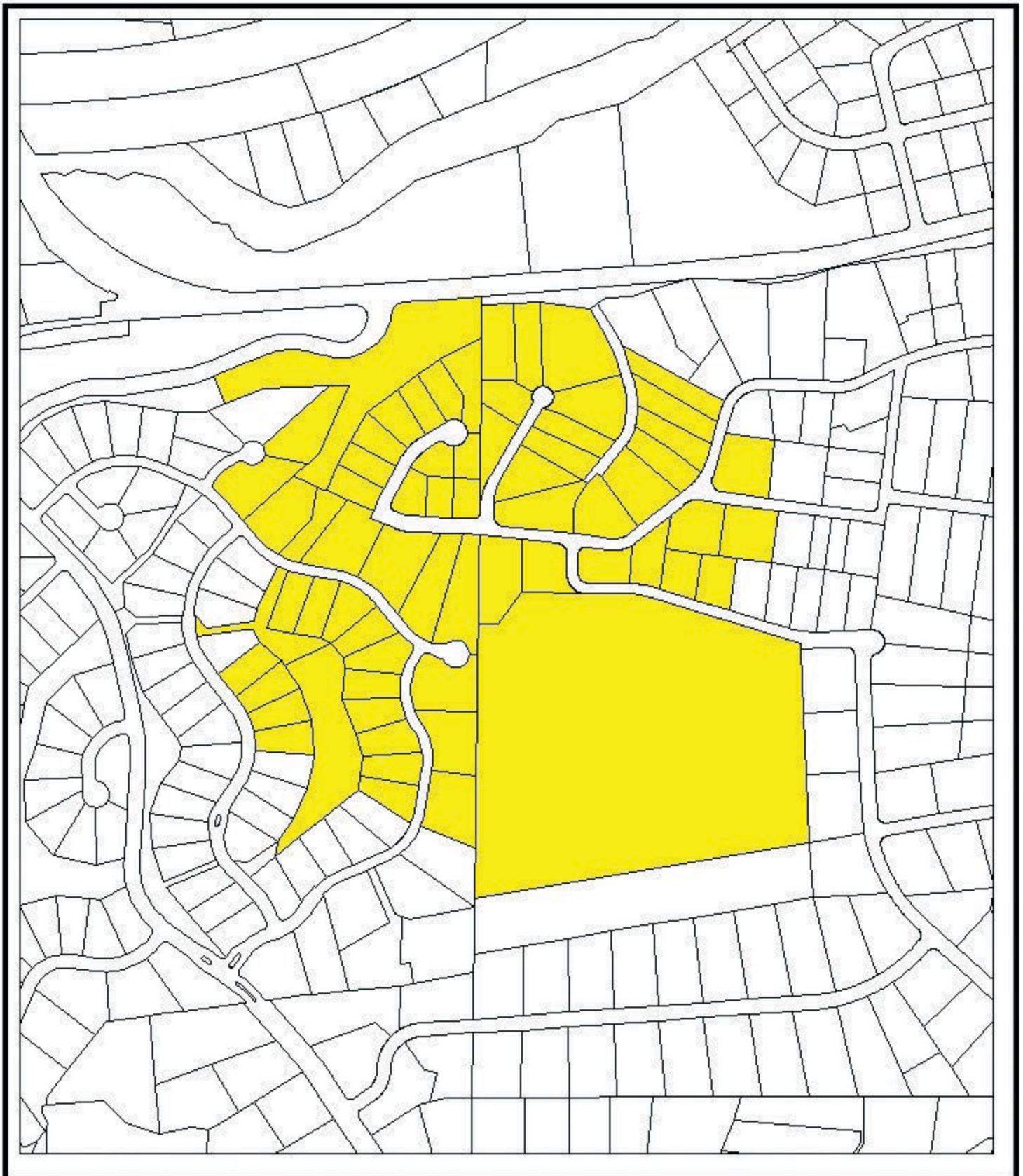
The Division Director hereby initiates a Regulatory Zone Amendment (RZA) on the property at 5300 Canyon Drive (APN 009-105-03). The RZA will change the existing regulatory zone on the southerly portion of the property from Public Semi-Public Facilities to Medium Density Suburban (MDS) which is the same regulatory zone as the northern portion of the same parcel. The change of regulatory zone to MDS will match the existing suburban residential use on the property.

Washoe County will process the RZA at no charge to the property owner since a zoning inconsistency was created at the time the property received a boundary line adjustment between APN 009-003-05 and APN 009-105-01. Washoe County subsequently approved the construction of a Detached Accessory Structure (barn) on the southerly portion of the property zoned PSF which does not allow for this use. The County's approval created an illegal use (barn) in the PSF and the RZA will both correct this error and make the structure legal. The Boundary Line Adjustment Deed filed with the Washoe County Recorder's Office is Doc #3006934; it was filed on February 20, 2004.

Timeline for Adoption of RZA

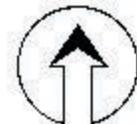
September 14:	West Truckee Meadows Citizen Advisory Board reviews proposed RZA
October 6:	PC public hearing on RZA (assuming recommendation of approval)
November 10:	BCC public hearing and adoption of resolution approving RZA

Bill Whitney, Director
Planning and Development Division



VICINITY MAP

RZA15-004
Canyon Drive



Department of
Community
Development

WASHOE COUNTY
NEVADA

Post Office Box 11190
Reno, Nevada 89520
(775) 928-9800

Source: Current Parking Program

Date: August 2015