



# Planning Commission Staff Report

Meeting Date: September 3, 2019

Agenda Item: 9B

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:

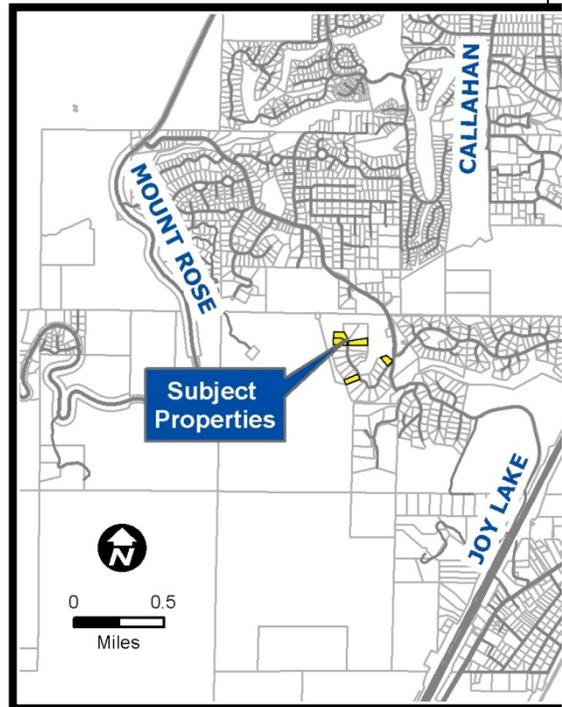
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### CASE DESCRIPTION

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



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**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 of 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)*

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**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)*

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Master Plan Amendment Resolution .....Exhibit A

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## **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.

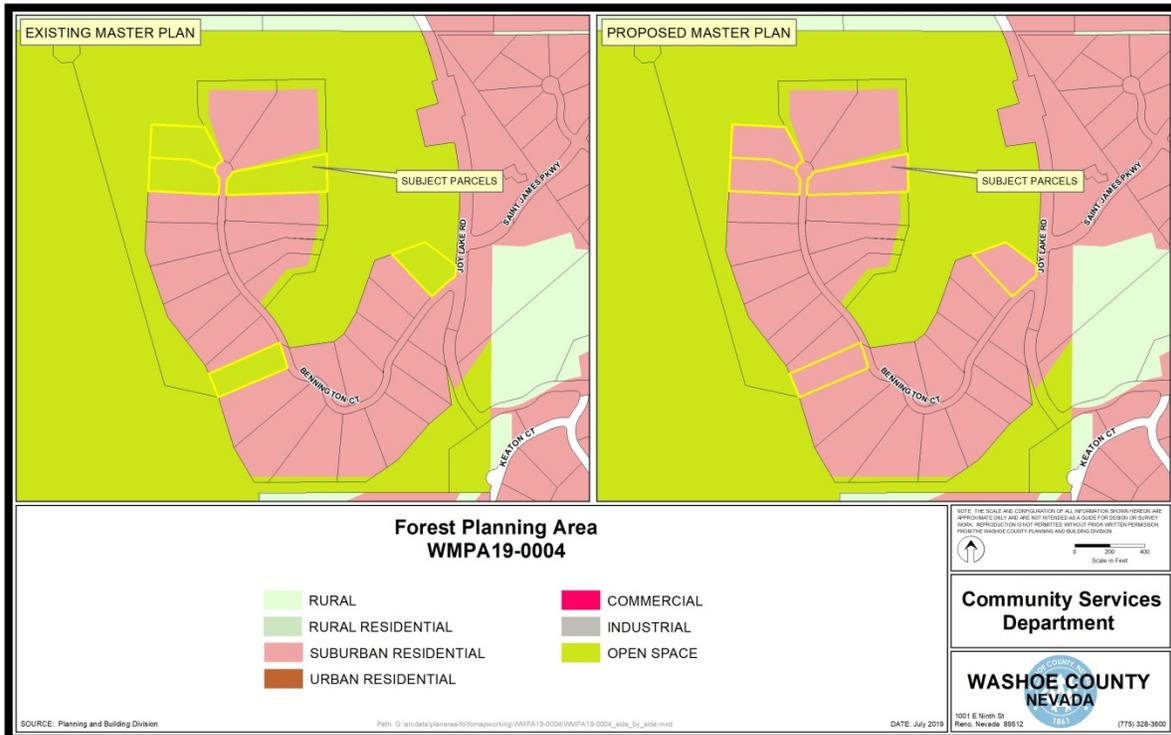


Tentative Map of Bennington Court Area

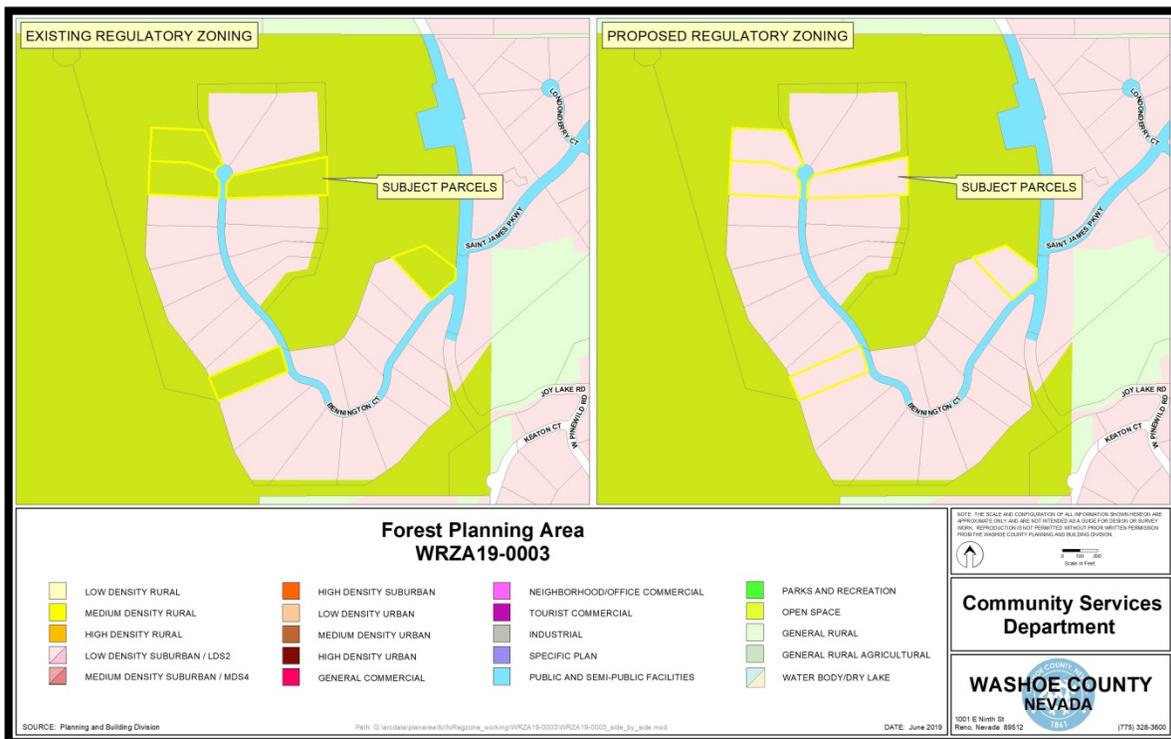
## Analysis

The request is to change the master plan designation and regulatory zone for five parcels, totaling  $\pm 8.34$  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.

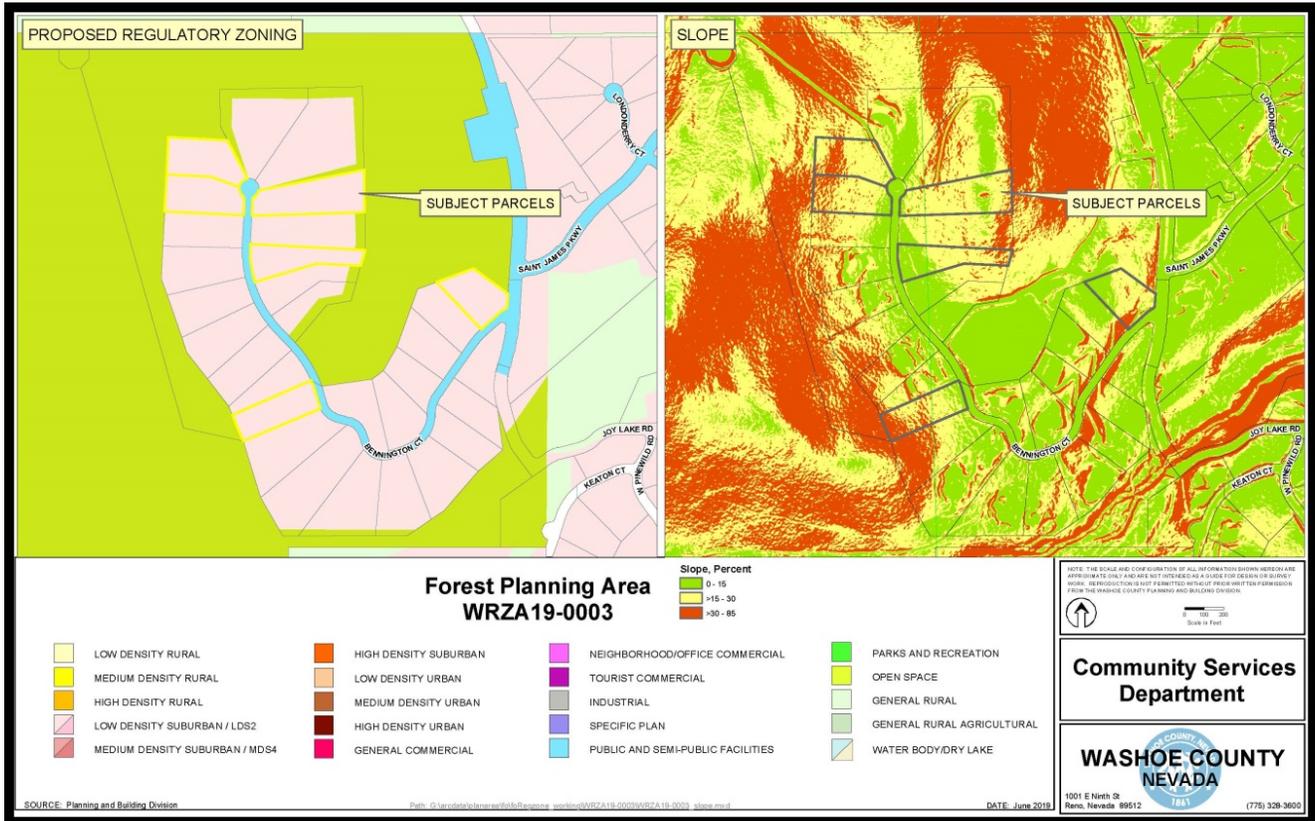




Photo taken at the top of Bennington Ct., looking north at APNs 046-153-10 & 046-153-09



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. 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 of 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). 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 September 3, 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 September 3, 2019

WASHOE COUNTY PLANNING COMMISSION

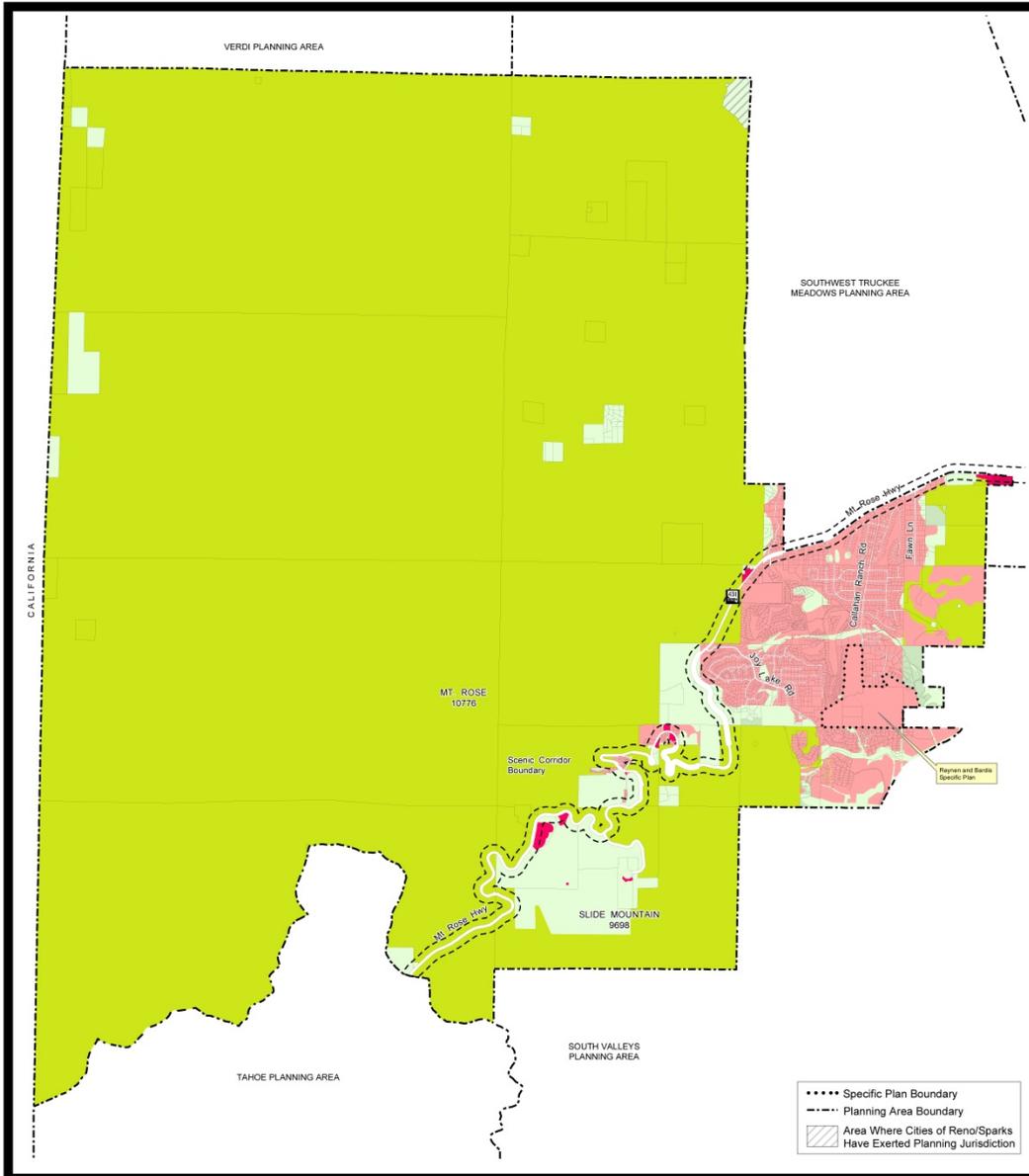
ATTEST:

\_\_\_\_\_  
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

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

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.

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



## 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 September 3, 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 September 3, 2019.

WASHOE COUNTY PLANNING COMMISSION

ATTEST:

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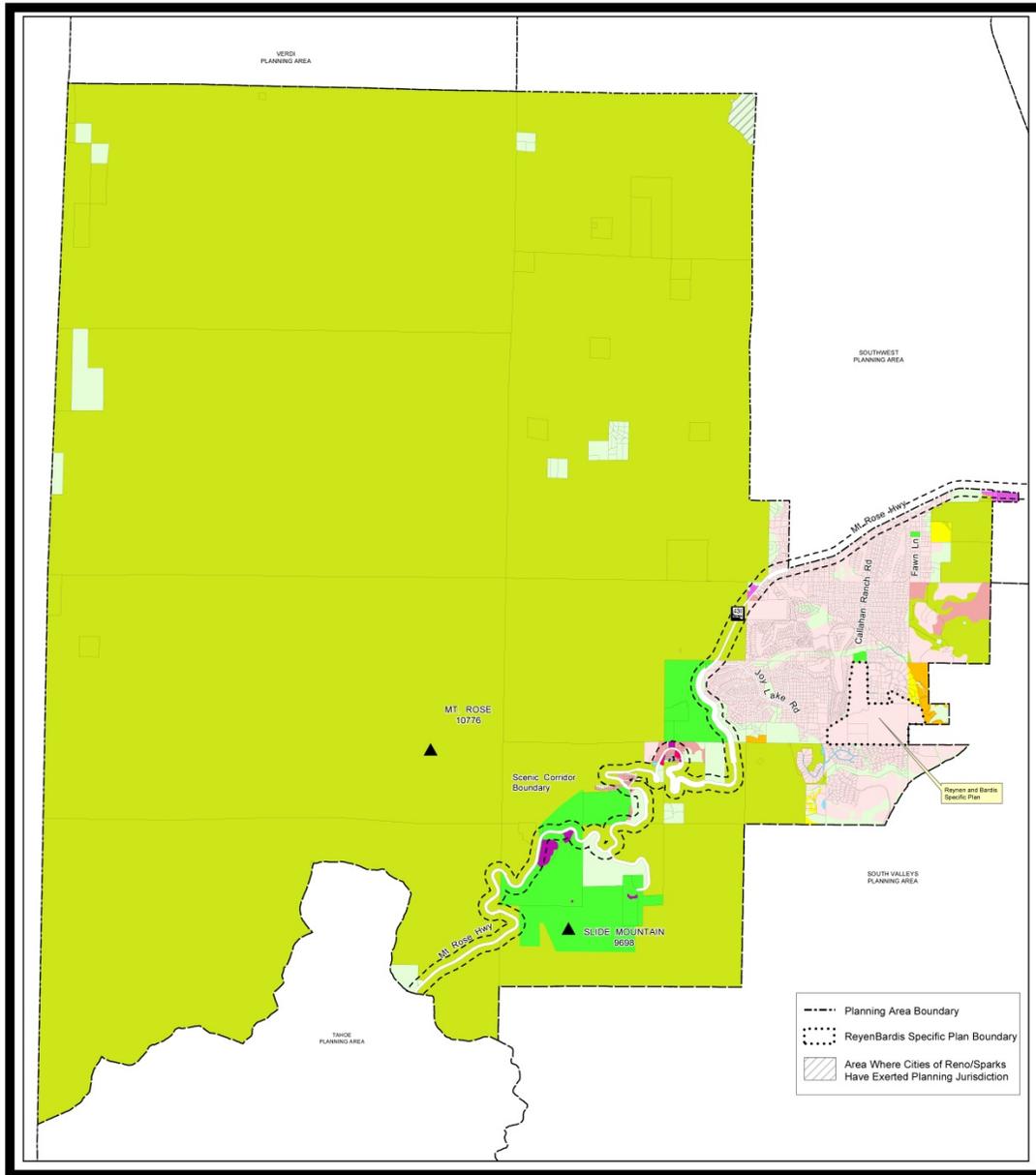
Trevor Lloyd, Secretary

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Larry Chesney, Chair

Attachment: Exhibit A – Forest Area Plan Regulatory Zone Map

# Exhibit A, WRZA19-0003



## FOREST REGULATORY ZONE MAP

	LOW DENSITY RURAL		HIGH DENSITY SUBURBAN		INDUSTRIAL
	MEDIUM DENSITY RURAL		LOW DENSITY URBAN		PUBLIC AND SEMI-PUBLIC FACILITIES
	HIGH DENSITY RURAL		MEDIUM DENSITY URBAN		PARKS AND RECREATION
	LOW DENSITY SUBURBAN		HIGH DENSITY URBAN		OPEN SPACE
	LOW DENSITY SUBURBAN 2		GENERAL COMMERCIAL		GENERAL RURAL
	MEDIUM DENSITY SUBURBAN		NEIGHBORHOOD COMMERCIAL/OFFICE		GENERAL RURAL AGRICULTURAL
	MEDIUM DENSITY SUBURBAN 4		TOURIST COMMERCIAL		DRY LAKE/WATER BODY

SOURCE: Planning and Building Division

PC DATE: August 8, 2019  
BCG DATE:

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.

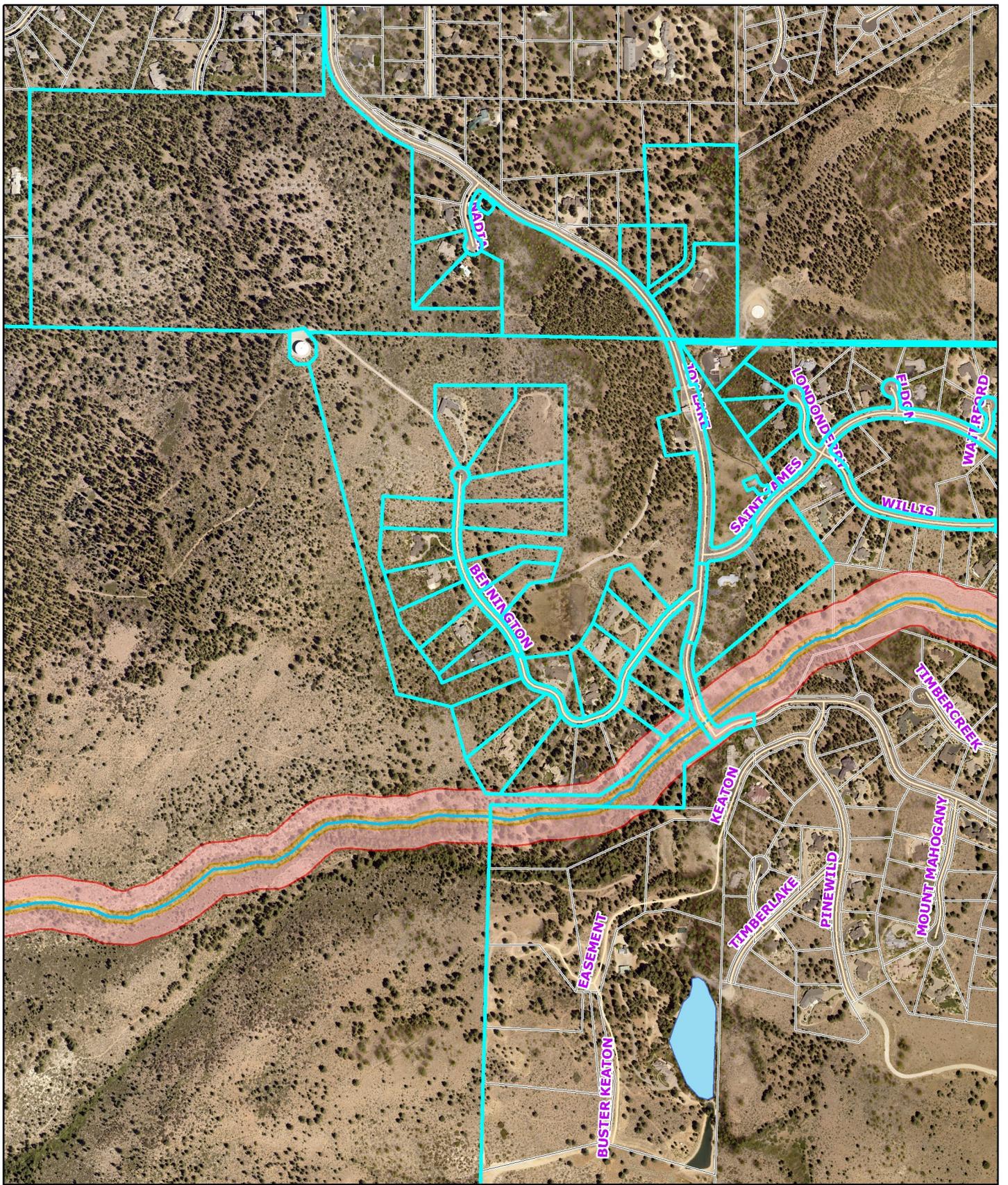
CERTIFICATION: THIS DOCUMENT HAS BEEN REVIEWED AND APPROVED AS AN ACCURATE REPRESENTATION OF THE ADOPTED ZONING MAPS OF WASHOE COUNTY, NEVADA, BY THE WASHOE COUNTY PLANNING AND BUILDING DIVISION.

DATE: \_\_\_\_\_ DIRECTOR: \_\_\_\_\_

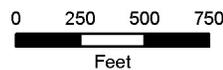
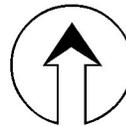
**Community Services Department**

**WASHOE COUNTY NEVADA**

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



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



# WASHOE COUNTY

## COMMUNITY SERVICES DEPARTMENT

### Engineering and Capital Projects

1001 EAST 9<sup>TH</sup> 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

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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](mailto: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. 9<sup>th</sup> St. Bldg. D  
Reno, NV. 89512  
775-326-6077 off.  
775-360-8397 cell  
[dcoon@tmfpd.us](mailto: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](#)

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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](mailto:jenglish@washoecounty.us) | (775) 328-2610 | 1001 E. Ninth St., Bldg. B, Reno, NV 89512



[WashoeEats.com](http://WashoeEats.com)

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**From:** Olander, Julee  
**Sent:** Tuesday, June 11, 2019 2:24 PM  
**To:** Vesely, Leo <[LVesely@washoecounty.us](mailto:LVesely@washoecounty.us)>; Klein, Kris <[KKlein@washoecounty.us](mailto:KKlein@washoecounty.us)>; Coon, Don <[Dcoon@tmfpd.us](mailto:Dcoon@tmfpd.us)>; English, James <[JEnglish@washoecounty.us](mailto:JEnglish@washoecounty.us)>; Rubio, Wesley S <[WRubio@washoecounty.us](mailto:WRubio@washoecounty.us)>  
**Cc:** Lloyd, Trevor <[TLloyd@washoecounty.us](mailto:TLloyd@washoecounty.us)>; Stark, Katherine <[KRStark@washoecounty.us](mailto: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 6<sup>th</sup> and I need any comments by July 12<sup>th</sup>.

# Pezonella Associates, Inc.

<u>Location</u>	<u>Percolation Rate (minutes per inch)</u>	<u>Maximum Trench Depth (Feet)</u>
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

Required Total Length of Standard Gravel Filled Disposal Trenches<sup>2</sup>

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

<sup>2</sup>Based 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](#)

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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](mailto:bdayton@washoecounty.us) | O: (775) 326-6043 | C: (775) 544-4847 | F: (775) 325-8131 | 1001 E. Ninth St., Bldg. B, Reno, NV 89512



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**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](mailto: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 2<sup>nd</sup>**. If you have any questions please contact me.

Thanks you,

| **Julee Olander**