

Planning Commission Staff Report

Meeting Date: October 7, 2025 Agenda Item: 8A

ABANDONMENT CASE NUMBER: WAB25-0006 (US40 Roadway

Easement Abandonment)

BRIEF SUMMARY OF REQUEST: Request to abandon a 60-foot

roadway easement.

STAFF PLANNER: Chris Brocnzyk, Senior Planner

775.328.3612

cbronczyk@washoecounty.gov

CASE DESCRIPTION

For hearing, discussion, and possible action to approve an abandonment of Washoe County's interest in a 60-foot-wide roadway easement.

Toll North Reno, LLC Applicant:

Property Owner: Toll Brothers/Toll

North Reno, LLC

Location: Northwest of La Salle

Heights and Burks Boulevard and Southwest of

Somersett Parkway

APN: 038-800-05 Parcel Size: +/- 57.44

Master Plan: Unincorporated

Transition (UT)

General Rural (GR) Regulatory Zone:

Planning Area: Verdi

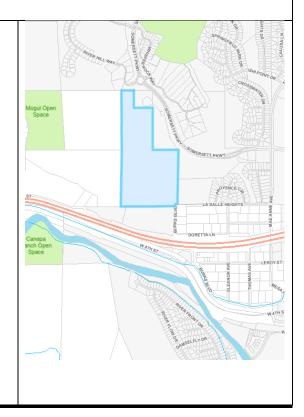
Development Code: Authorized in Article

> 806, Vacations and Abandonments of

Easements or Streets

Commission District: 5 – Commissioner

Herman



STAFF RECOMMENDATION

APPROVE WITH CONDITIONS **APPROVE**

DENY

Washoe County Planning Commission

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Abandonment Definition

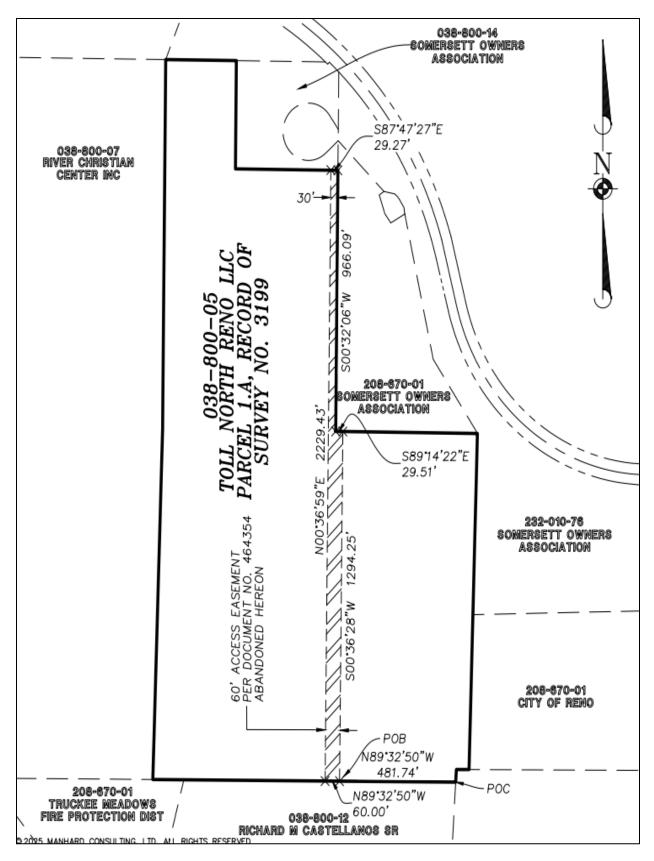
The purpose of an abandonment is to allow for the vacation or abandonment of easements or streets. If the Planning Commission grants an approval of the abandonment, that approval is subject to conditions of approval. Conditions of approval are requirements that need to be completed prior to the recordation of the *Resolution and Order of Abandonment*.

The <u>Resolution and Order of Abandonment</u> is the legal record, prepared by the Engineering and Capital Projects Division which is recorded to complete the abandonment process. The Engineering and Capital Projects Division completes a technical review of the legal description, exhibit maps and any new easements, submitted by the applicant's surveyor, that are required by the conditions of approval. When the Engineering and Capital Projects Division is satisfied that all conditions of approval have been met, then the Engineering and Capital Projects Division will record the <u>Resolution and Order of Abandonment</u> with the County Recorder. The abandonment with the County Recorder.

The conditions of approval for Abandonment Case Number WAB23-0006 are attached to this staff report and will be included with the Action Order if granted approval.

- All conditions of approval are required to be completed before the abandonment can be recorded and finalized.
- The abandonment will be effective after the approval of a <u>Resolution and Order of Abandonment</u> by the Engineering and Capital Projects Division and after the recordation of the <u>Resolution and Order of Abandonment</u> by the County Recorder.

The subject property has a regulatory zone of General Rural (GR). Setbacks for the GR regulatory zone are 30 feet from the front and rear property lines and 50 feet from the side property lines.

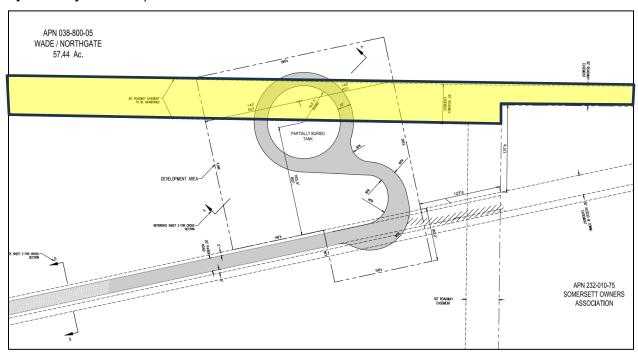


Site Plan

Project Evaluation

The subject site is located at 0 Doretta Lane (APN 038-800-05), generally northwest of La Salle Heights and Burks Boulevard and southwest of Somersett Parkway. The subject property is currently undeveloped and is located within unincorporated Washoe County, inside the City of Reno Sphere of Influence. The parcel carries a Master Plan land use designation of Unincorporated Transition (UT) and is zoned Unincorporated Transition, 40 acres (UT40) under the City of Reno Master Plan and zoning equivalency table, as well as General Rural (GR) under Washoe County zoning. These designations will remain in effect following recordation of the Order of Abandonment.

The applicant requests the abandonment of a roadway easement established under Record of Survey Map No. 1069 (recorded May 6, 1977). The easement was part of a grid system of roadways that were never constructed. Instead, development in the area has utilized other roadways that are better integrated with the surrounding topography. The abandonment is necessary to allow recordation of a Parcel Map associated with the previously approved TMWA US40 Water Tank and access road (LDC22-00004, approved by the City of Reno).



Proposed Layout for Approved Water Tank (LDC22-00004)

The request does not alter parcel boundaries, and the applicant does not see any feasible future use for the easement. Adjacent parcels containing water infrastructure have established access through separate easements.

The application was originally submitted to the City of Reno, but at the City's request and with Washoe County's agreement, the proposed abandonment is being processed by the County.

Verdi Planning Area

The subject parcel is located within the Verdi Planning Area. There are no relevant policies related to the abandonment of easements in the Verdi Planning Area section of the Washoe County Master Plan.

Reviewing Agencies

The following agencies/individuals received a copy of the project application for review and evaluation.

Agencies	Sent to Review	Responded	Provided Conditions	Contact
Washoe County Traffic	Х			
Washoe County Water Rights Manager (All Apps)	x	X		
Washoe County Engineering (Land Development) (All Apps)	Х	x	х	Rob Wimer, rwimer@washoecounty.gov; Janelle Thomas, jkthomas@washoecounty.gov
Washoe County Engineering & Capital Projects Director (All Apps)	х			
NNPH Environmental Health	X			
TMFPD	X			
Reno Community Development	х			
Truckee Meadows Water Authority	Х			

All conditions required by the contacted agencies can be found in Exhibit A, Conditions of Approval.

Staff Comment on Required Findings

WCC Section 110.806.20 requires that all of the following findings be made to the satisfaction of the Washoe County Planning Commission before granting approval of the abandonment request. Staff has completed an analysis of the application and has determined that the proposal is in compliance with the required findings as follows.

- (a) Master Plan. The abandonment or vacation is consistent with the policies, action programs, standards and maps of the Master Plan and the Verdi Planning Area.
 - <u>Staff Comments</u>: The abandonment, as recommended by staff, is consistent with the policies, action programs, standards, and maps of the Master Plan and the Verdi Planning Area, as staff has not found any applicable policies, action programs, standards, or maps related to this abandonment request.
- (b) No Detriment. The abandonment or vacation does not result in a material injury to the public.
 - <u>Staff Comments</u>: The proposed abandonment is not anticipated to result in material injury to the public. The roadway easement does not serve an existing use, and no future use has been identified. Access to the previously approved TMWA US40 Water Tank (City of Reno Case No. LDC22-00004) is currently provided through a 30' access easement on the eastern portion of the project site,

- but access will further be provided through a parcel map in the appropriate configuration, and no other parcels rely on this easement for access.
- (c) Existing Easements. Existing public utility easements in the area to be abandoned or vacated can be reasonably relocated to provide similar or enhanced service.

<u>Staff Comments</u>: The application indicates that there are no public utility easements within the abandonment area. Truckee Meadows Water Authority (TMWA) was sent the project application. Washoe County Engineering reviewed the project and provided a comment/condition of approval to address any retention or relocation of any public utility easements.

Recommendation

After a thorough analysis and review, Abandonment Case Number WAB25-0006 is being recommended for approval with conditions. Staff offers the following motion for the Commission's 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 approve Abandonment Case Number WAB25-0006 for Toll Brothers, with the conditions included as Exhibit A to this matter, having made all three findings in accordance with Washoe County Code Section 110.806.20:

- (a) <u>Master Plan</u>. The abandonment or vacation is consistent with the policies, action programs, standards and maps of the Master Plan and the Verdi Planning Area; and
- (b) No Detriment. The abandonment or vacation does not result in a material injury to the public; and
- (c) <u>Existing Easements</u>. Existing public utility easements in the area to be abandoned or vacated can be reasonably relocated to provide similar or enhanced service.

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 applicant(s), 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 applicant(s).



Conditions of Approval

Abandonment Case Number WAB25-0006

The project approved under Abandonment Case Number WAB25-0006 shall be carried out in accordance with the conditions of approval granted by the Planning Commission on October 7, 2025. Conditions of approval are requirements placed on a permit or development by each reviewing agency. These conditions of approval may require submittal of documents, applications, fees, inspections, amendments to plans, and more. These conditions do not relieve the applicant of the obligation to obtain any other approvals and licenses from relevant authorities required under any other act or to abide by all other generally applicable Codes, and neither these conditions nor the approval by the County of this project/use override or negate any other applicable restrictions on uses or development on the property. Furthermore, to the extent that Washoe County does not own the easements in question, it cannot abandon them. Therefore, this request is in effect a "quitclaim" by the County of whatever interest it might have in the easements in favor of the owners who applied for the abandonment. Nothing in this abandonment should be construed as an assertion by the County of ownership over the easements in question. To the extent other property owners nearby or other entities might have any ownership interests in these easements, this abandonment does not affect those interests and the property owners associated with this abandonment are responsible for utilizing whatever legal mechanisms are necessary to address those interests on their own.

<u>Unless otherwise specified</u>, all conditions related to the approval of this Abandonment shall be met prior to recordation of the <u>Resolution and Order of Abandonment</u>. Prior to recordation of the <u>Resolution and Order of Abandonment</u>, each agency shall determine when compliance of their specific conditions is met by the applicant as set forth in the Conditions of Approval. All agreements, easements, or other documentation required by these conditions shall have a copy filed with the County Engineer and the Community Services Department – Planning and Building Division.

Compliance with the conditions of approval related to this abandonment is the responsibility of the applicant, his/her successor in interest, and all owners, assignees, and occupants of the property and their successors in interest. All conditions of approval must be met prior to the Engineering and Capital Projects Division recording the required Resolution and Order of Abandonment.

For the purpose of conditions imposed by Washoe County, "may" is permissive and "shall" or "must" is mandatory.

- All conditions of approval are required to be completed before the Abandonment can be recorded and finalized.
- The abandonment will be effective after the approval of a <u>Resolution and Order of Abandonment</u> by the Engineering and Capital Projects and after the recordation of the <u>Resolution and Order of Abandonment</u> by the County Recorder.

The Washoe County Commission oversees many of the reviewing agencies/departments with the exception of the following agencies.

 The DISTRICT BOARD OF HEALTH, through Northern Nevada Public Health (NNPH), has jurisdiction over public health matters. Any conditions set by NNPH must be appealed to the District Board of Health.

FOLLOWING ARE CONDITIONS OF APPROVAL REQUIRED BY THE REVIEWING AGENCIES. EACH CONDITION MUST BE MET TO THE SATISFACTION OF THE ISSUING AGENCY.

Washoe County Planning and Building Division

- 1. The following conditions are requirements of CSD Planning and Building Division, which shall be responsible for determining compliance with these conditions.
 - Contact Name Chris Bronczyk, Senior Planner, 775.328.3612, cbronczyk@washoecounty.gov
 - a. The applicant shall attach a copy of the action order approving this project to all permits and applications (including building permits) applied for as part of this abandonment.
 - b. The applicant shall include a condition response memorandum with each subsequent permit application. That memorandum shall list each condition of approval, shall provide a narrative describing how each condition has been complied with, and the location of the information showing compliance with each condition within the improvement plan set that has been submitted.
 - c. The applicant shall demonstrate substantial conformance to the plans approved as part of this abandonment action. The County Engineer shall determine compliance with this condition.
 - d. This Abandonment will be effective upon recordation of the <u>Resolution and Order of Abandonment</u> by the County Recorder.

Washoe County Engineering and Capital Projects

2. The following conditions are requirements of Engineering and Capital Projects, which shall be responsible for determining compliance with these conditions.

Contact Name – Robert Wimer, P.E., 775.328-2059, rwimer@washoecounty.gov

- a. Prior to recordation of the Order of Abandonment, the applicant shall submit legal descriptions and exhibit maps for the areas of abandonment, any new easements and any easement reservations that are required, to the Engineering and Capital Projects Division for review and approval. Legal descriptions and exhibit maps shall be prepared by a Nevada professional land surveyor.
- b. Retention or relocation of all public utility easements is required to the satisfaction of and at no expense to Washoe County or the existing public utilities that originally accepted and approved said easements, as well as any other public utilities now in existence that currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed

Washoe County Conditions of Approval

- documents reflecting the grant of new easements (if required) to said public utilities and the relinquishment by said public utilities of their former easements.
- c. The applicant shall comply with conditions necessary to affect the Resolution and Order of Abandonment within two (2) years from the date of the action by the Planning Commission or this conditional abandonment will be null and void.

*** End of Conditions ***



Engineering and Capital Projects

Date: August 25, 2025

To: Chris Bronczyk, Senior Planner

From: Janelle K. Thomas, P.E., Senior Licensed Engineer

Robert Wimer, P.E., Licensed Engineer

Re: Abandonment Case WAB25-0006 Roadway Easement Abandonment

APN: 038-800-05

GENERAL COMMENTS

Washoe County Engineering and Capital Project staff have reviewed the above referenced application. The application is for the abandonment of a roadway easement running north to south along the eastern portion of the lot. The parcel is located on approximately 57.44 acres between Somersett Parkway and I-80 in Northwest Reno. The Engineering and Capital Projects Division recommends approval with the following comments and conditions of approval which supplement the applicable County Code and are based upon our review of the application prepared by Manhard Consulting Ltd. The County Engineer shall determine compliance with all the following conditions of approval.

For questions related to sections below, please contact the staff's name referenced.

GENERAL CONDITIONS

Contact Information: Robert Wimer, P.E. (775) 328-2059

- Prior to recordation of the Order of Abandonment, the applicant shall submit legal descriptions and exhibit maps for the areas of abandonment, any new easements and any easement reservations that are required, to the Engineering and Capital Projects Division for review and approval. Legal descriptions and exhibit maps shall be prepared by a Nevada professional land surveyor.
- 2. Retention or relocation of all public utility easements is required to the satisfaction of and at no expense to Washoe County or the existing public utilities that originally accepted and approved said easements, as well as any other public utilities now in existence that currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of new easements (if required) to said public utilities and the relinquishment by said public utilities of their former easements.
- 3. The applicant shall comply with conditions necessary to affect the Resolution and Order of Abandonment within two (2) years from the date of the action by the Planning Commission or this conditional abandonment will be null and void.

WAB25-0006 EXHIBIT B



Engineering and Capital Projects

Date: August 19, 2025

To: Chris Bronczyk, Senior Planner

From: Timber Weiss, P.E., Licensed Engineer

Re: Abandonment Case Number WAB25-0006 (US40 Roadway Easement Abandonment)

GENERAL PROJECT DISCUSSION

For hearing, discussion, and possible action to approve an abandonment of Washoe County's interest in a 60-foot-wide roadway easement.

The Community Services Department (CSD) recommends approval of this project with the following Water Rights conditions:

Washoe County owns water right permit 59359, whose point of diversion is located on this parcel. Washoe County is in the process of moving this permit off-site. The owner shall be responsible for abandoning the well pursuant to the requirements of NRS 534.

WAB25-0006 EXHIBIT B



Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Building staff at 775.328.6100.

Project Information	S	taff Assigned Case No.:			
Project Name:					
Project Description:					
Project Address:					
Project Area (acres or square fe	et):				
Project Location (with point of reference to major cross streets AND area locator):					
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:		
Indicate any previous Washo Case No.(s).	e County approval	s associated with this applicat	ion:		
Applicant Inf	ormation (attach	additional sheets if necess	ary)		
Property Owner:		Professional Consultant:			
Name:		Name:			
Address:		Address:			
	Zip:		Zip:		
Phone:	Fax:	Phone:	Fax:		
Email:		Email:			
Cell:	Other:	Cell:	Other:		
Contact Person:	Contact Person: Contact Person:				
Applicant/Developer:		Other Persons to be Contacted:			
Name:		Name:			
Address:		Address:			
	Zip:		Zip:		
Phone:	Fax:	Phone:	Fax:		
Email:		Email:			
Cell:	Other:	Cell:	Other:		
Contact Person:		Contact Person:			
For Office Use Only					
Date Received:	Initial:	Planning Area:			
County Commission District:		Master Plan Designation(s):			
CAB(s):		Regulatory Zoning(s):			

Abandonment Application Supplemental Information

(All required information may be separately attached)

1.	What and where is the abandonment that is being requested?					
2.	On which map or document (please include with application) is the easement or right-of-way first referenced?					
3.	What is the proposed use for the vacated area?					
4.	What replacement easements are proposed for any to be abandoned?					
5.	What factors exist or will be employed to prevent the proposed abandonment from resulting in significant damage or discrimination to other property in the vicinity?					
6.	Are there any restrictive covenants, recorded conditions, or deed restrictions (CC&Rs) that apply to the area subject to the abandonment request? (If so, please attach a copy.)					
	* Yes * No					

IMPORTANT

NOTICE REGARDING ABANDONMENTS:

To the extent that Washoe County does not own the easements in question, it cannot abandon them. Therefore, an abandonment request is in effect a "quitclaim" by the County of whatever interest it might have in the easements in favor of the owners who applied for the abandonment. For example, if the abandonment is approved by Washoe County and recorded, it will likely affect the allowable building envelope on the property, to the benefit of the applicant. However, even if the abandonment is approved, it should not be construed as an assertion by the County of ownership over the easements in question. To the extent other property owners nearby or other entities might have any ownership interests in these easements, an approved abandonment by the County does not affect those interests and the property owners associated with this abandonment are responsible for utilizing whatever legal mechanisms are necessary to address those interests on their own.



Civil Engineering
Surveying
Water Resources Management
Construction Management
Landscape Architecture
Land Planning

PROJECT NARRATIVE

Project Location

The proposed abandonment area is located on APN 038-800-05, 0 Doretta Lane, which is generally located northwest of La Salle Heights and Burks Boulevard and southwest of Somersett Parkway in Washoe County.

Figure 1: Project Location









Request

The request is for the abandonment of a roadway easement located on APN 038-800-05. The abandonment is necessary to allow for the recordation of a Parcel Map for the previously approved TMWA US40 Water Tank and access road (LDC22-00004) (approved by the City of Reno).

The easement was established with Record of Survey Map No. 1069, recorded May 6, 1977, Document No. 464354, along with other roadway easements throughout the undeveloped area as a grid pattern. The roadway easements in the map area were never established and the area is not developed. Rather, development in the vicinity has dedicated or utilized other roadways that integrate with the topography. The abandonment will not change the existing parcel configuration.

There is no feasible future use for the easement. There is a previous approval on the parcel for the TMWA US40 Water Tank (LDC22-00004). Access to the tank will be established with a Parcel Map in the desired configuration. Please note that there is a water tank located on the adjacent parcel (APN 038-800-15), with a separate established access road/easement to that water tank, through APN 232-010-76, from Somersett Parkway (within the City of Reno). There is no access to any other parcel from this easement.

* Please note that this application was initially submitted to the City of Reno for review, however, at the City's recommendation and with Washoe County's agreement, it has been requested that it be processed by Washoe County.

Washoe County Master Plan and Zoning Designations

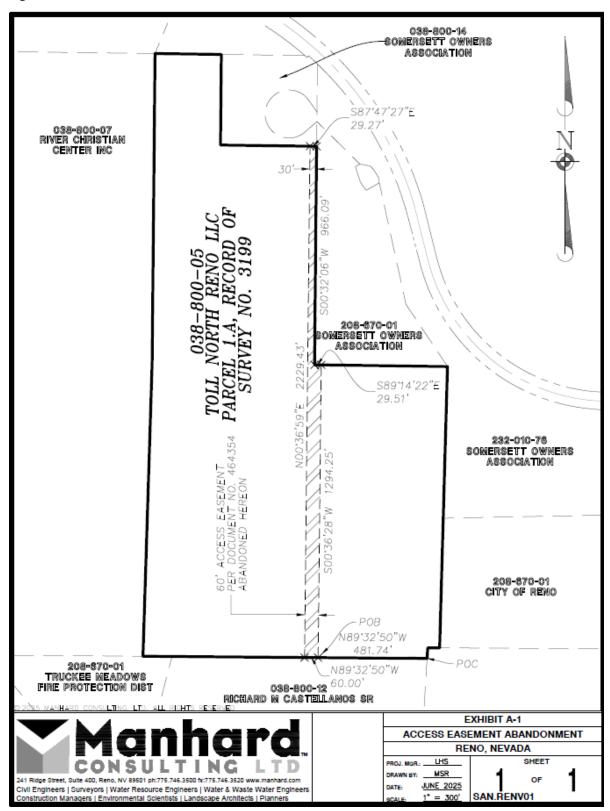
The project site is undeveloped and located in Washoe County, within the City of Reno Sphere of Influence. It has a Master Plan designation of Unincorporated Transition (UT) and is zoned Unincorporated Transition 40 acres (UT40) (in accordance with Table 2-1, "City of Reno Master Plan Land Use and Zoning Based on County Plan or Zoning") and General Rural (GR, Washoe County). This zoning will remain applicable to the area of abandonment upon recordation of the Order of Abandonment.

Utilities

There are no utilities located within the area of abandonment.



Figure 2: Site Plan - Area of Abandonment



FINDINGS ANALYSIS

1) The abandonment or vacation is consistent with the policies, action programs, standards and maps of the Master Plan and the applicable area plans;

There is no proposed change to the use of the parcel. The project site is under Reno Sphere of influence per Washoe County Master Plan. The proposed abandonment is, however, consistent with Reno Master Plan (Unincorporated Transition) and previous site approvals by the City of Reno.

2) The abandonment or vacation does not result in a material injury to the public; and

The proposed abandonment will not result in material injury to the public as there is no feasible future use for the easement, and does not serve any existing use. Access to the approved (City of Reno) TMWA US40 Water Tank (LDC22-00004) will be established through a Parcel Map in the desired configuration. There is no access to any other parcel from this easement.

3) Existing public utility easements in the area to be abandoned or vacated can be reasonably relocated to provide similar or enhanced service

There are no public utility easements within the abandonment area.



EXHIBIT "A" LEGAL DESCRIPTION OF EASEMENT ABANDONMENT

The following describes a slope and drainage easement situate in the Northwest One-Quarter (NW1/4) of Section 13, T.19 N., R.18 E., M.D.M., City of Reno, County of Washoe, State of Nevada, being a portion of Adjusted Parcel 1A as shown on Record of Survey Map of Boundary Line Adjustment for Wade/Northgate, L.P., & Sierra Pacific Power Company, as Survey Map No. 3199, as File No. 2077789, filed March 6, 1997, in the Official Records of Washoe County, Nevada, and being further described as follows:

COMMENCING at the Southeast corner of said Adjusted Parcel 1A;

THENCE, along the south boundary of said Adjusted Parcel 1A, North 89°32'50" West, 481.74 feet to the **POINT OF BEGINNING**;

THENCE, continuing along the south boundary of said Adjusted Parcel 1A, North 89°32′50" West, 60.00 feet;

THENCE, leaving the south boundary of said Adjusted Parcel 1A, North 00°36'59" East, 2229.43 feet to the northerly boundary of said Adjusted Parcel 1A;

THENCE, along the northerly boundary of said Adjusted Parcel 1A, South 87°47'27" East, 29.27 feet to the easterly boundary of said Adjusted Parcel 1A;

THENCE, along the easterly boundary of said Adjusted Parcel 1A South 00°32'06" West, 966.09 feet;

THENCE, South 89°14'22" East, 29.51 feet to a northerly boundary of Adjusted Parcel 1A;

THENCE, leaving the northerly boundary of said Adjusted Parcel 1A, South 00°36'28" West, 1294.25 to the **POINT OF BEGINNING**.

Containing 2.44 acres, more or less.

Basis of bearing is identical to said Survey Map No. 3199

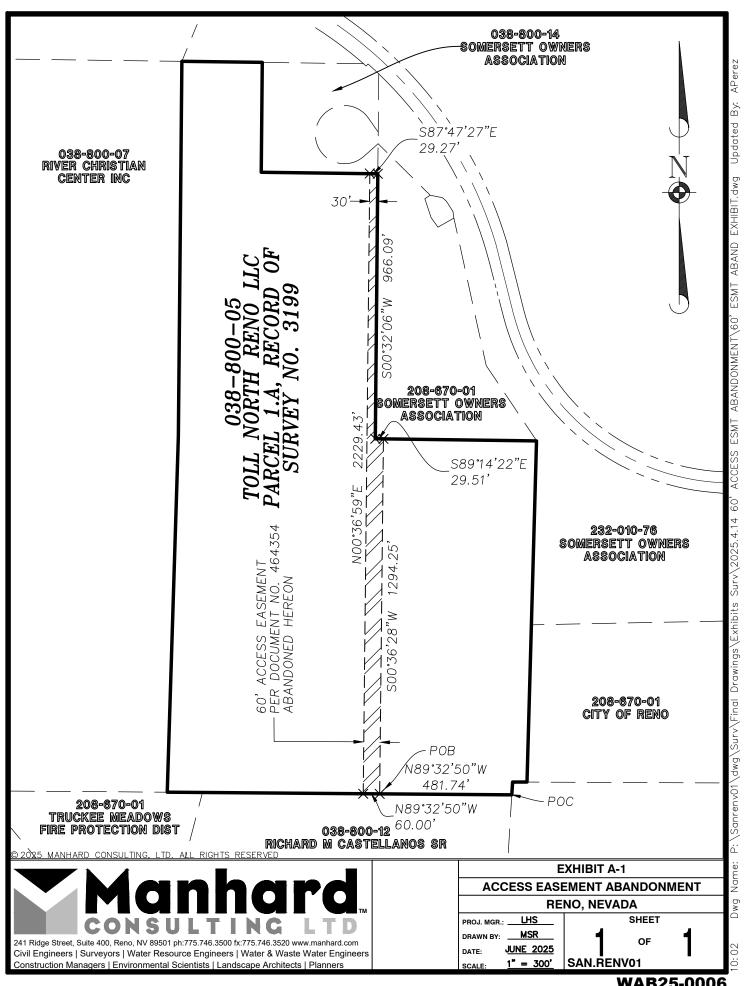
See Exhibit "A-1" attached hereto and made a part hereof.

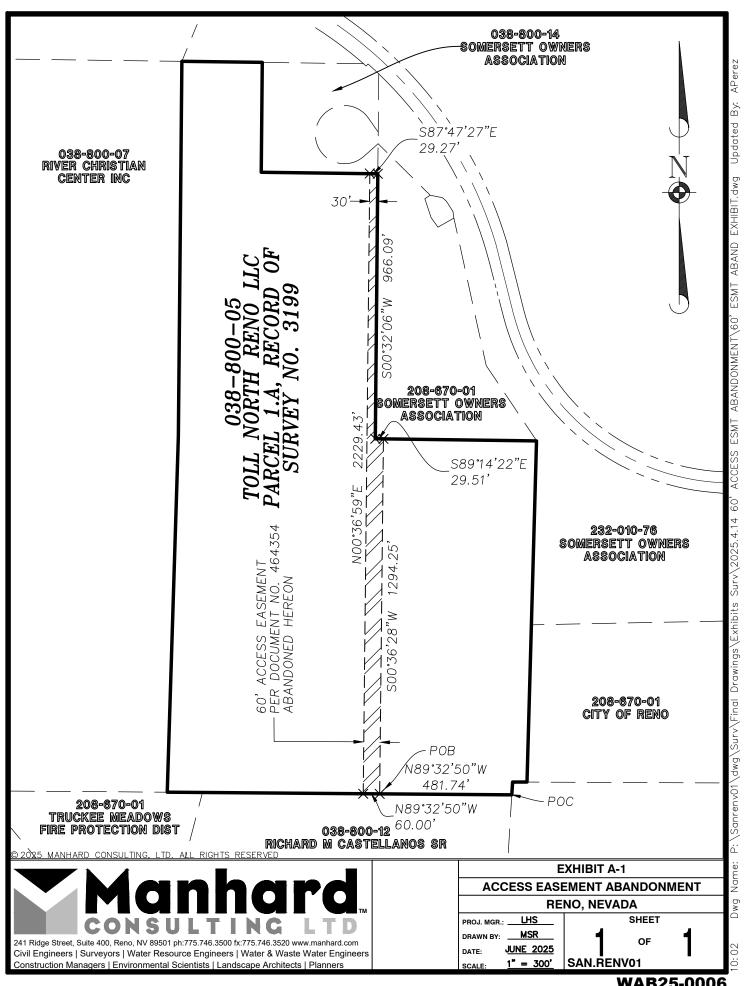


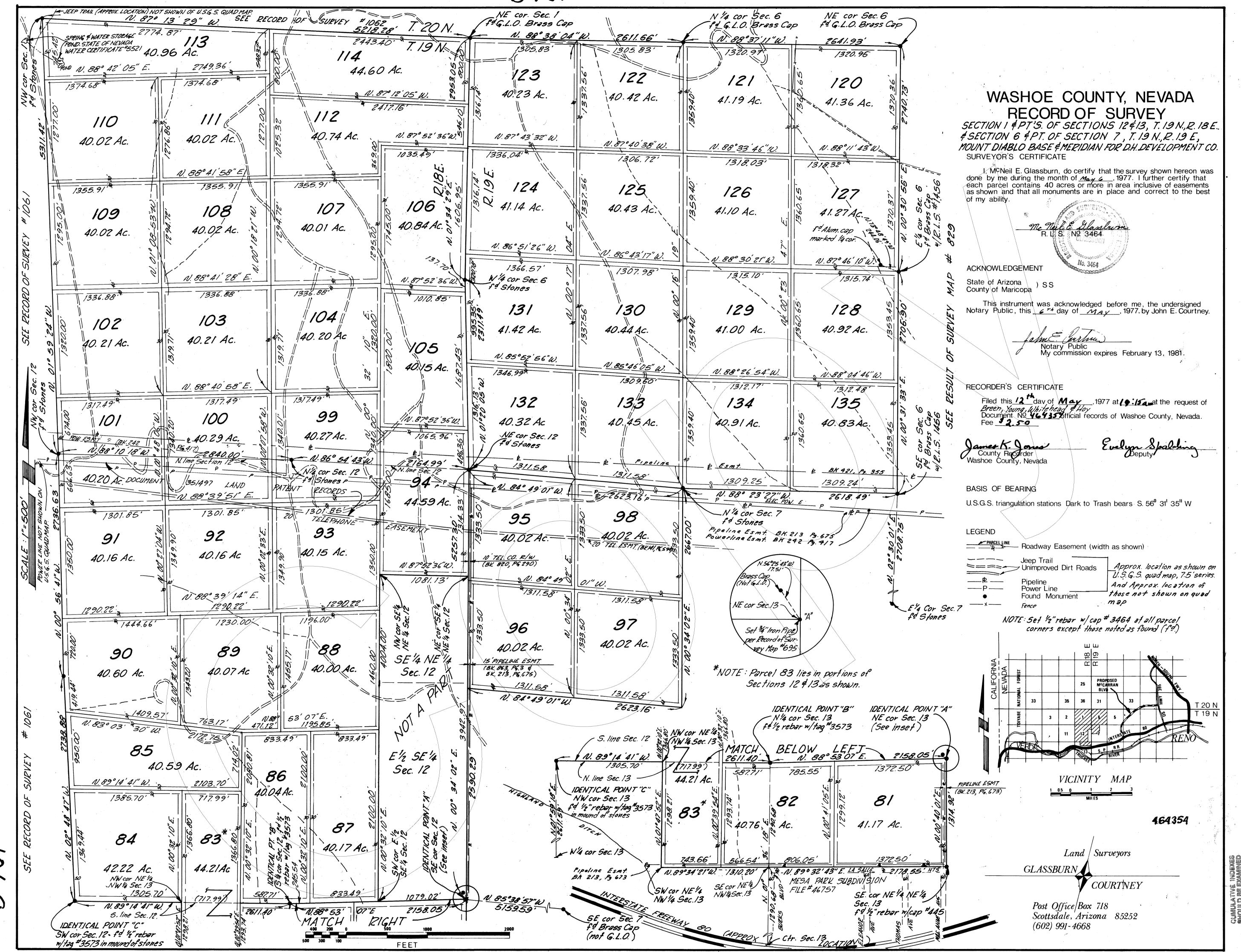
241 RIDGE STREET, SUITE 400 RENO, NEVADA 89501 (775) 887-52

Lee H. Smithson P.L.S. Nevada Certificate No. 5097 SMITHSON TO SMITHSON TO SMITHSON TO SMITHSON TO SMITHSON TO SMITHSON TO SMITH TO SMI

07/14/2025







Survey Map # 1069