WASHOE COUNTY

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STAFF REPORT
BOARD MEETING DATE: May 22, 2018

DATE: Tuesday, May 08, 2018

TO: Board of County Commissioners

FROM: Roger Pelham, MPA, Senior Planner, Planning and Building Division, Community Services Department, 328-3622, rpelham@washoecounty.us

THROUGH: Mojra Hauenstein, Architect, AICP Planner, LEED AP, Director of Planning and Building, 328-3619, mhauenstein@washoecounty.us

SUBJECT: Public Hearing: Appeal of the Washoe County Planning Commission's denial of **Master Plan Amendment Case Number WMPA18-0001 (Sun Valley Area Plan)** – Which sought to amend the Washoe County Master Plan, Volume 2, Sun Valley Area Plan, at Policy SUN.1.2 to remove the sentence, "New single family detached residential, including mobile homes, will not be allowed within the DCMA." If approved and subsequently found in conformance with the Truckee Meadows Regional Plan by the regional planning authorities, the Sun Valley Area Plan would no longer prohibit new single family detached residential units in the Sun Valley DCMA. Because this was a possible amendment to the master plan, approval must be by resolution supported by a 2/3 vote of the entire planning commission membership. AND
Development Code Amendment Case Number WDCA18-0001 (Sun Valley Area Plan Modifiers) – Which sought to amend Chapter 110 of the Washoe County Code (WCC) at 110.218.35(a) to remove "Neighborhood Commercial / Office" zoning from the areas in which mobile homes and manufactured homes are prohibited to be placed within the Sun Valley area. If approved, placement of mobile homes and manufactured homes within these zones would instead be subject to the general placement rules found in Table 110.302.05.1, which allows them with a Board of Adjustment special use permit.

The Board may affirm, reverse, or modify the decision of the Planning Commission. In doing so, the Board may remand the matter back to the Planning Commission with instructions.

The appellant is Ron Bell. The applicant is the Washoe County Planning and Building Division. The affected area is the Downtown Character Management Area (DCMA) of the Sun Valley Area Plan. The Master Plan Category is Commercial (C) the Regulatory Zone is Neighborhood Commercial (NC). (Commission Districts 3&5.)

AGENDA ITEM # _____

SUMMARY

If approved, the Master Plan Amendment and Development Code Amendment would allow the placement or construction of a single-family dwelling, including a mobile home on a parcel of land within the Downtown Character Management Area of the Sun Valley Area Plan, with a regulatory zone of Neighborhood Commercial (NC), subject to the approval of a Special Use Permit. Currently, the placement or construction of a single-family dwelling, including a mobile home on a parcel of land within the Downtown Character Management Area of the Sun Valley Area Plan with a regulatory zone of Neighborhood Commercial (NC), is prohibited.

Washoe County Strategic Objective supported by this item: Stewardship of our Community

PREVIOUS ACTION

On January 2, 2018, staff of the Planning and Building Division made a report to the Washoe County Planning Commission (PC). The Planning Commission initiated the amendment as proposed.

On February 5, 2018, the North Valleys Citizen Advisory Board (CAB) considered the proposed amendments. At the CAB meeting Margaret Reinhardt moved to recommend denial 7a & 7b. Michael Rider seconded the recommendation to deny. The motion passed unanimously.

On April 3, 2018, the Washoe County Planning Commission held a public hearing on these items. The PC denied the proposed amendments with a vote of 4 to deny and 3 to approve, based upon the inability to make the findings required by Washoe County Code Section 110.820.15(d).

BACKGROUND

The Washoe County Planning Commission denied the above referenced Master Plan Amendment case number based on the inability to make the findings required by Washoe County Code Section 110.820.15(d).

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan;
2. Compatible Land uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare;
3. Response to Changed 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; and
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.

The Washoe County Planning Commission also denied the above-referenced Development Code Amendment case number based on the inability to make the findings required by Washoe County Code Section 110.818.15(e).

1. Consistency with Master Plan. The proposed Development Code amendment is in substantial compliance with the policies and action programs of the Washoe County Master Plan;
2. Promotes the Purpose of the Development Code. The proposed Development Code amendment will not adversely impact the public health, safety or welfare, and will promote the original purposes for the Development Code as expressed in Article 918, Adoption of Development Code;
3. Response to Changed Conditions. The proposed Development Code amendment responds to changed conditions or further studies that have occurred since the Development Code was adopted by the Board of County Commissioners, and the requested amendment allow for a more desirable utilization of land within the regulatory zones; and,
4. No Adverse Effects. The proposed Development Code amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Master Plan.

Please see the Planning Commission meeting minutes for the April 3, 2018 meeting (included as Exhibit D to this report) for discussion of each of these findings.

The appellant, Ron Bell, has stated that the reasons for the appeal are:

> "In 2010 Sun Valley master plan revised in the spirit to clean up Sun Valley Blvd and promote commercial development. Unfortunately they made the area too broad and included residential lots a block or more from the Blvd. including mine at 109 Grumpy. This has created blight and unimproved properties including mine. The Planning Commission didn't read or understand the staff report provided to them by Washoe Planning dept. recommending approval of amendment."

Please see the appeal application, included as Exhibit C, to this report.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

It is recommended that the Board of County Commissioners affirm the decision of the Planning Commission and uphold the denial of Master Plan Amendment Case Number WMPA18-0001 (Sun Valley Area Plan) and Development Code Amendment Case Number WDCA18-0001 (Sun Valley Area Plan Modifiers).

POSSIBLE MOTIONS

Should the Board of County Commissioners agree with the Planning Commission's denial of Master Plan Amendment Case Number WMPA18-0001 (Sun Valley Area Plan), and Development Code Amendment Case Number WDCA18-0001 (Sun Valley Area Plan Modifiers) a possible motion would be:

"Move to affirm the denial of:

Master Plan Amendment Case Number WMPA18-0001 (Sun Valley Area Plan) – Which sought to amend the Washoe County Master Plan, Volume 2, Sun Valley Area Plan, at Policy SUN.1.2 to remove the sentence, "New single family detached residential, including mobile homes, will not be allowed within the DCMA." If approved and subsequently found in conformance with the Truckee Meadows Regional Plan by the regional planning authorities, the Sun Valley Area Plan would no longer prohibit new single family detached residential units in the Sun Valley DCMA. Because this was a possible amendment to the master plan, approval must be by resolution supported by a 2/3 vote of the entire planning commission membership.

AND

Development Code Amendment Case Number WDCA18-0001 (Sun Valley Area Plan Modifiers) – Which sought to amend to Chapter 110 of the Washoe County Code (WCC) at 110.218.35(a) to remove "Neighborhood Commercial / Office" zoning from the areas in which mobile homes and manufactured homes are prohibited to be placed within the Sun Valley area. If approved, placement of mobile homes and manufactured homes within these zones would instead be subject to the general placement rules found in Table 110.302.05.1, which allows them with a board of adjustment special use permit.

The Board of County Commissioners is unable to make the findings as required by Washoe County Code Section 110.820.15(d):

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan;
2. Compatible Land uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare;
3. Response to Changed 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; and
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.

And based on the inability to make the findings required by Washoe County Code Section 110.818.15(e):

1. Consistency with Master Plan. The proposed Development Code amendment is in substantial compliance with the policies and action programs of the Washoe County Master Plan;
2. Promotes the Purpose of the Development Code. The proposed Development Code amendment will not adversely impact the public health, safety or welfare, and will promote the original purposes for the Development Code as expressed in Article 918, Adoption of Development Code;
3. Response to Changed Conditions. The proposed Development Code amendment responds to changed conditions or further studies that have occurred since the Development Code was adopted by the Board of County Commissioners, and the requested amendment allow for a more desirable utilization of land within the regulatory zones; and,
4. No Adverse Effects. The proposed Development Code amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Master Plan."

Should the Board of County Commissioners disagree with the Planning Commission's denial of Master Plan Amendment Case Number WMPA18-0001 (Sun Valley Area Plan) and Development Code Amendment Case Number WDCA18-0001 (Sun Valley Area Plan Modifiers), a possible motion would be:

"Move to reverse the denial of, and adopt, both:

Master Plan Amendment Case Number WMPA18-0001 (Sun Valley Area Plan) – Which amends the Washoe County Master Plan, Volume 2, Sun Valley Area Plan, at Policy SUN.1.2 to remove the sentence, "New single family detached residential, including mobile homes, will not be allowed within the DCMA." If approved and subsequently found in conformance with the Truckee Meadows Regional Plan by the regional planning authorities, the Sun Valley Area Plan would no longer prohibit new single family detached residential units in the Sun Valley DCMA.

and

Development Code Amendment Case Number WDCA18-0001 (Sun Valley Area Plan Modifiers) – Which amends Chapter 110 of the Washoe County Code (WCC) at 110.218.35(a) to remove "Neighborhood Commercial / Office" zoning from the areas in which mobile homes and manufactured homes are prohibited to be placed within the Sun Valley area. If approved, placement of mobile homes and manufactured homes within these zones would instead be subject to the general placement rules found in Table 110.302.05.1, which allows them with a board of adjustment special use permit.

The Board of County Commissioners is able to make the findings as required by Washoe County Code Section 110.820.15(d):

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

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

3. Response to Changed 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; and

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.

The Board of County Commissioners is able to make the findings required by Washoe County Code Section 110.818.15(e):

1. Consistency with Master Plan. The proposed Development Code amendment is in substantial compliance with the policies and action programs of the Washoe County Master Plan;

2. Promotes the Purpose of the Development Code. The proposed Development Code amendment will not adversely impact the public health, safety or welfare, and will promote the original purposes for the Development Code as expressed in Article 918, Adoption of Development Code;

3. Response to Changed Conditions. The proposed Development Code amendment responds to changed conditions or further studies that have occurred since the Development Code was adopted by the Board of County Commissioners, and the requested amendment allow for a more desirable utilization of land within the regulatory zones; and,

4. No Adverse Effects. The proposed Development Code amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Master Plan.

I further move to direct staff to return to the planning commission, for a report on the approval of this item by the Board of County Commissioners within 40 days (in accordance with NRS 278.220), and then return to the Board of County Commissioners with a resolution for adoption of the Master Plan Amendment as well as an ordinance for first and second reading for approval of the Development Code Amendment at the next available hearing date thereafter."

Exhibits:

Exhibit A: Planning Commission Action Order dated 4/3/2018

Exhibit B: Planning Commission Staff Report dated 3/6/2018

Exhibit C: Appeal Application dated 4/13/18

Exhibit D: DRAFT Planning Commission Minutes of 4/3/2018

Appellant: Ron Bell, 2390 Homestead Place, Reno, NV 89509

Exhibit A

Appeal

Master Plan Amendment Case Number WMPA18-0001 (Sun Valley Area Plan)

And

Development Code Amendment Case Number WDCA18-0001 (Sun Valley Area Plan Modifiers)

WASHOE COUNTY
COMMUNITY SERVICES DEPARTMENT
Planning and Building Division
Planning Program

1001 EAST 9TH STREET
PO BOX 11130
RENO, NEVADA 89520-0027
PHONE (775) 328-6100
FAX (775) 328.6133

Planning Commission Action Order

Master Plan Amendment Case Number WMPA18-0001 and
Development Code Amendment Case Number WDCA18-0001

Decision:	**Denial**
Decision Date:	April 3, 2018
Mailing/Filing Date:	April 5, 2018
Applicant:	Washoe County Community Services Department Planning and Building Division 1001 East Ninth Street Reno, NV 89512
Assigned Planner:	Roger Pelham, MPA, Senior Planner Washoe County Community Services Department Planning and Building Division Phone: 775.328.3622 E-Mail: rpelham@washoecounty.us

Master Plan Amendment Case Number WMPA18-0001 (Sun Valley Area Plan) – For possible action, hearing and discussion to amend the Washoe County Master Plan, Volume 2, Sun Valley Area Plan, at Policy SUN.1.2 to remove the sentence, "New single family detached residential, including mobile homes, will not be allowed within the DCMA." If approved and subsequently found in conformance with the Truckee Meadows Regional Plan by the regional planning authorities, the Sun Valley Area Plan would no longer prohibit new single family detached residential units in the Sun Valley DCMA. Because this is a possible amendment to the master plan, approval must be by resolution supported by a 2/3 vote of the entire planning commission membership.

AND

Development Code Amendment Case Number WDCA18-0001 (Sun Valley Area Plan Modifiers) – For possible action, hearing, and discussion to amend to Chapter 110 of the Washoe County Code (WCC) at 110.218.35(a) to remove "Neighborhood Commercial / Office" zoning from the areas in which mobile homes and manufactured homes are prohibited to be placed within the Sun Valley area. If approved, placement of mobile homes and manufactured homes within these zones would instead be subject to the general placement rules found in Table 110.302.05.1, which allows them with a board of adjustment special use permit.

- Applicant: Washoe County Planning and Building Division
- Location: Downtown Character Management Area (DCMA) of Sun Valley
- Master Plan Category: Commercial

- Regulatory Zone: Neighborhood Commercial
- Area Plan: Sun Valley
- Citizen Advisory Board: Sun Valley
- Development Code: Authorized in Article 818, Amendment of Development Code and Article 820, Amendment of Master Plan
- Commission District: 3 and 5, Commissioners Jung and Herman

Notice is hereby given that the Washoe County Planning Commission denied the above referenced Master Plan Amendment case number based on the inability to make the findings required by Washoe County Code Section 110.820.15(d).

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

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

3. Response to Changed 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; and

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.

Notice is hereby given that the Washoe County Planning Commission denied the above referenced Development Code Amendment case number based on the inability to make the findings required by Washoe County Code Section 110.818.15(e).

1. Consistency with Master Plan. The proposed Development Code amendment is in substantial compliance with the policies and action programs of the Washoe County Master Plan;

2. Promotes the Purpose of the Development Code. The proposed Development Code amendment will not adversely impact the public health, safety or welfare, and will promote the original purposes for the Development Code as expressed in Article 918, Adoption of Development Code;

3. Response to Changed Conditions. The proposed Development Code amendment responds to changed conditions or further studies that have occurred since the

Development Code was adopted by the Board of County Commissioners, and the requested amendment allow for a more desirable utilization of land within the regulatory zones; and,

4. No Adverse Effects. The proposed Development Code amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Master Plan.

Anyone wishing to appeal this decision to the Washoe County Board of County Commissioners may do so within 10 calendar days after the Mailing/Filing Date shown on this Action Order. To be informed of the appeal procedure, call the Planning staff at **775.328.6100**. Appeals must be filed in accordance with Section 110.912.20 of the Washoe County Development Code.

Washoe County Community Services Department
Planning and Building Division

Trevor Lloyd
Secretary to the Planning Commission

TL/RP/ks

xc: Dave Solaro, Director, CSD
Mojra Hauenstein, Division Director, Planning and Building
Trevor Lloyd, Planning Manager
Nate Edwards, Deputy District Attorney

Action Order xc: Nathan Edwards, District Attorney's Office; Keirsten Beck, Assessor's Office; Cori Burke, Assessor's Office; Tim Simpson, Utilities; Leo Vesely, Engineering and Capital Projects; Lisa Beaver, Truckee Meadows Fire Protection District; Regional Transportation Commission; Truckee Meadows Regional Planning Agency; Sun Valley Citizen Advisory Board, Chair

Exhibit B

Appeal

Master Plan Amendment Case Number WMPA18-0001 (Sun Valley Area Plan)

And

Development Code Amendment Case Number WDCA18-0001 (Sun Valley Area Plan Modifiers)

Planning Commission Staff Report

Meeting Date: April 3, 2018 **Agenda Item: 8F**

MASTER PLAN AMENDMENT AND DEVELOPMENT CODE AMENDMENT CASE NUMBERS: WMPA18-0001 and WDCA18-0001

BRIEF SUMMARY OF REQUEST: Amend Master Plan and Development Code to allow single-family residential uses (including mobile homes) within the Sun Valley Downtown Character Management Area (DCMA), subject to approval of a Special Use Permit.

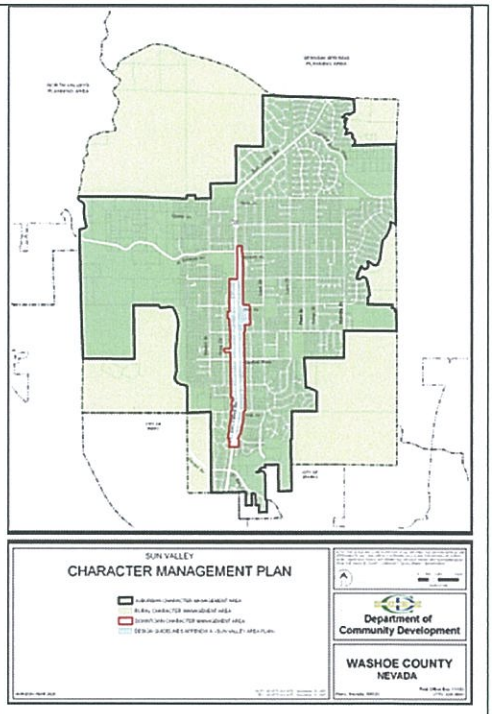
STAFF PLANNER:

Planner's Name: Roger Pelham, Senior Planner
Phone Number: 775.328.3622
E-mail: rpelham@washoecounty.us

DESCRIPTIONS: Master Plan Amendment Case Number WMPA18-0001 (Sun Valley Area Plan) – For possible action, hearing and discussion to amend the Washoe County Master Plan, Volume 2, Sun Valley Area Plan, at Policy SUN.1.2 to remove the sentence, "New single family detached residential, including mobile homes, will not be allowed within the DCMA." If approved and subsequently found in conformance with the Truckee Meadows Regional Plan by the regional planning authorities, the Sun Valley Area Plan would no longer prohibit new single family detached residential units in the Sun Valley DCMA. Because this is a possible amendment to the master plan, approval must be by resolution supported by a 2/3 vote of the entire planning commission membership. AND

Development Code Amendment Case Number WDCA18-0001 (Sun Valley Area Plan Modifiers) – For possible action, hearing, and discussion to amend to Chapter 110 of the Washoe County Code (WCC) at 110.218.35(a) to remove "Neighborhood Commercial / Office" zoning from the areas in which mobile homes and manufactured homes are prohibited to be placed within the Sun Valley area. If approved, placement of mobile homes and manufactured homes within these zones would instead be subject to the general placement rules found in Table 110.302.05.1, which allows them with a board of adjustment special use permit.

Applicant:	Washoe County Planning and Building Division
Location:	Downtown Character Management Area (DCMA) of Sun Valley
Master Plan:	Commercial
Regulatory Zone:	Neighborhood Commercial
Area Plan:	Sun Valley
Citizen Advisory Board:	Sun Valley
Development Code:	Authorized in Article 818, Amendment of Development Code and Article 820, Amendment of Master Plan
Commission District:	3 and 5, Commissioners Jung and Herman



STAFF RECOMMENDATION

RECOMMEND APPROVAL **RECOMMEND DENIAL**

POSSIBLE MOTION

Master Plan Amendment:

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 Attachment A to this staff report to amend the Master Plan as set forth in Master Plan Amendment Case Number WMPA18-0001 having made the five findings in accordance with Washoe County Code Section 110.820.15(d) and three findings in accordance with Sun Valley area plan at SUM.13.1. I further move to certify the resolution and the proposed Master Plan Amendments in WMPA18-0001 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.

Development Code Amendment:

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 Development Code Amendment Case Number WDCA18-0001, to amend Washoe County Chapter 110 (Development Code) at 110.218.35(a) to remove "Neighborhood Commercial / Office" zoning from the areas in which mobile homes and manufactured homes are prohibited to be placed, having made the four findings in accordance with Washoe County Code Section 110.818.15(e). I further move to authorize the Chair to sign the resolution contained in Attachment B on behalf of the Washoe County Planning Commission and to direct staff to present a report of this Commission's recommendation to the Washoe County Board of County Commissioners within 60 days of today's date.

(Motions with Findings begin on page 9 of this report)

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Sun Valley Regulatory Zone map ..... Attachment C
Explanation of Master Plan Amendment and Development Code Amendment ..... Attachment D
Sun Valley CAB minutes of February 5th ..... Attachment E
Planning Commission Initiating Resolutions and Staff Report ..... Attachment F

Background and Proposed Master Plan and Development Code Amendments

In 2010 the Sun Valley Area Plan was extensively revised. This was one of several area plan updates that were undertaken as periodic updates. A part of the vision for the Sun Valley Area that was adopted at that time includes, "Both sides of Sun Valley Boulevard from approximately Rampion Way in the south to 7th Avenue in the north will be known as the Downtown Character Management Area (DCMA). This area will provide development and redevelopment opportunities for a mix of multi-family residential, office, commercial and tourist commercial land uses."

This vision was implemented by means of Policy SUN.1.2 which reads as follows:

> SUN.1.2 To promote "mixed-use" development and redevelopment along Sun Valley Boulevard, the following density bonus is available within the specified boundaries of the Sun Valley Downtown Character Management Area (DCMA).
> a. All General Commercial and Neighborhood Commercial/Office properties are afforded the opportunity to add a residential component of Low Density Urban, if incorporated into a mixed-use development that meets the DCMA design standards. New single family detached residential, including mobile homes, will not be allowed within the DCMA.

The vision was further implemented by means of the Sun Valley Area Plan Modifiers within the Development Code (Chapter 110 of the Washoe County Code) at 110.218.35(a), which reads as follows:

> Placement Standards. Mobile homes and manufactured homes may be placed on any residential regulatory zone parcel in the Sun Valley planning area, including any Trailer (TR) Overlay zone in effect prior to May 26, 1993 with the exception of TR parcels that have the current regulatory zones of either General Commercial, Neighborhood

Commercial/Office, Tourist Commercial, Industrial, Open Space, Parks and Recreation, or Public/Semi-Public Facility.

In the years following adoption of this vision and the associated policies and codes, it has become apparent that implementation of the vision is problematic in the Neighborhood Commercial / Office (NC) regulatory zone. Many parcels of land within the NC regulatory zone, and within the DCMA are about 1/3 acre in size. Many of those parcels of land have been developed for many years with manufactured homes and mobile homes. This is consistent with the predominant development pattern in much of the Sun Valley Area Plan.

There have been many instances in which manufactured and mobile homes have been removed from properties within the DCMA and the property owner has then sought a permit to place another one on the same parcel at a later date. When this is done within 12 months, this has been approved as a continuation of an existing non-conforming use, in accordance with Article 904 Nonconformance of the Development Code. However, when more than one year has passed no permits have been able to be approved. The situation often results in parcels remaining vacant while surrounded by similar uses. This policy also results in the inability of a property owner being able to replace an older single-wide mobile home with a newer or larger home, as Nonconformance will allow an expansion of just 10 percent, one time only.

While Staff recognizes, and agrees, with the vision statement of the Sun Valley Area Plan and recognizes that a density bonus for mixed-use development within the DCMA is beneficial, in many cases it is not practical for individual property owners to develop their lots in accordance with that vision while most or all of the surrounding properties are utilized for manufactured and mobile homes. For this reason staff believes that a relaxation of the restriction on manufactured and mobile homes (single-family residences) is beneficial, and supports the vision statement.

As shown in the excerpt from Table 110.302.05.1, below, all other areas of Washoe County allow manufactured homes (single-family residences) in the NC regulatory zone, subject to the approval of a Special Use Permit. Staff believes that owners of property within the DCMA and within the NC regulatory zone should be afforded that same opportunity.

Table 110.302.05.1

TABLE OF USES (Residential Use Types)
(See Sections 110.302.10 and 110.302.15 for explanation)

Residential Use Types (Section 110.304.15)	LDR	MDR	HDR	LDS/ LDS 2	MDS/ MDS 4	HDS	LDU	MDU	HDU	GC	NC	TC	I	PSP	PR	OS	GR	GRA
Family Residential																		
Attached Accessory Dwelling	A	A	A	A	A	A	A	A	A	--	--	--	--	--	--	--	A	A
Detached Accessory Dwelling	AR	AR	AR	AR	S_2	--	--	--	--	--	--	--	--	--	--	--	A	A
Detached Accessory Structure	A	A	A	A	A	A	A	A	A	--	A	--	--	--	--	--	A	A
Duplex	--	--	--	P	P	P	P	P	A	--	S_2	--	--	--	--	--	--	--
Multi Family	--	--	--	--	--	--	P	P	A	--	S_2	--	--	--	--	--	--	--
Single Family, Attached	--	--	--	A	A	A	A	A	A	--	S_2	--	--	--	P	--	--	A
Single Family, Detached	A	A	A	A	A	A	A	S_2	S_2	--	S_2	--	--	--	P	--	A	A

Key: -- = Not allowed; A = Allowed; AR = Administrative Review pursuant to Section 110.306.25(i); P = Administrative Permit; PR = Park Commission Approval pursuant to 110.104.40(c); S_1 = Planning Commission Special Use Permit; S_2 = Board of Adjustment Special Use Permit; * = Allowed with a Board of Adjustment Special Use Permit in areas designated Trailer (TR) Overlay zone prior to adoption of this Development Code.

These amendments were initiated by the Washoe County Planning Commission on January 2, 2018, after a hearing and recommendation by staff of the Planning and Building Division.

PROPOSED AMENDMENTS

Text proposed to be deleted is shown as ~~strikethrough~~.

SUN.1.2 To promote "mixed-use" development and redevelopment along Sun Valley Boulevard, the following density bonus is available within the specified boundaries of the Sun Valley Downtown Character Management Area (DCMA).
a. All General Commercial and Neighborhood Commercial/Office properties are afforded the opportunity to add a residential component of Low Density Urban, if incorporated into a mixed-use development that meets the DCMA design standards. ~~New single family detached residential, including mobile homes, will not be allowed within the DCMA~~.

And

110.218.35 (a) Placement Standards. Mobile homes and manufactured homes may be placed on any residential regulatory zone parcel in the Sun Valley planning area, including any Trailer (TR) Overlay zone in effect prior to May 26, 1993 with the exception of TR parcels that have the current regulatory zones of ~~either~~ General Commercial, ~~Neighborhood Commercial/Office,~~ Tourist Commercial, Industrial, Open Space, Parks and Recreation, or Public/Semi-Public Facility.

Sun Valley Citizen Advisory Board (SVCAB)

The proposed project was considered by the Citizen Advisory Board at the regularly scheduled meeting on February 5, 2018. Trevor Lloyd, Planning Manager was available to address any questions and provide explanation of the requests. Substantial discussion ensued. The minutes of that meeting are attached to this report at Attachment E. Support of retaining the current Master Plan provisions was expressed.

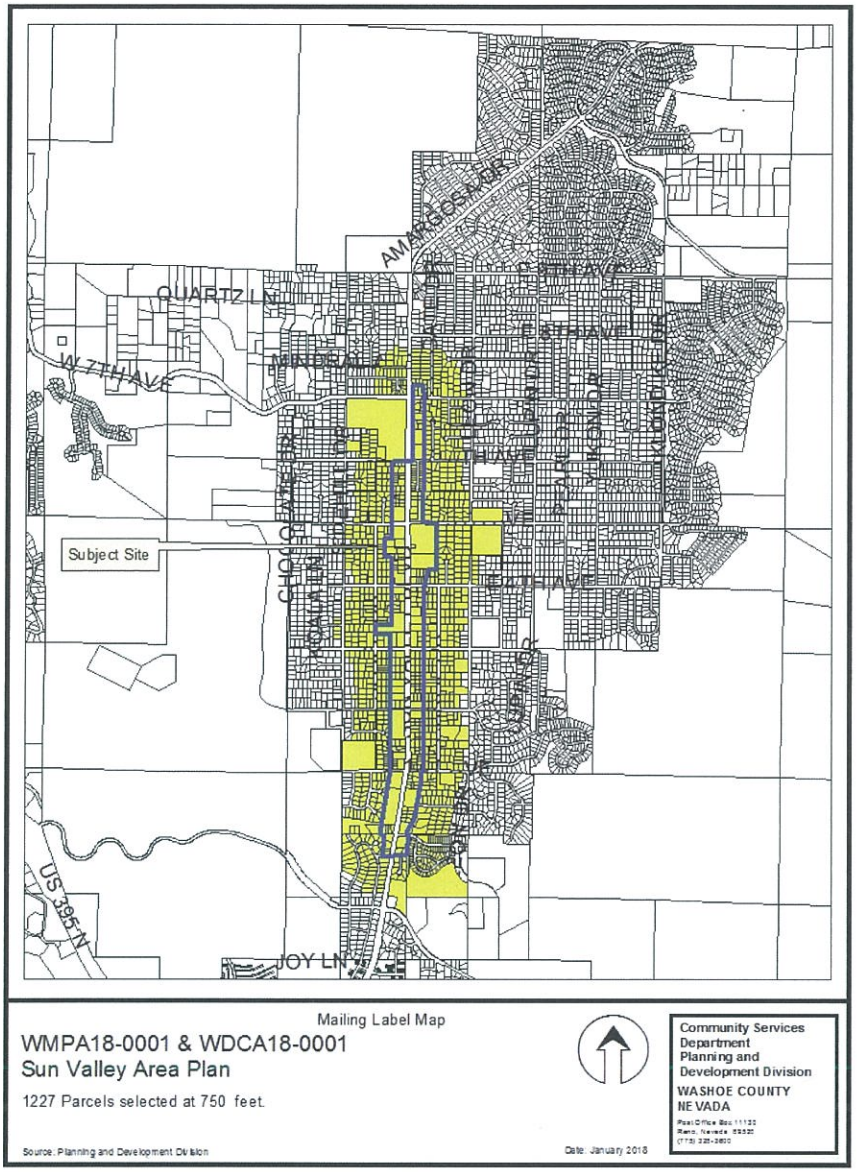
Margaret Reinhardt moved to recommend denial 7a & 7b. Michael Rider seconded the recommendation to deny. Discussion: Margaret Reinhardt recommended that the Area Plan and the Development Code provisions remain as they are currently written. There are too many things that need to get worked out. Look into possibility of addressing those properties 3 properties back. Carmen Ortiz said those empty lots are sitting empty; they can't do anything with it. Trevor said under the current code, they are prohibited to put a home on that land. Michael suggested maintaining the commercial property on Sun Valley Blvd. He said the proposal doesn't address it. It rights the wrongs; however, it needs to be fined tuned. He would like to see this to come back to this CAB. The motion passed unanimously.

Public Notice

Public notice for the approval of a Development Code Amendment requires publication in a newspaper as well as notice to all Citizen Advisory Board members in the County. Public notice for the approval of a Master Plan Amendment requires the at least 30 notices to be send to all property owners and all residents of mobile home parks, within 750 feet of the proposed change. Notice to a military installation within 3000 feet is also required, but there is no such installation in this area.

Public notice for a Master Plan Amendment is required for all property owners within 750 feet of the area proposed for amendment.

Public notice was provided in accordance with the applicable requirements, as shown on the following map.



Staff Comment on Required Findings

Master Plan Amendment

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: Single family dwellings are permissible in the Neighborhood Commercial regulatory zone in most other areas plans. This amendment would make the Sun Valley Area Plan consistent with other area plans; therefore 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.

   Staff Comment: Single family dwellings may be compatible with other permissible uses within the Neighborhood Commercial regulatory zone, subject to conditions of approval as may be required with the approval of a special use permit. Therefore, 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.

   Staff Comment: The proposed amendment responds to the requests from several property owners who have parcels of land which were previously developed with single family residences (including mobile homes and manufactured homes) that are now prohibited from placing new homes or larger homes on those lots. Therefore, the proposed amendment responds to changed conditions 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.

   Staff Comment: Any single family dwelling that may be developed on any of the effected parcels of land must demonstrate that adequate facilities will be provided, both by generally applicable requirements of the Development Code as well as possible conditions of approval that may be placed on the required special use permit. Therefore, the finding can be made that there are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted within the Commercial 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.

   Staff Comment: The Citizen Advisory Board expressed the opinion that the amendment will not promote the desired pattern of orderly physical growth, as they expressed that Neighborhood Commercial lots should be developed with commercial uses, not single family residences, along Sun Valley Boulevard. Staff holds a differing opinion as many lots are small, and were previously developed with single family residences

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

Staff Comment: There is no military installation within the required noticing distance; therefore this finding need not be made by the Planning Commission.

SUN.13.1 In order for the Washoe County Planning Commission to recommend the approval of any amendment to the Sun Valley Area Plan, the following findings must be made in addition to the required findings in Washoe County Development Code, Section 110.820.15:

a. The amendment will further implement and preserve the Vision and Character Statement.

Staff Comment: The Character Statement includes, "The community supports mixed-use development adjacent to Sun Valley Boulevard that will improve the appearance of existing and future commercial development and also provide for concentrating multi-family residential on this major arterial." The proposed change would allow single family residences with the approval of a special use permit. The special use permit allows the imposition of conditions of approval that may be used to improve the appearance of existing and future development along Sun Valley Boulevard.

b. The amendment conforms to all applicable policies of the Sun Valley Area Plan and the Washoe County Master Plan.

Staff Comment: The proposed amendment will change policy SUN.1.2 (a). The proposed amendment does not conflict with any other policies in the Area Plan and the Master Plan.

c. The amendment will not conflict with the public's health, safety or welfare.

Staff Comment: The change will provide the opportunity for owners of parcels of land that have a regulatory zone of Neighborhood Commercial to seek a special use permit to establish a single family dwelling, and to allow some with existing single family dwellings to enlarge those dwellings. This change does not conflict with the public's health, safety or welfare.

Development Code Amendment

Washoe County Code Section 110.818.15(e) requires the Planning Commission to make at least one of the following findings of fact. Staff provides the following evaluation for each of the findings of fact and recommends that the Planning Commission make all four findings in support of the proposed Development Code amendment.

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

Staff Comment: Single family dwellings are permissible in the Neighborhood Commercial regulatory zone in most other areas plans. This amendment would make the Sun Valley Area Plan Modifiers consistent with other area plans; therefore the proposed amendment is in substantial compliance with the policies and action programs of the Washoe County Master Plan.

2. Promotes the Purpose of the Development Code. The proposed Development Code amendment will not adversely impact the public health, safety or welfare, and will promote the original purposes for the Development Code as expressed in Article 918, Adoption of Development Code.

Staff Comment: Any adverse impact to the public health, safety or welfare associated with the development of a single family residence in the Neighborhood Commercial regulatory zone would be mitigated by conditions of approval as may be required with

the approval of a special use permit. The intent of the Development Code, as applicable to the Neighborhood Commercial regulatory zone, is stated at Section 110.106.15 (Q) which reads, in part, as follows, "[The Neighborhood Commercial] regulatory zone also is intended to create and preserve areas for residential uses, including multi-family and neighborhood commercial uses that are complementary to surrounding residential communities. The area is to be developed in a low-intensity, park-like setting." The original purposes for the Development Code as expressed in Article 918, Adoption of Development Code is found in section 110.918.10. Of particular relevance is subsection (a) which reads, "Promote the public health, safety, morals, convenience and general welfare;" and subsection (g) which states, "Promote the economic and social advantages gained from an appropriately regulated use of land resources." It is the opinion of staff that the Planning Commission can make this finding.

3. Response to Changed Conditions. The proposed Development Code amendment responds to changed conditions or further studies that have occurred since the Development Code was adopted by the Board of County Commissioners, and the requested amendment allow for a more desirable utilization of land within the regulatory zones.

   Staff Comment: The proposed amendment responds to the requests from several property owners who have parcels of land which were previously developed with single family residences (including mobile homes and manufactured homes) that are now prohibited from placing new homes or larger homes on those lots. Therefore, the proposed amendment responds to changed conditions since the Code was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land within the Neighborhood Commercial regulatory zone.

4. No Adverse Affects. The proposed Development Code amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Master Plan.

   Staff Comment: The proposed Development Code amendment has no relationship to the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Master Plan.

Recommendation

Staff remains of the opinion that the benefits of approval outweigh the detriments, as detailed in this report. Staff offers the following motions for the Planning Commission's consideration.

Motion

Approvals:

Master Plan Amendment:

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 Attachment A to this staff report to amend the Master Plan as set forth in Master Plan Amendment Case Number WMPA18-0001 having made the following five findings in accordance with Washoe County Code Section 110.820.15(d) and three findings in accordance with Sun Valley area plan at SUM.13.1. I further move to certify the resolution contained in Attachment A and the proposed Master Plan Amendments in WMPA18-0001 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.

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan;
2. Compatible Land uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare;
3. Response to Changed Conditions. The proposed amendment 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; and
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. Vision and Character Statement. The amendment will further implement and preserve the Vision and Character Statement;
7. Conformity. The amendment conforms to all applicable policies of the Sun Valley Area Plan and the Washoe County Master Plan; and
8. No Conflict. The amendment will not conflict with the public's health, safety or welfare.

Development Code Amendment:

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 Development Code Amendment Case Number WDCA18-0001, to amend Washoe County Chapter 110 (Development Code) at 110.218.35(a) to remove "Neighborhood Commercial / Office" zoning from the areas in which mobile homes and manufactured homes are prohibited to be placed, having made the four findings in accordance with Washoe County Code Section 110.818.15(e). I further move to authorize the Chair to sign the resolution contained in Attachment B on behalf of the Washoe County Planning Commission and to direct staff to present a report of this Commission's recommendation to the Washoe County Board of County Commissioners within 60 days of today's date.

1. Consistency with Master Plan. The proposed Development Code amendment is in substantial compliance with the policies and action programs of the Washoe County Master Plan;
2. Promotes the Purpose of the Development Code. The proposed Development Code amendment will not adversely impact the public health, safety or welfare, and will promote the original purposes for the Development Code as expressed in Article 918, Adoption of Development Code;
3. Response to Changed Conditions. The proposed Development Code amendment responds to changed conditions or further studies that have occurred since the Development Code was adopted by the Board of County Commissioners, and the requested amendment allow for a more desirable utilization of land within the regulatory zones; and,

4. No Adverse Effects. The proposed Development Code amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Master Plan.

Denials

Master Plan Amendment:

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 NOT adopt the resolution contained at Attachment A to this staff report to amend the Master Plan as set forth in Master Plan Amendment Case Number WMPA18-0001, and deny the amendment request, being UNABLE to make three of the six findings of fact in accordance with Washoe County Code Section 110.820.15(d).

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan;
2. Compatible Land uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare;
3. Response to Changed 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; and
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.

Development Code Amendment:

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 deny Development Code Amendment Case Number WDCA18-0001, to amend Washoe County Chapter 110 (Development Code) at 110.218.35(a) to remove "Neighborhood Commercial / Office" zoning from the areas in which mobile homes and manufactured homes are prohibited to be placed, being UNABLE to make at least one of the following findings of fact Section as required by Section 110.818.15(e).

1. Consistency with Master Plan. The proposed Development Code amendment is in substantial compliance with the policies and action programs of the Washoe County Master Plan;
2. Promotes the Purpose of the Development Code. The proposed Development Code amendment will not adversely impact the public health, safety or welfare, and will promote the original purposes for the Development Code as expressed in Article 918, Adoption of Development Code;
3. Response to Changed Conditions. The proposed Development Code amendment responds to changed conditions or further studies that have occurred since the

Development Code was adopted by the Board of County Commissioners, and the requested amendment allow for a more desirable utilization of land within the regulatory zones; and,

4. No Adverse Effects. The proposed Development Code amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Master Plan.

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, 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.

Staff Report XC: Dave Solaro, Director, CSD
Mojra Hauenstein, Division Director, Planning and Building
Trevor Lloyd, Planning Manager
Nate Edwards, Deputy District Attorney

RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

ADOPTING AN AMENDMENT TO THE WASHOE COUNTY MASTER PLAN, SUN VALLEY MASTER PLAN MAP (WMPA18-0001), AND RECOMMENDING ITS ADOPTION TO THE BOARD OF COUNTY COMMISSIONERS

Resolution Number 18-11

Whereas, Master Plan Amendment Case Number WMPA18-0001 (Sun Valley Area Plan) came before the Washoe County Planning Commission for a duly noticed public hearing on April 3, 2018; and,

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

Whereas, the Washoe County Planning Commission has given reasoned consideration to the information it has received regarding the proposed master plan amendment; and,

Whereas, the Washoe County Planning Commission has made the findings necessary to support adoption of the proposed Master plan Amendment Case Number WMPA18-0001 as set forth in NRS Chapter 278, Washoe County Code Chapter 110, Article 820, and the Sun Valley Area Plan Policy SUN 13.1 as follows:

Washoe County Code Section 110.820.15 (d) Master Plan Amendment and Sun Valley Area Plan Policy SUN 13.1 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 Changed 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. Vision and Character Statement. The amendment will further implement and preserve the Vision and Character Statement;

7. Conformity. The amendment conforms to all applicable policies of the Sun Valley Area Plan and the Washoe County Master Plan; and

8. No Conflict. The amendment will not conflict with the public's health, safety or welfare.

NOW, THEREFORE, BE IT RESOLVED pursuant to NRS 278.210(3) that (1) the Washoe County Planning Commission does hereby adopt the proposed master plan amendment in Master Plan Amendment Case Number WMPA18-0001, comprised of the maps, descriptive matter and other matter intended to constitute the amendment as submitted at public hearing noted above and included as Exhibit A; 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.

ADOPTED on April 3, 2018

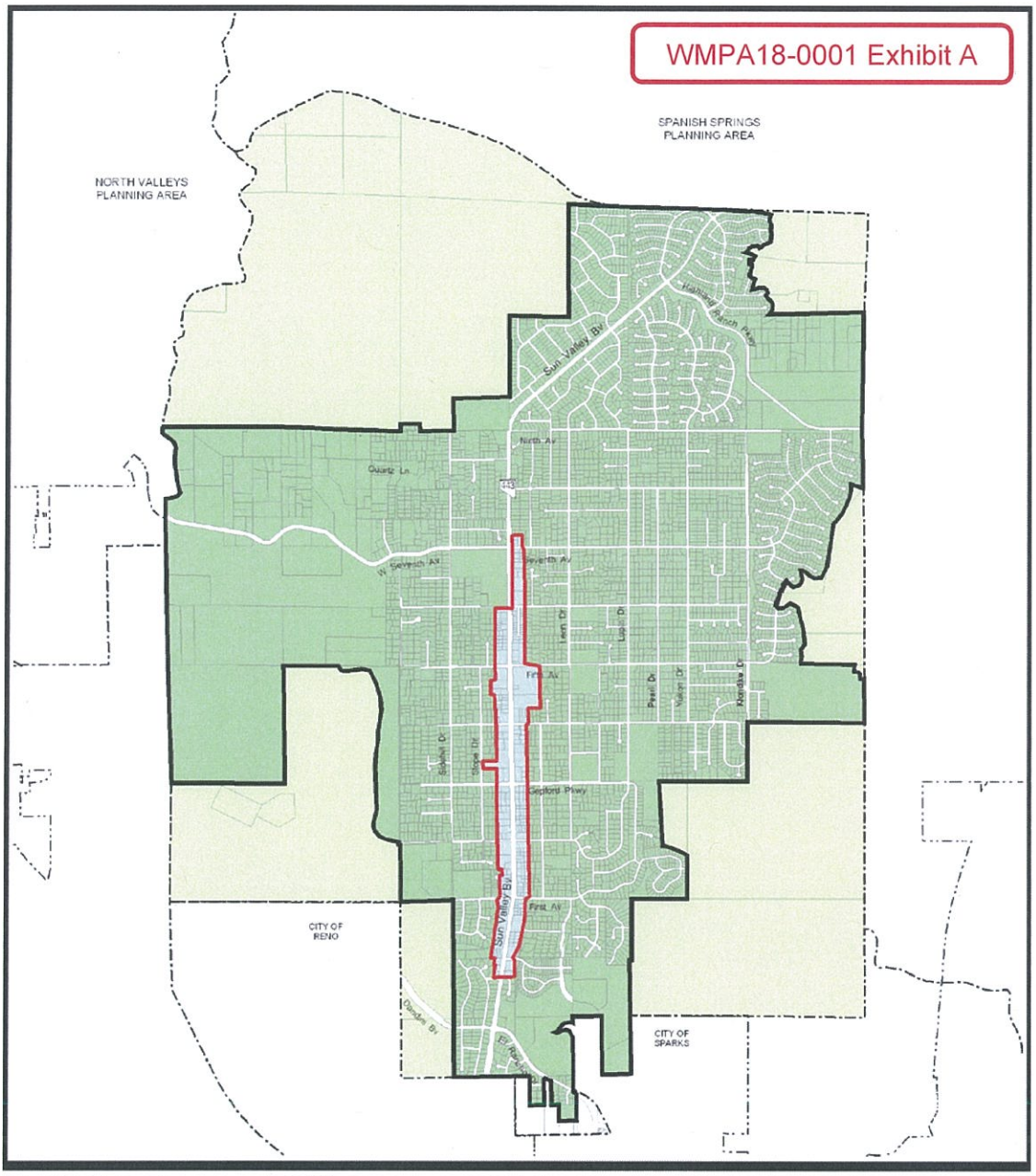
WASHOE COUNTY PLANNING COMMISSION

ATTEST:

Trevor Lloyd, Secretary

Sarah Chvilicek, Chair

Attachment: Exhibit A – Sun Valley Character Management Plan Map & Proposed Master Plan text.



SUN VALLEY

CHARACTER MANAGEMENT PLAN

- SUBURBAN CHARACTER MANAGEMENT AREA
- RURAL CHARACTER MANAGEMENT AREA
- DOWNTOWN CHARACTER MANAGEMENT AREA
- DESIGN GUIDELINES APPENDIX A (SUN VALLEY AREA PLAN)

HORIZON YEAR 2025

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0 500 1,000 2,000

Scale in Feet

Department of Community Development

WASHOE COUNTY
NEVADA

Post Office Box 11130
Reno, Nevada 89520
(775) 328-3600

WMPA18-0001 & WDCA18-0001
ATTACHMENT A

SUN.1.2 To promote "mixed-use" development and redevelopment along Sun Valley Boulevard, the following density bonus is available within the specified boundaries of the Sun Valley Downtown Character Management Area (DCMA).

a. All General Commercial and Neighborhood Commercial/Office properties are afforded the opportunity to add a residential component of Low Density Urban, if incorporated into a mixed-use development that meets the DCMA design standards. ~~New single family detached residential, including mobile homes, will not be allowed within the DCMA~~.

RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

RECOMMENDING ADOPTION OF DEVELOPMENT CODE AMENDMENT CASE NUMBER WDCA18-0001

Resolution Number 18-12

Whereas, Development Code Amendment Case Number WDCA18-0001 came before the Washoe County Planning Commission for a duly noticed public hearing on April 3, 2018; and,

Whereas, the Washoe County Planning Commission heard public comment and input from staff regarding the proposed Development Code Amendment; and,

Whereas, the Washoe County Planning Commission has given reasoned consideration to the information it has received regarding the proposed Development Code Amendment; and,

Whereas, the proposed Development Code Amendment shall be recommended for adoption pending adoption of proposed Master Plan Amendment Case Number WMPA18-0001 by the Washoe County Board of Commissioners and a finding of conformance with the Truckee Meadows Regional Plan; and,

Whereas, the Washoe County Planning Commission has made the findings, pursuant to NRS Chapter 278 and WCC110.818.15 (e), necessary to support adoption of this proposed Development Code Amendment as follows:

1. Consistency with Master Plan. The proposed Development Code amendment is in substantial compliance with the policies and action programs of the Washoe County Master Plan;

2. Promotes the Purpose of the Development Code. The proposed Development Code amendment will not adversely impact the public health, safety or welfare, and will promote the original purposes for the Development Code as expressed in Article 918, Adoption of Development Code;

3. Response to Changed Conditions. The proposed Development Code amendment responds to changed conditions or further studies that have occurred since the Development Code was adopted by the Board of County Commissioners, and the requested amendment allow for a more desirable utilization of land within the regulatory zones; and,

4. No Adverse Effects. The proposed Development Code amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Master Plan.

NOW, THEREFORE, BE IT RESOLVED that the Washoe County Planning Commission does hereby recommend adoption of Development Code Amendment Case Number WDCA18-0001 as included as Exhibit A to this Resolution to the Washoe County Board of Commissioners.

ADOPTED on April 3, 2018

WASHOE COUNTY PLANNING COMMISSION

ATTEST:

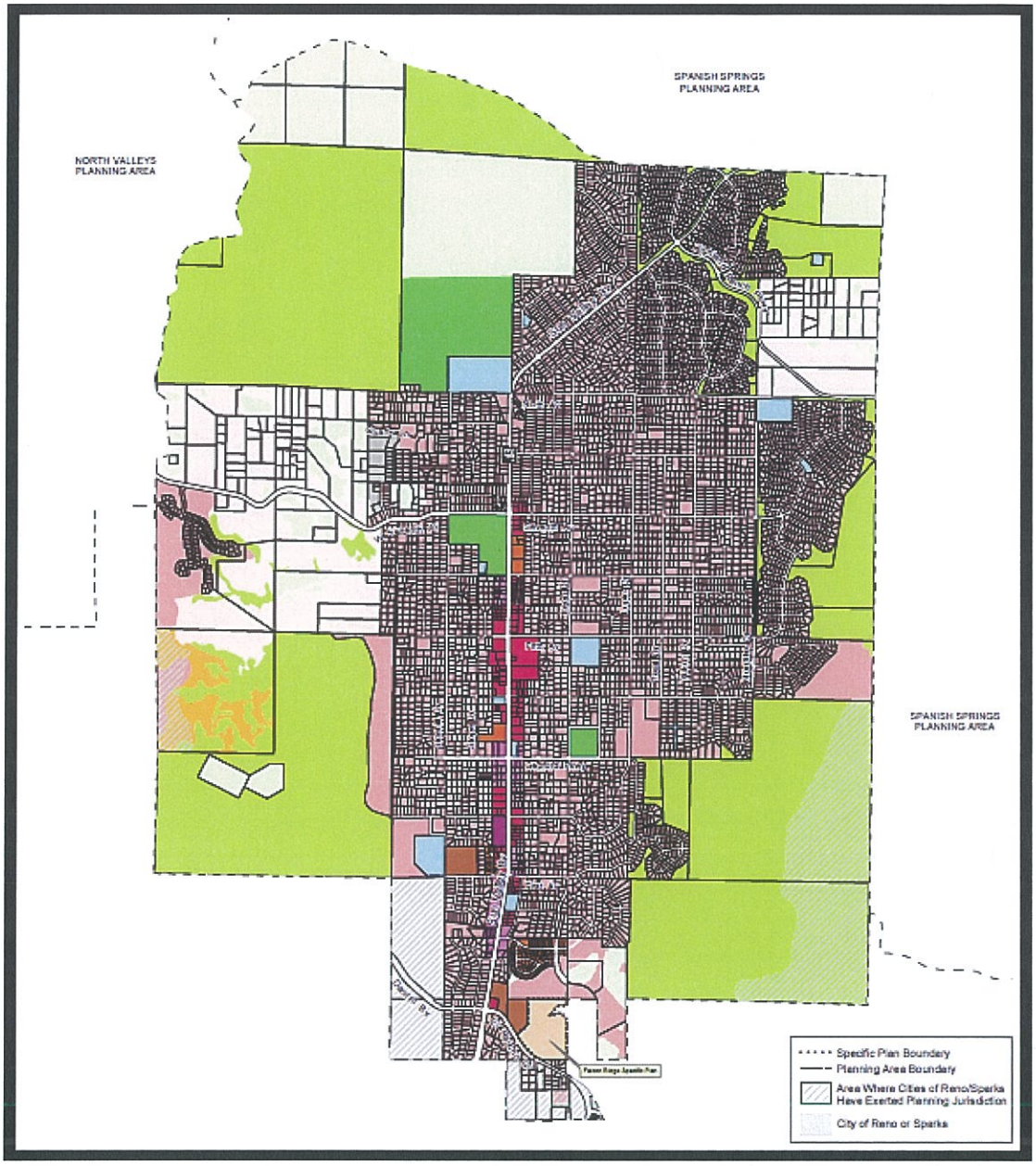
Trevor Lloyd, Secretary

Sarah Chvilicek, Chair

Attachment: Exhibit A - Proposed Development Code text

WDCA18-0001 Exhibit A

110.218.35 (a) Placement Standards. Mobile homes and manufactured homes may be placed on any residential regulatory zone parcel in the Sun Valley planning area, including any Trailer (TR) Overlay zone in effect prior to May 26, 1993 with the exception of TR parcels that have the current regulatory zones of ~~either~~ General Commercial, ~~Neighborhood Commercial/Office,~~ Tourist Commercial, Industrial, Open Space, Parks and Recreation, or Public/Semi-Public Facility.



SUN VALLEY

REGULATORY ZONE MAP

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

SOURCE: Planning and Development Division

PC Date: September 1, 2015
BCC Date: October 27, 2015

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0 600 1,200 2,400
Feet

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

DATE: 3/4/16 DIRECTOR:

Community Services Department

WASHOE COUNTY NEVADA

Post Office Box 11130
Reno, Nevada 89520
(775) 328-3600

WMPA18-0001 & WDCA18-0001
ATTACHMENT C

Attachment D

Explanation of a Master Plan Amendment

The purpose of a Master Plan Amendment application is to provide a method of review for requests to amend the 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, plays 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*.

Attachment D

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.

Development Code Amendments

The Washoe County Development Code is Chapter 110 of the Washoe County Code (WCC). The Development Code broadly regulates allowable and permitted land uses, subdivision of land, planning permit requirements and procedures, signage, infrastructure availability, land use development standards, and other related matters. Because the Development Code covers so many varying aspects of land use and development standards, it is expected that from time to time it may be necessary to change or amend one or more portions of the Development Code to keep it up to date with the most current and desirable trends in planning and development.

The Development Code amendment process provides a method of review and analysis for such proposed changes. Development Code amendments may be initiated by the Washoe County Commission, the Washoe County Planning Commission, or an owner of real property. Development Code amendments are initiated by resolution of the Washoe County Commission or the Planning Commission. Real property owners may submit an application to initiate a Development Code amendment.

After initiation, the Planning Commission considers the proposed amendment in a public hearing. The Planning Commission may recommend approval, approval with modifications or denial of the proposed amendment. The Planning Commission records its recommendation by resolution.

The Washoe County Commission hears all amendments recommended for approval, and amendments recommended for denial upon appeal. The County Commission will hold a first reading and introduction of the ordinance (proposed amendment), followed by a second reading and possible ordinance adoption in a public hearing at a second meeting at least two weeks after the first reading. Unless otherwise specified, ordinances are effective 10 days after adoption.

Sun Valley Citizen Advisory Board

DRAFT: Approval of these draft minutes, or any changes to the draft minutes, will be reflected in writing in the next meeting minutes and/or in the minutes of any future meeting where changes to these minutes are approved by the CAB. Minutes of the regular meeting of the Sun Valley Citizen Advisory Board held February 5, 2018 at 6:00 P.M. at the Sun Valley Neighborhood Center 115 West 6th Street, Sun Valley, NV 89433.

1. *CALL TO ORDER/ DETERMINATION OF QUORUM – Members present: Michael Rider, Margaret Reinhardt, Carol Burns, Carmen Ortiz, and James Georges.

Absent: Vicky Maltman.

2. *PLEDGE OF ALLEGIANCE – led by Michael Rider

3. *PUBLIC COMMENT –
Garth Elliot said he was on the CAB for 6 years. He advised the community to be tuned into the government. A mobile home park was approved. Subdivisions will create more homes.

Terry Matthews said he isn't opposed to housing or mobile home park but the County needs to address flooding issues and clean the ditches. Culverts drain into this property. The County won't help. He has to clean up every time it floods.

Charles Cunningham said that land cannot support those homes. It's a sea of mud. The zone changed from medium to high density. A fire would take everything away.

Pamela Pappas said she manages two mobile home parks. They have been there for decades. Two lots are vacant. The utilities were updated, and then found out it was rezone commercial years ago. She said she wants to know who she should speak to.

Sydney Fullerton said she isn't opposed to the project; however, they want to put in 75 homes which means extra cars down 4th Street. There isn't proper lighting. The kids have to walk in the dark with no sidewalks or bus stops. She said the homes will raise property values, but things need to be addressed before the project can go in. Something needs to be done to make it safe.

Jisoo Ryu said he moved in the area 3 years ago. He said he tried to read the long project Staff report. This project started in 2011. County Commission approved a 75 unit mobile home park. They want to change the zoning to high density. The CAB didn't approve that in 2011. This board should write a strong letter. It will affect the infrastructure and service. They use more water. This board must do a good job this time.

Eric Deline said he buys and remodels properties in the area. He said he is a real estate investor. He turns homes into real property. He said the previous approval of mobile home was not the best idea. Not a lot of pride of ownership in mobile home parks. There aren't a lot of mobile home parks out here. As real estate prices increase, there is more ownership and pride of ownership. He understands the concerns. The community proposed will bring lighting to the area. This CAB should recommend putting money in the infrastructure. Sun Valley area is behind all the other areas in regards to infrastructure. He said this project will bring good. It's land that has been there for quite a while. He said it's a great idea. It will bring up the area. It will encourage the County to improve things in the area.

Ms. Ryu said she lives close to the proposed project. Zoning changes from medium density to high density is too crowded. She is worried about crime, traffic, kids walking, and parking. It's is a nice quiet neighborhood but will be destroyed by this project. Keep it medium density.

Missy Evenson said she is concerned with fires. There is only one entrance and exit which is a concern for 75 units. Modular homes burn quickly. There needs to be additional exits. She wants to know about flooding issues.

Carrie Birdsong said she has helped her neighbors with flooding. In 2008, she said she had to raise her mother-in-law's mobile home due to flooding. She said they have to clean the ditches, because the County doesn't come out to clean the ditches. She didn't get any response when she called to clear the ditches. She said she understands they want to make it real property; it will become single owners who don't maintain their property. Make it a mobile home park so it can be maintained by a mobile home park manager. Get the County out here to correct these roads.

Michael Rider said he has lived on Madeiros. He said it's a nice idea, but there are concerns with flooding, traffic on 4th Street, and safety concerns for kids. Something has to be done if you want to put in a new community. You are putting the community at risk.

4. APPROVAL OF AGENDA FOR THE REGULAR MEETING OF FEBRUARY 5, 2018 – Margaret Reinhardt moved to approve the agenda for **APRIL 3, 2017**. Michael Rider seconded the motion to approve the agenda for **FEBRUARY 5, 2018.** The motion passed unanimously.

5. APPROVAL OF MINUTES FOR THE REGULAR MEETING OF APRIL 3, 2017: The board moved to tabled until the next meeting.

6. *PRESENTATION AND DISCUSSION ON THE REGIONAL TRANSPORTATION COMMISSION (RTC) TRANSIT SERVICE CHANGE – A representative from RTC will provide information and receive input on the RTC RIDE and RTC ACCESS Service Change, September 2018.

Michael Dulude said they are in the process of public outreach for service changes to take effect on September 8, 2018.

- Public transit system changes include schedule changes;
- 2007 was the last time the schedule was changed – RTC decreased service since then.
- Time will be adjusted to reflect to what we are doing. Won't increase or decrease service.
- 26 passengers per hour is average.
- Bring back service from 2007 overtime.
- He said they will start pilot programs.
- Microtransit program – 25 seat van on a fixed route.

Suzi Trinidad, RTC analyst, gave an update.

- She spoke about the access service.
- Next month, there will be proposed changes go before the RTC board.
- Eliminate the trips to the outskirts where the buses don't go.
- Won't provide trips when the buses don't run. If the bus isn't running, RTC access won't be available.
- Tax program changes to include no income limit.
- Subsidized books.
- Other changes include pick-up times and no-shows.
- Open house will be hosted on February 20, 21, 22 at all the transit stations. If you have questions, please come to open house.
- Fare adjustment include – create a university pass program. University subsidizes the program. Students and staff use their ID to ride the bus. Reduced holiday passes were popular. Free ride days include Hot August Nights and 4th of July. Eliminate 10 day bus pass due to lack of utilization.
- Go to RTC Washoe.com for hot topics and information. 348-ride for customer service.

Carmen Ortiz asked about the on-demand service with the app. She said seniors might not use apps. Michael said there is the option to call in.

Garth Elliot said in 2007 route 5 was the most profitable route; he encouraged that route be brought back. Bring back the 30% of service that was cut.

7. DEVELOPMENT PROJECTS – The project description is provided below with links to the application or you may visit the Planning and Development Division website and select the Application Submittals page: https://www.washoecounty.us/csd/planning_and_development/index.php.

7.A. Master Plan Amendment Case Number WMPA18-0001 (Sun Valley Area Plan) – Request for community feedback, discussion and possible action to make an advisory recommendation for approval or denial, with potential comments on a proposal by Washoe County to amend text within Washoe County Master Plan, Volume 2, Sun Valley Area Plan, at Policy SUN.1.2 to remove the sentence, "New single family detached residential, including mobile homes, will not be allowed within the DCMA.

- **Staff: Roger Pelham, Senior Planner, rpelham@washoecounty.us, (775) 328-3622**
- **Reviewing Body: Washoe County Planning Commission**

Trevor Lloyd, Planning Manager, gave a brief presentation.

- General Commercial properties can request regulatory zone amendment for residential units.
- Opportunities for problems will be addressed.
- Code and master plan amendment

Mr. Deline asked about the empty lots. Trevor Lloyd said this change would address that. They could put a mobile home on the lot after an amendment.

Mr. Matthews asked if a business could be put on those lots. Trevor said there are different zone categories. There is a commercial district down the corridor. The red category is residential zone.

James Georges said we worked on what we wanted to see on Sun Valley Blvd. and everyone on the committee agreed. He said they worked on the ditches, weeds, lighting, and sidewalk. Nothing was done. The bus route 5 and 15 used to run. Now the elderly people have to walk to the bus stops. Elderly aren't being taken care of here.

Mr. Cunningham asked what the blue squares on the map. Trevor Lloyd said those are schools – civic zoning.

Roger Edwards said he retired from Planning Commission. The Planning Commission developed the Downtown Management Plan. He said this community picked to be mixed use with commercial and residential. He said you put it in, planning commission approved it.

Margaret Reinhardt said the property of Sun Valley blvd and 6th Street is vacant. She asked if this is why it's still vacant. Trevor Lloyd said it's a good chance the topic we are discussing is why it's still vacant.

Trevor Lloyd said under the current framework and master plan and regulations, new mobile homes cannot be put in the vacant lots.

Garth Elliot said there is blight. He said we want commercial. We have had a bunch of businesses move in including the Dollar General.

Trevor Lloyd said we aren't taking away the commercial opportunities and commercial development. We are giving people who own homes an opportunity to improve their homes.

Mr. Matthews said more homes are not what we want on Sun Valley Blvd.

Trevor Lloyd said owners of the 1/3 acre lots make request for improvements, and take out old homes and put in new homes. Currently, there are restrictions on replacing old home with a new home. It's not just on Sun Valley Blvd, its 3 properties off the Blvd.

Ms. Pappas said they don't have take away commercial zoning, but to include exceptions or inclusions to allow new homes to come in. She said she currently manages a park and helps keep the lots clean. This won't hurt the commercial properties.

Mr. Deline said to look at the map carefully. He said the commercial zone goes back beyond the Sun Valley blvd. Those people can't change their home that was built back in the 70s. The result of the re-zone changed 3-4 homes back off the Blvd. Look at the sparks multiplex. It's being turned into residential units from commercial. It's the highest and best use which is residential in the technology age. Times have changed. Look at Parklane, it's being turned into residential because it's highest and best use of the property.

Sandra Ainsworth said something un-intended happened. They didn't mean to put people in this situation. You can take a mobile home off and put one back within two years. They didn't intend to take people off their residential land. If they didn't put a home back on in, it went to a commercial zone. It wasn't intended to make people move off the property.

Margaret Reinhardt asked where this change will happen specifically. Trevor Lloyd showed the zone map. The best of both would maintain commercial but allow someone to replace their own home.

Michael Rider said he is concerned if changes are made, unintended consequences with blight on the Blvd because they develop on the lots and don't take care of it. A compromise solution needs to happen, perhaps release the properties behind the Blvd, but not the ones on the Blvd.

Trevor Lloyd said a special use permit will be required for each property. The CAB and BOA will be involved.

Michael Rider said the County doesn't listen. This CAB doesn't have clout.

Commission Herman said the community needs to follow through the process to get the job done right the first time.

Carmen said she doesn't want to see apartment complex. There must be a provision built in. The Sun Valley citizens need to speak our voice.

MOTION: Margaret Reinhardt moved to recommend denial 7a & 7b. Michael Rider seconded the recommendation to deny. Discussion: Margaret Reinhardt said leave as it is. There are too many things that need to get worked out. Look into possibility of addressing those properties 3 properties back. Carmen Ortiz said those empty lots are sitting empty; they can't do anything with it. Trevor said under the current code, they are prohibited to put a home on that land. Michael suggested maintaining the commercial property on Sun Valley Blvd. He said the proposal doesn't address it. It rights the wrongs; however, it needs to be fined tuned. He would like to see this to come back to this CAB. The motion passed unanimously.

7.B. Development Code Amendment Case Number WDCA18-0001 (Sun Valley Area Plan Modifiers) – Request for community feedback, discussion and possible action to make an advisory recommendation with potential comments on a proposal by Washoe County to amend text within Chapter 110 of the Washoe County Code (WCC) at 110.218.35(a) to remove "Neighborhood Commercial / Office" zoning from the areas in which mobile homes and manufactured homes are prohibited to be placed.

- **Staff: Roger Pelham, Senior Planner rpelham@washoecounty.us, (775) 328-3622**
- **Reviewing Body: Washoe County Planning Commission**

(discussed above in 7.A.)

7.C. Washoe County Regulatory Zone Amendment 17-0006 (Valle Vista) - Request for community feedback, discussion and possible action to make an advisory recommendation with potential comments on a proposal amend the regulatory zone to allow for the subdivision of 75 homes on a 15.33+/- acre parcel located at 550 E. 4th Avenue in Sun Valley (APN 085-122-03). The parcel is currently approved for a 75-unit mobile home park per Washoe County Case No. SB11-004.

- Property Owner/Applicant: Landbank Development Company, LLC
- Location: 550 E. 4th Avenue in Sun Valley (APN 085-122-03), the southeast corner of East 4th Avenue and Lupin Street.
- Staff: Julee Olander, Washoe County Planner, jolander@washoecounty.us, 775-328-3627
- Reviewing Body: Washoe County Planning Commission tentatively set for February 6, 2018

Darren Proulx gave a PowerPoint presentation:

- He addressed the speeding, street lights, flooding, bus stops
- The project cannot put lights throughout Sun Valley, but can be installed at the project site.
- It's already approved for 75 mobile home parks
- He wants to change them from 'spaces' to 'lots.'
- Proposed project is located off of Sun Valley/4th Street
- 75 units are approved for manufactured mobile homes in 2011
- Want to do the exact same thing – 75 units; currently 5 units subdivided comments.
- Gated community with HOA with walking trails, community garden, snow removal
- No additional density
- Why are we doing this? We want to make it real property.
- Tentative map will allow for a subdivided parcel for individual parcels which will make the land and home real property which will allow for FHA/VA loans; the existing model only allows personal property 'chattle loans'
- Everything is the same – current and proposed density.
- Allows for affordable housing.

Questions:
Margaret Reinhardt asked about the 1/3 acre density. Darren said it's currently medium density suburban 110. 405.1 land use designation. Dave Snelgrove, the project engineer, explained the density. He said tentative map process will address the flooding. Regional plan 3.1 of 2012 of the Truckee Meadows Regional Plan identifies incorporated single family detached can have max of 5 units per acre, even though it says 7 per acre. He said asking to do 5 units per acre.

Terry Matthews said he prefers real property subdivision to get better residents. He said he is concerned for the traffic and flooding. Some of the issues have to be addressed before getting put in. Darren said the tentative map process will address those issues. Dave said we are required to be addressed issues before building. Condition of approval have to met before the project can be built.

Michael Rider said tonight's CAB will help determine mobile home versus personal residences. Either way this will get developed. Other issues and concerns need to go to the County. It will be the same density has been approved. We can't get this unapproved.

Garth Elliot said this is the second time it's come before this CAB 10 years ago. It wasn't denied. There are problems with egress and flooding. He spoke about a retention basin to capture the water. He asked about storage.

Mr. Cunningham said he lives near the project. 10 years ago, Maduras was on septic and they were told there wasn't any sewer capacity back then. He said he is concerned about fire with limited access. He said he is concerned the project won't get completed and they should get a bond.

Mrs. Ryu said she saw the map of density. This new project will increase 3 to 5 units per acre. It will become twice as crowded. The developer will make more money with higher density. Please consider putting medium density units instead of higher. Please consider putting in less units.

Missy Evenson said the last traffic study was conducted 7 years ago. She asked the CAB to get an updated the traffic study. She said she had the following questions and concerns: Will the be a bus line on 4th Street. She asked about the business plan. Does the savings to the seniors include the HOA fee. What are the HOA fees. What is the proposed start date of the construction. Are there specific sizes for these homes.

Shelia Cunningham asked for clarification regarding high density in order to get a low interest loan. She asked if a person subdivide the property into 7 units.

Mr. Ryu said in the future, it will get changed. The density change makes us uneasy.

Darren answered questions and concerns:

- Yes, HOA – fees aren't determined yet
- There will be storage for each home
- Gated community - Fence made of block and iron fence
- New manufactured homes are proposed
- SVGID said there is water and sewer capacity
- The same number of lots that are already approved; 7 units per acre are allowed, but only doing 5 units per acre.
- A bond is required
- Darren said he hopes there will be a bus line.
- The traffic study was completed when it was originally approved. An updated traffic letter is required.
- Access with gate restricts the flow exiting the property. There is no exit on Gepford. It meets County requirements.
- The traffic will be the same.
- Construction will start as soon as possible. Summer time.
- Owners can't subdivide the property after they purchase it.

Margaret Reinhardt said it doesn't fit in the area.

Dave Snelgrove said the plans are identical. One entire parcel means no FHA financing. Separate parcels allows for FHA financing.

This project goes before the Planning commission tomorrow, and goes to the County Commission in March.

Dave said flood and other issues get addressed at during the Tentative map processes. They have to do a Tentative map, Regulatory zone map, and final map review process.

Dave Snelgrove addressed the density questions. High density allows up to 7, but this development will be kept at 5 units per acre. It cannot go to 7 units per acre per County requirements.

Mike Tobin asked about the traffic. It's going to be terrible.

Mr. Cunningham said this will be done so they can have their own APN number. Mr. Cunningham said he wants to pour concrete on his land, but he can't, it's not allowed. He has to do asphalts, but this development will allow concrete slabs.

Terry Matthews said the issues we have now aren't being addressed. He said his grandson has almost been hit by a car. He said the developer will build and leave town, and the community is left with the aftermath. He said he has lost his backyard to flooding.

Mr. Cunningham said we need to focus on what's on the agenda instead of the other issue. It's a zoning change.

Jack Trainer disclosed he works with Darren. He said if the parcel is sold or stays the same, there could be more crowding and more cars. The HOA will restrict storage and cars.

Darren addressed: questions/concerns:

- There are setback required – 10 ft front/back, 5ft on side.

- This project won't have blight; owners have to adhere to HOA rules.
- Darren said he is the President of a mortgage advisory business. You cannot get a VA home in the current community, but you can get a VA loan if it's amendment.
- Darren said there will be traffic with either scenario. Someone recommended going into Gepford. Darren said the County said 4th Street can handle the traffic.
- He said they may make it 55+ community.

Margaret Reinhardt said it doesn't conform to the area. It's not the same thing.

A community member said he wants HOA restrictions. He said he wants Darren developed the field instead of a mobile home park. If it's built into the mobile home park, it will allow a bunch of cars parked outside. Missy Evenson said she wants to see another egress.

Margaret Reinhardt moved to recommend denial the request. The motion was no seconded; therefore, the motion died. Discussion: Carmen Ortiz said the rent is unaffordable. If this project will create affordable for Sun Valley seniors, she said she will support it. She said she understands the concerns; however, the mobile home park will go in regardless. There will still be road impacts and flooding. Regardless, it's already been approved. She said we can change it to allow affordable housing for seniors. Margaret Reinhardt said she would request a limit on rent for seniors. Michael Rider said bottom line is this is already approved, and we got to make the best of this. He said we have to fight the County on flood and traffic issues. This community will have to deal with the same issues either way. Do we let this go in as a mobile home park or as homes which can be purchased. He said we need to be more vigilant. We can't fix this by saying no. They can still put in the mobile home park. Make the best of the situation for the impacts that are already going to happen anyway. We are stuck with lighting, ditches. Margaret Reinhardt said it doesn't comply and conform to the Sun Valley Area plan. She said if this happens, then someone else will come in to raise the density for the entire Sun Valley. Michael Rider said this mobile home park is going in. We can vote no, but the County won't vote no. No matter how strong our voice, it will still be approved because it creates property tax revenue. Carol Burns said there is a community forum planned for May 12 with representatives from the County, fire, sheriff, and planning in attendance. Attend and let them know you want things done because we don't get services out here.

MOTION: Michael Rider moved to forward comments expressed at tonight's CAB meeting to the County. Carmen Ortiz seconded motion to forward the comments to the County. Motion passes 4 to 1. James George opposed the motion.

7.D.* Presentation and Discussion on the Proposed Washoe County Tentative Map (subdivision) Application (Valle Vista)- Landbank Development Company, LLC representative will provide an overview of the upcoming request for a Washoe County Tentative Map (subdivision) application (Valle Vista Project). (This item is for information only and no action will be taken by the CAB).

(Discussed above in 7.C.)

8. ELECTION OF OFFICERS — Elections by the CAB members will be held to elect the Chair and Vice-Chair for 2017/2018 term office which will be effective immediately.

MOTION for Chair: Michael Rider moved to nominated Carmen Ortiz to be Chair. Margaret Reinhardt seconded the motion to nominated Carmen Ortiz as Chair. Motion passed unanimously. Carmen Ortiz accepted the Chair position.

MOTION for Vice Chair: Michael Rider nominated Margaret Reinhardt to be Vice Chair. Carmen Ortiz seconded the motion to nominate Margaret Reinhardt as Vice Chair. Motion passed unanimously. Margaret Reinhardt accepted the Vice Chair position.

9.*WASHOE COUNTY COMMISSIONER UPDATE – Washoe County Commissioner Jeanne Herman may be available to provide updated information on discussions and actions by the Board of County Commissioners (BCC). Following her

presentation, Commissioner Herman may be available to address questions and concerns from the CAB and the audience. Commissioner Herman can be reached at (775) 501-0002 or via email at landfindercountry@gmail.com.

The Commissioner stated she attended to listen and didn't have an update to provide.

10.*CHAIRMAN/BOARD MEMBER ITEMS -

- Community event on May 12: Carnival and beautifying Sun Valley where the public agencies will be available to provide information. Michael Rider recommended inviting local sports organizations to host the event at the field for a carnival. He said he can speak with the baseball board. Carmen recommended Zumba and martial arts can do a demo.
- Carol Burns said she received paper work regarding CIRP from Alice McQuone. Additionally, Washoe County has a new 311 number. Carol said she hasn't heard about this new number. She wants this information to be publicized. She said they never receive notices or information. She recommended notices be placed in newspaper ads or broadcasted on the news. James Georges said we never get information. He said they fought for the sign outside. He said this was the largest turn-out for this CAB.
- Carol spoke about the cars abandoned on the hillside. Code enforcement said it's the sheriff jurisdiction, and sheriff said its BLM land, but can't get an answer. Dumping is a problem.
- Carol said the BMX park was robbed and they are working on fundraising.
- Michael requested the fire department come to the next CAB meeting to talk about fire safety and code enforcement for the upcoming fire season. Carol would like a forum with agencies.

11.*PUBLIC COMMENT -

Garth Elliot said the County is compliant driven. You may have to keep bugging code enforcement. According Kitty Jung doesn't want to send sheriff, fire, etc. they want to limit it to community forums, but that's not Commissioner Herman's opinion. The County is busy with exotic animal permitting. They have gone overboard with exotic animal. They got rid of the board, and the cases go straight to Shyanne. If you don't get answer from Staff, go to the commissioners.

ADJOURNMENT – meeting adjourned at 9:25 p.m.

Number of CAB members present: 5
Number of Public Present: 33
Presence of Elected Officials: 1
Number of staff present: 1

RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

INITIATING AN AMENDMENT TO THE WASHOE COUNTY MASTER PLAN, VOLUME 2, SUN VALLEY AREA PLAN, AT POLICY SUN.1.2 TO REMOVE THE SENTENCE, "NEW SINGLE FAMILY DETACHED RESIDENTIAL, INCLUDING MOBILE HOMES, WILL NOT BE ALLOWED WITHIN THE DCMA"; AND OTHER MATTERS NECESSARILY CONNECTED THEREWITH AND PERTAINING THERETO.

Resolution Number 18-01

WHEREAS

A. Washoe County Code Section 110.820.05 requires that amendments to the Washoe County Code Chapter 110 (Development Code) be initiated by resolution of the Washoe County Board of Commissioners or the Washoe County Planning Commission; and

B. The Washoe County Planning Commission gave reasoned consideration to the information it received regarding the proposed Master Plan Amendment; and

NOW, THEREFORE, BE IT RESOLVED that pursuant to Washoe County Code Section 110.820:

1) The Washoe County Planning Commission does hereby initiate an amendment to the Washoe County Master Plan, Volume 2, Sun Valley Area Plan, at Policy SUN.1.2 to remove the sentence, "New single family detached residential, including mobile homes, will not be allowed within the DCMA."

2) A report describing this amendment, discussion at the Citizen Advisory Board (CAB) on this proposed amendment and the CAB recommendation, will be brought to the Washoe County Planning Commission within 90 days of this resolution's adoption date.

ADOPTED on January 2, 2018.

WASHOE COUNTY PLANNING COMMISSION

ATTEST:

Trevor Lloyd, Secretary

Sarah Chvilicek, Chair

RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

INITIATING AN AMENDMENT TO THE WASHOE COUNTY CODE (WCC) AT 110.218.35(A) TO REMOVE "NEIGHBORHOOD COMMERCIAL / OFFICE" ZONING FROM THE AREAS IN WHICH MOBILE HOMES AND MANUFACTURED HOMES ARE PROHIBITED TO BE PLACED; AND OTHER MATTERS NECESSARILY CONNECTED THEREWITH AND PERTAINING THERETO.

Resolution Number 18-02

WHEREAS

A. Washoe County Code Section 110.818.05 requires that amendments to the Washoe County Code Chapter 110 (Development Code) be initiated by resolution of the Washoe County Board of Commissioners or the Washoe County Planning Commission; and

B. The Washoe County Planning Commission gave reasoned consideration to the information it received regarding the proposed Master Plan Amendment; and

NOW, THEREFORE, BE IT RESOLVED that pursuant to Washoe County Code Sections 110.818:

1) The Washoe County Planning Commission does hereby initiate an amendment to the Washoe County Code (WCC) at 110.218.35(a) to remove "Neighborhood Commercial / Office" zoning from the areas in which mobile homes and manufactured homes are prohibited to be placed.

2) A report describing this amendment, discussion at the Citizen Advisory Board (CAB) on this proposed amendment and the CAB recommendation, will be brought to the Washoe County Planning Commission within 90 days of this resolution's adoption date.

ADOPTED on January 2, 2018.

WASHOE COUNTY PLANNING COMMISSION

ATTEST:

Trevor Lloyd, Secretary

Sarah Chvilicek, Chair

Planning Commission Staff Report

Meeting Date: January 2, 2018 **Agenda Item: 9A**

STAFF REPORT CASE NUMBER:	Master Plan Amendment Case Number WMPA18-000X and Development Code Amendment Case Number WDCA18-000X
BRIEF SUMMARY OF REQUEST:	To initiate an amendment to the Washoe County Master Plan, Volume 2, Sun Valley Area Plan, at Policy SUN.1.2 to remove the sentence, "New single family detached residential, including mobile homes, will not be allowed within the DCMA." and To initiate an amendment to the Washoe County Code (WCC) at 110.218.35(a) to remove "Neighborhood Commercial / Office" zoning from the areas in which mobile homes and manufactured homes are prohibited to be placed.)

STAFF PLANNER:	Planner's Name:	Roger Pelham, MPA, Senior Planner
	Phone Number:	775.328.3622
	E-mail:	rpelham@washoecounty.us

CASE DESCRIPTION

1. Master Plan Amendment Case Number WMPA18-000X (Sun Valley Area Plan) – For possible action, hearing and discussion to initiate an amendment to the Washoe County Master Plan, Volume 2, Sun Valley Area Plan, at Policy SUN.1.2 to remove the sentence, "New single family detached residential, including mobile homes, will not be allowed within the DCMA." If approved this amendment would allow new single family detached residential uses, including mobile homes, within the Downtown Character Management Area (DCMA) as identified on the Sun Valley Character Management Plan map.

AND

2. Development Code Amendment Case Number WDCA18-000X (Sun Valley Area Plan Modifiers) – For possible action, hearing, and discussion to initiate an amendment to Chapter 110 of the Washoe County Code (WCC) at 110.218.35(a) to remove "Neighborhood Commercial / Office" zoning from the areas in which mobile homes and manufactured homes are prohibited to be placed.

If the proposed amendments are initiated, to authorize the Chair to sign resolutions to that effect.

STAFF RECOMMENDATION

Initiate **Do Not Initiate**

POSSIBLE MOTION

It is recommended that the Planning Commission initiate an amendment to the Washoe County Master Plan, Volume 2, Sun Valley Area Plan, at Policy SUN.1.2 to remove the sentence, "New single family detached residential, including mobile homes, will not be allowed within the DCMA." And initiate an amendment to the Washoe County Code (WCC) at 110.218.35(a) to remove "Neighborhood Commercial / Office" zoning from the areas in which mobile homes and manufactured homes are prohibited to be placed.

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Sun Valley Regulatory Zone map ..... Attachment C
Explanation of Master Plan Amendment and Development Code Amendment ..... Attachment D

Background and Proposed Master Plan and Code Amendments

In 2010 the Sun Valley Area Plan was extensively revised. This was one of several area plan updates that were undertaken as periodic updates. A part of the vision for the Sun Valley Area that was adopted at that time includes, "Both sides of Sun Valley Boulevard from approximately Rampion Way in the south to 7th Avenue in the north will be known as the Downtown Character Management Area (DCMA). This area will provide development and redevelopment opportunities for a mix of multi-family residential, office, commercial and tourist commercial land uses."

This vision was implemented by means of Policy SUN.1.2 which reads as follows:

> SUN.1.2 To promote "mixed-use" development and redevelopment along Sun Valley Boulevard, the following density bonus is available within the specified boundaries of the Sun Valley Downtown Character Management Area (DCMA).
>
> a. All General Commercial and Neighborhood Commercial/Office properties are afforded the opportunity to add a residential component of Low Density Urban, if incorporated into a mixed-use development that meets the DCMA design standards.
>
> New single family detached residential, including mobile homes, will not be allowed within the DCMA.

The vision was further implemented by means of the Sun Valley Area Plan Modifiers within the Development Code (Chapter 110 of the Washoe County Code) at 110.218.35(a), which reads as follows:

> Placement Standards. Mobile homes and manufactured homes may be placed on any residential regulatory zone parcel in the Sun Valley planning area, including any Trailer (TR) Overlay zone in effect prior to May 26, 1993 with the exception of TR parcels that have the current regulatory zones of either General Commercial, Neighborhood Commercial/Office, Tourist Commercial, Industrial, Open Space, Parks and Recreation, or Public/Semi-Public Facility.

In the years following adoption of this vision and the associated policies and codes, it has become apparent that implementation of the vision is problematic in the Neighborhood Commercial / Office (NC) regulatory zone. Many parcels of land within the NC regulatory zone, and within the DCMA are about 1/3 acre in size. Many of those parcels of land have been developed for many years with manufactured homes and mobile homes. This is consistent with the predominant development pattern in much of the Sun Valley Area Plan.

There have been many instances in which manufactured and mobile homes have been removed from properties within the DCMA and the property owner has then sought a permit to place another one on that same parcel at a later date. When this is done within 12 months, this has been approved as a continuation of an existing non-conforming use, in accordance with Article 904 Nonconformance, of the Development Code. When, however, more than one year has passed no permits have been able to be approved. The result of this is many parcels of land remaining vacant while surrounded by similar, continuing, uses.

While Staff recognizes, and agrees, with the vision statement and still believes that a density bonus for mixed-use development within the DCMA is beneficial, in many cases it is not practical for individual property owners to develop their lots in accordance with that vision while most or all of the surrounding properties are utilized for manufactured and mobile homes. For this reason staff believes that a relaxation of the restriction on manufactured and mobile homes (single-family residences) is beneficial.

As shown in the excerpt from Table 110.302.05.1, below, all other areas of the County manufactured and mobiles homes (single-family residences) are permissible in the NC regulatory zone, subject to the approval of a Special Use Permit. Staff believes that owners of property within DCMA and within the NC zone should be afforded that same opportunity.

Table 110.302.05.1

TABLE OF USES (Residential Use Types)
(See Sections 110.302.10 and 110.302.15 for explanation)

Residential Use Types (Section 110.304.15)	LDR	MDR	HDR	LDS/ LDS 2	MDS/ MDS 4	HDS	LDU	MDU	HDU	GC	NC	TC	I	PSP	PR	OS	GR	GRA
Family Residential																		
Attached Accessory Dwelling	A	A	A	A	A	A	A	A	A	--	--	--	--	--	--	--	A	A
Detached Accessory Dwelling	AR	AR	AR	AR	S_2	--	--	--	--	--	--	--	--	--	--	--	A	A
Detached Accessory Structure	A	A	A	A	A	A	A	A	A	--	A	--	--	--	--	--	A	A
Duplex	--	--	--	P	P	P	P	P	A	--	S_2	--	--	--	--	--	--	--
Multi Family	--	--	--	--	--	--	P	P	A	--	S_2	--	--	--	--	--	--	--
Single Family, Attached	--	--	--	A	A	A	A	A	A	--	S_2	--	--	--	P	--	--	A
Single Family, Detached	A	A	A	A	A	A	A	S_2	S_2	--	S_2	--	--	--	P	--	A	A

Key: -- = Not allowed; A = Allowed; AR = Administrative Review pursuant to Section 110.306.25(i); P = Administrative Permit; PR = Park Commission Approval pursuant to 110.104.40(c); S_1 = Planning Commission Special Use Permit; S_2 = Board of Adjustment Special Use Permit; * = Allowed with a Board of Adjustment Special Use Permit in areas designated Trailer (TR) Overlay zone prior to adoption of this Development Code.

PROPOSED AMENDMENTS

Text proposed to be deleted is shown as ~~strikethrough~~.

SUN.1.2 To promote "mixed-use" development and redevelopment along Sun Valley Boulevard, the following density bonus is available within the specified boundaries of the Sun Valley Downtown Character Management Area (DCMA).

a. All General Commercial and Neighborhood Commercial/Office properties are afforded the opportunity to add a residential component of Low Density Urban, if incorporated into a mixed-use development that meets the DCMA design standards.

~~New single family detached residential, including mobile homes, will not be allowed within the DCMA~~.

And

110.218.35

(a) Placement Standards. Mobile homes and manufactured homes may be placed on any residential regulatory zone parcel in the Sun Valley planning area, including any Trailer (TR) Overlay zone in effect prior to May 26, 1993 with the exception of TR parcels that have the current regulatory zones of ~~either~~ General Commercial, ~~Neighborhood Commercial/Office,~~ Tourist Commercial, Industrial, Open Space, Parks and Recreation, or Public/Semi-Public Facility.

Public Notice

Public notice is not required for initiation of a Master Plan Amendment and Development Code Amendment.

Recommendation

It is recommended that the Planning Commission initiate an amendment to the Washoe County Master Plan, Volume 2, Sun Valley Area Plan, at Policy SUN.1.2 to remove the sentence, "New single family detached residential, including mobile homes, will not be allowed within the DCMA." And also initiate an amendment to the Washoe County Code (WCC) at 110.218.35(a) to remove "Neighborhood Commercial / Office" zoning from the areas in which mobile homes and manufactured homes are prohibited to be placed. The following motion is provided for consideration by the Planning Commission:

Motion

I move that, after giving reasoned consideration to the information contained in the staff report, the Washoe County Planning Commission initiate the amendments to the Washoe County Master Plan, Volume 2, Sun Valley Area Plan, at Policy SUN.1.2 to remove the sentence, "New single family detached residential, including mobile homes, will not be allowed within the DCMA." And also initiate an amendment to the Washoe County Code (WCC) at 110.218.35(a) to remove "Neighborhood Commercial / Office" zoning from the areas in which mobile homes and manufactured homes are prohibited to be placed, as described in the staff report. I further move to authorize the Chair to sign the attached resolutions.

Staff Report and Action Order xc: Dave Solaro, Director, CSD
Mojra Hauenstein, Division Director, Planning and Building
Nate Edwards, Deputy District Attorney

RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

INITIATING AN AMENDMENT TO THE WASHOE COUNTY MASTER PLAN, VOLUME 2, SUN VALLEY AREA PLAN, AT POLICY SUN.1.2 TO REMOVE THE SENTENCE, "NEW SINGLE FAMILY DETACHED RESIDENTIAL, INCLUDING MOBILE HOMES, WILL NOT BE ALLOWED WITHIN THE DCMA"; AND OTHER MATTERS NECESSARILY CONNECTED THEREWITH AND PERTAINING THERETO.

Resolution Number 18-01

WHEREAS

A. Washoe County Code Section 110.820.05 requires that amendments to the Washoe County Code Chapter 110 (Development Code) be initiated by resolution of the Washoe County Board of Commissioners or the Washoe County Planning Commission; and

B. The Washoe County Planning Commission gave reasoned consideration to the information it received regarding the proposed Master Plan Amendment; and

NOW, THEREFORE, BE IT RESOLVED that pursuant to Washoe County Code Section 110.820:

1) The Washoe County Planning Commission does hereby initiate an amendment to the Washoe County Master Plan, Volume 2, Sun Valley Area Plan, at Policy SUN.1.2 to remove the sentence, "New single family detached residential, including mobile homes, will not be allowed within the DCMA."

2) A report describing this amendment, discussion at the Citizen Advisory Board (CAB) on this proposed amendment and the CAB recommendation, will be brought to the Washoe County Planning Commission within 90 days of this resolution's adoption date.

ADOPTED on January 2, 2018.

WASHOE COUNTY PLANNING COMMISSION

ATTEST:

Trevor Lloyd, Secretary

Sarah Chvilicek, Chair

RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

INITIATING AN AMENDMENT TO THE WASHOE COUNTY CODE (WCC) AT 110.218.35(A) TO REMOVE "NEIGHBORHOOD COMMERCIAL / OFFICE" ZONING FROM THE AREAS IN WHICH MOBILE HOMES AND MANUFACTURED HOMES ARE PROHIBITED TO BE PLACED; AND OTHER MATTERS NECESSARILY CONNECTED THEREWITH AND PERTAINING THERETO.

Resolution Number 18-02

WHEREAS

A. Washoe County Code Section 110.818.05 requires that amendments to the Washoe County Code Chapter 110 (Development Code) be initiated by resolution of the Washoe County Board of Commissioners or the Washoe County Planning Commission; and

B. The Washoe County Planning Commission gave reasoned consideration to the information it received regarding the proposed Master Plan Amendment; and

NOW, THEREFORE, BE IT RESOLVED that pursuant to Washoe County Code Sections 110.818:

1) The Washoe County Planning Commission does hereby initiate an amendment to the Washoe County Code (WCC) at 110.218.35(a) to remove "Neighborhood Commercial / Office" zoning from the areas in which mobile homes and manufactured homes are prohibited to be placed.

2) A report describing this amendment, discussion at the Citizen Advisory Board (CAB) on this proposed amendment and the CAB recommendation, will be brought to the Washoe County Planning Commission within 90 days of this resolution's adoption date.

ADOPTED on January 2, 2018.

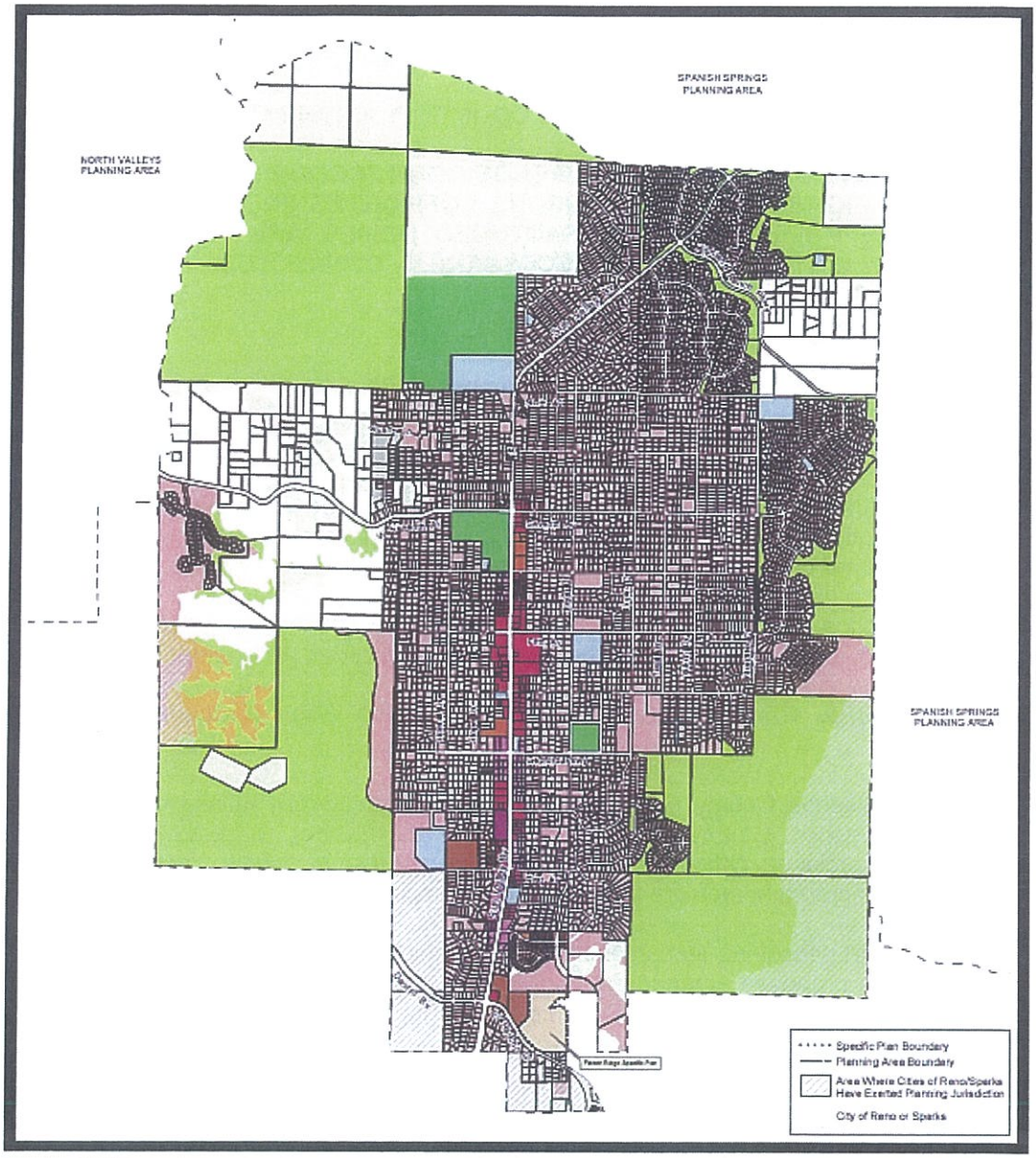
WASHOE COUNTY PLANNING COMMISSION

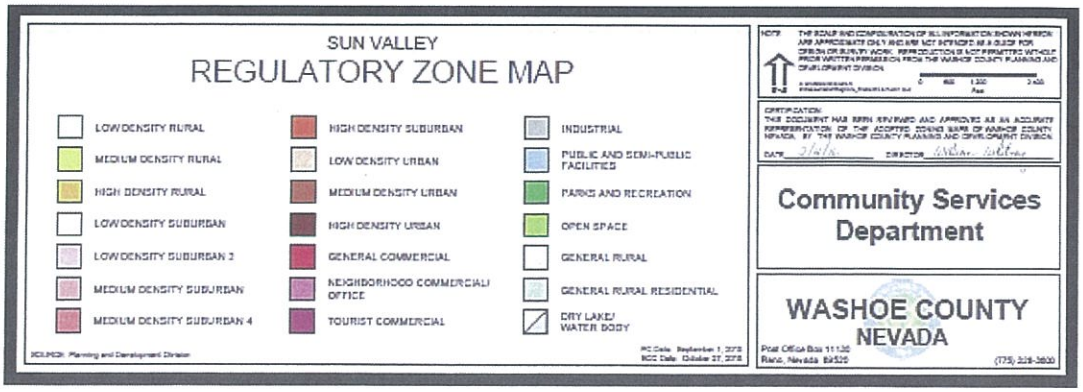
ATTEST:

Trevor Lloyd, Secretary

Sarah Chvilicek, Chair

Exhibit C


SPANISH SPRINGS
PLANNING AREA
NORTH VALLEYS
PLANNING AREA
SPANISH SPRINGS
PLANNING AREA
Specific Plan Boundary
Planning Area Boundary
Area Where Cities of Reno/Sparks
Have Exerted Planning Jurisdiction
City of Reno or Sparks


SUN VALLEY
REGULATORY ZONE MAP
LOW DENSITY RURAL
MEDIUM DENSITY RURAL
HIGH DENSITY RURAL
LOW DENSITY SUBURBAN
LOW DENSITY SUBURBAN 2
MEDIUM DENSITY SUBURBAN
MEDIUM DENSITY SUBURBAN 4
HIGH DENSITY SUBURBAN
LOW DENSITY URBAN
MEDIUM DENSITY URBAN
HIGH DENSITY URBAN
GENERAL COMMERCIAL
NEIGHBORHOOD COMMERCIAL/ OFFICE
TOURIST COMMERCIAL
INDUSTRIAL
PUBLIC AND SEMI-PUBLIC FACILITIES
PARKS AND RECREATION
OPEN SPACE
GENERAL RURAL
GENERAL RURAL RESIDENTIAL
DRY LAKE/ WATER BODY
Community Services Department
WASHOE COUNTY
NEVADA

Attachment D

Explanation of a Master Plan Amendment

The purpose of a Master Plan Amendment application is to provide a method of review for requests to amend the 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, plays 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*.

Attachment D

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.

Development Code Amendments

The Washoe County Development Code is Chapter 110 of the Washoe County Code (WCC). The Development Code broadly regulates allowable and permitted land uses, subdivision of land, planning permit requirements and procedures, signage, infrastructure availability, land use development standards, and other related matters. Because the Development Code covers so many varying aspects of land use and development standards, it is expected that from time to time it may be necessary to change or amend one or more portions of the Development Code to keep it up to date with the most current and desirable trends in planning and development.

The Development Code amendment process provides a method of review and analysis for such proposed changes. Development Code amendments may be initiated by the Washoe County Commission, the Washoe County Planning Commission, or an owner of real property. Development Code amendments are initiated by resolution of the Washoe County Commission or the Planning Commission. Real property owners may submit an application to initiate a Development Code amendment.

After initiation, the Planning Commission considers the proposed amendment in a public hearing. The Planning Commission may recommend approval, approval with modifications or denial of the proposed amendment. The Planning Commission records its recommendation by resolution.

The Washoe County Commission hears all amendments recommended for approval, and amendments recommended for denial upon appeal. The County Commission will hold a first reading and introduction of the ordinance (proposed amendment), followed by a second reading and possible ordinance adoption in a public hearing at a second meeting at least two weeks after the first reading. Unless otherwise specified, ordinances are effective 10 days after adoption.

Exhibit C

Appeal

Master Plan Amendment Case Number WMPA18-0001 (Sun Valley Area Plan)

And

Development Code Amendment Case Number WDCA18-0001 (Sun Valley Area Plan Modifiers)

Washoe County Appeal of Decision to Board of County Commissioners

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.

Appeal of Decision by (Check one)

Note: Appeals to the Washoe County Board of County Commissioners are governed by WCC Section 110.912.20.

☒ Planning Commission	☐ Board of Adjustment
☐ Hearing Examiner	☐ Other Deciding Body (specify) _____

Appeal Date Information

Note: This appeal must be delivered in writing to the offices of the Planning and Building Division (address is on the cover sheet) within 10 calendar days from the date that the decision being appealed is filed with the Commission or Board Secretary (or Director) and mailed to the original applicant.

Note: The appeal must be accompanied by the appropriate appeal fee (see attached Master Fee Schedule).

Date of this appeal: 4/13/18

Date of action by County: 4/3/18

Date Decision filed with Secretary: 4/6/18

Appellant Information

Name: RonBell	Phone: 775 7505256
Address: 2390 Homestead Place	Fax:
Reno NV 89509	Email: RonBellRealtor@hotmail.com
City: State: Zip:	Cell: 775-750-5256

Describe your basis as a person aggrieved by the decision:

I bought 109 Grumpy on 4/29/16 and have been trying since to improve lot and area and put a new manufacture home on it. Unbeknownst to myself or seller, there is a clause prohibiting new ones even though a home previously on it,

Appealed Decision Information

Application Number: WMPA18-0001 & Development Code Amendment

Project Name: WDCA18-0001

State the specific action(s) and related finding(s) you are appealing:

The planning commissions 4 to 3 vote denying Planning Commission staff report from the Apr 3 meeting requesting the words "New single family detached residential, including mobile homes will not be allowed within the DCMA" in Sun Valley Master plan SUN. 1.2 page 5 of 12 be striken

Appealed Decision Information (continued)

Describe why the decision should or should not have been made: In 2010 SunValley master plan revised in the spirit to clean up SunValley Blvd and promote commercial development. Unfortunately they made the area too broad and included residential lots a block or more from the Blvd, including mine at 109 Grumpy. This has created blight and unimproved properties including mine, The planning commission did not read or understand the staff report provided to them by washoe planning dept recomending approval of amendment.

Cite the specific outcome you are requesting with this appeal:

To strike line 110.218.35 verbiege on Page 5 of 12 Planning Commission staff report referenced and strike the words from SunValley MasterPlan on SUN.1.2: New single family detached residential, including mobile homes will not be allowed within the DCMA.

Did you speak at the public hearing when this item was considered?	☒ Yes ☐ No
Did you submit written comments prior to the action on the item being appealed?	☐ Yes ☒ No

Appellant Signature

Printed Name:	Ron Bell
Signature:	Ron Bell
Date:	4/13/18

Exhibit D

Appeal

Master Plan Amendment Case Number WMPA18-0001 (Sun Valley Area Plan)

And

Development Code Amendment Case Number WDCA18-0001 (Sun Valley Area Plan Modifiers)

WASHOE COUNTY PLANNING COMMISSION
Meeting Minutes

Planning Commission Members
Sarah Chvilicek, Chair
Larry Chesney, Vice Chair
James Barnes
Thomas B. Bruce
Francine Donshick
Philip Horan
Michael W. Lawson
Trevor Lloyd, Secretary

Tuesday, April 3, 2018
6:30 p.m.

Washoe County Commission Chambers
1001 East Ninth Street
Reno, NV

The Washoe County Planning Commission met in a scheduled session on Tuesday, April 3, 2018, in the Washoe County Commission Chambers, 1001 East Ninth Street, Reno, Nevada.

1. *Determination of Quorum

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

Commissioners present: Sarah Chvilicek, Chair
Larry Chesney, Vice Chair
James Barnes
Thomas B. Bruce
Francine Donshick
Philip Horan
Michael W. Lawson

Staff present: Trevor Lloyd, Secretary, Planning and Building
Chad Giesinger, Senior Planner, Planning and Building
Eva Krause, AICP, Planner, Planning and Building
Kelly Mullin, AICP, Senior Planner, Planning and Building
Julee Olander, Planner, Planning and Building
Nathan Edwards, Deputy District Attorney, District Attorney's Office
Katy Stark, Recording Secretary, Planning and Building
Kathy Emerson, Administrative Secretary Supervisor, Planning and Building

2. *Pledge of Allegiance

Commissioner Donshick led the pledge to the flag.

3. *Ethics Law Announcement

Deputy District Attorney Edwards provided the ethics procedure for disclosures.

4. *Appeal Procedure

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

5. *Public Comment

Chair Chvilicek opened the public comment period. Russell Earle, 11400 Osage Road, said he was the President of the Silver Knolls Community Organization and in the next few months the Commission would see a plan for a housing development in that area. He asked the Commission to seriously consider developers asking for a much higher density. He had been a professional firefighter in the Bay area for 15 years and the preliminary investigation in the Coffee Park fire showed the contributing factor to 5,500 plus homes being lost was the density of the housing. They had considerable resources to fight that fire, but once it got started, it was an auto-ignition from structure to structure. He said in the Silver Knolls area, the density was one unit per 2.75 acres. He would like to see the Truckee Meadows and Washoe County become the leader for coming up with better fire resistivity building standards when developers wanted to build homes in a wildland interface. He noted there was a fire in Silver Knolls in July and the only thing that saved them was the five jet air tankers in Stead fighting the Long Valley fire. There were 2,500 acres burned in a matter of a couple of hours. He said the Truckee Meadows Fire Protection District and responding agencies did a great job protecting a dozen structures in the direct flame path. If there had been seven to 14 structures per acre, they would not have had the ability to protect those homes.

Stephen Wolgast, 5220 Cedarwood Drive, said he wanted to address cash bonds and how Washoe County should hold developers accountable for possible flooding, roadway damage or blasting damage to neighboring homes. He said the developers typically created limited liability corporations to support their plans, which were disbanded as soon as the work was completed. If there was damage that was not immediately evident and the corporation had been disbanded, there was no longer a corporation to hold liable for the damage. If the injured residents sued the County for damage caused by the developer, it would be the taxpayers who would shoulder the burden. Municipal bonds came in two forms; an insurance bond, and a more widely used cash bond. A municipality would ask the developer to provide a bond posted by an insurance company for the amount of potential damages they felt could occur. The reason that type of bond was no longer popular was that it would take a legal case to get the money from the insurance company. Often the legal fees ended up being as much as the damages sought by the injured residents. For the more popular cash bond, the developer would borrow a sum from a bank to cover potential liability with the agreement that the money would remain at the bank until the end of the bond. The developer would assign a municipality the right to access the bond money if the developer caused damage to the residents. The amount borrowed was usually equal to half the total estimated cost of the project and the developer only paid 1 percent per year to the bank for the money. Should the municipality need access to the money, no lawsuit was required. The bond arrangement could last for several years after the completion of the project to protect the residents.

Chair Chvilicek closed public comment.

6. Approval of Agenda

In accordance with the Open Meeting Law, Commissioner Donshick moved to approve the agenda for the April 3, 2018, meeting as written. Commissioner Chesney seconded the motion, which passed unanimously with a vote of seven for, none against.

7. Approval of March 6, 2018, Draft Minutes

Commissioner Donshick moved to approve the minutes for the March 6, 2018 Planning Commission meeting. Commissioner Chesney seconded the motion, which passed unanimously with a vote of seven for, none against.

8. Public Hearings

A. Abandonment Case Number WAB18-0001 (Cheryl Ln.) – For possible action, hearing, and discussion to approve the partial abandonment of a 33 foot access easement by reducing its width to 15 feet. The 18 feet of the access easement proposed to be abandoned is the northernmost 18 feet of the easement that runs along the southern edge of the subject property (along Big Smokey Drive). If approved, the abandoned portion of the easement would be conveyed to the owner/applicant for the proposed abandonment. Any approval only applies to whatever interest Washoe County owns in the easement.

- Applicant: Del Roehrick & Nancy Foster
- Property Owner: Roehrick Trust / Foster Trust
- Location: 15750 Cheryl Ln.
- Assessor's Parcel Number: 017-150-44
- Parcel Size: 1 acre
- Master Plan Category: Rural
- Regulatory Zone: General Rural (GR)
- Area Plan: Southeast Truckee Meadows
- Citizen Advisory Board: South Truckee Meadows/Washoe Valley
- Development Code: Authorized in Article 806
- Commission District: 2 – Commissioner Lucey
- Section/Township/Range: Section 34, T18N, R20E
- Prepared by: Chad Giesinger, Senior Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775.328.3626
- E-Mail: cgiesinger@washoecounty.us

Trevor Lloyd, Secretary, read the item into the record. Chair Chvilicek called for any disclosures. Hearing none, she opened the public hearing. Chad Giesinger, Senior Planner, presented the Staff Report. Chair Chvilicek opened questions to the Commission. Commissioner Horan said the site plan had been submitted and prepared by the Applicant. He asked if staff was in agreement with the site plan. Mr. Giesinger stated they were.

Chair Chvilicek opened public comment. There was no response to the call for public comment. Chair Chvilicek closed the public hearing and called for a motion.

Commissioner Donshick moved that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission approve, with the conditions included as Exhibit A in the staff report, Abandonment Case Number WAB18-0001 (Cheryl Lane) for Del Roehrick and Nancy Foster, having made all three findings in accordance with Washoe County Code Section 110.806.20. Commissioner Chesney seconded the motion, which passed unanimously with a vote of seven for, none against.

1. Master Plan. The abandonment or vacation is consistent with the policies, action programs, standards and maps of the Master Plan and the Southeast Truckee Meadows Area Plan; and

2. No Detriment. The abandonment or vacation does not result in a material injury to the public; and
3. Existing Easements. Existing public utility easements in the area to be abandoned or vacated can be reasonably relocated to provide similar or enhanced service.

B. Regulatory Zone Amendment Case Number WRZA18-0003 (Coches/Tower) – For possible action, hearing, and discussion to recommend approval of or deny an amendment to the Tahoe Regulatory Zone Map, changing the regulatory zone from Medium Density Suburban (MDS – 3 units/acre) to Low Density Suburban (LDS – 1 unit/acre) on two properties located at 1131 and 1135 Lakeshore Boulevard.

- Applicant: Coches, LLC; Tower, LLC
- Property Owner: Coches, LLC; Tower, LLC
- Location: 1131 and 1135 Lakeshore Blvd.
- Assessor's Parcel Numbers: 130-312-25; 130-312-30
- Parcel Sizes: 1.58 acres; 1.90 acres
- Master Plan Category: Suburban Residential
- Regulatory Zone: Medium Density Suburban
- Area Plan: Tahoe
- Citizen Advisory Board: Incline Village/Crystal Bay
- Development Code: Authorized in Article 821
- Commission District: 1 – Commissioner Berkbigler
- Section/Township/Range: Section 23, T16N, R18E, MDM
- Prepared by: Eva Krause, AICP, Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775.328.3628
- E-Mail: ekrause@washoecounty.us

Trevor Lloyd, Secretary, read the item into the record. Chair Chvilicek called for any disclosures from the Commission. Commissioner Horan said he was a Trustee of the General Improvement District (GID) at Incline Village, but he noted the GID did not have any land use authority and any utility permissions would be dealt with by staff. DDA Edwards asked Commissioner Horan if he had any pecuniary interest or commitments in a private capacity for this item. Commissioner Horan stated he did not. DDA Edwards felt Commissioner Horan could act on this item. Chair Chvilicek opened the public hearing and Eva Krause, AICP Planner, presented the Staff Report.

Chair Chvilicek called for questions from the Commission. Hearing none, she called for public comment. There was no response to the call for public comment. Chair Chvilicek called for a motion.

Commissioner Chesney moved, that after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Planning Commission recommends adoption of the proposed Regulatory Zone Amendment Case Number WRZA18-0003 and the proposed Tahoe Regulatory Zone Map having made all of the following findings in accordance with Washoe County Code Section 110.821.15. He further moved to certify the resolution and the proposed Regulatory Zone Map as attached to the staff report for submission to the Washoe County Board of County Commissioners and to authorize the chair to sign the resolution on behalf of the Planning Commission. Commissioner Donshick seconded the motion, which passed unanimously with a vote of seven for, none against.

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 not result in land uses which are incompatible 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 identifies and responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.
4. Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility and other facilities to accommodate the uses and densities permitted by the proposed 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.

C. Special Use Permit Case Number WSUP18-0003 (U-Haul of Spanish Springs) – For possible action, hearing and discussion to approve a special use permit allowing for the rental of U-Haul vehicles and trailers from the subject property. This use type is classified as Automotive Sales and Rentals, which requires a special use permit in the Industrial regulatory zone in Spanish Springs per the Spanish Springs Area Plan Table C-3. The use is proposed as part of a larger mini-storage and vehicle storage facility, which are allowed uses on the property and not part of this special use permit.

- Applicant: AMERCO Real Estate Co.
- Property Owner: Roger B. Primm Family Trust
- Location: NW corner of Pyramid Way and Sha Neva Rd, accessible from Digital Ct
- Assessor's Parcel Numbers: 530-491-02 (±5 ac.), 530-491-03 (±5 ac.) and 530-491-04 (±10 ac.)
- Master Plan Category: Industrial
- Regulatory Zone: Industrial
- Area Plan: Spanish Springs
- Citizen Advisory Board: Spanish Springs
- Development Code: Authorized in Article 810, *Special Use Permits*
- Commission District: 4 – Commissioner Hartung
- Section/Township/Range: Section 23, T21N, R20E, MDM, Washoe County, NV
- Prepared by: Kelly Mullin, AICP, Senior Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775.328.3608
- E-Mail: kmullin@washoecounty.us

Trevor Lloyd, Secretary, read the item into the record. Chair Chvilicek opened the public hearing and called for any disclosures. Hearing none, she called staff forward. Kelly Mullin, Senior Planner, presented the Staff Report. Chair Chvilicek opened questions to the Commission.

Commissioner Bruce asked if the applicant's business was related to the mini-storage across the street, because they had done U-Haul rentals at one time. Ms. Mullin said she was not aware of a relationship.

David Pollock, Development Manager, America Real Estate, said he represented the Applicant and he introduced Chris Piedra, President U-Haul. Mr. Piedra said they were no longer a dealer of U-Haul, but they had been a dealer about two years ago. He said there was no relationship.

Commissioner Horan asked if there was screening required for the project where the vehicles would be parked. Ms. Mullin stated there was a requirement in the Spanish Springs Area Plan for buffering from Pyramid Highway. She said there was not a specific requirement for additional screening and one had not been provided in the Conditions of Approval. Commissioner Horan said the rental vehicles were closer to Digital Court and he was more concerned about that screening than by Pyramid Highway. Ms. Mullin said to the west and to the north along Digital Court was all interior to the business park and was surrounded by other industrial properties. She noted screening between industrial properties was not required in the Code, but if there was residential use adjacent, there would be screening requirements.

Mr. Pollock stated U-Haul was an American icon, a corporate owned facility that would employ 10 to 15 people and were their own business. He said what took place at the adjacent property was a dealership and that was the foundation as to how this business started in 1945. What they did was approached U-Haul and asked if they could also sell their product at their business and U-Haul said yes. However, they would have rights to control what that business did because they were not "U-Haul." He discussed renting versus equipment sharing, their sustainability program, carbon emissions, and staging areas for parking trailers. He said in order to develop this property, they needed the Commission's support for the Special Use Permit for equipment sharing.

Chair Chvilicek opened questions to the Commission. Commissioner Bruce said since the rental trucks required fuel, he wondered what their plan was for fuel storage. Mr. Piedra stated they did not store fuel on site. When a customer rented a vehicle, they were instructed to replace the fuel they used during the rental.

Chair Chvilicek opened public comment. There was no response to the call for public comment. Chair Chvilicek closed public comment.

Commissioner Chesney stated this was the ideal use of the industrial property in Spanish Springs and he commended the Applicant and staff for putting this together. Chair Chvilicek called for a motion.

Commissioner Donshick moved that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission approve with conditions Special Use Permit Case Number WSUP18-0003 for U-Haul, having made all five findings in accordance with Washoe County Code Section 110.810.30. Commissioner Chesney seconded the motion, which passed unanimously with a vote of seven for, none against.

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the Spanish Springs Area Plan;
2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements

are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;

3. Site Suitability. That the site is physically suitable for the type of development and for the intensity of such a development;
4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

D. Tentative Subdivision Map Case Number WTM18-003 (Valle Vista) – For possible action, hearing, and discussion to approve a tentative map to allow the subdivision of 15.33 acres into a 75 lot common open space development. The overall density of the project would be 4.9 dwelling units per acre.

- Applicant/Owner: Landbank Development Co. LLC
- Location: 550 East 4th Ave.
- Assessor's Parcel Number: 085-122-03
- Parcel Size: ±15.33
- Master Plan Category: Suburban Residential
- Regulatory Zone: High Density Suburban (HDS – Seven units per acre)
- Area Plan: Sun Valley
- Citizen Advisory Board: Sun Valley
- Development Code: Article 608 – Tentative Subdivision Maps & Article 408 – Common Open Space Development
- Commission District: 5 – Commissioner Herman
- Section/Township/Range: Section 20, T20N, R20E, MDM, Washoe County, NV
- Prepared by: Julee Olander, Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775.328.3627
- E-Mail: jolander@washoecounty.us

Trevor Lloyd, Secretary, read the item into the record. Chair Chvilicek called for any disclosures. Hearing none, she opened the public hearing and called staff forward. Julee Olander, Planner, presented the Staff Report.

Chair Chvilicek opened questions to the Commission. Commissioner Horan asked if there was a reason why the emergency gate was moved. Ms. Olander said Pearl was a graveled road and the Code required that if it was a permanent emergency exit, it had to be on a paved road and Gepford Parkway was paved. She said there would be improvements on Pearl for sewer and water.

Commissioner Lawson said the traffic report had been reviewed by the Applicant and a determination was made that it did not meet the threshold for peak-hour trips and he wondered if staff had reviewed the report and reached the same conclusion. Ms. Olander said that was correct and the project did not generate the traffic to meet the 80-hour peak traffic. Commissioner Lawson asked how long ago that happened. Dave Snelgrove, Planning and

Right-of-Way Manager CFA, said a traffic report had been done about seven years ago with the original project and had been updated within the last couple of months.

Commissioner Bruce said it seemed it was a given that everyone would agree to abandon Lupin Drive down to Gepford Parkway and he wondered why that was. Ms. Olander stated Lupin Drive is paved north of Fourth Street, and Fourth Street is signalized at the intersection at Sun Valley Blvd. She noted Lupin Drive circled around and went down to the houses that were south of this development. She said staff reviewed the viability of Lupin Drive being paved to see if it would alleviate the traffic and staff came to the conclusion that it was not viable. Abandoning it would remove it from Washoe County's responsibility and at this time it would make sense for the developer to take it on. She said the homes to the west were owned by the same property owner and they would be approached when the abandonment application moved forward.

Chair Chvilicek called the Applicant forward. Dave Snelgrove, CFA, stated staff thought Lupin Drive did not really provide a beneficial connection and a little under a quarter of Lupin Drive would be in the 100-year flood plain. He continued with his PowerPoint presentation. He stated because they were providing carports, they were asking to be allowed to shorten the setback to 15 feet. He said the cars would still be out of the right-of-way area and partially under the carport or they could pull all the way under the carport since they did not have a garage front. Darren Proulx, CFA, showed some photos of the homes with awnings.

Chair Chvilicek opened questions to the Commission. Commissioner Horan stated he understood why they wanted to shorten it from 20 feet to 15 feet, but he did not understand why it was a big deal to them now. Mr. Proulx showed a photo of the carport and explained there was an on-site storage area in the back and they wanted to make sure there was enough room for two parking covered spots. If they had to hold the front face back an additional 10 feet, they may have one car covered and only half of another car covered.

Chair Chvilicek opened public comment. Garth Elliott said he was a member of the Citizen's Advisory Board (CAB) when this came through several years ago and he was also on the Sun Valley General Improvement District Board of Directors. His concern with this development was storage, because storage in Sun Valley was a real problem. He had been concerned about the product they had before being personal property and the problems with obtaining financing. He said the area desperately needed this and he was in favor of the project.

Harold Cummings, 274 E Gepford Parkway, discussed his concerns regarding no sidewalks and narrow roads. He watched the children get on and off the buses with nowhere to walk. He drove a large truck and he was always worried about hitting a pedestrian, because the lighting was not good. This would bring in a lot more people and children. He watched the kids all year long and sometimes they fell into the ditch because they were running and playing and there were no sidewalks.

Chair Chvilicek closed public comment and opened discussion to the Commission. Commissioner Donshick stated the development would have to put in sidewalks all the way down Fourth Street.

Chair Chvilicek stated staff talked about a community garden space and she asked for clarification. Ms. Olander showed the space, which was on the eastern side.

Commissioner Chesney asked for clarification of the requested change in the language. Ms. Olander stated the only change in the language she had was for the addition of the Homeowner's Association being defined. She noted she did not have any language on the length of the driveway or Condition I.

Mr. Lloyd stated this type of subdivision was a common open space subdivision and there were opportunities to modify certain standards such as setbacks. He said staff liked to have those requests addressed before they came to a meeting; however, he felt their request could be accommodated. He added that for structures such as carports, there was an allowance for a 2-foot overhang into a setback. Rather than a 20-foot standard, it would be an 18-foot standard being taken down to 15 feet.

DDA Edwards stated he did not think the condition for the abandonment was written to indicate it was a done deal. He said they had to get an abandonment in order to record a Final Map and he saw some potential problems with that. He said that was discretionary approval and this entire subdivision could potentially be derailed by the failure to fulfill that condition. He suggested the Commission give some thought to change the language to something like "they shall apply for an abandonment of the Lupin Drive right-of-way." He stated the condition as it was written under traffic and roadway said it "shall" be abandoned prior to the recordation of the Final Map. He proposed the following language under Condition I that the developer shall apply for the abandonment of the Lupin Drive right-of-way, leave the language to the word "site', then delete "shall be abandoned", and leave the word "prior" and language beyond. If the intent was to approve this subdivision, he would hate to see it come crashing down in two years because of a problem with the abandonment.

Commissioner Bruce said he felt with the abandonment of Lupin Drive and approving this at this time, was putting the cart before the horse. He asked what if the other property owners objected to the abandonment. Mr. Lloyd stated he understood the adjoining properties were all under the same ownership and they could accept half of that current right-of-way, or they could grant all of the right-of-way to the Applicant. Ms. Olander clarified there were two property owners, one to the north that was developed and all owned by one owner and the property to the south was owned by another person. She explained when the Engineering Department reviewed this they felt Lupin Drive either needed to be abandoned or developed. She said to pave the roadway would be expensive because of the floodway and to put a bridge in would have been very expensive, so this was an option to abandon it because of the lack of connectivity to the other roadways. Commissioner Bruce stated he was not objecting to the abandonment, but he was concerned the abandonment may not work out later.

Chair Chvilicek stated with the change in the language suggested by DDA Edwards that could possibly ensure the abandonment would take place. DDA Edwards stated that was correct, and the point Commissioner Bruce was raising triggered his reasoning for the change to the Condition. Chair Chvilicek clarified the language under Traffic and Roadway, Item I, would read the Applicant shall apply for the abandonment of the Lupin Drive right-of-way adjacent to the site prior to the recordation of the Final Map.

Mr. Snelgrove stated the request for change to the language regarding the setback to the carport was in the last portion of the Condition wherein it stated they had a 10-foot setback to the front of the house and the covered part of the carport could start five feet back. He stated that would mean they would not have the carport adjacent to the front of the house, it would be a little way back, but not 20 feet. He stated the owner could have their car partially under the carport or all the way under.

The Commission took a five-minute recess.

The Commission reconvened with all commissioners' present.

DDA Edwards stated typically before one of these projects was presented, staff would discuss what variances may be included with the tentative map review and then those would be added in to the agenda description and notices. He said the only one that was being talked about tonight was the 20-foot standard setback being reduced to 15 feet. He suggested the Commission go forward with what was submitted on that issue, because that would be a variance, or if the Applicant was amenable to it, come back in a month for consideration.

Mr. Snelgrove stated he spoke with the Applicant and they would like to move forward and after speaking with staff, it was determined there could be other ways to work this out. Chair Chvilicek said under Item I on page 12, there would be no change to the language regarding the carport setback. Mr. Snelgrove stated that was correct.

Chair Chvilicek closed public comment and called for a motion. Ms. Olander stated the additional change would be to Item I; "the Applicant shall apply for an abandonment of Lupin Drive right-of-way adjacent to the site prior to the recordation of the first Final Map."

Commissioner Lawson moved that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission approve, with the conditions included as Exhibit A as modified during this hearing to this matter and with the addition of the condition explaining the reference to a Homeowners Association, Tentative Subdivision Map Case Number WTM18-003 for Landbank Development Co. LLC, having made all ten findings in accordance with Washoe County Code Section 110.608.25. Commissioner Donshick seconded the motion, which passed unanimously with a vote of seven for, none against.

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

E. Development Code Amendment Case Number WDCA18-0002 (Private and Public School Facilities) – For possible action, hearing and discussion to initiate an amendment to Washoe County Code Chapter 110 (Development Code) within Article 302, *Allowed Uses*, Table 110.302.05.2, Table of Uses (Civic Use Types), specifying that Private Education will be allowed with a board of adjustment special use permit in all regulatory zones except industrial and open space, and that Public Education will be allowed in all regulatory zones except industrial and open space with no special use permit required; within Article 304, *Use Classification System*, Section 110.304.20, Civic Use Types, to add to the definition of Education the sub-definitions of Private Education and Public Education; and for other matters necessarily connected therewith and pertaining thereto.

If the proposed amendment is initiated, public hearing and further possible action to deny or recommend approval of the proposed amendment and, if approval is recommended, to authorize the Chair to sign a resolution to that effect.

- Location: County wide
- Development Code: Authorized in Article 818
- Commission District: All Commissioners
- Prepared by: Julee Olander, Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775.328.3627
- E-Mail: jolander@washoecounty.us

Trevor Lloyd, Secretary, read the item into the record. Chair Chvilicek called for any disclosures from the Commission. Hearing none, she called staff forward. Julee Olander, Planner, presented the Staff Report. Chair Chvilicek called for any questions from the Commission.

Commissioner Bruce inquired as to why they were treating private schools differently. Ms. Olander stated the original State law differentiated between private and public schools. She stated Section 440 only addressed public schools, which meant staff had to separate them.

Commissioner Horan asked if private schools included charter schools. Ms. Olander stated charter schools were under the Washoe County School District and included in the public-school system. She explained any school collecting public funds was the definition of a public school. Mr. Lloyd explained the Nevada Revised Statutes (NRS) governed this situation and Washoe County Code had to be consistent with State Law.

Commissioner Bruce stated it appeared that a Special Use Permit was required under education and now they were separating out private schools and public schools and opening the door for public school facilities to not be required to obtain a Special Use Permit. Ms. Olander stated the NRS stated public schools were not required to have a Special Use Permit. Commissioner Horan stated that meant the new charter school would not have come through any approval process at the County level. Ms. Olander stated that was correct.

Chair Chvilicek called for public comment. Hearing no response to the call, she closed the public hearing and called for a motion.

Initiation

Commissioner Chesney moved that, after giving reasoned consideration to the information contained in the staff report and received during the public hearing, the Washoe County Planning Commission initiate the amendment to Washoe County Code Chapter 110 within

Article 302 & 304, *Allowed Uses and Use Classification System,* as described in the staff report for WDCA18-0002. Commissioner Donshick seconded the motion, which passed unanimously with a vote of seven for, none against.

Amendment

Commissioner Chesney moved that, after giving reasoned consideration to the information contained in the staff report and received during the public hearing, the Washoe County Planning Commission recommend approval of WDCA18-0002, to amend Washoe County Code Chapter 110 within Articles 302 & 304, *Allowed Uses and Use Classification System,* as described in the staff report for this matter. He further moved to authorize the Chair to sign the resolution contained in Exhibit A on behalf of the Planning Commission and to direct staff to present a report of this Commission's recommendation to the Washoe County Board of County Commissioners within 60 days of today's date. This recommendation for approval is based on all of the following four findings in accordance with Washoe County Code Section 110.818.15(e). Commissioner Donshick seconded the motion, which passed unanimously with a vote of seven for, none against.

1. Consistency with Master Plan. The proposed Development Code amendment is in substantial compliance with the policies and action programs of the Washoe County Master Plan;
2. Promotes the Purpose of the Development Code. The proposed Development Code amendment will not adversely impact the public health, safety or welfare, and will promote the original purposes for the Development Code as expressed in Article 918, Adoption of Development Code;
3. Response to Changed Conditions. The proposed Development Code amendment responds to changed conditions or further studies that have occurred since the Development Code was adopted by the Board of County Commissioners, and the requested amendment allow for a more desirable utilization of land within the regulatory zones; and,
4. No Adverse Affects. The proposed Development Code amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Master Plan.

F. Master Plan Amendment Case Number WMPA18-0001 (Sun Valley Area Plan) – For possible action, hearing and discussion to amend the Washoe County Master Plan, Volume 2, Sun Valley Area Plan, at Policy SUN.1.2 to remove the sentence, "New single family detached residential, including mobile homes, will not be allowed within the DCMA." If approved and subsequently found in conformance with the Truckee Meadows Regional Plan by the regional planning authorities, the Sun Valley Area Plan would no longer prohibit new single family detached residential units in the Sun Valley DCMA. Because this is a possible amendment to the master plan, approval must be by resolution supported by a 2/3 vote of the entire planning commission membership.

AND

Development Code Amendment Case Number WDCA18-0001 (Sun Valley Area Plan Modifiers) – For possible action, hearing, and discussion to amend to Chapter 110 of the Washoe County Code (WCC) at 110.218.35(a) to remove "Neighborhood Commercial / Office" zoning from the areas in which mobile homes and manufactured homes are prohibited to be placed within the Sun Valley area. If approved, placement of mobile homes and manufactured homes within these zones would instead be subject to the general

placement rules found in Table 110.302.05.1, which allows them with a board of adjustment special use permit.

- Applicant: Washoe County Planning and Building Division
- Location: Downtown Character Management Area (DCMA) of Sun Valley
- Master Plan Category: Commercial
- Regulatory Zone: Neighborhood Commercial
- Area Plan: Sun Valley
- Citizen Advisory Board: Sun Valley
- Development Code: Authorized in Article 818, Amendment of Development Code and Article 820, Amendment of Master Plan
- Commission District: 3 and 5, Commissioners Jung and Herman
- Prepared by: Roger D. Pelham, MPA, Senior Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775.328.3622
- E-Mail: rpelham@washoecounty.us

Trevor Lloyd, Secretary, read the item into the record. Chair Chvilicek called for any disclosures. Hearing none, she called staff forward. Trevor Lloyd, Secretary, presented the Staff Report. Chair Chvilicek called for any questions from the Commission. There were none.

Chair Chvilicek opened public comment. Ron Bell, 109 Grumpy Lane, said he took an old manufactured home off his parcel and wanted to put a new one on and improve the area, but that did not quite work out. Now it was a vacant lot and he was stuck with it, like a lot of the other homeowners. He was still moving junk cars and garbage off the lot, which had been ongoing for years. He said what the CAB did not realize was many of these properties were a block or two away from Sun Valley Blvd., which was going to be tough to improve in this day and age. His property was back a block and surrounded by manufactured homes. He really wanted this project to go through so that it would improve the area. He stated Don Ellis wanted him to present a letter to the Commission in support of this project.

Garth Elliott said he was representing the area plan update group that met for at least five years. He presented a PowerPoint presentation regarding unintended consequences. He showed several businesses that had moved in to Sun Valley Blvd., which he thought were a good thing.

Carmen Ortiz, 847 Cloudy Ct., said she was with the Sun Valley CAB. She stated she was not present when the original DCMA zoning process happened, but what she remembered from the CAB meeting was that they wanted the ability to replace and fix existing mobile homes on Sun Valley Blvd. As a Sun Valley resident, she was all for it but what they did not want was any new homes going in on Sun Valley Blvd., they wanted to keep that commercial. She said they were not concerned about two blocks away, the parcels that were not touching Sun Valley Blvd., they were only concerned with the parcels that faced Sun Valley Blvd. She wanted Mr. Bell on Grumpy Lane to put a new unit on that parcel. She said the language was there originally, but it fell out somehow.

Harold Cumming, 274 E Gepford Parkway, said he was in favor of improving Sun Valley Blvd., but he was wondering how deep it would go from the Blvd. He said they had airplanes and trees around there also. He stated one thing he did not think people mentioned was with all this building, there would be more people, more business and more traffic and the streets were small. He was concerned about there being little lighting on Sun Valley Blvd., and when you got

off the main street there was no lighting, especially east of the Blvd. If there were big vehicles, there were no sidewalks, and if there were sidewalks in the improvements, he was hoping lighting would be part of that also.

Chair Chvilicek closed public comment and brought it back to the Commission for discussion. She believed this item was to clean up language that had not been present and had created this blight situation; however, if someone tried to remove an existing home and replace it with something better, they could not do that. Mr. Lloyd stated those homes were zoned Neighborhood Commercial (NC). He said most of them had historically been residentially zoned; however, now there was a situation where there were many homes that were single-wide or smaller, but they were grandfathered non-conforming uses. What that meant was if the property owner wanted to replace it with something, they would have to replace it with something that was similar in size, not something larger. That became problematic because they just could not find newer homes of similar size, which really restricted their ability to improve their property. He said staff is not talking about a change in the zoning, but rather a change in the overall policy of that DCMA, to provide relief to property owners. Chair Chvilicek said it was grandfathered in as non-conforming when the Area Plan was first proposed and that commercial area was created on Sun Valley Blvd. She stated the pictures that were presented to the Commission in public comment, which were properties facing Sun Valley Blvd., showed that area was out of compliance and a Code violation. They were also saying that homes that were not on Sun Valley Blvd. could do whatever they wanted, but that was not what was before the Commission for action. Mr. Lloyd stated this would allow for them to bring those properties back into conformance.

Commissioner Donshick stated anyone who had a home on a piece of property could make a change and put a home back on the property, but she wondered what if someone owned one of the properties that never had a home on it. Mr. Lloyd stated currently the way the Master Plan and the Code are established, if they had a property that was in the NC zone, if it was vacant, they could not put a home on it. This change would allow them to put a home on it with a Special Use Permit. He said many of those properties were not just along Sun Valley Blvd.; in some cases, they were three or four properties back. He did not know if those properties would ever be developed commercially and so to take away their opportunity to place or take away an existing home on the property, seemed like a violation of their property rights. He said it was a good intent back in the day to remove some of the blighted properties and place newer commercial-type properties on those parcels, but they discovered over the last eight years it worked in some cases, but not in most of the cases.

Commissioner Lawson stated it seemed this was an intent to provide relief, but at a great cost to the concerns of the CAB. He wondered if staff considered redrawing the DCMA boundaries so that the properties that were not abutting Sun Valley Blvd., were excluding from that particular zoning rather than change the entire commercial plan. Mr. Lloyd stated they did want to come back and revisit all of those issues at a later date. The zoning was not changing; all of the current opportunities were still there; however, we wanted to provide immediate relief to those property owners that had been held hostage because of the current Master Plan and Code. What they were anticipating was that following the upcoming update to the Regional Plan, staff would reopen all of the Area Plans and hold meetings with the communities and CAB's and look at all of these issues and see what policies worked and which ones did not. Commissioner Lawson said with consideration to the CAB recommendation, he would like to find a way to provide immediate relief without contaminating the intent of the people who worked so hard to develop a plan wherein their community looked like they wanted it to. Mr. Lloyd said they wanted to address all of those issues, but not with this process. Staff wanted this to be a simple process; looking for relief to the current property owners who came to the County begging for something they could do and staff believed this was the simplest way forward. He said what

staff was proposing tonight would not invalidate all of the work that those folks had put into it, it was simply one avenue to allow for relief to property owners. It would still require a Special Use Permit, so in that instance staff would still get to review what was being proposed and what the impacts would be.

Commissioner Chesney said he did not believe that this would eliminate the blight on Sun Valley Blvd. He said once you got off the frontage of Sun Valley Blvd., those folks could put in whatever they wanted, but on the face of Sun Valley Blvd., in many areas it was totally blighted and he did not believe this would fix that.

Chair Chvilicek asked legal counsel if this could be construed as a "taking" for the property owners that were removing housing that was either unlivable or degraded and wanting to replace it and then could not. DDA Edwards stated it was not that they could not, it was that there were limitations on what they could replace it with. He stated if someone wanted to change the size or increase the size by more than 10 percent, they were not allowed to. What staff was saying was that some of those older homes were manufactured in an era when they were a lot smaller and now they were much more commonly larger than by 10 percent, so they could not find something that would fit. He did not think it was likely that it was a "taking" because there were avenues that were available for people in those circumstances. He noted Mr. Lloyd's point regarding the placement in the NC zone of a new detached single-family would require a Special Use Permit if this was approved, so some of the issues that had been brought up would allow for control of what was being placed on properties that did abut Sun Valley Blvd.

Commissioner Bruce stated all actions had an equal and opposite reaction, and the law of unintended consequences meant you did not get the results you wanted. He asked if staff knew when they would be reviewing the Master Plan and Area Plans. Mr. Lloyd stated they anticipated the Regional Plan update would take place sometime in 2019. He said they hoped it would happen sooner and they would like to begin the Area Plan updates immediately after the Regional Plan was updated. He said it may take several years. He said in the meantime all of these property owners were still being held hostage, versus addressing this one need now and then they could address all of those other issues later.

Commissioner Barnes stated he did not have a problem with this.

Chair Chvilicek stated when this Area Plan was written and the input from the community was brought forth, they wanted this zoned commercial to clean up the appearance of Sun Valley Blvd., but when the Commission saw pictures of what appeared to be obvious violations, it appeared enforcement was not taking place. Mr. Lloyd stated that much of what the Commission saw tonight, there was very little that Code Enforcement could do. He said staff had the ability to screen certain violations, such as inoperable vehicles, but they did not have the authority to tell the property owner to remove a boat, for instance. He said a lot of what the Commission saw was not in violation of County Code.

Chair Chvilicek asked when the Area Plans would be revisited and rewritten would there be a strong recommendation to put that kind of enforcement language within their Area Plan. Mr. Lloyd stated that was definitely something that would be considered.

Mr. Lloyd stated the Development Code Amendment was for the allowance of a manufactured home within that regulatory zone. He said the Master Plan Amendment talked about any new single-family detached residential, which could be stick built or manufactured homes.

Commissioner Lawson said if the Commission denied the Master Plan Amendment and approved the allowance of commercial, would that solve the property owner's problems. Mr.

Lloyd stated it would not, because the Master Plan Amendment allowed for putting in manufactured homes. The Master Plan Amendment would remove the language that said they could not have a single family detached residence on an NC zoned property regardless of whether it was stick built or manufactured. The Code Amendment said now they could not have a manufactured home in the NC zone in Sun Valley. He said the Commission would need to approve both to provide relief to the homeowners.

Commissioner Bruce said as long as a Special Use Permit was being required, if someone wanted to improve or develop on Sun Valley Blvd., he felt this would not be a problem. He was concerned because special use permits went before the Board of Adjustment and not the Planning Commission.

Commissioner Horan said he thought screening could not be a condition on a residential property. Mr. Lloyd stated the Board of Adjustment would have some flexibility in imposing conditions if there were some concerns about possible screening.

Chair Chvilicek called for a motion.

Development Code Amendment:

Commissioner Lawson moved that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission deny Development Code Amendment Case Number WDCA18-0001, to amend Washoe County Chapter 110 (Development Code) at 110.218.35(a) to remove "Neighborhood Commercial/Office" zoning from the areas in which mobile homes and manufactured homes are prohibited to be placed, being UNABLE to make at least one of the following findings of fact as required by Section 110.818.15(e). Commissioner Chesney seconded the motion, which carried unanimously with four in favor (Commissioners Bruce, Chesney, Horan and Lawson) and three against (Commissioners Barnes, Chvilicek and Donshick).

1. Consistency with Master Plan. The proposed Development Code amendment is in substantial compliance with the policies and action programs of the Washoe County Master Plan;
2. Promotes the Purpose of the Development Code. The proposed Development Code amendment will not adversely impact the public health, safety or welfare, and will promote the original purposes for the Development Code as expressed in Article 918, Adoption of Development Code;
3. Response to Changed Conditions. The proposed Development Code amendment responds to changed conditions or further studies that have occurred since the Development Code was adopted by the Board of County Commissioners, and the requested amendment allow for a more desirable utilization of land within the regulatory zones; and,
4. No Adverse Effects. The proposed Development Code amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Master Plan.

Master Plan Amendment:

Commissioner Lawson moved that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission NOT adopt the resolution contained at Attachment A to this staff report to amend the Master Plan as set forth in Master Plan Amendment Case Number

WMPA18-0001, and deny the amendment request, being UNABLE to make three of the six findings of fact in accordance with Washoe County Code Section 110.820.15(d). Commissioner Bruce seconded the motion, which carried unanimously on a vote of four in favor (Commissioners Bruce, Chesney, Horan and Lawson) and three against (Commissioners Barnes, Chvilicek and Donshick).

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan;
2. Compatible Land uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare;
3. Response to Changed Conditions. The proposed amendment 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; and
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.

9. Chair and Commission Items

***A.** Future agenda items

Commissioner Lawson stated a public comment was given regarding cash bonds being required and he asked staff to look into that. Mr. Lloyd stated he would bring it back at a future time. Commissioner Chesney asked if there was any action the Commission could take to help with the issues in Lemmon Valley. Mr. Lloyd stated staff was working on that and they had planned for the County's Engineer to attend meetings to discuss those issues with the Commission. DDA Edwards stated he would have to look up the issue of a moratorium, because he was not sure if only the Board of County Commissioners could act on a moratorium. He stated he believed the Commissioners could have a conversation regarding it; however, he suggested against it due to them not having any authority to act on it.

***B.** Requests for information from staff

Mr. Lloyd reminded the Commission there was going to be a joint Planning Commission meeting with the City of Reno on April 26, 2018 at City Hall. He said on October 8th through the 10th, there would be a State APA Conference and he needed to know if any of the Commissioners would be attending. He said all the Commissioners should have received the link to the Metro Quest Survey and he asked them to please take the survey.

10. Director's and Legal Counsel's Items

***A.** Report on previous Planning Commission items

Mr. Lloyd stated he had nothing to report.

*B Legal information and updates

DDA Edwards stated he did not have anything to report.

11. *General Public Comment

There was no response to the call for public comment.

12. Adjournment

With no further business scheduled before the Planning Commission, the meeting adjourned at 9:36 p.m.

Respectfully submitted,

Katy Stark, Recording Secretary

Approved by Commission in session on May 1, 2018.

Trevor Lloyd
Secretary to the Planning Commission