

Washoe County Planning Commission



# **WAB22-0001 (Bailey Government Tract Abandonment)**

April 5, 2022

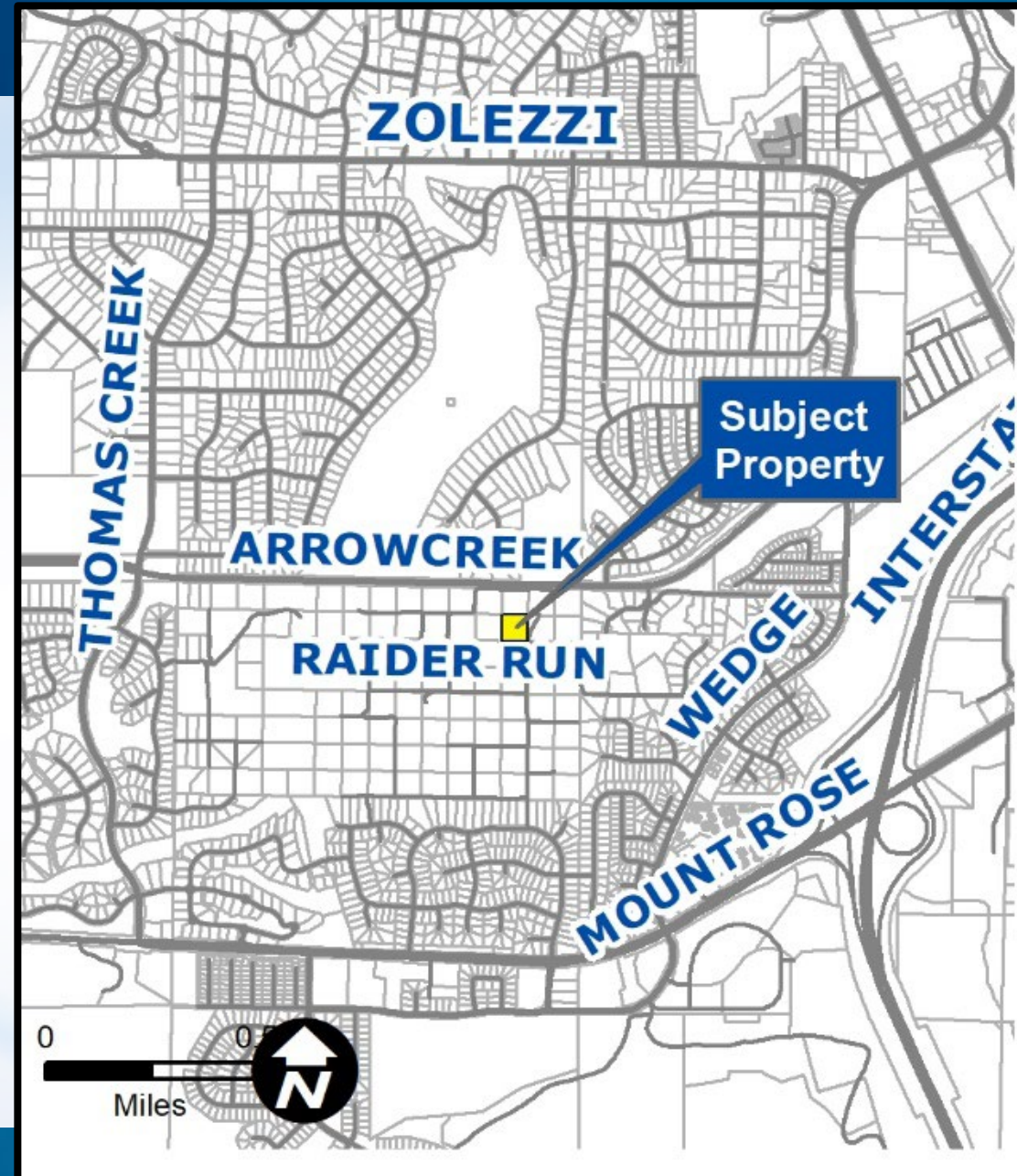
# WAB22-0001

Bailey Government  
Tract Abandonment



# Vicinity Map

The parcel (APN: 142-241-14) is located in the Southwest Truckee Meadows Area, on Whites Creek Lane, south of Arrowcreek Parkway.



# Request



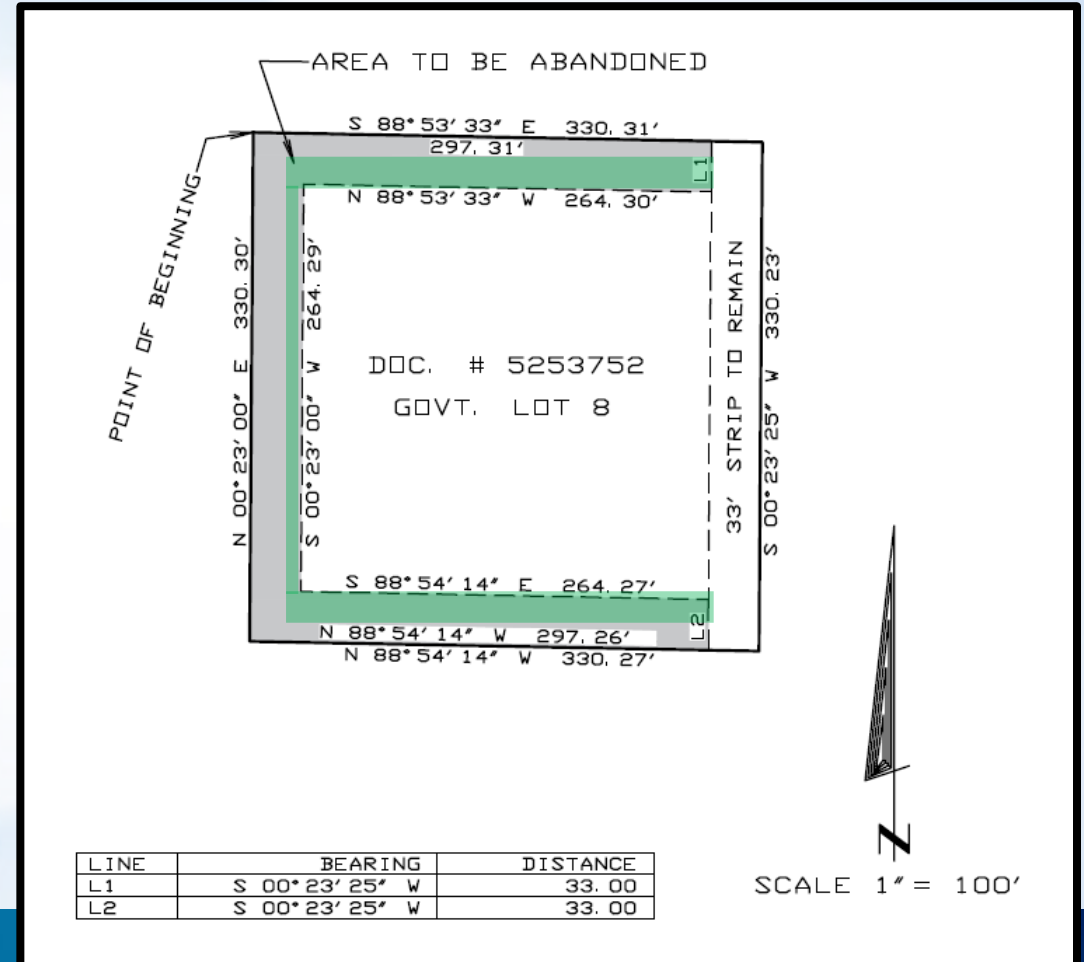
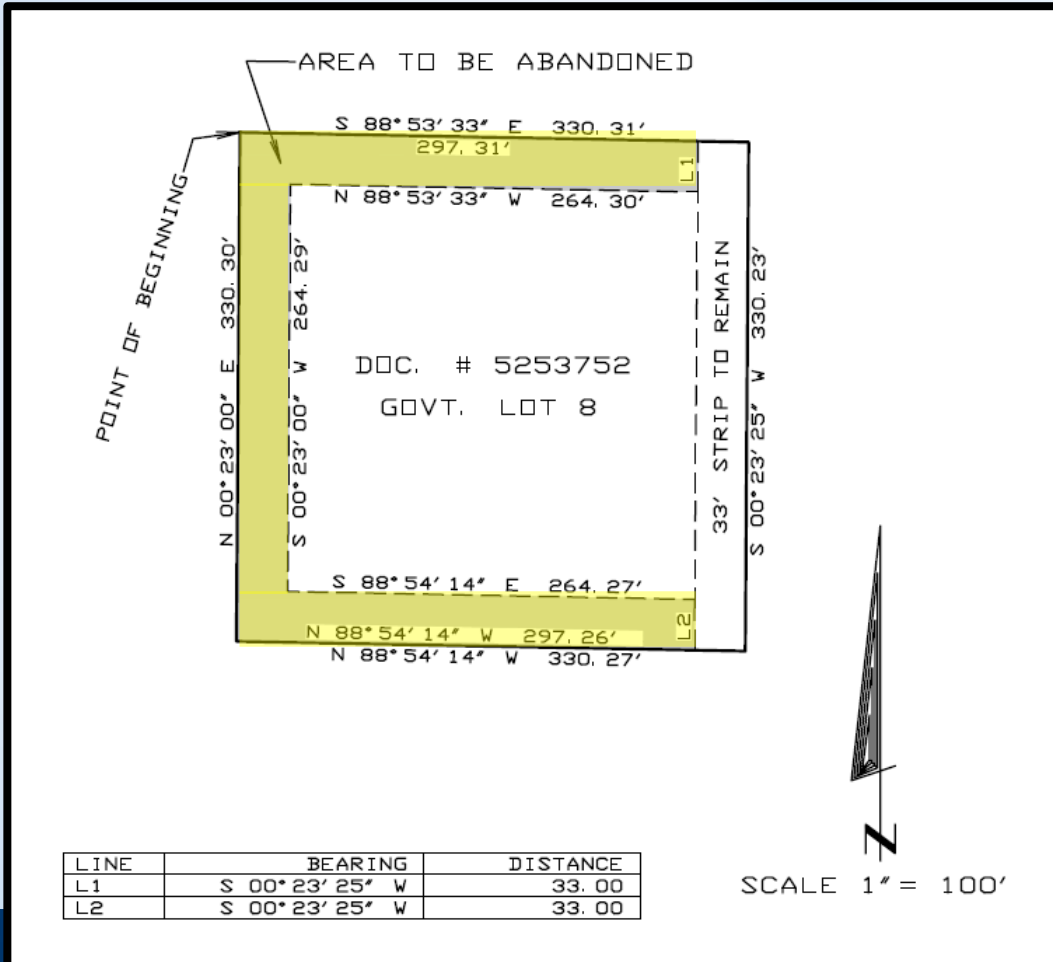
- The request is for:
  - An abandonment of Washoe County's interest in the 33-foot-wide government patent easements on the north, south & west property lines of parcel 142-241-14.
  - The reduction of 33-foot-wide utility easements to 15 feet on the north & south property lines of the parcel and to 30 feet on the west property line of the parcel.
- The parcel has regulatory zones of 48% High Density Rural (HDR) & 52% General Rural (GR) with 30-ft. front & rear yard setbacks & 15-ft. side yard setbacks.

# Site Plan – Requests



- Abandonment of 33-ft.-wide government patent easements on the north, south & west

- Reduction of 33-ft.-wide utility easements to 15 ft. on the north & south property lines & to 30 ft. on the west property line



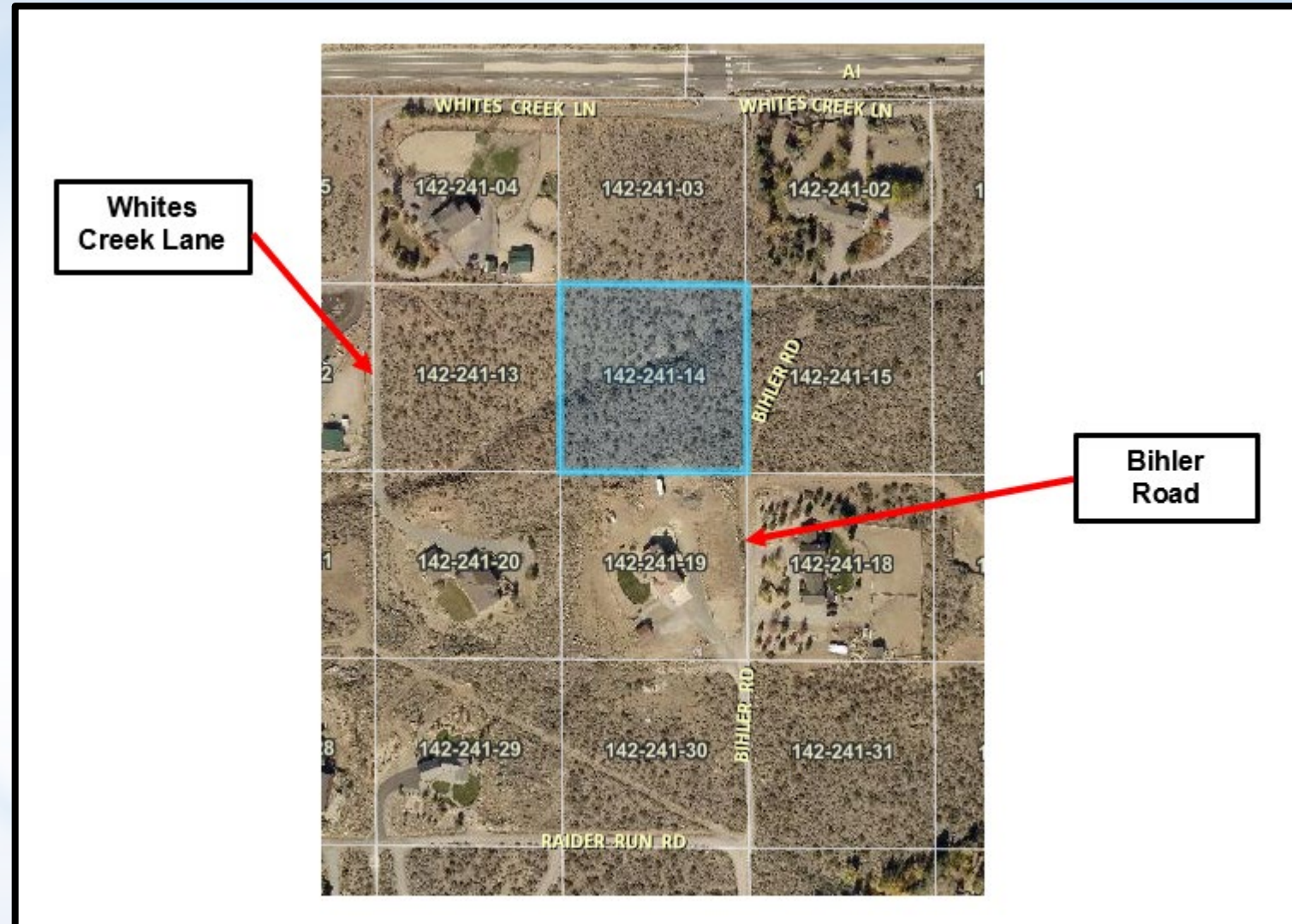
# Background



- Like many government home tracts of land, easements were established on all sides of the parcel of land. At the time, the most efficient locations for roads had not yet been determined.
- In the intervening decades, roads have been established that provide access to all parcels of land surrounding the subject property.
- The remaining access easements are not needed.

# Evaluation

- Access for the properties surrounding the subject parcel will not change.
- Parcels to the north & west of the subject property have access by means of Whites Creek Lane.
- Parcels to the south & east of the subject property have access by means of Bihler Road.



- Applicant's request to reduce utility easements on north, south & west sides of the parcel:
- Engineering provided Condition 2.b.:
  - “Retention or relocation of all public utility easements is required to the satisfaction of and at no expense to Washoe County or the existing public utilities that originally accepted and approved said easements, as well as any other public utilities now in existence that currently utilize said easements. Said relocations shall be evidenced by the recordation of properly executed documents reflecting the grant of new easements (if required) to said public utilities and the relinquishment by said public utilities of their former easements.”



# Analysis

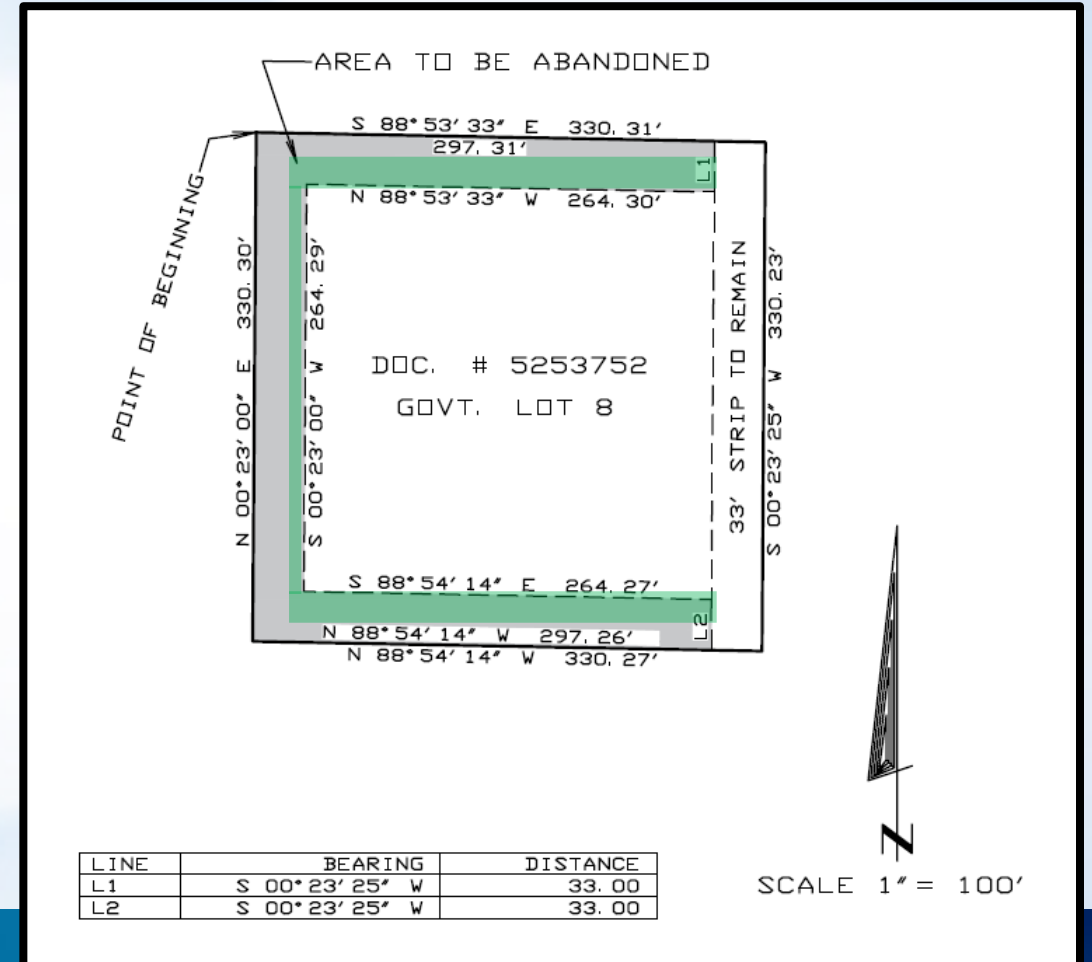
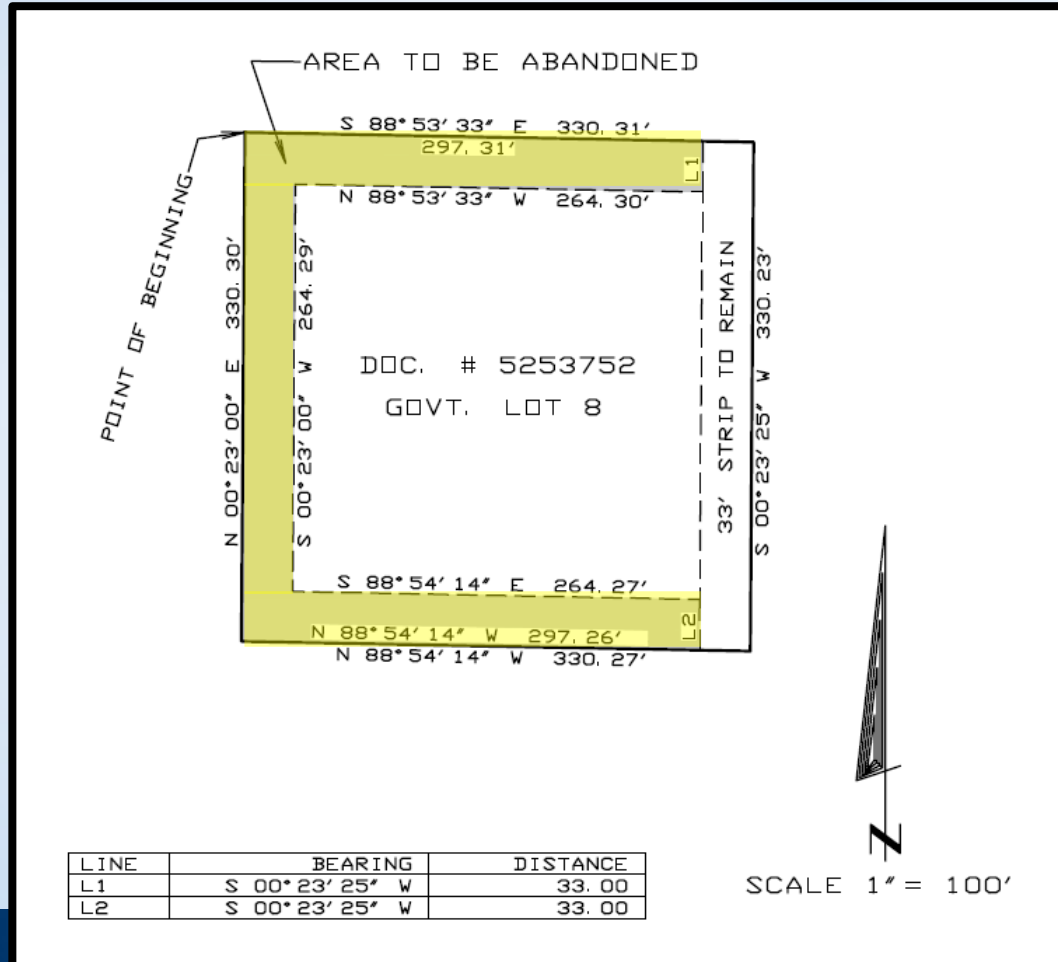


- Washoe County only has interest in the roadway portion of the easements.
- Any utility easement elimination or reduction must be addressed separately through all of the utility companies. This process is typically completed via a Quit Claim Deed.
- Washoe County Engineering has also required (Condition 2.d.) that the abandonment approval is only for access easements & that any drainage easement rights are expressly reserved.

# Site Plan – Requests

- Abandonment of 33-ft.-wide government patent easements on the north, south & west

- Reduction of 33-ft.-wide utility easements to 15 ft. on the north & south property lines & to 30 ft. on the west property line



# Public Notice

Notices were sent to 15 parcels abutting the subject parcel.



# Reviewing Agencies



The project application was sent to 17 agencies for review. Two of these agencies provided conditions, which are included in Exhibit A of the staff report.

Nevada Dept of Transportation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Nevada Div. of Wildlife	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Washoe County Building & Safety	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Washoe County Parks & Open Spaces	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sophia Kirschenman / <a href="mailto:skirschenman@washoecounty.gov">skirschenman@washoecounty.gov</a>
Washoe County Water Rights	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Washoe County Engineering	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Robert Wimer / <a href="mailto:rwimer@washoecounty.gov">rwimer@washoecounty.gov</a>
Washoe County Operations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Washoe County Sherriff	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
WCHD – Environment Health	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	David Kelly / <a href="mailto:DAKelly@washoecounty.gov">DAKelly@washoecounty.gov</a>
WCHD- EMS	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sabrina Brasuell / <a href="mailto:sbrasuell@washoecounty.gov">sbrasuell@washoecounty.gov</a>
Truckee Meadows Fire Protection District	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Brittany Lemon / <a href="mailto:blemon@tmfpd.us">blemon@tmfpd.us</a>
RTC Washoe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Washoe-Storey Conservation District	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Jim Shaffer & Bret Tyler / <a href="mailto:shafferjam51@gmail.com">shafferjam51@gmail.com</a> & <a href="mailto:brettyler2@gmail.com">brettyler2@gmail.com</a>
Nevada Historic Preservation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
AT&T	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Bryson Gordon / <a href="mailto:bq1853@att.com">bq1853@att.com</a>
NV Energy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TMWA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Staff is able to make all 3 required findings, as detailed on page 7 in the staff report.

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

# Recommendation



Those agencies which reviewed the application recommended conditions to address applicable codes and impacts associated with the project. After a thorough analysis and review, staff recommends that the Planning Commission carefully consider all aspects of Abandonment Case Number WAB22-0001 and the nature of the stringent recommended conditions of approval and approve the requested Abandonment.

# Possible Motion



I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission approve Washoe County's abandonment of its interest in the 33-foot-wide government patent easements on the north, south and west property lines of parcel 142-241-14 as indicated in Abandonment Case Number WAB22-0001 for Page and Olivia Bailey, with the conditions included as Exhibit A to this matter, having made all three findings in accordance with Washoe County Code Section 110.806.20.

# Thank you

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