



Community Development

"Dedicated to Excellence in Public Service"

Adrian P. Freund, FAICP, Community Development Director



Agenda Item No: 1

Staff Recommendation: **APPROVAL**

**WASHOE COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT
STAFF REPORT**

To: Washoe County Planning Commission

Re: Comprehensive Plan Amendment CP05-005 (Forest Area Plan Update)

Date: 08 May 2008

Prepared By: Eric M. Young, Planner

APPLICATION SUMMARY

Applicant: Washoe County

PUBLIC HEARING: COMPREHENSIVE PLAN AMENDMENT CASE NO. CP05-005 (FOREST AREA PLAN) – An amendment to the Forest Area Plan that provides a wholesale update of the Forest Area Plan, establishing updated goals and policies relating to Land Use, Transportation, Scenic, Recreational and Cultural Resources, Natural Resources (Air, Land and Water), establishing minimum architectural and site design standards, amending the Land Use Plan map to reflect certain land use changes within proposed character management areas; and establishing an updated map series to include a Land Use Plan map, Character Management Plan map, Recreational Opportunities Plan map, Public Services and Facilities Plan map, Streets and Highway Systems Plan map, and Development Suitability map. The Forest planning area is comprised generally of the unincorporated areas south of SR 431 to the border with Washoe Valley and the east slope of the Carson Range. Staff Representative: Eric Young, Ph.D., Planner, 775-328-3613 and Lisa Brosnan, Assistant Planner, 775-326-3668.

STAFF RECOMMENDATION AND POTENTIAL MOTION

Based on the staff analysis and discussion of the necessary findings found in this report staff recommends that the Planning Commission approve the proposed update to the Forest Area Plan.

The following motion is offered for your consideration:

“I move that the Washoe County Planning Commission approve Comprehensive Plan Amendment Case No. CP05-005, an update to the Forest Area Plan, having made one or more of the following findings in accordance with Washoe County Development Code Section 110.820.15.”

Findings

1. The proposed amendment to the Forest Area Plan is in substantial compliance with the policies and action programs of the Comprehensive Plan.
2. The proposed amendment to the Forest Area Plan will provide for land uses compatible with existing and planned adjacent land uses, and will not adversely impact the public health, safety, or welfare.
3. The proposed amendment to the Forest Area Plan responds to changed conditions that have occurred since the Board of County Commissioners adopted the plan, and the requested amendment represents a more desirable utilization of land.
4. The proposed amendment to the Forest Area Plan will promote the desired pattern for 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.
5. The proposed amendment to the Forest Area Plan is the first amendment to the Forest Area Plan in 2008, and therefore does not exceed the four permitted amendments as specified in Section 110.820.05 of the Washoe County Development Code.
6. That the Planning Commission has reviewed the required regional findings in Article 822 for conformance with the Regional Plan, including Section 822.25, findings for Regional Form and Pattern; Section 822.35, findings for Concurrency, Timing and Phasing of Infrastructure; Section 822.40, findings for Public Service Levels and Fiscal Effect; and,
7. The Washoe County Planning Commission gave reasoned consideration to information contained within the staff report and information received during the public hearing.

An action for approval requires a super majority vote in favor of the motion. A Planning Commission action for approval is a final action unless appealed to the Board of County Commissioners (WCDC Section 110.820.15(h)). Appeals must be filed consistent with the provisions of Washoe County Development Code.

PLANNING COMMISSION ACTION ALTERNATIVES
--

The various alternatives available to the Planning Commission include:

- Close the public hearing and make a recommendation of approval or denial of the Comprehensive Plan Amendment as submitted to the Washoe County Planning Commission.
- Close the public hearing and identify any specific changes necessary to the proposed amendment of the Washoe County Comprehensive Plan, and recommend approval or denial to the Washoe County Commission with the identified modifications; or
- Continue the public hearing on the proposed amendment to the Washoe County Comprehensive Plan, but delay any action pending further research by staff on issues raised during the public hearing, or discussion and direction by the Planning Commission.

BACKGROUND

The proposed update to the Forest Area Plan for your consideration is the seventh in the series of updates to each of the County's area plan that was initiated in 2002. Only the Verdi, Warm Springs, and High Desert Area Plans remain. Each of those plans is nearing completion and will come before the Planning Commission in the months to follow. Staff began work on the update of the Forest Area Plan in 2005. Since that time staff and the community, including residents, landowners and business owners, have devoted considerable effort to the crafting of the document presented for consideration tonight.

The process has included numerous meetings, including CAB, PC, and working group meetings. The following is a partial list of meetings that have occurred since the beginning of the update process:

5/8/08	Galena-Steamboat CAB
4/10/08	Joint PC and Galena-Steamboat CAB
2/9/08	Forest Area Community Fair
9/5/07	Joint Forest/SWTM Meeting—Bartley Ranch
8/23/07	Tour of Madera Ridge property
8/9/07	Galena-Steamboat CAB
6/14/07	Galena-Steamboat CAB

In addition to these meetings, numerous meetings have occurred between staff and various working groups, staff and individual residents, and staff and individual land owners.

A common issue that has been a part of many of the area plan updates is the tendency to begin to focus the dialogue on project level issues rather than maintain a focus on the more comprehensive issues relevant to a master plan level change. This tendency was evident at many of the meetings listed above. In order to respond to the concerns of the community regarding potential future projects, the proposed Area Plan contains significant new policies intended to provide guidance to planners, staff, and the PC when projects are submitted for review in the future. These policies are discussed below in more detail. However, this staff report will seek to maintain a focus on the update as an amendment to the Master Plan. As such, the discussion will emphasize how this proposed update responds to the necessary findings identified above.

REVIEW AND ANALYSIS

The development of the proposed Forest Area Plan was founded on the County's desire to balance its commitment to existing community character with its regional responsibilities to accommodate a portion of future growth in an efficient and orderly manner. By means of an extensive review process including the public process mentioned above and agency and affected entity reviews; staff has crafted a master plan for the Forest planning area that achieves this balance and reaches beyond the typical policy direction to provide unprecedented direction and guidance for decision makers to ensure this balance is maintained into the future.

Like many of the County's planning areas, despite the existence of a distinct suburban development pattern, many residents describe the Forest planning area as having a "rural" character. This perception is based largely on the area's wildlife habitat, access to extensive public open space and recreational areas, currently undeveloped scenic viewscapes, limited

commercial intensity and scope, limited light and noise pollution, and for some residents, larger lot sizes. Therefore, the opportunities for growth and development contained in the proposed plan respond to these components of the planning area's character in a strong and comprehensive manner. Each of these areas of public concern is provided extensive policy direction and guidance by the proposed plan.

The remainder of this staff report will focus on providing the Planning Commission with the necessary information to consider each of the findings listed above.

FINDINGS AND ANALYSIS

1. The proposed amendment to the Forest Area Plan is in substantial compliance with the policies and action programs of the Comprehensive Plan.

The Land Use and Transportation Element (LUTE) of the Washoe County Comprehensive Plan provides extensive guidance and direction for the development and implementation of the County's area plans. The current LUTE was adopted by the County commission in June of 2007 and represents a substantial update. The newly adopted LUTE guides the county toward growth policies focused more strongly on sustainability, infrastructure efficiency, neighborhood sense of place, and general principals of smart growth.

During the development and adoption of the LUTE there was considerable discussion concerning the conformance of previously updated area plans with the substantially updated goals and policies found in the LUTE. However, the timing of the Forest Area Plan update provides us with the ability to ensure that it is guided by the LUTE. The proposed Forest Area Plan responds to the guidance and direction of the LUTE in many ways and in many places throughout the plan. The following review provides some examples of how the Forest Plan seeks to conform with the LUTE.

- **An important component of the LUTE is the encouragement of mixed-use development practices. The proposed Forest Area Plan provides for two mixed-use opportunities. One small opportunity consists of approximately 8 acres adjacent to The Lodge restaurant on SR 431 where the road turns south and begins to climb up the mountain. The other opportunity is between Edmonton Drive and a proposed southward extension of Thomas Creek Parkway. Goal Three in the proposed Area Plan provides for extensive direction and guidance for these areas. The following are excerpts from the LUTE that support mixed-use development:**

LUT.1.2 Mixed-use, sustainable developments are extremely encouraged.

LUT.1.4 Residential should be within close proximity to retail/commercial land uses within SCMAs to facilitate both walking and cycling as desirable and safe modes of transportation.

Goal Two: Standards ensure that land use patterns are compatible with suburban development and incorporate mixed-use.¹

- LUT.2.1 Ensure that existing and proposed land uses are compatible.
- a. Projects shall be evaluated with the intent to promote mixed-use and land use compatibility.
 - b. Mixed-use refers to the combining of retail/commercial and/or service uses with residential or office use in the same building or on the same site in one of the following ways:
 - i. Vertical Mixed-Use - A single structure with the above floors used for residential or office use and a portion of ground floors for retail and commercial (Photo 2).
 - ii. Horizontal Mixed-Use, Attached - A single structure, which provides retail/commercial or service use in the portion fronting the public or private street with attached residential, or office uses behind (Photo 3).
 - iii. Horizontal Mixed-Use, Detached - Two or more structures on one or more parcels of land which provide retail/commercial or service uses in the structure(s) fronting the public or private street, and residential or office uses in separate structure(s) behind the site.

-
- **Another component of the LUTE is the promotion of common open space development patterns. The Area Plan promotes this development pattern as well. Please see Policy F.2.15 and the standards under policy F.2.16. The following is an excerpt from the LUTE promoting this development pattern.**

- LUT.2.2 Allow flexibility in development proposals to vary lot sizes, cluster dwelling units, and use innovative approaches to site planning providing that the resulting design is compatible with adjacent development and consistent with the purposes and intent of the policies of the area plan. Development applications shall be evaluated with the intent to satisfy the minimum following criteria:
- a. Directs development away from hazardous and sensitive lands.
 - b. Preserves areas of scenic and historic value.
 - c. Provides access to public land.
 - d. Retains agricultural uses, fire and windbreaks, wildlife habitat, wetlands, streams, springs and other natural resources. An adequate amount of prime resources must be retained in order to sustain a functioning ecosystem.
 - e. Accommodates the extension and connection of trail systems and other active and passive recreational uses.
 - f. Furthers the purposes and intent of the respective Area Plan.
 - g. Prevents soil erosion.
 - h. Encourages a minimum distance from residential dwellings to active recreation in parks.

- **The LUTE strongly discourages sprawl and promotes growth in areas identified for growth in the regional plan within existing service areas and adjacent to infrastructure and existing development. The proposed Land Use Plan map in the Forest Area Plan responds to this existing County policy. The following is an excerpt from the LUTE:**

Goal Three: The majority of growth and development occurs in existing or planned communities, utilizing smart growth practices.¹

- LUT.3.1 Require timely, orderly, and fiscally responsible growth that is directed to existing Suburban Character Management areas (SCMAs) within the area plans as well as to growth areas delineated within the Truckee Meadows service area (TMSA).
- LUT.3.2 In order to provide a sufficient supply of developable land to meet the needs of the population, area plans shall establish growth policies that provide for a sufficient supply of developable land throughout the planning horizon of the next 20 years, with considerations to phase future growth and development based on the carrying capacity of the infrastructure and environment.
- LUT.3.3 Strengthen existing neighborhoods and promote infill development.
- a. Identify and assist in revitalizing older maturing neighborhoods to ensure their long-term stability.
 - b. Promote commercial revitalization.
 - c. Capital Improvements Program (CIP) expenditures should be directed to infrastructure development in existing areas with inadequate services.
 - d. Promote funding resources such as the Nevada Brownfields Program to redevelop properties.
 - e. Create density bonuses and other innovative development tools to encourage infill in targeted areas.
- LUT.3.4 Area plans shall identify adequate land, in locations that support the regional form and pattern, for the residential, commercial, civic and industrial development needs for the next 20 years, taking into account land use potential within the cities and existing unincorporated centers, existing vacant lots, and resource and infrastructure constraints.

-
- **The LUTE also emphasizes the value of natural resources and open space. The proposed area plan contains extensive policies guiding and directing the sustainable management of natural resources in the planning area. Please see policies F.2.11, F.2.13, F.2.15, F.2.16 MRMOUD Criteria f and I, Goal 6 and attendant policies, Goal 14 and attendant policies, Goals 17, 18, 19, 20 and attendant policies. The Recreational Opportunities Plan map provides guidance concerning trails and recreational areas. The proposed Land Use Plan map together with the encouragement of common open space development supports the LUTE's promotion of open space. The following is an excerpt from the LUTE concerning the management of resources.**

Goal Nine: Natural resources are highly valued.

- LUT.9.1 Create, maintain, and connect usable open space for aesthetic, recreational purposes and natural resource protection.
- a. Development assurances shall provide that the open space will be used as intended and will be adequately maintained. The following measures shall be used as applicable:
 - i. Designate open space areas to a classification consistent with the intended use.
 - ii. Record Conditions, Covenants and Restrictions (with the County as an interested party) or other contractual agreement with specification of the intended use and prohibition of future sale of the property without consent of the County.
 - iii. Specify use of the property (e.g. common area) on recorded maps.
 - iv. Dedicate easements (with the County as an interested party) that specify the intended use.
 - v. Provide financial assurances for any proposed improvements within the open space.
 - vi. Provide mechanisms to assure perpetual maintenance of the open space.
 - vii. When a density bonus or density transfer is proposed, the parcel that is proposed to be use-restricted should be included as part of the tentative map.
- LUT.9.2 Use techniques for not developing parcels or portions of parcels, such as transfer of development rights, conservation easements and conservation subdivisions, in environmentally sensitive and aesthetically valuable areas.
- LUT.9.3 Use building envelopes and localized grading, to reduce balding and cut and fill, in environmentally sensitive areas.
- LUT.9.4 Reduce the impacts of development on water quality, land subsidence and fissuring, and riparian habitat.
- LUT.9.5 Require the connection of open space; trail access and bikeway systems with regard to a multitude of different trail uses.
-

These are only a few examples of how the proposed Forest Area Plan attempts to conform to the adopted Land Use and Transportation Element. Please consider reviewing the LUTE as part of your review of the proposed update to the Forest Area Plan.

2. The proposed amendment to the Forest Area Plan will provide for land uses compatible with existing and planned adjacent land uses, and will not adversely impact the public health, safety, or welfare.

As previously mentioned, the proposed land use changes found in the proposed Forest Area Plan resulted in an overwhelming temptation on the part of the community to ask questions and seek information that is typically more appropriately considered during project review. This is certainly understandable and staff believes this is a temptation that is faced by not only by residents but by staff and the Planning Commission as well. The desire to discuss “projects” during a master plan review is only intensified when the owners of land being re-designated point to the projects they have in mind to seek community support for the re-designation. This also is very understandable and somewhat expected.

Staff’s concern with focusing on project level issues is the degree to which that discussion takes away from the primary considerations of whether or not it is appropriate, given these findings, to amend the land use designations and the goals and policies. Staff would typically look to the broad Land Use Compatibility Matrix found in the LUTE to review the proposed changes and determine compatibility. This matrix primarily identifies the degree to which screening and buffering is necessary.

The proposed land use changes in the Forest update represent a high degree of compatibility between areas in the plan. The matrix does not anticipate the mixed-use nature of the Neighborhood Commercial designations in the proposed plan. These areas are directed by goals and policies that will provide substantially more compatibility with adjacent uses.

The community’s concern about potential future projects is still considerable, even though the land uses identified in this plan can be considered compatible according to the Land Use Compatibility Matrix. Therefore, in order to respond to these concerns, the proposed area plan contains extensive policies to guide and direct future projects and ensures their compatibility with surrounding land uses.

Goals Two and Three and their attendant policies provide far reaching and specific direction that responds directly to the community’s concerns regarding future development in the area. In fact, a new tool is introduced in these policies that will provide direction and guidance in the areas most likely to see future development projects. The proposed plan identifies two separate Overlay Districts in which even more specific standards are applied to future development. The Matera Ridge Mixed-Use Overlay District (MRMUOD – Policy F.2.16) and the Mt. Rose Scenic Highway Commercial Overlay District (MRSHCOD – Policy F.3.3) respond directly to the concerns of the community regarding future development in the Steamboat Hills and Commercial Development in the Scenic Corridor.

Finally, in two separate instances (the westward facing slope east of Fawn lane and a 3 acre parcel across SR 431 from The Lodge restaurant), staff declined to support the requests of landowners for land use changes because of concerns over the compatibility of the requested change with existing adjacent land use. In another instance (south of Matera Ridge, east of Galena Creek), staff agreed to a reduced change to the intensity based on a similar concern.

In regard to public health, safety and welfare, the proposed plan provides includes several policies related to natural hazards, including wildfire, policies that will regulate the impact of certain special use permits on public health, policies to control the spread of noxious weeds, and policies to require traffic safety improvements prior to the approval of development (Please see Policies F.2.2, F.2.12, F.2.14, F.3.3.3, F.3.3.4, and Goal 13 and attendant policies).

3. The proposed amendment to the Forest Area Plan responds to changed conditions that have occurred since the Board of County Commissioners adopted the plan, and the requested amendment represents a more desirable utilization of land.

The Forest Area Plan was first adopted by Board of County Commissioners in 1991. Since that time a series of amendments have been adopted that included changes to land use designations and to policies related to the other maps in the map series. A very informative timeline of development in the Forest Planning Area has been developed by staff and is available at:

www.washoecounty.us/comdev/proposed_forest_area_plan_update.htm.

There are several factors contributing to the change of conditions experienced in the Forest Planning Area. These factors include the adoption of a new Regional Plan, the approaching build-out of the planning area, and the changing pressures on the United States Forest Service regarding the management of their property in the planning area.

The proposed policies and land uses represented in this area plan update represent a more desirable utilization of land and are direct responses to these changing conditions in the Forest planning area.

Regional Plan

Perhaps the most significant change in conditions is the adoption of the new Truckee Meadows Regional Plan. As you are aware, the Regional Plan focuses on the Regional form and pattern. The regional plan also indirectly assigns roles to the three local jurisdictions in the implementation of this form and pattern. The primary tools used to direct the regional form and pattern are the Truckee Meadows Services Area (TMSA), Transit Oriented Development corridors (TOD), Regional Centers, and Resort Services Areas. Each of these tools in the Regional Plan has contributed in varying degrees to a significant change in conditions in the Forest Planning Area.

TOD and Center Designation. The Regional Plan identifies a TOD extending down South Virginia Street to a Regional Center at and around the Redfield Campus and the intersection of SR 431 and South Virginia Street. These designations require the City of Reno to implement very significant intensifications of land use right on the edge of the Forest Planning Area. Prior to the implementation of these tools in this area, there were mixed visions the role of this area in the regions form and pattern. Some residents in and around the Regional Center maintained a vision of a more rural to suburban land use pattern. However, the implementation of these tools envisions a distinctly urban component to the regional form and pattern in this area. The evolution over time of an urban center on the border of the Forest planning area represents a clear change in conditions.

Truckee Meadows Services Area. However, the implementation of the TMSA brings with it the most significant change of conditions relative to the new regional plan. The Truckee Meadows Regional Plan defines the TMSA as “The defined areas within which municipal services and infrastructure will be provided. This area includes the high intensity core areas and existing and planned urban and suburban uses.” The Regional Plan further articulates that the purpose of the TMSA is:

- To guide urban and suburban development and ensure orderly provision of services and infrastructure;
- To encourage the use and maintenance of existing infrastructure capacity to accommodate infill and new development;

- To guide urban and suburban development away from unsuitable areas, the Regional Plan defines *Infill* as:

Development or redevelopment of land that has been by-passed, remained vacant, and/or is underused as a result of the continuing urban development process. Generally, the areas and/or sites are not particularly of prime quality; however, they are usually served by or are readily accessible to infrastructure.

Therefore, the implementation of the Regional Plan represents a significant change of conditions that will require the County to consider the development potential of areas that meet the definition of infill. Granted, infill in the unincorporated area is often of a greater scale than typical urban infill. However, the Washoe County Development Code anticipates a need to reconsider the rural designation of property. The Development Code discusses at some length the re-designation of lands classified as General Rural. While not all of the property proposed for a change of land use in the area plan update is General Rural, staff believes that the County's responsibility to effectively implement the TMSA makes the application of these guidelines appropriate for many of the rural designations within the TMSA.

The Forest Area Plan contains more undeveloped rural designated land within the unincorporated portion of the TMSA than the County's other area plans. Much of this land is adjacent or near the existing transportation network, adjacent to planned or existing water and sewer infrastructure, and adjacent to existing development.

Below are two excerpts from the Washoe County Development Code that speak to this periodic review (underline added):

- **Section 110.106.115 Review of General Rural Regulatory Zone Designation.** Approval of all development plans for specific properties in the General Rural areas shall be on a case-by-case basis. Parcel owners may apply for an amendment to the Comprehensive Plan (Article 820) to a more intensive land use designation after addressing the potential constraints for which the property was initially designated General Rural. The General Rural designated areas will be reviewed by Washoe County at least every five years to determine if a more intensive land use regulatory zone is necessary and/or appropriate.
- **Section 110.106.120 General Rural Regulatory Zone Development Guidelines.** The predominant land use pattern within the General Rural Regulatory Zone is open space and agriculture, with less frequent occurrence of mining or other similar uses. Through the General Rural Regulatory Zone, it is the County's intention to encourage more intensive land uses to locate in environmentally suitable areas and/or areas served by existing or planned infrastructure. Property owners will be encouraged to develop their property at densities and intensities compatible with surrounding existing and planned development. Where environmental and/or public infrastructure constraints cannot be effectively removed, the standard residential density is 1 dwelling unit per 40 acres. Higher density development shall be permitted upon finding that the constraints associated with the above mentioned characteristics can be mitigated and the plan for the area is amended. Furthermore, other uses not specified here may be appropriate, provided they deal effectively with the limitations and constraints noted, and the development represents an overall benefit to the County (e.g. unique employment opportunity). Development in the General Rural Regulatory Zone is appropriate under the following conditions:

- (a) Conservation. It will preserve the environmental character of sensitive or unique natural features and environmental constraints (e.g. moderately steep or steep slopes, potential wetlands, floodplains) must be identified and impacts mitigated according to applicable policies and ordinances.
- (b) Land Use and Transportation. Adjacent land uses shall be compatible. This land use is consistent with the Public Service, Recreation, and Resource Management designation in the Tahoe Regional Plan and the Rural Reserve designation in the Truckee Meadows Regional Plan.
- (c) Public Services and Facilities. The area typically lacks public services and facilities necessary to support development. Should these services and improvements become available, the application of this regulatory zone can be reevaluated.

Proposed changes to existing land uses have been considered in this context. The availability of existing and planned infrastructure is determined through an evaluation of the Regional Water Management Plan, existing facilities plans for water and waste water, and the Regional Transportation Commission's 2030 plan and proposed 2040 plan. "Attachment C" provides an analysis of the existing and proposed infrastructure demands. Previous constraints to development that may have resulted in designations of a rural nature are either removed by the planned and existing infrastructure or mitigated through the application of policies contained in the plan.

Resort Services Area.

The last change of condition brought on by the Regional Plan is the creation of the Resort Services Area. This tool is actually more a recognition of changed conditions throughout the broader region. The County Commissioners have formally recognized the importance of promoting tourism based on the area's natural resources. The expansion of other regional ski resorts into significant resort destinations – notably Squaw Valley and Northstar – has altered the competitive playing field for the local ski resort – Mt. Rose Ski Tahoe. In order to support the contribution that Mt. Rose Ski Tahoe makes to the local economy and to the local character and quality of life, the operators must be able to respond to these changing conditions. While the Regional Plan and the proposed Forest Area Plan do not contemplate expansion of the Mt. Rose Ski Tahoe along the same model employed by the other larger regional resorts, the plan does provide for more amenities and services that will enable Washoe County to continue to provide quality tourist experiences based on the natural environment. The new land use opportunities will also greatly enhance the attraction for local residents as well.

Build out

There are two ways the approaching build-out of the majority of the privately held property in the planning area contributes to a change of condition. First, as the availability of land becomes more scarce, it is important to re-evaluate plans for the remaining undeveloped land to ensure that there are policies and standards in effect that will ensure it will be developed in the most efficient and responsible manner possible. This responsibility speaks to the respect for existing residents and their sense of local community, as well as to the need to fulfill our role as regional partners in the pursuit of important regional goals that will benefit everyone throughout the broader community.

Second, it provides the County and the community with the ability to evaluate the existing plan and to seek adjustments that will provide desired opportunities that are not available under the existing land use plan. Small mixed-use neighborhood nodes that contribute to a sense of neighborhood and encourage more local activity as described above in the discussion of the

LUTE is one of those missing opportunities. The proposed plan provides those opportunities in the form two of mixed use Neighborhood Commercial land use designations together with a series of design standards as described in the Mt. Rose Scenic Highway Commercial Overlay District.

Management of United States Forest Services (USFS) Lands

The disposition of USFS lands throughout the Forest planning area is of particular importance to the residents of the area. Most of the planning area is controlled by the USFS, and these lands represent a critically important component of the local and the regional character. In addition to the large tracts of property along the Sierra front, the Forest Service also controls several holdings further east along the Mt. Rose Highway. The management of these lands is difficult and costly. The Forest Service has indicated that their preference is to dispose of these smaller, scattered holdings. Elsewhere in the region, the Forest Service faces a similar management problem cause by scattered private holdings within large tracts of public land. Arranging land exchanges whereby the USFS could consolidate holdings elsewhere in the region should remain an option in the future. The desire of the USFS to dispose of some holdings while consolidating others represents a change of condition, because several of the parcels that present management challenges are located in the planning area.

- 4. The proposed amendment to the Forest Area Plan will promote the desired pattern for 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 land use pattern represented in this area plan update will promote the orderly physical growth of the County both locally and on a regional scale. As discussed above, the existence of a significant transportation network, planned or existing water and sewer infrastructure, and existing development creates some significant infill opportunities for the county. Taking advantage of these opportunities will help the County fulfill its responsibility to discourage sprawl throughout the region.

The most recent population projections indicate that the County will be responsible for absorbing approximately 40,000 persons by the year 2030. This represents approximately 16,000 new dwelling units (@ 2.5 persons per household). The Forest planning area currently is home to approximately 3,863 persons @ 2.71 persons per household and 0.965 occupancy rate. The area plan contains approximately 856 approved but not built units that will provide housing for 2,239 persons. A current build out scenario for the planning area (approved but not built plus approved land use) will provide homes for approximately additional 5,086 persons (13% of total County forecast growth), for a total estimated build out population of 8,949 persons. The proposed area plan would add land use capacity (zoning) for approximately 623 additional units and 1629 additional persons, resulting in a proposed build out of approximately 10,578 persons.

The Washoe County Development Code provides some guidance for the amount of Neighborhood Commercial land use should be planned. The Code currently suggests that a standard of 5 acres of NC per 2000 population should be the standard. Given the above numbers, the proposed Forest planning area could support 26.5 acres of NC. The proposed plan contains approximately 37 acres of NC designated property. However, there are three factors that bring the 37 acres in line with the standard suggested by the Development Code. First, the population numbers above do not consider any population outside the Forest planning area. All of the land north of SR 431 is in the SWTM Area Plan, and yet planned land use in that area utilized the SR 431 corridor where the NC is proposed. Second, the standard

does not take into account the demand for services represented by transient population utilizing the SR 431 corridor to travel to or from Lake Tahoe. Third, and perhaps most significantly, the proposed NC is require to be implemented in a mixed-use fashion. The Development Code does not account for mixed use NC in its suggested standards. The acres dedicated to residential within the 37 acres will reduce the number of acres dedicated to NC uses by approximately one-third, resulting in approximately 25 acres of NC land use.

The proposed Forest Area Plan contains extensive direction and guidance to minimize impairment to natural resources. As discussed above, the LUTE seeks to require the sustainable management of natural resources, including water, air, habitat, and wildlife. This is also a critical component of the planning area's character and as such has received significant attention in this plan.

Please see policies F.2.11, F.2.13, F.2.15, F.2.16 MRMOUD Criteria f and I, Goal 6 and attendant policies, Goal 14 and attendant policies, Goals 17, 18, 19, 20 and attendant policies.

- 5. The proposed amendment to the Forest Area Plan is the First amendment to the Forest Area Plan in 2008, and therefore does not exceed the four permitted amendments as specified in Section 110.820.05 of the Washoe County Development Code.**

The proposed update represents the first amendment of the Forest Area Plan in 2008.

- 6. That the Planning Commission has reviewed the required regional findings in Article 822 for conformance with the Regional Plan, including Section 822.25, findings for Regional Form and Pattern; Section 822.35, findings for Concurrency, Timing and Phasing of Infrastructure; Section 822.40, findings for Public Service Levels and Fiscal Effect; and,**

Article 822 of the Washoe County Development Code is attached for your review.

- 7. The Washoe County Planning Commission gave reasoned consideration to information contained within the staff report and information received during the public hearing.**

Staff is prepared to answer questions that may arise during the public hearing as a result of public comment, review of the staff report, or the staff's presentation of the proposed plan.

ATTACHMENTS

- A. Proposed Forest Area Plan (separate document)
- B. Development Code Article 822 review
- C. Appendix A – Analysis of Existing and Proposed Infrastructure Demands

Article 822
**PROVISIONS FOR AMENDMENTS TO
LOCAL MASTER PLANS AND ZONE
CHANGES IN AREAS SUBJECT TO
COOPERATIVE PLANNING UNDER THE
REGIONAL PLAN SETTLEMENT
AGREEMENT**

Sections:

110.822.00	Introduction
110.822.05	Purpose
110.822.10	Applicability
110.822.15	Definitions
110.822.20	Master Plan Policies and Goals, and Zoning Amendments Criteria
110.822.25	Findings for Regional Form and Pattern including Open Space
110.822.30	Findings for Housing
110.822.35	Findings for Concurrency, Timing and Phasing of Infrastructure
110.822.40	Findings for Public Service Levels and Fiscal Effect
110.822.45	Findings for Open Space, Resource Constraints and Cooperative Planning Considerations Not Elsewhere Addressed

Section 110.822.00 Introduction. Subsequent to adoption of the updated 2002 Truckee Meadows Regional Plan, the Regional Plan Settlement Agreement Case No. CV02-03469 (hereinafter referred to as “settlement agreement”) was reached that disposed of certain litigation over the Regional Plan and related matters. Among subsequent actions required by the settlement agreement was the development of certain specific objective criteria that would establish findings necessary for zone changes within areas defined as “cooperative planning areas” in the Truckee Meadows. This is addressed in this article. The settlement agreement also required development of certain minimum development standards common throughout the entire cooperative planning area to minimize potential negative impacts of new development on existing development within the incorporated and unincorporated areas. These common minimum standards are addressed in Article 434, Regional Development Standards within Cooperative Planning Areas and all of Washoe County. Together, Articles 434 and 822 are intended to promote effective implementation of the Truckee Meadows Regional Plan of 2002 by applying specific standards and criteria, and requiring findings during the local zoning and master plan amendment process. Principle #1 of the Regional Plan, adopted May 9, 2002, states that the plan:

“...aims to limit the spread of the urban footprint and direct more development of homes and jobs toward the traditional core of the region—its downtowns, its designated Regional Centers, and its traditional transportation corridors. This strategy will redirect growth that might otherwise occur at the urban fringe; make more efficient use of land, natural resources and community services; save

money on infrastructure; reduce dependence on the private automobile; promote multi-modal transportation choices; protect air quality; conserve energy; preserve designated open space; and create more affordable communities. This strategy, which will result in a more compact form of future development, as well as a more diverse mix of uses, will provide a variety of living and working situations, and will promote human, natural and economic capital, strengthen our communities and ensure that the region's assets are accessible to all."

[This Section added by Ord. 1192, provisions eff. 3/21/03].

Section 110.822.05 Purpose.

- (a) Articles 434 and 822 are intended to implement certain portions of the October 17, 2002 Regional Plan Settlement Agreement and to function as the master documents for the settlement agreement. These standards will be on file with all settlement signatories and the Court.
- (b) The cooperative planning criteria and development standards have been developed and implemented to provide better assurance to the communities and citizens as to what, where, when and how development will occur within their neighborhoods and to what standards or criteria these areas will be developed.
- (c) For the full term of the 2002 Regional Plan, the codes of Reno, Sparks and Washoe County must contain all the provisions specified in Articles 434 and 822. Codes for any of these jurisdictions may exceed these requirements, but they shall contain no provisions that contradict or weaken the effect of these provisions. Any variance to the provisions contained within this article, including any proposed modifications pursuant to special use permit or other special exception, shall be processed only as specified in NRS 278.300 (1)(c) as that statutory provision is implemented in Article 110.804 of the Washoe County Development Code and [the] corresponding provisions of the City of Sparks and City of Reno codes. Specific Plan, Transit Oriented Development, Emerging Employment Centers, Planned Unit Development or any other area within the cooperative planning areas may not be exempted from these provisions. Neither the Regional Plan nor any of the codes of the three jurisdictions, shall be amended in any way so as to negate the provisions of these articles during the term of the 2002 Regional Plan. Notwithstanding the above, any or all of these provisions may be amended through majority vote of each of the three local governing bodies.

[This Section added by Ord. 1192, provisions eff. 3/21/03].

Section 110.822.10 Applicability. The following policies apply to amendments to local master plans and zoning changes throughout the cooperative planning areas of the Truckee Meadows region, including Transit Oriented Development areas and Emerging Employment Centers within cooperative planning areas, unless the text of the specific policy states otherwise. "Cooperative Planning Areas" means:

- (a) The expanded city spheres of influence (SOIs), post-May 8, 2002;
- (b) Land within the unincorporated area and outside the expanded spheres of influence, but within the Truckee Meadows Service Area (TMSA) that was identified by the cities as within the "areas of interest" in the settlement agreement; and

- (c) Lands annexed by a city under the provisions of NRS 268.670 outside the pre-May 9, 2002 spheres of influence, except as prescribed in the settlement agreement in Nevada Supreme Court Case No. 38749 (also known as the Verdi matter).

[This Section added by Ord. 1192, provisions eff. 3/21/03].

Section 110.822.15 Definitions. Except as otherwise noted in this subsection or in a specific section that follows, the definitions of terms used in this article are the same as the definitions on pp. 54 through 64 of the Truckee Meadows Regional Plan adopted May 9, 2002.

- (a) “Development constraints areas” shall also include “earthquake fault areas” and “natural recharge areas”, as well as wetlands and areas with greater than thirty (30) percent slope.
- (b) “Earthquake fault areas” are areas within fifty (50) feet of the line of a known earthquake fault.
- (c) “Natural recharge areas” are areas that have been identified as a result of scientific study to be particularly important to maintaining the recharge of a particular hydrographic basin.

[This Section added by Ord. 1192, provisions eff. 3/21/03].

Section 110.822.20 Master Plan Policies and Goals, and Zoning Amendments Criteria. Local governments considering amendments within cooperative planning areas shall be required to make all the applicable findings identified in Sections 110.822.25 through 110.822.45.

[This Section added by Ord. 1192, provisions eff. 3/21/03].

Section 110.822.25 Findings for Regional Form and Pattern including Open Space.

- (a) Findings for Regional Plan Policy 1.1.6 – Rural Development Area (for an amendment located within a Rural Development Area): (See subsection (i) for Truckee Meadows Service Area findings). The following findings must be made:
 - (1) The amendment does not allow new divisions of land that would create a parcel less than five (5) acres in size, except as allowed by existing zoning/master plan classifications and District Health Regulations as of May 9, 2002.
 - (2) The permitted uses do not require community water or sewage disposal systems or new publicly maintained roads or parks.
- (b) Findings for Policies 1.1.8 and 2.1.1 – Development Constraints Area (for an amendment located within a Development Constraints Area). The following findings must be made:
 - (1) Allowed land uses are limited to communication facilities, recreational facilities, parks and open space, utilities, agriculture, forestry, mining, transportation infrastructure necessary to service development, and residential uses that are limited to a maximum density of one (1) unit per forty (40) acres or one (1) unit per parcel in existence on May 9, 2002.

- (2) Open space identified for future acquisition, parkland and natural recharge areas, to the extent known, shall be maintained at current densities and be identified in the Regional Open Space Plan, local master plans and local parks master plans of the entities with jurisdiction.
 - (3) For any use not listed in finding (1) above: it must be found that the uses allowed by the proposed master plan and/or land use designation within the Development Constraints Area are isolated, enhance the overall design of a proposed project, and preserve as open space a two to one (2:1) ratio of non-constrained area for every constrained area that is developed.
- (c) Findings for Policies 1.1.9 and 2.2.1 – Slope Management (15 percent to 30 percent) (for an amendment with identified slopes in excess of 15 percent). The following findings must be made:
- (1) The local government making the amendment already has in effect an applicable adopted Slope Management Plan for slopes greater than fifteen (15) percent but less than thirty (30) percent that includes the entire area in which the amendment is proposed and that has been found in conformance with the Regional Plan. To be found in conformance, that Slope Management Plan must contain, at a minimum:
 - (i) Provisions sufficient to ensure full compatibility with the development standards contained in Article 434 throughout the entire area of the Slope Management Plan.
 - (ii) Additional requirements, including proposed and prohibited land use (both master plan and zoning, if different) and a map, sufficient to mitigate the visual impact of the Visually Important Ridgeline area development on existing developed areas and ensure that, at a minimum, throughout the entire area of the Slope Management Plan and its plan. Development on such slopes will not degrade the scenic, public safety, and environmental values of the area to be developed, and the region as a whole.
 - (●) Development on such slopes incorporates on-site and off-site mitigation measures for impacts to habitat and water quality, and for fiscal effects associated with higher-than-normal costs of infrastructure, public safety facilities, and public safety services on slopes greater than fifteen (15) percent but less than thirty (30) percent.
 - (●) Recharge areas are protected; and development in recharge areas is discouraged and, if it occurs, the impact on recharge is fully mitigated.
 - (●) Activities comply with the terms of National Pollutant Discharge Elimination System (NPDES) permits.
 - (iii) An impact assessment that reasonably shows that, at buildout, the management strategy will assure that above requirements of subsection (ii) will be met.

- (2) The amendment is in conformance with that Slope Management Plan.
- (d) Findings for Policies 1.1.12 and 1.2.16 – Emerging Employment Centers (for an amendment in an area identified as an Emerging Employment Center). The following findings must be made:
- (1) The local government making the amendment already has in effect an applicable adopted development plan for the entire Emerging Employment Center in which the amendment is proposed, and which has been found in conformance with the Regional Plan. To be found in conformance, that Emerging Employment Center plan must contain, at a minimum, applicable throughout the entire area of the Emerging Employment Center:
 - (i) Requirements, including proposed and prohibited land use (both master plan and zoning, if different) and a map, sufficient to mitigate the visual impact of the Emerging Employment Center area development on existing developed areas and ensure that, at a minimum, throughout the entire area of the Emerging Employment Center and its plan:
 - Adequate non-residential land supply;
 - Convenient access to major roads and/or freeways;
 - Pedestrian connections throughout the areas and to nearby residential areas;
 - A plan for transit service;
 - Adequate residential land supply in the surrounding area to house the anticipated number of employees;
 - Maintenance of the character of nearby standards; and
 - Compatibility with reverse commute and trip reduction strategies.
 - (ii) An impact assessment that reasonably shows that, at buildout, the management strategy will assure that requirements of subsection (i) will be met.
 - (iii) A professional economic analysis has been provided that reasonably shows that, at buildout, the tax revenues for both the city and Washoe County, generated by the uses and resident population of the Emerging Employment Center, shall meet or exceed the costs of services provided by city and county government to the uses and to the resident population in the Emerging Employment Center. These costs shall include costs for both the maintenance and replacement of infrastructure. If this analysis requires intensity to meet this condition, the intensity is specifically required by the plan.

- (iv) All utilities that will be providing services to the Emerging Employment Center have submitted statements that, under the rates and fee structure of the utility, the cost of providing service to the Emerging Employment Center will not be shifted onto ratepayers in other areas.
- (2) The amendment is in conformance with that plan.
- (e) Findings for Regional Plan Policy 1.2.1 – Desired population and employment distribution and Jobs/Housing balance. The amendment must demonstrate that it will contribute to, and further the achievement of the purposes of, Regional Plan Policy 1.2.1 through application of the following criteria:
 - (1) The amendment shall provide a detailed up-to-date assessment of the impact on the desired population, housing and employment distribution articulated in Regional Plan Policy 1.2.1. The model for this review shall be developed, maintained and updated annually by the Truckee Meadows Regional Planning Agency, in cooperation with local governments and affected entities. This annual update shall also assess where and how the cost of housing has been impacted by the Regional Plan policies.
 - (2) The amendment must make a finding that the distribution of population, housing and employment envisioned in Regional Plan Policy 1.2.1 will be reinforced by the proposed amendment. Infill projects inside the McCarran Ring should be encouraged, and development outside should be discouraged, until such time as the infill growth standard is met or exceeded.
- (f) Findings for Regional Plan Policy 1.2.12 – Regional Centers (for an amendment within an identified Regional Center).
 - (1) The local government making the amendment already has, in effect, an applicable adopted development plan for the entire Regional Center in which the amendment is proposed and that Regional Center plan has been found in conformance with the Regional Plan. To be found in conformance, that Regional Center plan must contain, at a minimum, applicable throughout the entire area of the Regional Center:
 - (i) Requirements, including proposed and prohibited land use (both master plan and zoning, if different) and a map, sufficient to ensure that, at a minimum, applicable throughout the entire area of the Regional Center and its plan:
 - Minimum residential densities for new development of eighteen (18) units per acre of residential, residential and for average densities of thirty (30) units per acre of residential within the entire area of the Regional Center plan;
 - Minimum floor area ratios (FAR) for non-residential developments and mixed use developments of 1.5 FAR;

residential within the entire area of the Transit Oriented Development Corridor Plan;

- (●) Minimum floor area ratios (FAR) for non-residential developments and mixed use developments of 1.5 FAR;
- (●) Within one-quarter mile of a designated transportation route, as identified in Regional Plan Policy 1.2.8;
- (●) The required intensity and other features of the buildout under the plan is not detrimental to the character of any adjacent, existing communities;
- (●) Compatibility with aviation and operational requirements of the Airport Authority of Washoe County (supporting statement by Airport Authority required);
- (●) Land use and design that supports and enhances multi-modal transportation, including future transit, and that is compatible with Regional Transportation Commission planning (supporting statement by Regional Planning Commission required); and
- (●) Human scale design.

(ii) An impact assessment that reasonably shows that, at buildout, the Regional Center plan will assure that requirements of subsection (i) will be met.

(2) The amendment is in conformance with the adopted conforming Transit Oriented Development Corridor Plan.

(h) Findings for properties identified as potential Open Space within the adopted Regional Open Space Plan:

(1) A finding that the property owner has noticed local, regional, state, national and federal organizations charged with the mission of maintaining or enhancing open space in this region that an amendment to the cooperative plan to change zoning will be submitted.

(2) Open space identified for future acquisition, parkland and natural recharge areas, to the extent known, shall be maintained at current densities and identified on the Regional Open Space Plan, local master plans and local parks master plans of the entities with jurisdiction.

(i) Findings for Regional Plan Policies 1.3.2 and 1.3.3 – Truckee Meadows Services Area (TMSA) – development standards (for an amendment in the Truckee Meadows Services Area outside the sphere of influence).

(1) The local government making the amendment already has an area plan that includes the entire area to be amended in the Truckee Meadows Services Area outside the cities' sphere of influence, and that area plan has been found in conformance with the Regional Plan. That area plan

must contain, at a minimum, applicable throughout the entire area of the area plan:

- (i) Requirements, including proposed and prohibited land use (both master plan and zoning, if different) and a map, sufficient to ensure that, at a minimum, throughout the entire area of the area plan:
 - (●) Residential density no greater than three (3) dwelling units per acre in the Truckee Meadows Services Area;
 - (●) Commercial retail is restricted to a floor area of sixty thousand (60,000) square feet or less for any single tenant and a maximum size for any single development to one hundred thousand (100,000) square feet of floor area;
 - (●) Commercial office is restricted to a floor area of twenty thousand (20,000) square feet or less for any single tenant and a maximum size for any single development to forty thousand (40,000) square feet of floor area;
 - (●) No industrial or warehouse uses;
 - (●) Institutional/civic uses will be commensurate with the surrounding immediate community;
 - (●) There will be a maximum ten (10) acres of contiguous non-residential properties and these must be separated by a minimum of one (1) mile from the nearest non-residential property;
 - (●) Open space identified for future acquisition, parkland and natural recharge areas, to the extent known, shall be maintained at current densities and identified in the Regional Open Space Plan, local master plans and local parks master plans of the entities with jurisdiction;
 - (ii) Such alternative standards as may be submitted and approved as allowed in the 2002 Truckee Meadows Regional Plan; and
 - (iii) The proposed amendment is in conformance with the adopted area plan.
- (j) Findings for Visually Important Ridgeline (VIR) areas, as identified on the Visually Important Ridgelines & Related Landforms map dated May 1994 in the Washoe County Regional Open Space Plan and those significant ridgelines identified on the Development Suitability maps contained within the August 13, 2002 Washoe County Forest Area Plan, Washoe County North Valleys Area Plan and Washoe County Verdi Area Plan, shall be considered in applications for master plan and zoning map amendments.
- (1) The local government making the amendment already has an applicable adopted VIR area plan which has been found in conformance with the

Regional Plan and that includes all of the area of the proposed amendment. To be found in conformance, that VIR area plan must contain, at a minimum, applicable throughout the entire area of the VIR Plan:

- (i) Identification of potential developable areas (0 to 30 percent slope).
 - (ii) Description of the existing landscape of such slope.
 - (iii) Requirements, including proposed land use (both master plan and zoning, if different) and a map to specify allowable and prohibited land uses, and development standards¹ sufficient to mitigate the visual impact of the VIR area development on existing developed areas and ensure that, at a minimum:
 - The maximum height, placement, design and coloration of structures will minimize visual impacts of areas identified in the sight-line analyses; and
 - Minimum setbacks and height limits for structures on the back sides of slopes will minimize visual impacts of areas identified in the sight-line analyses.
- (2) The proposed amendment is in conformance with the adopted conforming VIR area plan.

[This Section added by Ord. 1192, provisions eff. 3/21/03].

Section 110.822.30 Findings for Housing. The amendment must make a positive contribution to community housing goals as articulated by the following findings:

- (a) The amendment is consistent with criteria for densities established in Section 110.822.25, Findings for Regional Form and Pattern including Open Space, including subsections (a), (b), (f), (g) and (i).
- (b) The amendment is consistent with the local governments' requirements for inclusionary affordable housing as identified in Regional Plan Policy 1.1.13, which must be reviewed by Regional Planning no later than October 2004.
- (c) Prior to conformance of the local governments' requirements for inclusionary affordable housing, the amendment must document that it is not detrimental to the HOME Consortium's housing efforts and will provide affordable, accessible and appropriate housing opportunities and options to the community. Agency comments from the HOME Consortium must be solicited on the amendment.

[This Section added by Ord. 1192, provisions eff. 3/21/03].

¹ In developing the VIR plan and standards, a minimum of three (3) sight-line analyses shall have been provided from the existing built environment, generally within ¼ to ½ mile of the project site. Staff members of the local governments involved in the cooperative plan shall jointly select the locations for the sight-line analyses to represent typical views of the project site from nearby neighborhoods. The development standards of the conforming VIR area plan become part of the development standards of Article 434 for ridgelines and must specify for all developable areas in the VIR area.

Section 110.822.35 Findings for Concurrency, Timing and Phasing of Infrastructure. The following findings, either (a) or (b), as applicable, must be made. Each amendment must demonstrate how it makes a positive contribution to concurrent, orderly, efficient and safe provision of community infrastructure.

- (a) Service capacity for water, wastewater, stormwater, roads and parks exists or is planned to exist prior to construction of development within the amendment.
- (b) When using a community system, each of the following studies must identify and mitigate the cumulative impacts on existing infrastructure and facilities plans. These conceptual studies must propose infrastructure mitigation that constitutes reasonable care with respect to adjacent or adjoining areas.
 - (1) The amendment includes a conceptual drainage study consistent with the adopted standards of the local government.
 - (2) The amendment includes a conceptual wastewater treatment and conveyance, including septic systems, study consistent with the adopted standards of the local government.
 - (3) The amendment includes a conceptual traffic study that is consistent with the adopted Regional Transportation Plan.
 - (4) The amendment includes a conceptual potable water supply and conveyance, including individual wells, study.
 - (5) The amendment includes a conceptual parks plan consistent with the adopted standards of the local government.
 - (6) The proposed cooperative plan amendment that proposes a community system must identify a funding plan for the improvement program.

[This Section added by Ord. 1192, provisions eff. 3/21/03].

Section 110.822.40 Findings for Public Service Levels and Fiscal Effect. Through application of the following criteria and assessments, the amendment must support a finding that it will not cause, or will mitigate, adverse impacts upon the cost and efficient provision of public services (including public safety, recreation and education) to existing residents and communities within Washoe County:

- (a) The amendment must assess the impacts to public services including police, fire and public recreation based on a level of service that has been adopted by the local government and this assessment reasonably demonstrates that the level of service to the existing communities is not negatively impacted.
- (b) The amendment provides mitigation measures when the impact to public services drops below the adopted level of service for the local government.
- (c) The proposed Cooperative Plan Amendment must analyze the fiscal revenue and service expenditures of development.
- (d) The amendment must identify and evaluate the impacts on public schools.

[This Section added by Ord. 1192, provisions eff. 3/21/03].

110.822.45 Findings for Open Space, Resource Constraints and Cooperative Planning Considerations Not Elsewhere Addressed.

- (a) Findings for Wildlife:
 - (1) The proposed amendment provides a full and detailed assessment of wildlife habitats that have been identified in the Regional Open Space Plan. The amendment must be found to include preservation, enhancement and/or mitigation measures as necessary for the maintenance of habitat.
 - (2) The amendment demonstrates how it is not detrimental to the protection, preservation and enhancement of wildlife habitat, as applicable.
- (b) Findings for Water-Related Constraints: The amendment is compatible with either the interim or updated plan and policies (whichever is in effect) drafted and adopted by the Regional Water Planning Commission (RWPC) in accordance with the terms of the settlement agreement.
- (c) Findings for Open Space and Natural Recharge Areas. Open space identified for future preservation by acquisition, parkland and natural recharge areas, to the extent known, shall be maintained at current densities and identified in the Washoe County Regional Open Space Plan, local master plans and local parks master plans of the entities with jurisdiction.

[This Section added by Ord. 1192, provisions eff. 3/21/03].

Appendix A
Analysis of existing and proposed resource/infrastructure demands.

EXISTING
LAND USE DESIGNATION COMPARED WITH
DEMAND OF SERVICE

Land Use Designation	Maximum # of Dwelling Units (du)	Water Demand (acre feet)	Sewer Demand (gallons per day)	Roadway Demand (daily trips)
Matera Ridge HDR (92 Acres) PR (22 Acres) OS (212 Acres) GR (241 Acres)	42 du	2.02 af/du X 42 du = 86.46 af	325 gpd/du X 42 du = 13,650 gpd	10 X 42 du = 420 daily trips
Edmonton Commercial GC (9.18 Acres) MDS (13 Acres) GR (11 Acres – 2 du's)	41 du	1.12 X 13 du = 43.68 af 2.02 X 2 du = 4.04 af 1.78 X 9.18 = 15.88 af Total Demand = 63.6 af	780 gpd X 9.18 du = 7,160 gpd 325 gpd/du X 39 du = 12,675 gpd 325 gpd/du X 2 du = 650 gpd Total Demand = 20,485 gpd	41 du X 10 = 410 daily trips GC = NA
Galena Gateway MDS (7.7 Acres)	23 du	1.12 X 23 du = 25.7 af	325 gpd/du X 23 du = 7,475 gpd	23 du X 10 = 230 daily trips
Mt. Rose/Ski Tahoe SP TC (44.7 Acres) PR (432.5 Acres)	NA	7.2 X 44.7 acres = 321.8 af	3245 gpd/du X 44.7 du = 145,051 gpd	NA

du = dwelling unit, af = acre feet, gpd = gallons per day
 source: Comprehensive Plan Land Use and Transportation Element

**PROPOSED
 LAND USE DESIGNATION COMPARED WITH
 DEMAND OF SERVICE**

Land Use Designation	Maximum # of Dwelling Units (du)	Water Demand (acre feet)	Sewer Demand (gallons per day)	Roadway Demand (daily trips)
Matera Ridge MDS (143 Acres) LDS (201.9 Acres) OS (286.7 Acres)	630 du	1.12 X 630 du = 705.6 af	325 gpd/du X 630 du = 204,750 gpd	10 X 630 du = 6300 daily trips
Edmonton Commercial NC (29 Acres) OS (7.25 Acres)	75 du	5.67 X 29 du = 164.4 af	2,536 gpd X 29 acres = 73,544 gpd	NA
Galena Gateway NC (7.7 Acres)	24 du	5.67 X 7.7 acres = 43.35 af	2536 gpd/du X 7.7 du = 19,527 gpd	NA
Mt. Rose/Ski Tahoe SP TC (44.7 Acres) PR (432.5 Acres)	440 (Ski-in/Ski-out)	7.2 X 44.7 acres = 321.8 af	3245 gpd/du X 44.7 du = 145,051 gpd	NA
Net Increase:	1063 du	737.59 af	256,211 gpd	NA

du = dwelling unit, af = acre feet, gpd = gallons per day
 source: Comprehensive Plan Land Use and Transportation Element

Mt. Rose Highway Capacity

Excluding the Mt. Rose Ski-Tahoe units, the number of additional units represented by the proposed update is approximately 623. These additional units represent an additional 6,230 ADT on Mt. Rose Highway. In 2006 (2007 numbers not yet available from NDOT) the ADT on the Mt. Rose Highway 4.3 miles west of US 395 was 10,800 ADT. The additional ADT will result in a total of approximately 17,030 ADT. Current capacity at LOS D is 27,000. Therefore, the additional ADT will stay within the current LOS threshold by approximately 9,970 ADT. This analysis does not take into consideration any potential internal capture or reduced trips that we would expect to occur as a result of the mixed use and commercial zoning proposed in this plan.

Water and Wastewater Capacity

The additional wastewater demand will be treated at the South Truckee Meadows Wastewater Treatment Facility. The South Truckee Meadows Facility Plan plans for phased expansion of this facility according to demand. The planned growth represented by the Forest Area Plan is within the capacity of the planned phased growth of this facility.

The forest Planning Area is within the Washoe County Service Area. Water rights for development in this area may come from many sources, including surface water from White and Thomas Creek upon construction of the required treatment facility, wholesale water agreements with TMWA for Truckee River water, and municipal well in and near the planning area. Required water rights must be dedicated to Washoe County prior to approval of final development plans.

Schools

The Washoe County Department of Community Development and the Washoe County School District are monitoring student enrollment in the public schools as a means of ensuring adequate facilities for future growth needs. Elementary school enrollment is an indicator of residential development and changing demographics for localized areas.

The approximate 623 additional units represented in this proposed plan will, on average, result in 255 additional k-12 students. This area is served by Galena High School, Hunsberger Elementary School, and Double Diamond Middle School. An additional middle school is currently under construction that will likely provide service to this area.

Forest Area Plan Update

- Significant issues:
 - Changes in designated land use
 - Impact on Traffic/Transportation
 - Commercial Land Use
 - Wildlife and Habitat

SR 431 ADT Forecast

NDOT Count Station	LOS	LOS Threshold	Location Description	2018 (plus proposed) {buffer}	2030 (plus proposed) {buffer}	2040 (plus proposed) {buffer}
19	LOS E	40,600	Mt. Rose Hwy west of SB 395 ramps	27,700 (33,930) {6670}	29,300 (35530) {5070}	33,500 (39730) {870}
0317120	LOS D	38,400	Mt. Rose Hwy 4.8 mi west of US 395	13,900 (20130) {20470}	15,800 (22030) {18270}	16,000 (22230) {16170}
930	LOS D	38,400	Mt. Rose Hwy .2 mi east of Callahan Ranch Rd	17,600 (23830) {14570}	21,900 (28130) {10270}	22,500 (28730) {9670}
368	LOS D	17,500	Mt. Rose Hwy .1 mi east of Joy Lake Rd	11,700 (13200) {25200}	15,200 (16700) {21700}	15,500 (17000) {0}

Population Estimates and Forecasts

Current Estimates

Units	Occupancy Rate	Occupied Units	PPH	Estimated Pop.	% of Unincorp . Pop.
1,477	0.965	1,425	2.71	3,863	3.60%

Population Estimates and Forecasts

<u>Build Out Units</u>		<u>Total Additional Population</u>		<u>Total Build Out Population</u>		
Approved Unbuilt	Total Additional: Approved Unbuilt+ Approved Land Use	Approved Unbuilt	Approved unbuilt + Approved Land Use	Current Estimated Population	Approved Unbuilt + Approved Land Use	Projected Total Build Out
856	1,950	2,239	5,860	3,863	5,086	8,949

Proposed Forecast Build-out

- Proposed new units: 623
- 623 units with occupancy rate and persons per household applied = 1629 proposed additional population.
- Total proposed build out population =

$$8,949 + 1629 = \underline{10,578}$$

Public Process

The process has included numerous meetings, including CAB, PC, and working group meetings. The following is a partial list of meetings that have occurred since the beginning of the update process:

- 5/8/08 Galena-Steamboat CAB
- 4/23/08 Proposed Plan posted to Web-site and Limehouse and sent to CAB mailing list
- 4/10/08 Joint PC and Galena-Steamboat CAB
- 2/9/08 Forest Area Community Fair
- 9/5/07 Joint Forest/SWTM Meeting—Bartley Ranch
- 8/23/07 Tour of Madera Ridge property
- 8/9/07 Galena-Steamboat CAB
- 6/14/07 Galena-Steamboat CAB

In addition to these meetings, numerous meetings have occurred between staff and various working groups, staff and individual residents, and staff and individual land owners.

Article 822

(a) Findings for Wildlife:

- (1) The proposed amendment provides a full and detailed assessment of wildlife habitats that have been identified in the Regional Open Space Plan. The amendment must be found to include preservation, enhancement and/or mitigation measures as necessary for the maintenance of habitat.
 - The proposed Forest Area Plan is the first Area Plan to specifically reference the new Regional Openspace Plan and calls on staff and landowners to utilize the data and resources provided by the OS plan in decisionmaking relative to all habitat. Please see policy 2.16.f.
- (2) The amendment demonstrates how it is not detrimental to the protection, preservation and enhancement of wildlife habitat, as applicable.

The Proposed Forest Area Plan Contains a series of policies aimed at preserving and enhancing habitat. These policies include: F.2.15, 2.16.f, f.14.1 and f.14.2.

Mt. Rose Scenic Corridor

- A significant part of the public process centered on the Mt. Rose scenic Corridor. The proposed plan employs a series of planning tools designed to enhance the scenic corridor.
- Goal Eight and its policies create and manage the Scenic Corridor. Policies found under Goal Three speak directly to development standards and review.

Policies relevant to Mt. Rose Scenic Corridor

- F.3.3 In order to recognize the important gateway function of the Forest Planning Area, the Mt. Rose Scenic Highway Commercial Overlay District (MRSHCOD) is established as depicted on the Forest Area Plan Character Management Plan map. All property within or adjacent to the Mt. Rose Scenic Corridor and designated with a Commercial Land Use regulatory zone must be within this overlay district. All development activities within this overlay district are subject to the following additional policies.

Policies relevant to Mt. Rose Scenic Corridor

- F.3.4 The intent of the MRSHCOD is to ensure that commercial development in and adjacent to the Mt. Rose Scenic Highway will:
 - a. Contribute to the community character, promote neighborhood, and create a sense of place founded in the quality of life that comes with environmental and community responsibility.
 - b. Be compatible with and enhance the scenic quality of the Mt. Rose Highway corridor.
 - c. Enhance the safety of SR 431.
 - d. Ensure that architectural styles enhance and contribute to the gateway function of the site and function to present a unified, integrated appearance.

Policies relevant to Mt. Rose Scenic Corridor

- F.3.1 The Forest Area Plan update provides for limited new commercial opportunities adjacent to SR 431. Future creation of new commercial areas adjacent to SR 431 by rezoning to a Commercial Regulatory Zone or by granting of special use permits is not consistent with the desired character of the community.

Policies relevant to Mt. Rose Scenic Corridor

- b. Commercial and mixed-use development proposals must show how the scenic quality of the Mt. Rose Highway will be preserved or improved, and must be consistent with all Goals and Policies and Development Code provisions relating to the Mt. Rose Scenic Corridor.
- c. Site development plans, including landscape plans, must be reviewed by the Washoe County Design Review Committee for consistency with the standards and guidelines established under this goal.

Policies relevant to Mt. Rose Scenic Corridor

- f. A consistent architectural style shall be used to unify these parcels. This unifying style should recognize the important gateway function of the property in the region. Building materials shall be chosen for their ability to blend with the landscape and should emphasize the use of wood, stone, stucco or related materials.
- g. The view of the property, particularly the view shed from SR 431 shall be designed such that site design, architectural styles, lighting, roadways, infrastructure, landscaping and signage blend with the natural features of the land and create a sense of place that is scenic, compatible with the local environment, and establishes a safe and welcoming neighborhood atmosphere.