



# Community Development

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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:** 10 July 2008

**Prepared By:** Eric M. Young, Planner

**APPLICATION SUMMARY**

**Applicant:** Washoe County

**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, Planner, 775-326-3668.

**BACKGROUND**

On May 20, 2008 the Planning Commission opened a public hearing for the purpose of considering proposed update of the Forest Area Plan. The Planning Commission considered public testimony and a presentation by staff providing some detail on the proposed plan. Upon closure of the public hearing the Planning Commission determined to establish a committee with the purpose of obtaining clear and specific requests for changes from the community, and providing a subsequent report to the full Planning Commission. The committee established the following schedule of four meetings:

1. Saturday, June 14, 2008, 2:00 p.m., South Valleys Library (Proposed Policy and Land use Changes).
2. Monday, June 16, 2008, 6:30 p.m., South Valleys Library (Proposed Policy Changes).
3. Monday, June 23, 2008, 5:30 p.m., South Valleys Library (Proposed Land Use Changes).

4. Tuesday, July 1, 2008, 5:00 p.m., Community Development Large Conference Room (Review of Final Report).

Subsequent to the completion of the first three meetings, a report was prepared consisting of a compilation of all materials submitted to the committee, which included numerous requests for changes to the draft plan. The committee met on July 1, 2008 and determined that the report was complete and should be distributed to the full Planning Commission.

On June 17, 2008 the Planning commission established July 28, 2008 as the meeting date for the full Planning Commission to receive the committee report, to open a new public hearing, and to take action on the Forest Area Plan update.

<b>REVIEW AND ANALYSIS</b>
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The staff report submitted to the Planning Commission for the May 20, 2008 public hearing contained an extensive review and analysis of the proposed plan (attached). The committee report to the full Planning Commission contains many individual requests for changes to numerous portions of the proposed plan. The proposed changes range from what may be considered “word smithing” to sweeping changes in direction for the plan. Staff is prepared to answer questions and provide analysis for any of these proposed changes should the Planning Commission make such a request of staff. However, while staff has reviewed each and every proposed change, an analysis of each change is not provided as part of this staff report. With one minor exception, staff stands by the original analysis and its support of the plan as submitted to the Planning Commission for consideration May 20, 2008.

Staff does recommend one change. As depicted below, policy F.1.3 should be edited to include Low Density Suburban and General Commercial as permitted land uses within the Rural Character Management Area. This change reflects the existing reality on the ground and prevents the inadvertent establishment of nonconforming land uses.

Recommended Change (underline = added text):

**F.1.3 THE FOLLOWING REGULATORY ZONES ARE PERMITTED WITHIN THE MT. ROSE RURAL CHARACTER MANAGEMENT AREA (MRRCA):**

- a. General Rural (GR – One unit per 40 acres).
- b. Parks and Recreation (PR).
- c. Open Space (OS).
- d. Low Density Suburban (LDS – One unit per acre).
- e. Medium Density Suburban (MDS). (Limited to the areas designated MDS as of the effective date of this plan, unless proposed as part of a Specific Plan.)
- f. General Commercial (GC). (Limited to the areas designated GC as of the effective date of this plan, unless proposed as part of a Specific Plan.)
- g. Tourist Commercial. (Limited to the areas designated TC as of the effective date of this plan, unless proposed as part of a Specific Plan).
- h. Specific Plan.

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.

<b>STAFF RECOMMENDATION AND POTENTIAL MOTION</b>
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Staff recommends that the Planning Commission consider all the materials submitted in the Committee report, this staff report, the staff report submitted for the May 20, 2008 public hearing and public testimony during the May 20, 2008 public hearing and adopt the proposed Forest Area Plan with the following modifications:

1. Include Low Density Suburban and General Commercial regulatory zones as permitted zones in the Mount Rose Rural Character Management Area (Policy F.1.3); and,
2. Any other changes the Planning Commission feels are necessary and desirable after review of the available information.

The following motions are offered for your consideration:

1. "Having made one or more of the necessary findings in accordance with Washoe County Development Code Section 110.820.15, I move that the Washoe County Planning Commission adopt an update to the Forest Area Plan - Comprehensive Plan Amendment Case No. CP05-005 - as originally submitted to the Planning Commission on May 20, 2008",
2. "Having made one or more of the necessary findings in accordance with Washoe County Development Code Section 110.820.15, I move that the Washoe County Planning Commission adopt an update to the Forest Area Plan - Comprehensive Plan Amendment Case No. CP05-005 – with the following changes having been identified as necessary and desirable.....[list changes]",
3. "Having been unable to make one or more of the necessary findings in accordance with Washoe County Development Code Section 110.820.15, I move that the Washoe County Planning Commission deny without prejudice an update to the Forest Area Plan - Comprehensive Plan Amendment Case No. CP05-005 - at this time.

**Findings - in accordance with Washoe County Development Code Section 110.820.15.**

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 adoption 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.

<b>PLANNING COMMISSION ACTION ALTERNATIVES</b>
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The various alternatives available to the Planning Commission include:

- Close the public hearing and adopt or deny 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 adopt or deny the Comprehensive Plan Amendment.
- 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.

## **ATTACHMENTS**

- A. Proposed Forest Area Plan (separate document)
- B. Staff Report for CP05-005 public hearing on May 20, 2008.
- C. Staff presentation for CP05-005 public hearing on May 20, 2008.