

Black Rock Storage

Washoe County Planning Commission
May 1, 2018

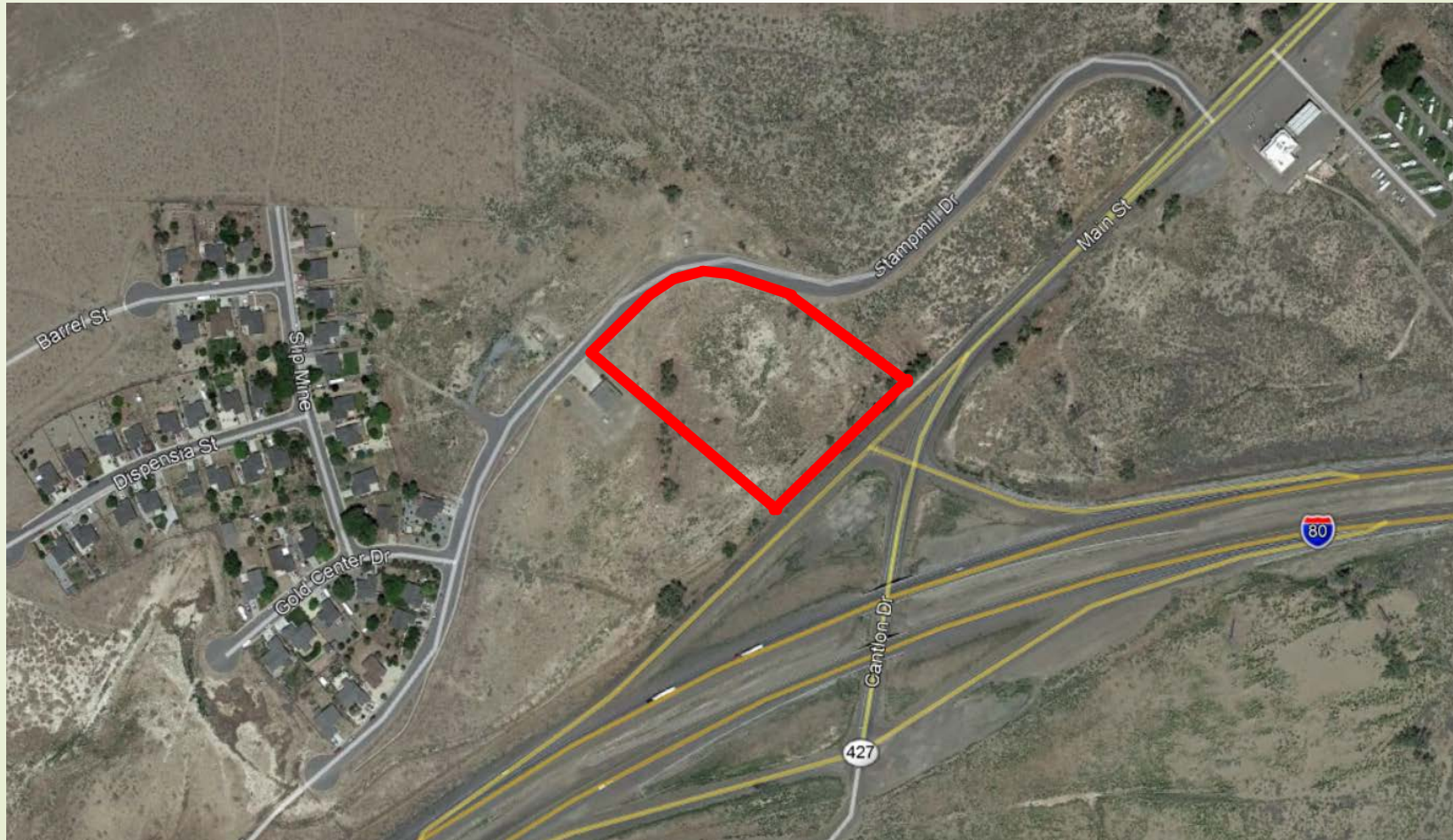
Master Plan Amendment 18-0002

Development Code Amendment 17-0008

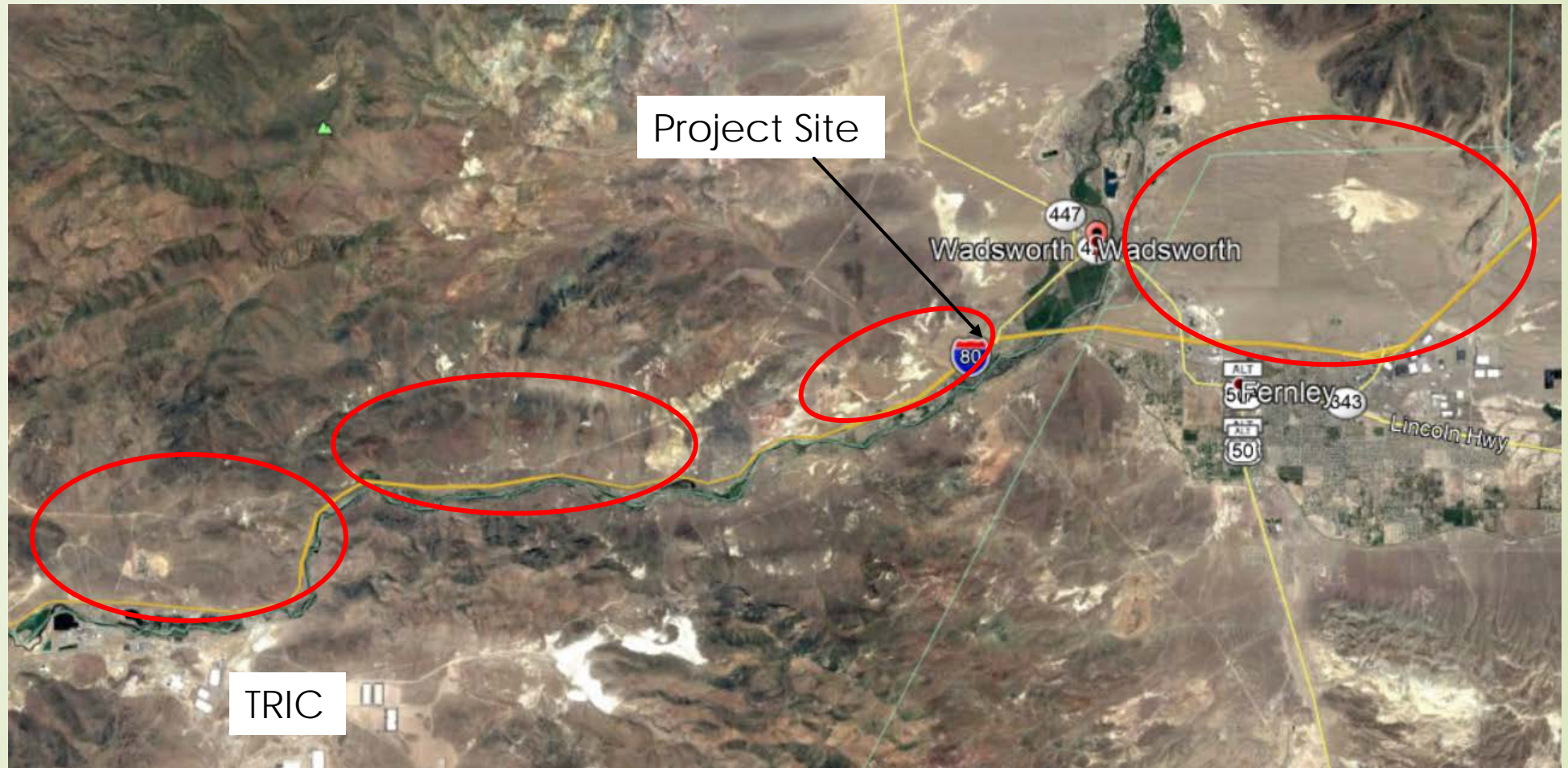
Regulatory Zone Amendment 18-0001



Project Location



Anticipated Growth

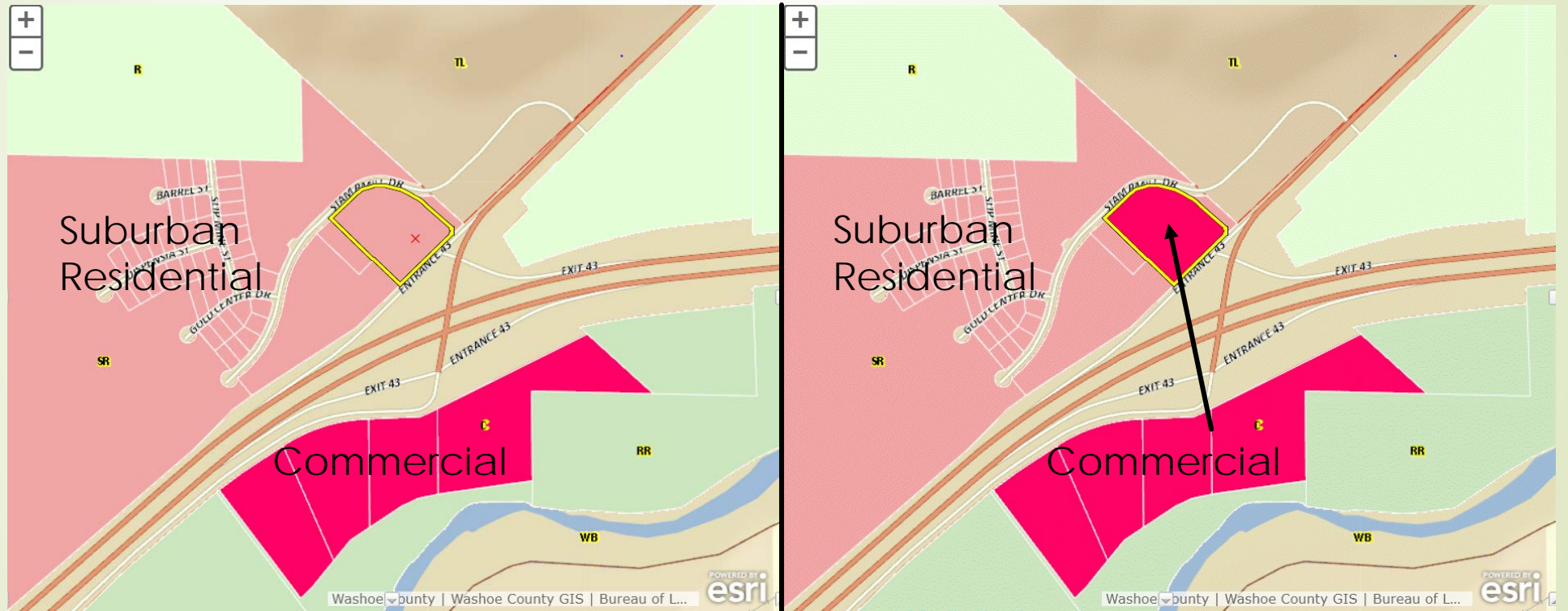




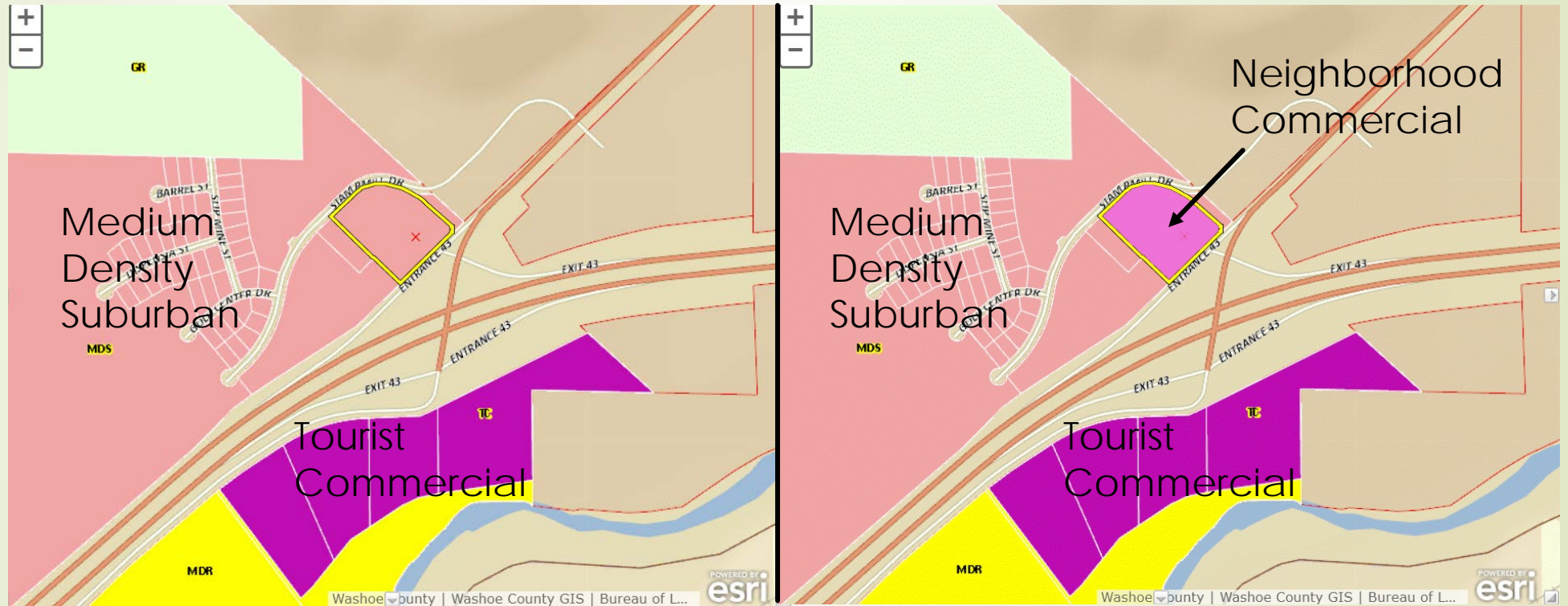
Requests

- ▶ Master Plan Amendment to:
 - ▶ Amend TCAP to allow commercial uses that do not require new municipal services
 - ▶ Add policy to TCAP restricting commercial uses allowed
 - ▶ Amend existing SR (Suburban Residential) designation to C (Commercial)
- ▶ Development Code Amendment to:
 - ▶ Create Article 222 (Truckee Canyon Area Plan Modifier)
 - ▶ Allow specific commercial use (mini storage) only on this site subject to a Special Use Permit approved by the Board of Supervisors
- ▶ Regulatory Zone Amendment to:
 - ▶ Amend existing MDS (Medium Density Suburban) zoning to NC (Neighborhood Commercial)

Current/Proposed Master Plan




Current/Proposed Zoning





“Spot Zoning”

- ▶ Page 12 of Staff Report: “The District Attorney’s Office has reviewed the proposal and identified an important issue underlying the analysis in this case – namely, whether this proposal constitutes a type of invalid “spot zoning”.
- ▶ City of Las Vegas vs. Bustos (2003)
 - ▶ City argued spot zoning occurred because there was no similar office zoning on the same side of the road right-of-way
 - ▶ Office zoning existing directly across from the site
 - ▶ Court ruled that a zone change was “reasonably possible” and was not spot zoning



Neighborhood vs. General Commercial

- ▶ Initial recommendation from staff was Neighborhood Commercial
 - ▶ Staff report indicates that this isn't encouraged
 - ▶ Interpretation of "Neighborhood/Commercial Office" ?
- ▶ Truckee Canyon Area Plan, Page 16, General Commercial: "Future population projections indicate the need for five acres of general commercial in the planning area".
- ▶ Applicant would accept GC zoning



Policies Used for Denial

- ▶ Master Plan Goal 2: Standards ensure that land use patterns are compatible with suburban development and incorporate mixed-use
- ▶ Master Plan Policy LUT.2.1: Ensure that existing and proposed land uses are compatible.
- ▶ Master Plan Goal 15: Rural communities in outlying areas and in northern Washoe County are strengthened and protected from incompatible development.



Rebuttal




- ▶ Master Plan Goal 2 and Policy LUT.2.1: Standards ensure that land use patterns are compatible with suburban development and incorporated mixed-use; Ensure that existing and proposed land uses are compatible.
 - ▶ Commercial/Tourist Commercial across freeway
 - ▶ Site will be heavily screened as required
 - ▶ Master Plan Policy LUT.6.2: Promote development projects that direct resources to promote business attraction, retention, and expansion.
 - ▶ Master Plan Policy LUT.4.1.a: Provide opportunities for a variety of land uses, facilities, and services that serve present and future population.
 - ▶ Master Plan Policy LUT.4.1.b: Promote integrated communities with opportunities for employment, housing, schools, park civic facilities, and services essential to the daily life of the residents.
 - ▶ Master Plan Goal POP.3: Plan for a balanced development pattern that includes employment and housing opportunities, public services, and open spaces.



Rebuttal

- ▶ Master Plan Goal 15: Rural communities in outlying areas and in northern Washoe County are strengthened and protected from incompatible development.
 - ▶ Current Master Plan and Zoning designations are Suburban, not Rural
 - ▶ Not located within a designated Rural Character Management Area
 - ▶ Intent of Suburban Residential Master Plan Category (Page 48): “The intent of the Suburban Residential category is to provide for a predominantly residential lifestyle with supporting mixed-use nonresidential and residential uses, including commercial, public and semi-public facilities, and parks and open space”.
 - ▶ Proposed Neighborhood (or General) Commercial is less intense than existing Tourist Commercial



Also in Support...

- ▶ Truckee Canyon Area Plan Goal TC.3.4: Prevent future residential subdivisions from locating residences next to either Interstate 80 or the Southern Pacific Railroad. Effective shielding and buffering will be planned to provide noise abatement.
 - ▶ Could be considered a taking without requested amendments
 - ▶ All buffering/screening requirements to be met during development review process



Conclusion

- ▶ Logical expansion of existing Commercial designations
 - ▶ Provides a service to local residents
 - ▶ Consistent with anticipated growth patterns
 - ▶ Supported by both Master Plan and Truckee Canyon Area Plan
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