



Planning Commission Staff Report

Meeting Date: February 6, 2024

Agenda Item: 8C

MASTER PLAN AMENDMENT AND REGULATORY ZONE AMENDMENT CASE NUMBER:

WMPA23-0005 AND WRZA23-0007 (3180 Makayla Way)

BRIEF SUMMARY OF REQUEST:

To consider approval of a Master Plan & Regulatory Zone Amendment

STAFF PLANNER:

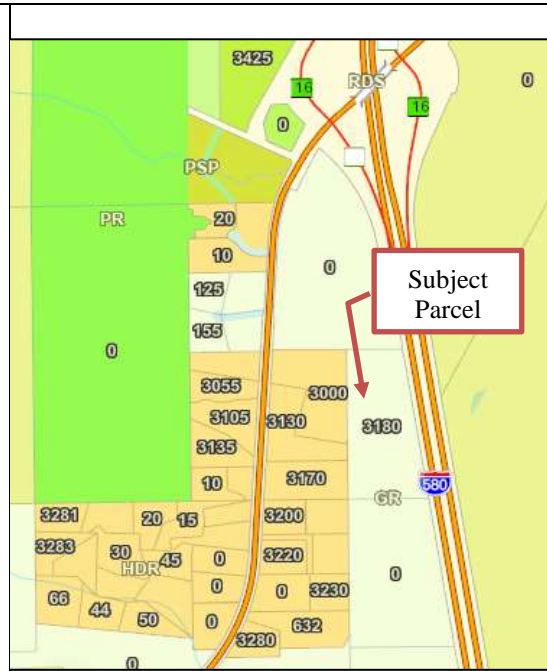
Courtney Weiche, Senior Planner
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CASE DESCRIPTION

For hearing, discussion, and possible action to:

- (1) Adopt an amendment to the Washoe County Master Plan, South Valleys Master Plan Land Use Map, Appendix B - Maps to change the Master Plan designation from Rural to Rural Residential on one parcel totaling 17.65 acres (APN 046-042-06); and
- (2) Subject to final approval of the associated Master Plan Amendment by the Board of County Commissioners and a finding of conformance with the Truckee Meadows Regional Plan by regional planning authorities, recommend adoption of an amendment to the South Valleys Regulatory Zone Map to change the regulatory zone from General Rural (GR) to Medium Density Rural (MDR) on the same 17.65-acre parcel (APN 046-042-06);
- (3) And if approved, authorize the chair to sign resolutions to this effect.

| | |
|---------------------------|--|
| Property Owner: | O'Connor Trust |
| Location: | 3180 Makayla Way |
| APN: | 046-042-06 |
| Parcel Size: | 17.65 acres |
| Existing Master Plan: | Rural |
| Proposed Master Plan: | Rural Residential |
| Existing Regulatory Zone: | General Rural |
| Proposed Regulatory Zone: | Medium Density Rural |
| Planning Area: | South Valleys |
| Development Code: | Authorized in Article 820, Amendment of Master Plan & Article 821 Amendment of Regulatory Zone |



Vicinity Map

| | | |
|----------------------|---------------------------|--|
| Commission District: | 2 – Commissioner Clark | |
|----------------------|---------------------------|--|

STAFF RECOMMENDATION – Master Plan Amendment

APPROVE

APPROVE WITH CONDITIONS

DENY

POSSIBLE MOTION

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission adopt the resolution contained as Exhibit A of this staff report to amend the Master Plan as set forth in Master Plan Amendment Case Number WMPA23-0005, having made at least three of the five findings required by Washoe County Code Section 110.820.15(d). I further move to certify the resolution and the proposed Master Plan Amendments in WMPA23-0005 as set forth in this staff report for submission to the Washoe County Board of County Commissioners and authorize the chair to sign the resolution on behalf of the Planning Commission.

(Motion with Findings on Page 14)

STAFF RECOMMENDATION – Regulatory Zoning Amendment

APPROVE

DENY

POSSIBLE MOTION

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Planning Commission adopt the resolution included as Exhibit B, recommending adoption of Regulatory Zone Amendment Case Number WRZA23-0007, having made all findings required by Washoe County Code Section 110.821.15(d). I further move to certify the resolution and the proposed Regulatory Zone Amendment in WRZA23-0007 as set forth in this staff report for submission to the Washoe County Board of Commissioners; and if approved, authorize the chair to sign a resolution to this effect on behalf of the Planning Commission.

(Motion with Findings on Page 15)

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Explanation of a Master Plan Amendment

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

The Master Plan guides growth and development in the unincorporated areas of Washoe County and consists of three volumes. By establishing goals and implementing those goals through policies and action programs, the Master Plan addresses issues and concerns both countywide and within each planning area. Master Plan Amendments ensure that the Master Plan remains timely, dynamic, and responsive to community values. The Washoe County Master Plan can be accessed on the Washoe County website at [EnvisionWashoe 2040](#) select departments, planning and building, then planning documents (Master Plan, Regulatory Zone) - or it may be obtained at the front desk of the Washoe County Planning and Building Division.

Chapter One, Foundation, describes the purpose of the Master Plan and the public engagement process that led to its creation. It also contextualizes the Master Plan in relation to the plans of other agencies and jurisdictions in Washoe County.

Chapter Two, Vision, contains the plan elements and planning area sections. This is where all the principles and policies can be found, which address a shared community vision for the future.

Chapter Three, Implementation, describes how the Master Plan is to be used. It contains implementation strategies, including a list of short term, mid-term, and long-term actions for plan implementation.

A recommendation to adopt the Master Plan Amendment requires an affirmative vote of at least 2/3 of the Planning Commission's total membership.

Existing and Proposed Master Plan Designations

This request is to amend the Master Plan Land Use Map in order to replace the existing Rural (R) Master Plan designation with a Rural Residential (RR) designation on one 17.65-acre parcel of land (herein referred to as the "project area"). See Figure 1, Existing and Proposed Master Plan Designations.

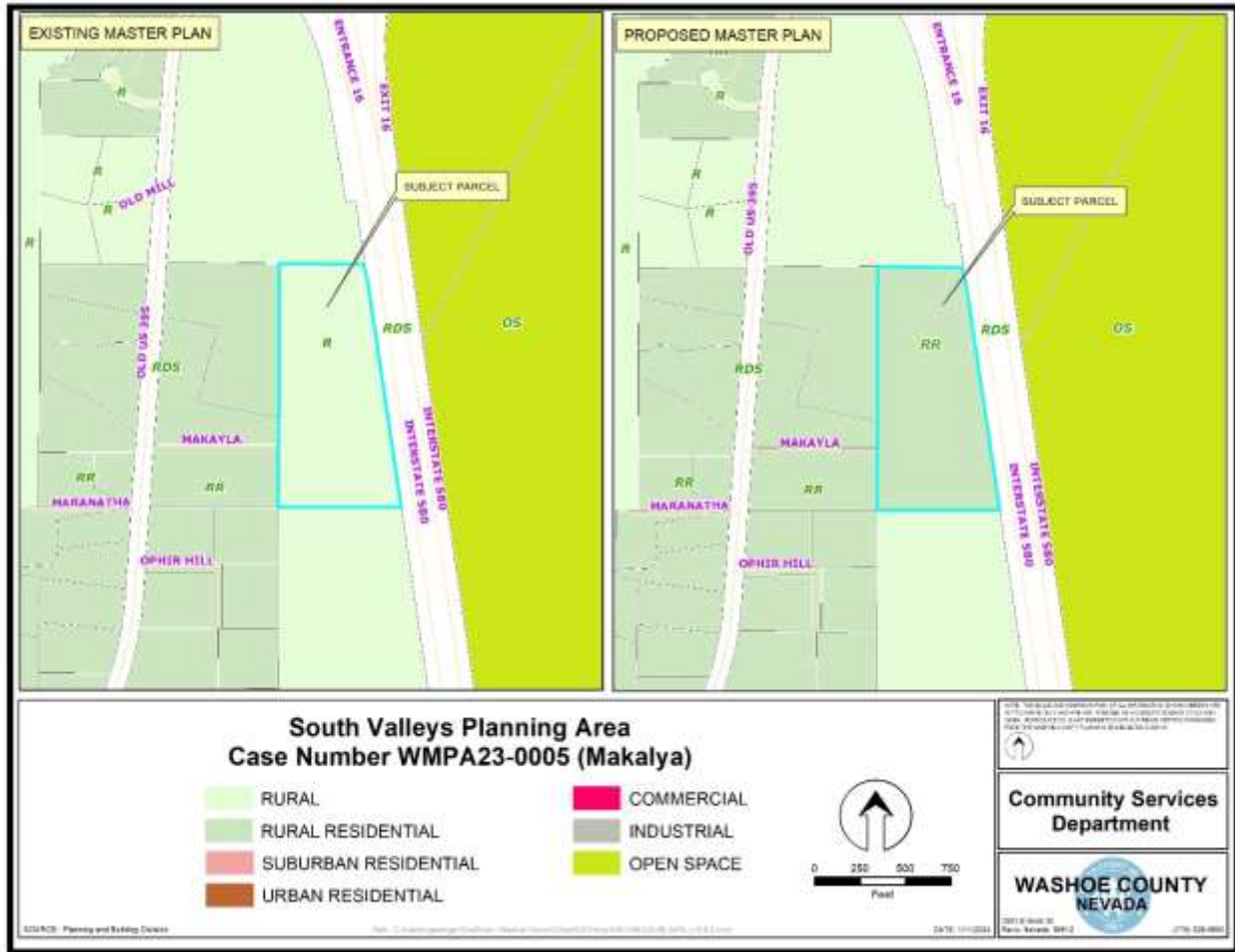


Figure 1
Existing and Proposed Master Plan Designations

Explanation and Processing of a Regulatory Zone Amendment

The following explains a Regulatory Zone Amendment, including its purpose and the review and evaluation process involved for an application with such a request.

The purpose of a Regulatory Zone Amendment (RZA) is to provide a method for amending the regulatory zone maps of Washoe County. The regulatory zone maps depict the regulatory zones (i.e. zoning) adopted for each property within the unincorporated area of Washoe County. The regulatory zones establish the uses and development standards applied to each property.

Regulatory zones are designed to implement and be consistent with the Master Plan by ensuring that the stability and character of the community will be preserved for those who live and work in the unincorporated areas of the county. A regulatory zone cannot be changed if it conflicts with the objectives or policies of the Master Plan, including planning areas that further define policies for specific communities. The Master Plan is the blueprint for development within the unincorporated County. Pursuant to NRS 278, any action of the county relating to zoning must conform to the Washoe County Master Plan.

Evaluation of the proposed Regulatory Zone Amendment involves review for compliance with policies of the Washoe County Master Plan. If the subject parcel(s) is within a specific plan, then supplemental review shall be required to ensure compliance with the applicable specific plan. Additionally, the analysis includes review of the proposed amendment against the findings found in Article 821 of the Washoe County Development Code.

Requests to change a regulatory zone affecting a parcel of land or a portion of a parcel are processed under Article 821, Amendment of Regulatory Zone, of the Washoe County Development Code. Rezoning or reclassification of a lot or parcel from one Regulatory Zone to another requires action by both the Planning Commission and the Board of County Commissioners.

The Planning Commission may deny a Regulatory Zone Amendment, or it may recommend approval or modification of an amendment to the Board of County Commissioners. Upon an affirmative recommendation by the Planning Commission, the Board of County Commissioners is required to hold a public hearing which must be noticed pursuant to Section 110.821.20 of the Washoe County Development Code. Final action is taken by the Board of County Commissioners who may adopt, adopt with modifications, or deny the proposed amendment.

Existing and Proposed Regulatory Zoning Designations

The second part of the applicant's request is to change the regulatory zone on the same parcel from General Rural (GR) to Medium Density Rural (MDR). See Figure 2 – Existing and Proposed Zoning Designations.

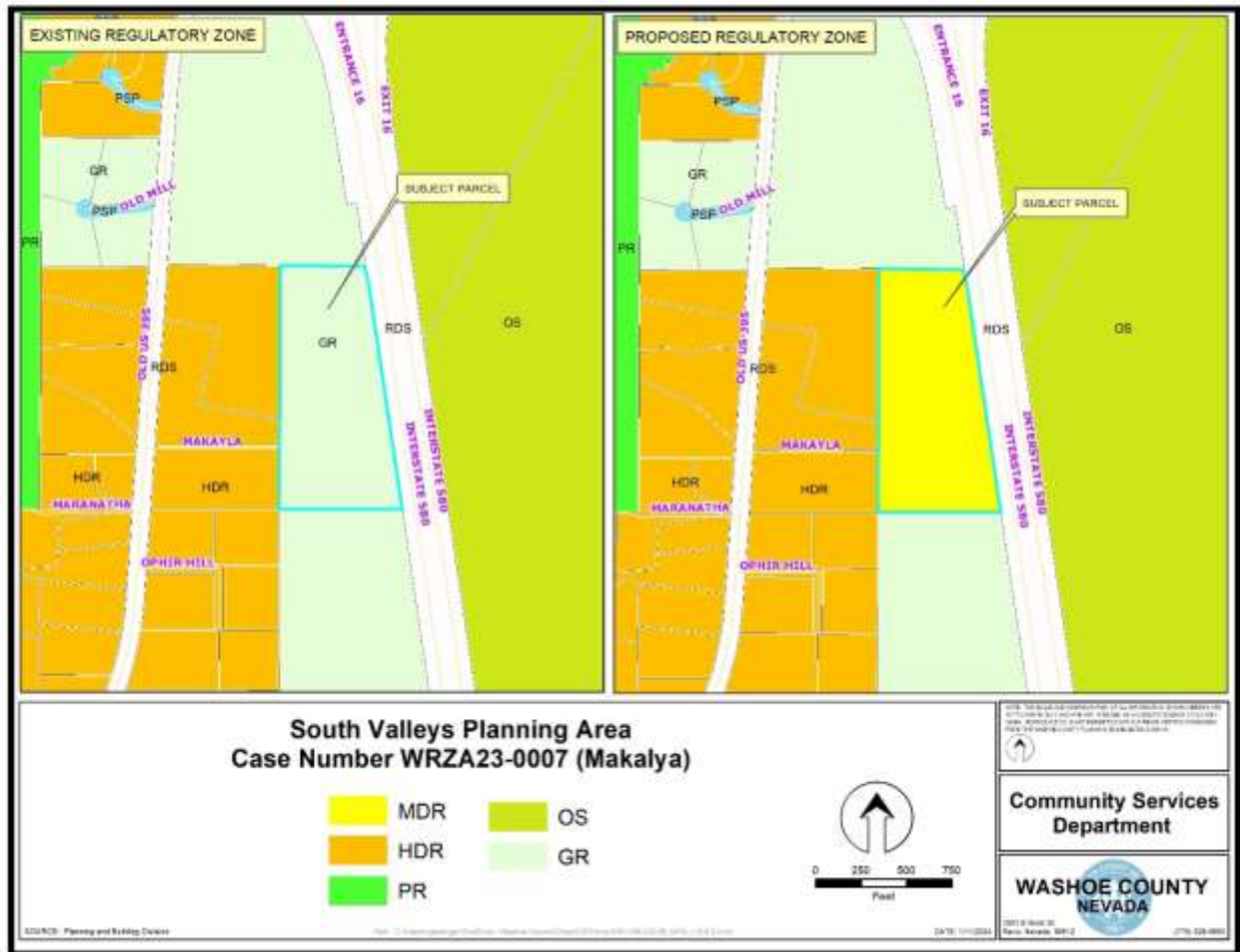


Figure 2
Existing and Proposed Zoning Designations

EXISTING CONDITIONS

The site is located west of Interstate 580 and east of Old Highway 395. Access to the parcel is taken from Makayla Way. The project area includes one parcel, APN 046-042-06, and consists of 17.65 acres of vacant/undeveloped land.

The parcels to the north and south of the subject parcel have a Master Plan category of Rural (R), to the west have a designation of Rural Residential (RR) and to the east, across Interstate 580 have a designation of Open Space (OS). The proposed regulatory zone of Medium Density Rural (MDR) is allowed within the RR Master Plan category. The parcel is located within the South Valleys Planning Area.

The adjacent parcels to the west are developed with single family dwellings and range between 5 and 8 acres. Parcels to the north, south and east are all undeveloped publicly owned lands ranging in size between 20 and 400 acres.

The subject parcel is undeveloped and covered with native vegetation. The parcel is relatively flat and has minimal portions with slopes between 15% and 30%. See slope percentages below. The South Valleys Planning Area Development Suitability map indicates the parcel is “most suitable” for development.



Subject Property Surrounding Land Uses and Compatibility

Table 1: Surrounding regulatory zones and existing uses

| Location | Regulatory Zone | Existing Use |
|----------|--------------------|-------------------------|
| North | General Rural | Undeveloped |
| South | General Rural | Undeveloped |
| East | Open Space | Undeveloped /HWY 395 |
| West | High Density Rural | Single Family Dwellings |

Article 106 Master Plan Categories and Regulatory Zones states: “The Rural Residential Master Plan category is intended primarily for larger lot residential uses, small scale agricultural uses, natural resource conservation, and rural commerce, with allowed densities ranging from one (1) dwelling unit per forty (40) acres up to one (1) dwelling unit per five (5) acres.

The following Regulatory Zones are allowed in and are consistent with the Rural Residential Master Plan category: Low Density Rural, Medium Density Rural, High Density Rural, Public and Semi-Public Facilities, Specific Plan, Parks and Recreation, and Open Space.”

Adjacent parcels with the Rural Residential Master Plan category have a regulatory zone of High Density Rural (HDR). The proposed Medium Density Rural (MDR) regulatory zone has nearly identical allowed uses per Article 302 as the HDR regulatory zone, but with a less intense dwelling unit density standard. The adjoining and proposed regulatory zones are compatible regulatory zones within the same Master Plan category. If approved, the density of the subject property would allow for the property to be parceled into a maximum of three parcels. The large lot requirement (density standard of 5-acres per dwelling unit) is also compatible with the remaining adjoining General Rural and Open Space regulatory zones. These regulatory zones are generally more remote, have minimal infrastructure, contain significant amounts of open spaces, and allow for large lot residential uses.

MASTER PLAN CONSISTENCY

The proposed amendment is consistent with the Envision Washoe 2040 Master Plan South Valleys Vision Statement as described in the following section.

Table 2: Master Plan Conformance

| Vision Statement | Explanation of Conformance with Vision Statement |
|--|---|
| <p><i>“Maintain the area’s natural and cultural heritage through scenic protections like Washoe Valley”</i></p> | <p>Future development of the project area will be subject to the design standards of Washoe County Development Code (and all other applicable governing documents) assuring such scenic protections. The amendment will result in a minimal intensification of the current land use and therefore will not have a negative impact on natural resources or any scenic protections.</p> |
| <p><i>“Future residential and development should mirror the existing development pattern and density...”</i></p> | <p>The proposed amendment will promote the desired pattern for the orderly physical growth of the County by allowing for residential and rural use of the subject property, as is intended by the South Valleys Planning Area.</p> |

The Project is consistent with the applicable Envision Washoe 2040 Priority Principles & Policies as described in Table 3.

Table 3: Master Plan Element Conformance Priority Principles & Policies

| Master Plan Element | Priority Principles & Policies | Explanation of Conformance with Priority Principles & Policies |
|---|--------------------------------|---|
| <p>Population & Housing Principle 3. Use a balanced set of tools to increase and maintain the diversity of housing types across all income levels and to facilitate more affordable and workforce housing.</p> | | |
| <p>PH3.1 - Allow for more flexibility in the zoning and land use regulations to enable more housing types to be built throughout the community where adequate infrastructure exists.</p> | | <p>The proposed amendment will allow for additional low density housing stock, while maintaining the character and development patterns within the South Valleys Planning Area.</p> |
| <p>Land Use Principle 1. Facilitate partnerships to ensure land use decisions are based on the best available information.</p> | | |
| <p>LU1.1 - Continue to cooperate with TMRPA to ensure the County’s approach to growth and development is consistent with and supportive of the regional vision.</p> | | <p>The TMRPA received notice of the application and provided comments, included as Exhibit B, expressing no concerns with the request.</p> |

| | |
|---|---|
| <p>LU1.2 - Provide a variety of opportunities to involve the community in the review of future growth and development.</p> | <p>In addition to County-required noticing per NRS, the applicant held the required and duly noticed neighborhood meeting to solicit feedback and comment from adjoining property owners prior to submittal of a formal application. Further, the County’s Neighborhood Meeting HUB webpage (https://neighborhood-washoe.hub.arcgis.com/) allows for an additional opportunity for community engagement and feedback for the project. No comments were submitted for the subject application.</p> |
| <p>LU1.3 - Continue to coordinate land use policies and decisions with the public health goals of the Northern Nevada Public Health (NNPH).</p> | <p>Northern Nevada Public Health received a notice of the application and provided comments stating that in any future division of land, the well and septic system must remain on the same parcel as the house they serve.</p> |
| <p>LU1.4 - Continue to coordinate land use policies and decisions with impacts to school enrollments, the Safe Routes to School program, and the WCSD Capital Facilities Planning.</p> | <p>The Washoe County School District received a notice of the application and provided no comments or concerns with the amendment. The proposed amendment is expected to have a minimal impact on school enrollments.</p> |

The Project is consistent with the applicable Envision Washoe 2040 Priority Principles & Policies for the South Valleys Planning Area, as described in Table 4.

Table 4: Master Plan Conformance with South Valleys Priority Principles & Policies

| <p>Priority Principles & Policies</p> | <p>Explanation of Conformance with Priority Principles & Policies</p> |
|--|---|
| <p>Land Use Principle 5. Maintain the rural character of communities in the Rural Area.</p> | |
| <p>LU Policy 5.1 - Maintain large lot sizes outside of the TMSA and prohibit land use changes that would result in a parcel less than 5 acres in size</p> | <p>The minimum lot size for MDR is 4 acres. The density standard is .2du/ac (or 1 dwelling unit per 5 acres) allowing for a maximum of 3 dwelling units for the 17.65-acre project area.</p> |
| <p>LU Policy 5.2 - Limit growth in the Rural Area (RA) to no more than 2% of the Region’s 20-year residential growth.</p> | <p>The proposed amendment will only minimally increase the density (maximum of two additional parcels), which will provide more low-density housing in the area and conforms with this requirement.</p> |
| <p>Public Facilities and Services Principle 2. Provide sufficient water to meet the current and future needs of County residents.</p> | |

| | |
|--|--|
| <p>PFS Policy 2.1 Balance new water supply commitments with existing commitments at or below perennial yield to achieve a long-term sustainable water supply.</p> | <p>The subject parcel is not near any municipal, quasi-municipal or private water delivery infrastructure; therefore, future division of the subject parcel will rely on individual domestic wells as their source of domestic water supply and individual septic tanks for sewage. The Washoe County Water Rights Manager and the Nevada Division of Water Resources reviewed this application and did not have any comments or concerns.</p> |
|--|--|

Neighborhood Meeting

NRS 278.210(2) and WCC Section 110.820.20 require a neighborhood meeting for any proposed Master Plan Amendment. The neighborhood meeting was held on April 22, 2023, from 10:00 am to 11:00 am. The applicant indicated only one neighboring property owner(s) attended and no comment cards were submitted. The applicant relayed the attendee stated they prefer to see the subject parcel remain open space/cow pastureland but recognized the privately owned parcel has the right to develop and/or pursue the requested amendments for their property consistent with adjacent parcels, subject to the required approvals by the County.

Reviewing Agencies

The following agencies/individuals received a copy of the project application for review and evaluation. Some provided comments but none recommended denial.

| Agencies | Sent to Review | Responded | Provided Conditions | Contact |
|---|----------------|-----------|---------------------|---------|
| BLM - NV State Office | X | | | |
| NDOT (Transportation) | X | X | | |
| NDOW (Wildlife) | X | | | |
| NV Water Resources | X | X | | |
| Washoe County Building & Safety | X | | | |
| Washoe County District Attorney, Civil Division | | | | |
| Washoe County GIS | X | | | |
| Washoe County Parks & Open Space | X | X | | |
| Washoe County Sewer | X | | | |
| Washoe County Water Resource Planning | X | | | |
| Washoe County Water Rights Manager (All Apps) | X | X | | |
| Washoe County Engineering (Land Development) (All Apps) | X | X | | |
| Washoe County Engineering & Capital Projects Director (All Apps)2 | X | | | |
| WCHD Air Quality | X | | | |
| WCHD Environmental Health | X | X | | |
| TMFPD | X | X | | |
| Truckee Meadows Regional Planning | X | X | | |
| Washoe County School District (All TMs) | X | | | |
| Regional Transportation Commission | X | | | |
| Nevada State Historic Preservation | X | | | |
| NV Energy | X | | | |
| Truckee Meadows Water Authority | X | | | |

In addition to the comments noted in the tables above, the proposed Regulatory Zone Amendment was provided to the Truckee Meadows Fire Protection District (TMFPD) which provided a condition of approval requiring the project to comply with all adopted TMFPD fire codes.

Public Notice

Notice for Master Plan Amendments must be given in accordance with the provisions of Nevada Revised Statutes 278.210(1), as amended, and WCC Section 110.820.23. Notice for Regulatory Zone Amendments must be given in accordance with the provisions of Nevada Revised Statutes 278.260, as amended, and WCC Section 110.821.20.

Notice was provided in a newspaper of general circulation within Washoe County at least 10 days before the public hearing date. A legal ad was placed with the Reno Gazette Journal.

Staff Comments on Required Master Plan Amendment Findings

WCC Section 110.820.15(d) requires the Planning Commission to make at least three of the five findings of fact to recommend approval of the amendments to the Washoe County Board of County Commissioners. The following findings and staff comments on each finding are presented for the Planning Commission's consideration:

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

Staff Comment: The staff report provides a discussion on applicable goals and policies of the South Valleys Planning Area. The proposed amendment does not conflict with the policies and action programs of the Master Plan as outlined in the Master Plan and Planning Area analysis above.

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

Staff Comment: As identified on page 8 of this staff report, the proposed amendment will provide for land uses compatible with the adjacent existing land uses, and will not adversely impact public health, safety or welfare.

3. Response to Change Conditions. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.

Staff Comment: The applicants are seeking a Master Plan Amendment in order to pursue a future parcel map to divide the parcel into a maximum of three (3) parcels. Truckee Meadows Regional Planning Agency (TMRPA) notes the existing Master Plan designation assumed this parcel would be deeded to the Bureau of Land Management (BLM). However, the BLM did not want any land north of the Section Line, which is the southerly boundary of the subject parcel. The proposed amendment will enable a lot configuration preferred by the applicant, while maintaining the character and development patterns within the South Valleys Planning Area.

4. Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed Master Plan designation.

Staff Comment: All needed services are in close proximity to the project area, including public safety facilities. All impacted agencies received a notice of application for the amendment and no comments in opposition were received.

5. Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.

Staff Comment: The proposed amendment will promote the desired pattern for the orderly physical growth of the County by allowing for residential and rural use of the subject property, as is intended by the South Valleys Planning Area. The amendment will result in a minimal intensification of the current land use and therefore will not increase natural resource impairment or cause inefficient expenditure of funds for public services.

Staff Comments on Required Regulatory Zone Amendment Findings

WCC Section 110.821.15(d) of Article 821, *Amendment of Regulatory Zone*, requires that all of the following findings be made to the satisfaction of the Washoe County Planning Commission before recommending adoption to the Board of County Commissioners. Staff has completed an analysis of the Regulatory Zone Amendment application and has determined that the proposal is in compliance with the required findings as follows.

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

Staff Comment: The staff report provides a discussion on applicable goals and policies of the South Valleys Planning Area. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan.

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

Staff Comment: The proposed amendment is compatible with surrounding residential uses. The proposed amendment will only minimally increase the density (maximum of two additional parcels), which will provide more low-density housing in the area and conforms to all applicable policies of the South Valleys Planning Area and the Washoe County Master Plan as described earlier in this report. The proposed amendment should not conflict with the public's health, safety or welfare.

3. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.

Staff Comment: The amendment will slightly increase the availability of housing in the area, which is needed and desired by the South Valleys Planning Area and the Washoe County Master Plan and will comply with the 2019 Truckee Meadows Regional Plan. Truckee Meadows Regional Planning Agency (TMRPA) notes the existing Master Plan designation assumed this parcel would be deeded to the Bureau of Land Management (BLM). However, the BLM did not want any land north of the Section Line, which is the southerly boundary of the subject parcel. The applicants wish to develop the site consistent with adjoining residential development.

4. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed amendment.

Staff Comment: All needed services are near the project area, including public safety facilities. All impacted agencies received a notice of application for the amendment and no comments in opposition were received. Washoe County Engineering and Capital Projects, the Washoe County Water Rights Manager, and Washoe County Parks and Open Space reviewed this application and indicated no concerns with available facilities.

5. The proposed amendment will not adversely affect the implementation of the policies and action programs of the Washoe County Master Plan.

Staff Comment: The proposed amendment will not adversely affect the impact of the implementation of the policies and action programs of the Washoe County Master Plan as described in this staff report.

6. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population

growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.

Staff Comment: The proposed amendment will promote the desired pattern for the orderly physical growth of the County by allowing for continued residential uses in an area that is generally intended for such as indicated by surrounding regulatory zone and Master Plan Designations and by the South Valleys Planning Area. This request will result in only minimally increased density; and therefore, will not increase natural resource impairment or create inefficient expenditure of funds for public services.

Master Plan Amendment Recommendation

It is recommended that the Washoe County Planning Commission adopt the resolution contained as Attachment A of this staff report to amend the Master Plan as set forth in Master Plan Amendment Case Number WMPA23-0005. It is further recommended that the Planning Commission forward the Master Plan Amendment to the Washoe County Board of County Commissioners for their consideration of adoption. The following motion is provided for your consideration:

Master Plan Amendment Motion

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission adopt the resolution contained at Exhibit A of this staff report to amend the Master Plan as set forth in Master Plan Amendment Case Number WMPA23-0005 having made at least three of the following five findings in accordance with Washoe County Code Section 110.820.15(d). I further move to certify the resolution and the proposed Master Plan Amendments in WMPA23-0005 as set forth in this staff report for submission to the Washoe County Board of County Commissioners and authorize the chair to sign the resolution on behalf of the Planning Commission.

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan.
2. Compatible Land Uses. The proposed amendment will provide for land uses compatible with adjacent land uses, and will not adversely impact public health, safety or welfare.
3. Response to Change Conditions. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.
4. Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed Master Plan designation.
5. Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.

Regulatory Zone Amendment Recommendation

Those agencies which reviewed the application provided commentary in approval of the project. Therefore, after a thorough analysis and review, it is recommended that the proposed Regulatory Zone Amendment be recommended for adoption to the Board of County Commissioners. The following motion is provided for your consideration:

Regulatory Zone Amendment Motion

I move that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Planning Commission adopt the resolution included as Exhibit B, recommending adoption of Regulatory Zone Amendment Case Number WRZA23-0007, having made all of the following findings in accordance with Washoe County Code Section 110.821.15. I further move to certify the resolution and the proposed Regulatory Zone Amendment in WRZA23-0007 as set forth in this staff report for submission to the Washoe County Board of Commissioners and authorize the chair to sign the resolution on behalf of the Washoe County Planning Commission.

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan and the Regulatory Zone Map.
2. Compatible Land Uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact public health, safety or welfare.
3. Response to Change Conditions; more desirable use. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.
4. Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed amendment.
5. No Adverse Effects. The proposed amendment will not adversely affect the implementation of the policies and action programs of the Washoe County Master Plan.
6. Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.

Appeal Process

Planning Commission action will be effective 10 calendar days after the written decision is filed with the Secretary to the Planning Commission and mailed to the original applicant, unless the action is appealed to the Washoe County Board of County Commissioners, in which case the outcome of the appeal shall be determined by the Washoe County Board of County Commissioners. Any appeal must be filed in writing with the Planning and Building Division within 10 calendar days from the date the written decision is filed with the Secretary to the Planning Commission and mailed to the original applicant.

Applicant/Owner: EGO Trust, Art O'Connor art@oceng.com



RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

ADOPTING AMENDMENTS TO THE WASHOE COUNTY MASTER PLAN, SOUTH VALLEYS MASTER PLAN LAND USE MAP, APPENDIX B - MAPS (WMPA23-0005) TO CHANGE THE MASTER PLAN DESIGNATION FROM RURAL (R) TO RURAL RESIDENTIAL (RR) ON ONE PARCEL TOTALING 17.65 ACRES (APN 046-042-06), AND RECOMMENDING ADOPTION OF THIS AMENDMENT TO THE BOARD OF COUNTY COMMISSIONERS

Resolution 24-08

Whereas, Master Plan Amendment Case Number WMPA23-0005 came before the Washoe County Planning Commission for a duly noticed public hearing on February 6, 2024; and

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

Whereas, the Washoe County Planning Commission gave reasoned consideration to the information it received regarding the proposed master plan amendments;

Whereas, the Washoe County Planning Commission has made the following findings necessary to support adoption of the proposed Master Plan Amendment Case Number WMPA23-0005, as set forth in NRS Chapter 278 and Washoe County Code Chapter 110 (Development Code), Article 820:

Washoe County Code Section 110.820.15 (d) Master Plan Amendment Findings:

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan.
2. Compatible Land Uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare.
3. Response to Change Conditions. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.
4. Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed Master Plan designation.
5. Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.

Now, therefore, be it resolved that pursuant to NRS 278.210(3):

- (1) Subject to approval by the Washoe County Board of County Commissioners and a finding of conformance with the Truckee Meadows Regional Plan, the Washoe County Planning Commission does hereby adopt Master Plan Amendment Case Number WMPA23-0005, comprised of the map as included at Exhibit A to this resolution, descriptive matter and other matter intended to constitute the amendments as submitted at the public hearing noted above; and
- (2) To the extent allowed by law, this approval is subject to the conditions adopted by the Planning Commission at the public hearing noted above.

A certified copy of this resolution shall be submitted to the Board of County Commissioners and any appropriate reviewing agencies in accordance with NRS 278.220.

ADOPTED on February 6, 2024

WASHOE COUNTY PLANNING COMMISSION

ATTEST:

Trevor Lloyd, Secretary

Rob Pierce, Chair

Attachment: Exhibit A – South Valleys Master Plan Land Use Map

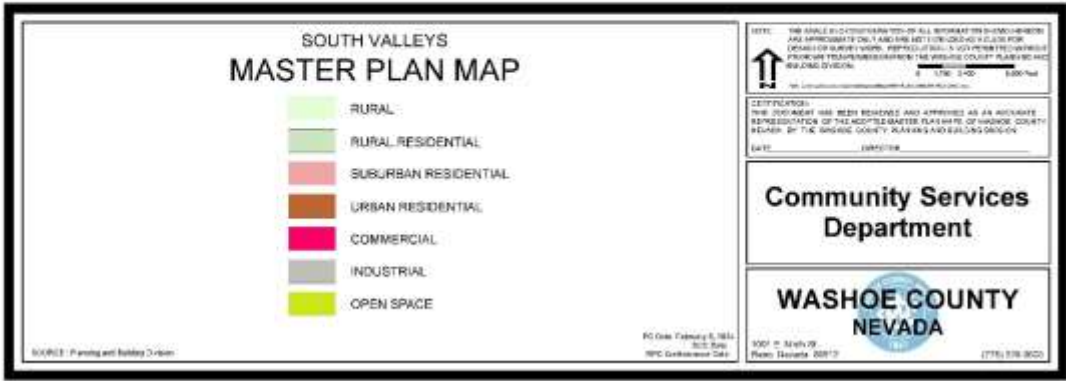
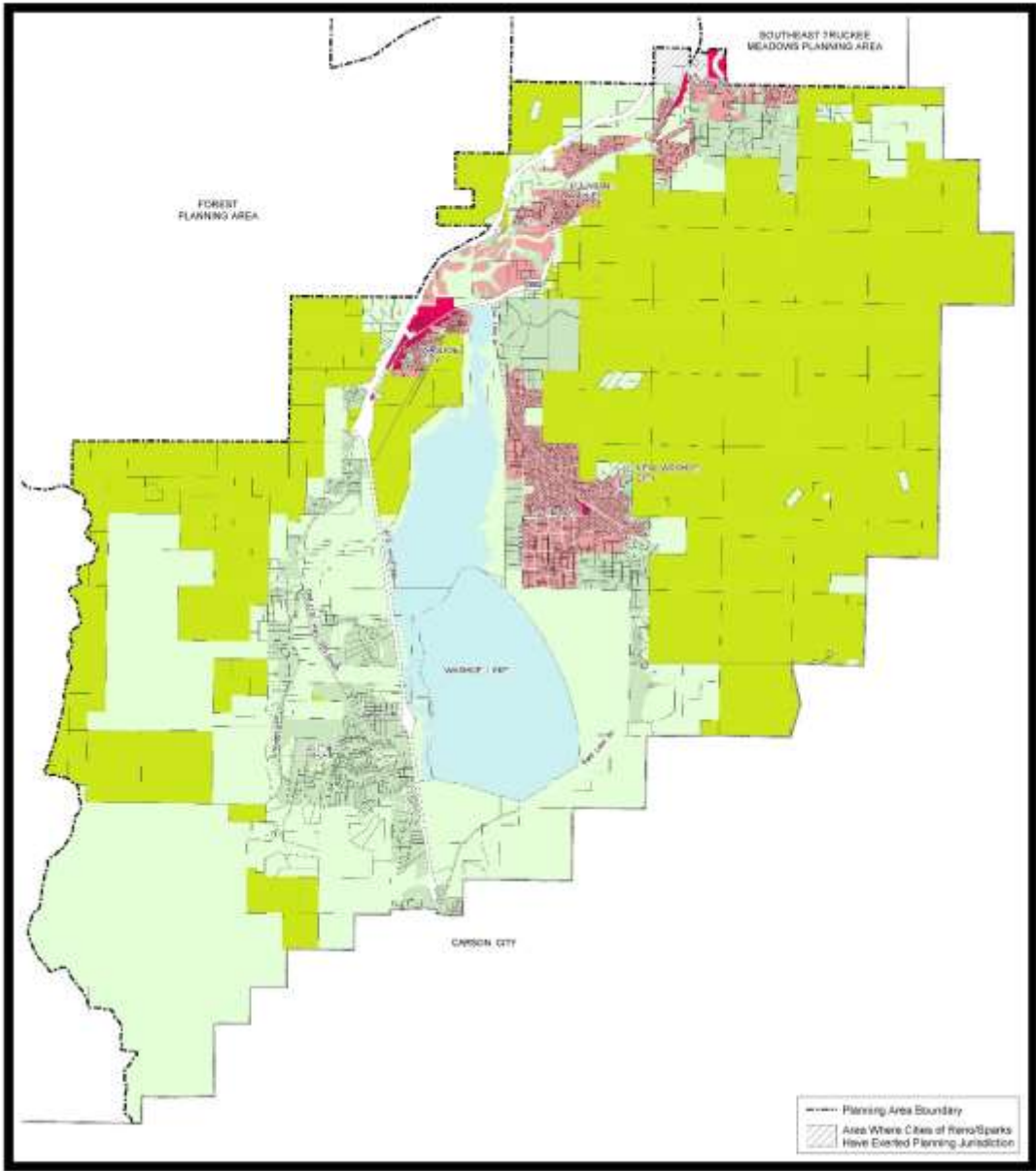


Exhibit A, WMPA23-0005



RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

RECOMMENDING ADOPTION OF REGULATORY ZONE AMENDMENT CASE NUMBER WRZA23-0007 WHICH AMENDS THE SOUTH VALLEYS REGULATORY ZONE MAP TO CHANGE THE REGULATORY ZONE FROM GENERAL RURAL (GR) TO MEDIUM DENSITY RURAL (MDR) ON ONE PARCEL TOTALING 17.65 ACRES (APN 046-042-06)

Resolution 24-09

Whereas Regulatory Zone Amendment Case Number WRZA23-0007 came before the Washoe County Planning Commission for a duly noticed public hearing on February 6, 2024; and

Whereas the Washoe County Planning Commission heard public comment and input from staff regarding the proposed regulatory zone amendment; and

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

Whereas, the Washoe County Planning Commission has made the findings necessary to support adoption of this proposed regulatory zone amendment as set forth in NRS Chapter 278 and Washoe County Code Chapter 110, Article 821, Amendment of Regulatory Zone; and

Whereas the proposed regulatory zone amendment shall be recommended for adoption pending adoption of the accompanying proposed Master Plan Amendment (WMPA23-0005) by the Washoe County Board of County Commissioners and a finding of conformance by the Truckee Meadows Regional Planning Commission; and

Whereas, pursuant to Washoe County Code Section 110.821.15(d), in making this recommendation, the Washoe County Planning Commission finds that this proposed regulatory zone amendment meets the following requirements:

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan;
2. Compatible Land Uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare;
3. Response to Change Conditions; more desirable use. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land;

4. Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed amendment;
5. No Adverse Effects. The proposed amendment will not adversely affect the implementation of the policies and action programs of the Washoe County Master Plan,
6. Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services; and
7. Effect on a Military Installation When a Military Installation is Required to be Noticed. The proposed amendment will not affect the location, purpose and mission of a military installation.

Now, therefore, be it resolved that the Washoe County Planning Commission does hereby recommend adoption of Regulatory Zone Amendment Case Number WRZA23-0007 and the amended South Valleys Regulatory Zone Map included as Exhibit A to this resolution to the Washoe County Board of County Commissioners.

ADOPTED on February 6, 2024.

WASHOE COUNTY PLANNING COMMISSION

ATTEST:

Trevor Lloyd, Secretary

Rob Pierce, Chair

Attachment: Exhibit A – South Valleys Area Plan Regulatory Zone Map

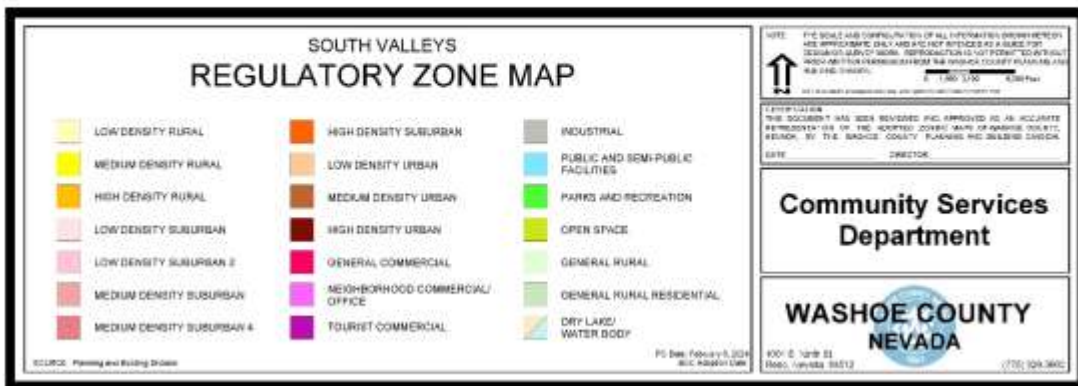
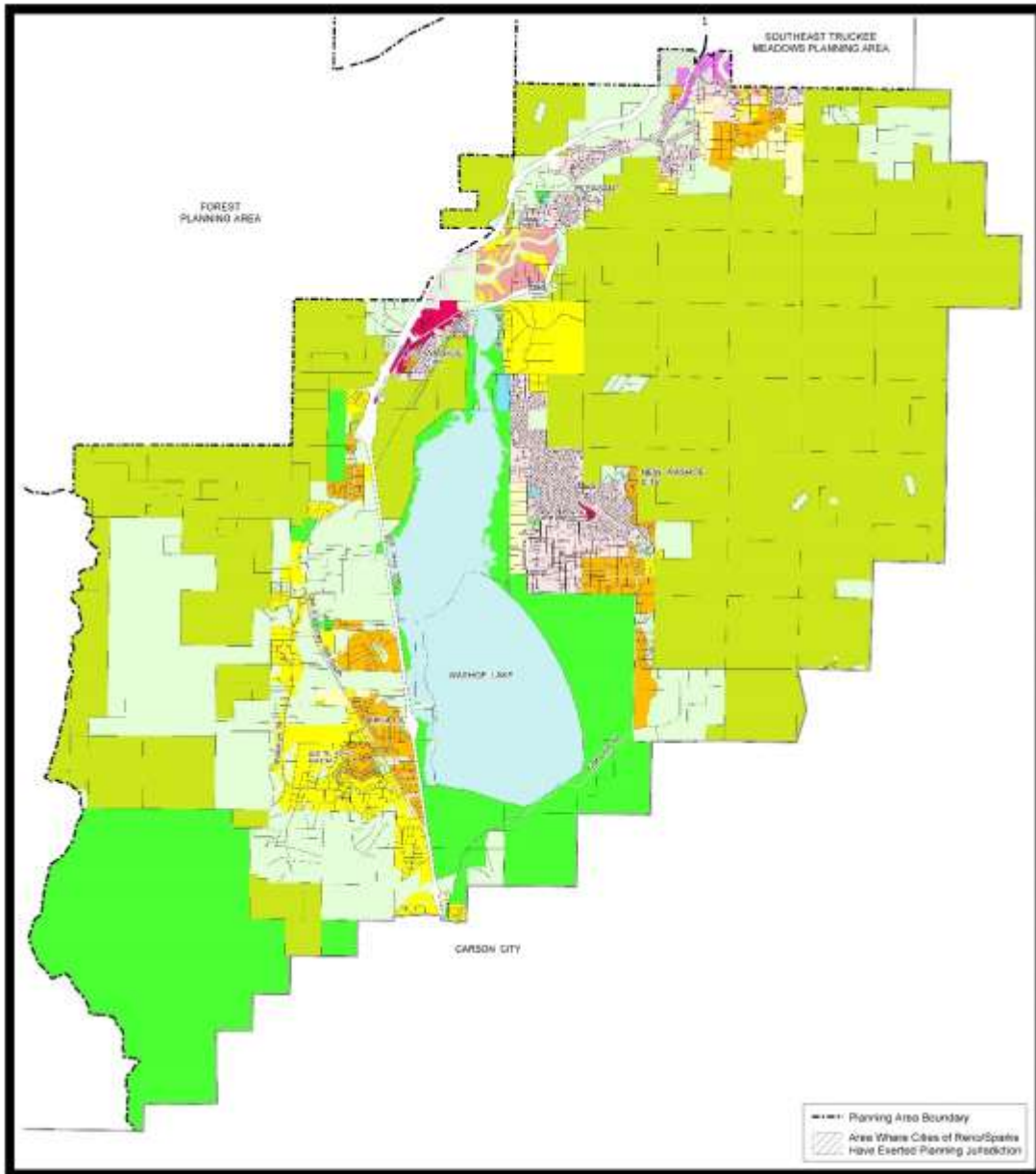


Exhibit A – WRZA23-0007

Public Notice

Washoe County Code requires that public notification for a master plan and regulatory zone amendment must be mailed to a minimum of 30 separate property owners within a minimum 750-foot radius of the subject property a minimum of 10 days prior to the public hearing date. A notice setting forth the time, place, purpose of hearing, a description of the request and the land involved was sent within a 1,500-foot radius of the subject property. A total of 42 separate property owners were noticed a minimum of 10 days prior to the public hearing date.



Public Notice Map

WMPA23-0005 AND WRZA23-0007



Date: November 29, 2023

To: Courtney Weiche, Senior Planner

From: Janelle K. Thomas, P.E., C.F.M., Senior Licensed Engineer
Robert Wimer, P.E., Licensed Engineer

Re: Master Plan Amendment WMPA23-0005; Regulatory Zone Amendment WRZA23-0007
APN 046-042-06

GENERAL PROJECT DISCUSSION

Washoe County Engineering and Capital Project staff have reviewed the above referenced application. The Engineering and Capital Projects Division recommends approval with no additional comments or conditions.

**WMPA23-0005 &
WRZA23-0007
EXHIBIT D**



Date: November 22, 2023

To: Courtney Weiche, Senior Planner

From: Timber Weiss, P.E., Licensed Engineer

Re: Master Plan Amendment and Regulatory Zone Amendment Case Number WMPA23-0005 and WRZA23-0007 (3180 Makayla Way)
APN 046-042-06

GENERAL PROJECT DISCUSSION

(1) Approve an amendment to the South Valleys Area Plan, a component of the Washoe County Master Plan, to redesignate 17.65 acres from Rural to Rural Residential; and
(2) Recommend adoption of an amendment to the South Valleys Regulatory Zone Map, to redesignate 17.65 acres General Rural (GR) to Medium Density Rural (MDR), The Regulatory Zone Amendment is subject to final approval by the Board of County Commissioners of the associated Master Plan Amendment and a finding of conformance with the Truckee Meadows Regional Plan by regional planning authorities.
And, if approved, authorize the chair to sign resolutions to this effect.

The Community Services Department (CSD) recommends approval of this project with the following Water Rights conditions:

There are no water rights comments for this case.

**WMPA23-0005 &
WRZA23-0007
EXHIBIT D**

Weiche, Courtney

From: Lemon, Brittany
Sent: Tuesday, November 21, 2023 9:32 AM
To: Weiche, Courtney
Subject: WMPA23-0005 and WRZA23-0007 (3180 Makayla Way)

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Courtney,

TMFPD has no specific conditions for this request.

Thank you,

Brittany Lemon

Fire Captain - Fire Prevention | Truckee Meadows Fire & Rescue

blemon@tmfpd.us | Office: 775.326.6079 | Cell: 775.379.0584

3663 Barron Way, Reno, NV 89511



"Committed to excellence, service, and the protection of life and property in our community"

**WMPA23-0005 &
WRZA23-0007
EXHIBIT D**

**WASHOE COUNTY
HEALTH DISTRICT**
ENHANCING QUALITY OF LIFE

May 30, 2023

Washoe County Community Services
Planning and Development Division

RE: 3180 Makayla Way; 046-042-06
Master Plan and Regulatory Zone Amendment; WMPA23-0005 & WRZA23-0007

Dear Washoe County Staff:

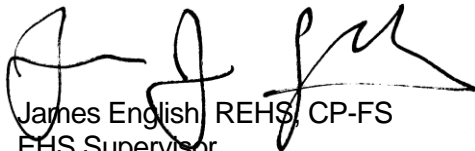
The following conditions are requirements of the Washoe County Health District, Environmental Health Services Division, (WCHD), which shall be responsible for determining compliance with these conditions.

Contact Name – James English - jenglish@washoecounty.us

- a) Condition #1: The WCHD has reviewed the above referenced application and has no issues with the proposed application.
- b) Condition #2: If the project is approved as submitted, all future plans and development of the parcel must be reviewed and approved by the WCHD.

If you have any questions or would like clarification regarding the foregoing, please contact James English, EHS Supervisor at jenglish@washoecounty.us regarding all Health District comments.

Sincerely,



James English, REHS, CP-FS
EHS Supervisor
Environmental Health Services
Washoe County Health District



Weiche, Courtney

From: Pekar, Faye-Marie L.
Sent: Thursday, December 14, 2023 2:47 PM
To: Weiche, Courtney
Subject: Case Number WMPA23-0005 and WRZA23-0007 (3180 Makayla Way)

Hi Courtney,

I have reviewed Case Number WMPA23-0005 and WRZA23-0007 (3180 Makayla Way) on behalf of parks and do not have comments.

Sincerely,



Faye-Marie L. Pekar, MPA

Park Planner, Planning & Building Division | Community Services Department

fpekar@washoecounty.gov |

Visit us first online: www.washoecounty.gov/csd

Planning Division: 775.328.6100 | Planning@washoecounty.gov

CSD Office Hours: Monday-Friday 8:00am to 4:00pm

1001 East Ninth Street, Reno, NV 89512



Have some kudos to share about a Community Services Department employee or experience? Submit a nomination for a Washoe Star by clicking this link: [**WASHOE STAR**](#)

**WMPA23-0005 &
WRZA23-0007
EXHIBIT D**

INITIAL REVIEW MEMORANDUM

TO: Courtney Weiche, Washoe County

FROM: Nate Kusha, TMRPA

DATE: May 24, 2023

SUBJECT: TMRPA initial review of the Washoe County case WMPA23-0005 (3180 Makayla Way)

This memorandum provides the Truckee Meadows Regional Planning Agency's (TMRPA) initial review comments regarding the subject case (WMPA23-0005), as stated in the 2019 Truckee Meadows Regional Plan (Policy RC 5).

The following constitutes an initial review based on the limited information available at the time of this memorandum. TMRPA recognizes that the proposal may change through the jurisdictional review of the case. Should the case be approved through Washoe County, the proposal will need to be formally submitted to TMRPA for a review of conformance with the 2019 Truckee Meadows Regional Plan in its entirety.

The request, as described in the materials provided by Washoe County, is the following:

Master Plan Amendment Case Number WMPA23-0005 and Regulatory Zone Amendment Case Number WRZA23-0007 (3180 Makayla Way) - For hearing, discussion, and possible action to:

- (1) **Approve an amendment to the South Valleys Area Plan, a component of the Washoe County Master Plan, to redesignate 17.65 acres from Rural to Rural Residential; and**
- (2) Recommend adoption of an amendment to the South Valleys Regulatory Zone Map, to redesignate 17.65 acres General Rural (GR) to Medium Density Rural (MDR), The Regulatory Zone Amendment is subject to final approval by the Board of County Commissioners of the associated Master Plan Amendment and a finding of conformance with the Truckee Meadows Regional Plan by regional planning authorities. And, if approved, authorize the chair to sign resolutions to this effect.

[TMRPA notes: **bolded text** identifies the portion of the request that is subject to review under the Regional Plan]

Potential conformance issues

None at this time

Regional Plan policies for consideration in the analysis

RF 3 – Density Requirements and Nonresidential Standards
RF 6 – Rural Area (RA) Requirements
RF 11 – Compatibility Factors
PF 1 – List of Facilities and Service Standards
PF 4 – Rural Area Public Facility/Service Provision Requirements
NR 8 – Wildland/Urban Interface
RC 9 – Conformance Review Findings

Data and information related to Regional Plan implementation

Regional Land Designation: Rural Area

Request for comment from other local government and/or affected entities

None at this time

Other information for review

None at this time

TMRPA Staff Notes

Current master plan designation assumed this parcel would be deeded to the BLM. However, the BLM did not want any land north of the Section Line, which is the southerly boundary of the subject parcel. Will allow for zone change to 5 ac. minimum.

Please do not hesitate to contact TMRPA staff at 775-321-8385 if you have any questions or comments on this initial review memorandum. For more information, you can access the [2019 Truckee Meadows Regional Plan](#) and the [Regional Data Viewer](#) at www.tmrpa.org.

From: [Roger G](#)
To: [Weiche, Courtney](#)
Subject: Case #WMPA23-005 and WRZA23-007 (3180 Makayla Way)
Date: Thursday, November 30, 2023 8:17:24 AM

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Courtney Weiche, Senior Planner, Washoe County

The Master Plan for Washoe Valley is Rural, not Rural Residential. The current owner was well aware of his Rural zoning prior to purchase evidenced by the recorded Parcel Map surveyed by him - please refer to Item 1) of our prior objection included below. It is difficult to keep Washoe Valley as the Master Plan intended - we request that the County deny this application.

Abutting properties include the State of Nevada to the north with Davis Creek Regional Park to the west of that parcel and further west U.S. Forest Service lands. On the east is also Federal lands, first I580, then also all land this side of Washoe Lake and beyond. South are additional Federal lands connecting to lands across from Bowers Mansion State Park. These are all large land holdings that fit the Rural master plan for Washoe Valley. Further, the subject property includes apparent historic lands of the Ophir Mill - for which some caution ought to be considered.

Thank you,

Roger & Karen Gash
3135 Old U.S. 395 N.
Washoe Valley, NV 89704

//////////PRIOR OBJECTION FOLLOWS//////////

Courtney Weiche
Senior Planner, Washoe County Services Department

Subject matter: Washoe County Development Application OC Parcel Map 1

We appreciate our meeting June 5, 2023, regarding the parceling of APN 046-042-06. As long time neighboring homeowners of APN 046-031-03, we object to any parceling of this GR zoned property. Our objection is consistent with the county master plan for our area to emphasize the rural and historical importance of Washoe Valley.

Comments:

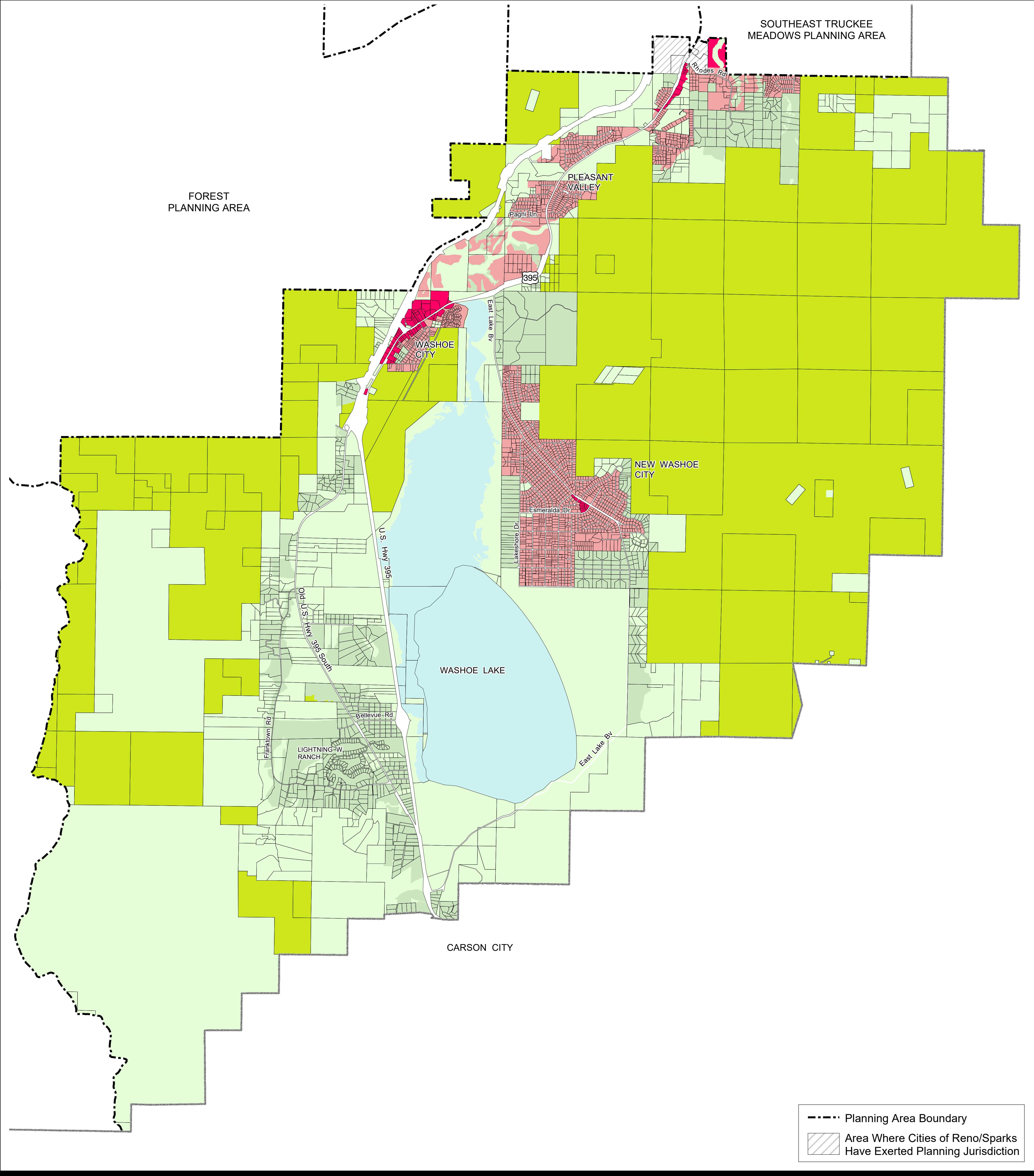
- 1) The Application shows the Professional Consultant is Art O'Connor. A few years ago, Parcel Map 5207A was recorded pertaining to two adjoining parcels then co-owned with the subject APN. The surveyor for this map is apparently the same Art O'Conner who now owns the subject APN under Application. Known then, and now, the zoning is GR - one residence allowed. Regarding this Application, see NOTES 3 on this Parcel Map:


“A.P.N. 046-042-06 is limited to not more than two single family residences.”

This limitation exceeds its GR zoning, apparent wishful development thinking on the part of the then owner, but certainly record title was established for a limitation less than the three parcels application - known to O'Connor both then and now.

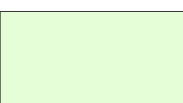






- 2) The property is included in an area considered “wetlands” by the County several years ago - likely confirmed by test holes for septic systems seen then full of water.
- 3) The property may well have been a part of the historic Ophir Mill that operated during the Comstock Lode mining era. Materials from that mill were subsequently removed twice for re-milling, hauled by the Virginia & Truckee Railroad. Prior disturbance of this property is evident.
- 4) Increased number of vehicles turning before oncoming traffic – especially when I580 is re-routed for weather, wind, or accidents.

Roger & Karen Gash
3135 Old U.S. 395 N.
Washoe Valley, NV 89704

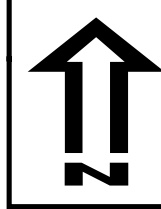


- - - - Planning Area Boundary
 Area Where Cities of Reno/Sparks Have Exerted Planning Jurisdiction

SOUTH VALLEYS MASTER PLAN MAP

-  RURAL
-  RURAL RESIDENTIAL
-  SUBURBAN RESIDENTIAL
-  URBAN RESIDENTIAL
-  COMMERCIAL
-  INDUSTRIAL
-  OPEN SPACE

NOTE: THE SCALE AND CONFIGURATION OF ALL INFORMATION SHOWN HEREON ARE APPROXIMATE ONLY AND ARE NOT INTENDED AS A GUIDE FOR DESIGN OR SURVEY WORK. REPRODUCTION IS NOT PERMITTED WITHOUT PRIOR WRITTEN PERMISSION FROM THE WASHOE COUNTY PLANNING AND BUILDING DIVISION.



0 1,700 3,400 6,800 Feet

Path: G:\arodat\planarea\sv\svmapworking\WMPA23-0005\WMPA23-0005.mxd

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

DATE _____ DIRECTOR _____

**Community Services
Department**

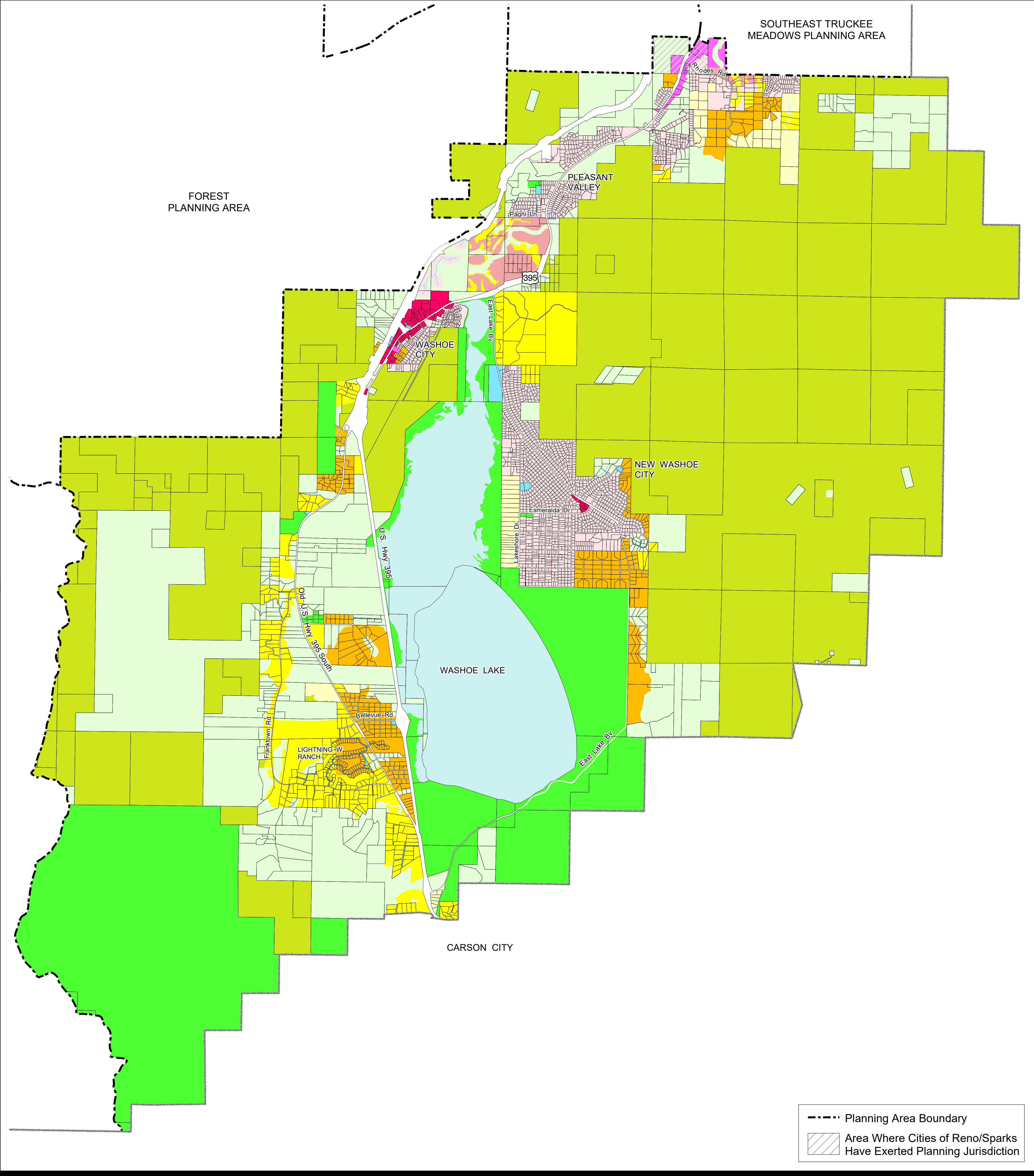
**WASHOE COUNTY
NEVADA**




1001 E. Ninth St.
 Reno, Nevada 89512 (775) 328-3600










SOURCE : Planning and Building Division

PC Date: February 6, 2024
 BCC Date:
 RPC Conformance Date:



- - - - - Planning Area Boundary
 Area Where Cities of Reno/Sparks Have Exerted Planning Jurisdiction

SOUTH VALLEYS REGULATORY ZONE MAP

- | | | |
|---|---|--|
| <ul style="list-style-type: none">  LOW DENSITY RURAL  MEDIUM DENSITY RURAL  HIGH DENSITY RURAL  LOW DENSITY SUBURBAN  LOW DENSITY SUBURBAN 2  MEDIUM DENSITY SUBURBAN  MEDIUM DENSITY SUBURBAN 4 | <ul style="list-style-type: none">  HIGH DENSITY SUBURBAN  LOW DENSITY URBAN  MEDIUM DENSITY URBAN  HIGH DENSITY URBAN  GENERAL COMMERCIAL  NEIGHBORHOOD COMMERCIAL/ OFFICE  TOURIST COMMERCIAL | <ul style="list-style-type: none">  INDUSTRIAL  PUBLIC AND SEMI-PUBLIC FACILITIES  PARKS AND RECREATION  OPEN SPACE  GENERAL RURAL  GENERAL RURAL RESIDENTIAL  DRY LAKE/ WATER BODY |
|---|---|--|

NOTE: THE SCALE AND CONFIGURATION OF ALL INFORMATION SHOWN HEREON ARE APPROXIMATE ONLY AND ARE NOT INTENDED AS A GUIDE FOR DESIGN OR SURVEY WORK. REPRODUCTION IS NOT PERMITTED WITHOUT PRIOR WRITTEN PERMISSION FROM THE WASHOE COUNTY PLANNING AND BUILDING DIVISION.

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

DATE _____ DIRECTOR _____

Community Services
Department

WASHOE COUNTY
NEVADA

1001 E. Ninth St.
 Reno, Nevada 89512 (775) 328-3600

SOURCE : Planning and Building Division

PC Date: February 6, 2024
BCC Adoption Date: