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

- Medium Density Suburban
- Tourist Commercial
- Neighborhood Commercial
- Medium Density Suburban
- Tourist Commercial
“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