



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: April 23, 2019

DATE: February 20, 2019

TO: Board of County Commissioners

FROM: Julee Olander, Planner, Community Services Department, 775-328-3627
jolander@washoecounty.us

THROUGH: Mojra Hauenstein, Arch., Planner, Division Director, Planning & Building Division, Community Services Department, 328-3619, mhauenstein@washoecounty.us

SUBJECT: Public Hearing: Re-hearing and possible adoption of resolutions adopting **Master Plan Amendment Case Number WMPA18-0009 (1015 US Highway 395 S)** and **Regulatory Zone Amendment Case Number WRZA18-0008 (1015 US Highway 395 S)**, and if adopted, authorize the Chair to sign the resolutions to that effect:

Master Plan Amendment: To adopt an amendment to the South Valleys Area Plan, a component of the Washoe County Master Plan, to add the Master Plan Category of Rural (R) on a ± 2.56 acre parcel that was previously part of the Nevada State Department of Transportation (NDOT) right-of-way and currently has no assigned Master Plan Category. If adopted, the Master Plan Amendment will take effect after a determination of conformance with the Truckee Meadows Regional Plan by the Truckee Meadows Regional Planning Commission;

AND

Regulatory Zone Amendment: Subject to final approval of the associated Master Plan Amendment change and a finding of conformance with the 2012 Truckee Meadows Regional Plan, to recommend adoption of an amendment to the South Valleys Regulatory Zone Map, to add the Regulatory Zone of General Rural (GR) on a ± 2.56 acre parcel that was previously part of the Nevada State Department of Transportation (NDOT) right-of-way and currently has no assigned Regulatory Zone.

The site is located at 1015 US 395 Highway S. The parcel (046-051-49) is ± 2.56 acres in size and is within the South Valleys Area Plan. The property owner is Michael D & Penny L Sayan. (Commission District 2.)

AGENDA ITEM # _____

SUMMARY

This is a request to add the Master Plan Category of Rural (R) and to add the Regulatory Zone of General Rural (GR) on a ± 2.56 acre parcel that was previously part of the Nevada State Department of Transportation (NDOT) right-of-way and currently has no assigned Master Plan Category or Regulatory Zone.

Washoe County Strategic Objective supported by this item: Stewardship of our community.

PREVIOUS ACTION

On January 3, 2019, the proposed Master Plan Amendment and Regulatory Zone Amendment application was presented to the South Truckee Meadows/Washoe Valley Citizen Advisory Board (CAB) and the CAB voted unanimously in favor of the request.

On February 5, 2019, the Washoe County Planning Commission heard the Master Plan Amendment and Regulatory Zone Amendment request. The Planning Commission recommended adoption by a vote of seven in favor and none opposed.

On March 26, 2019, the Board heard the Master Plan Amendment and adopted and approved the Master Plan Amendment and Regulatory Zone Amendment and authorized the Chair to sign the two resolutions included as Attachments A and B. The Clerk noticed such hearing on March 15, 2019. However, due to a clerical error, notice was not properly given for said public hearing. The Notice of Hearing published in the local newspaper listed the wrong date for the public hearing. The Board must take corrective action to re-hear the issue following the Clerk's correct legal publication of the Notice of Hearing.

BACKGROUND

In 2001, the parcel was acquired by deed by the State of Nevada Department of Transportation (NDOT) as public right-of-way (ROW) for the construction of I-580 in Washoe Valley. In early October 2018 NDOT determined that the ROW area was no longer needed and was surplus by deed and the parcel was sold to a private individual. Public ROW does not have master plan designation or zoning and Washoe County, as the applicant, is requesting to establish the master plan designation and zoning on the parcel. The request is to establish a master plan designation of Rural (R) and a regulatory zone of General Rural (GR) for the ± 2.56 acre parcel that is located within the South Valleys Area Plan.

As indicated above, the prior public hearing was not properly noticed due to a clerical error for the date of the hearing in the published Notice of Hearing. This re-hearing is necessary to again review and hear the Master Plan Amendment and associated issues and take appropriate action.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

It is recommended that the Board of County Commissioners affirm the decision of the Planning Commission and approve Master Plan Amendment Case Number WMPA18-0009 (1015 US Highway 395 S) and Regulatory Zoning Map Amendment Case Number WRZA18-0008 (1015 US Highway 395 S).

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be:

“Move to adopt:

Master Plan Amendment Case Number WMPA18-0009 (1015 US Highway 395 S) - To adopt an amendment to the South Valleys Area Plan, a component of the Washoe County Master Plan, to add the Master Plan Category of Rural (R) on a ± 2.56 acre parcel that was previously part of the Nevada State Department of Transportation (NDOT) right-of-way and currently has no assigned Master Plan Category. If adopted, the Master Plan Amendment will take effect after a determination of conformance with the Truckee Meadows Regional Plan by the Truckee Meadows Regional Planning Commission;

AND

Regulatory Zoning Map Amendment Case Number WRZA18-0004 (1015 US Highway 395 S) - Subject to final approval of the associated Master Plan Amendment change and a finding of conformance with the 2012 Truckee Meadows Regional Plan, to recommend adoption of an amendment to the South Valleys Regulatory Zone Map, to add the Regulatory Zone of General Rural (GR) on a ± 2.56 acre parcel that was previously part of the Nevada State Department of Transportation (NDOT) right-of-way and currently has no assigned Regulatory Zone.

In making this motion, the Board is able to make the findings for the Master Plan Amendment as required by Washoe County Code Section 110.820.15(d):

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.

Further, the Board is able to make the findings for the Regulatory Zone Amendment as required by Washoe County Code Section 110.821.15(d):

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.
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 the military installation.”

AND FURTHER,

Authorize the Chair to sign the two resolutions included as Attachments A and B to adopt the amendments to the South Valleys Master Plan Map, after a determination of conformance with the Truckee Meadows Regional Plan by the Truckee Meadows Regional Planning Commission, and Regulatory Zone Map.”

Attachments:

Attachment A: Master Plan Amendment Resolution

Attachment B: Regulatory Zone Amendment Resolution

Attachment C: Planning Commission Signed MPA Resolution

Attachment D: Planning Commission Signed RZA Resolution

Attachment E: Planning Commission Staff Report

Attachment F: Planning Commission Draft Minutes

Cc: Property Owner: Michael D & Penny L Sayan, 10151 US Highway 395 S, Carson
City, NV 89704