



# WASHOE COUNTY

Integrity Communication Service

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## STAFF REPORT

**BOARD MEETING DATE:** January 14, 2020

**DATE:** December 16, 2019

**TO:** Board of County Commissioners

**FROM:** Trevor Lloyd Planning Manager, Community Services Department, Planning and Building Division, 328-3617, [tlloyd@washoecounty.us](mailto:tlloyd@washoecounty.us)

**THROUGH:** Mojra Hauenstein, Architect, AICP Planner, LEED AP, Director of Planning and Building, 328-3619, [mhauenstein@washoecounty.us](mailto:mhauenstein@washoecounty.us)

**SUBJECT:** Recommendation to provide direction to staff whether or not to object to the finding of nonconformance with the Truckee Meadows Regional Plan, by the Truckee Meadows Regional Planning Commission (TMRPC), on Regional Conformance Review Case Number CR19-009 for Washoe County Master Plan Amendment Case Number WMPA17-0010 (Silver Hills). If not successfully objected to or appealed, the finding of nonconformance would effectively overrule the County Commission's approval of the Silver Hills Project application which, among other things, would result in new master plan and regulatory zone designations for approximately 780 acres of land adjacent to Red Rock Road (APNs 087-309-10, 087-390-13, 086-232-31 and 086-203-05). The new designations would accommodate up to 1872 dwellings, amounting to an increase in potential density from one dwelling per acre to approximately 2.5 dwellings per acre. The applicant and landowner in the underlying matter is Lifestyle Homes TND, LLC.

AND

Direction to staff whether or not to appeal the decision of the TMRPC to the Truckee Meadows Regional Plan Governing Board (RPGGB), if the TMRPC upholds the finding of nonconformance with the Truckee Meadows Regional Plan, of Regional Conformance Review Case Number CR19-009 for Washoe County Master Plan Amendment Case Number WMPA17-0010 (Silver Hills). (Commission District 5.)

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### **SUMMARY**

On December 11, 2019, the TMRPC held a public hearing on Regional Conformance Review Case Number CR19-009 for Washoe County Master Plan Amendment Case Number WMPA17-0010 (Silver Hills). By a vote of 5 to 4, the TMRPC found that the proposed master plan amendment was not in conformance with the 2012 Truckee Meadows Regional Plan (TMRP).

**AGENDA ITEM #** \_\_\_\_\_

Planning staff is seeking direction from the Board of County Commissioners (Board) whether or not to object to the finding of nonconformance with the 2012 Truckee Meadows Regional Plan, by the TMRPC, and if the finding of nonconformance is upheld, whether or not to appeal that decision to the Regional Plan Governing Board (RPGGB).

Master Plan Amendment Case Number WMPA17-0010 (Silver Hills), seeks to amend the Washoe County Master Plan, North Valleys Area Plan including:

1. Remove four parcels of land totaling  $\pm$  780.32 acres from the Silver Knolls Suburban Character Management Area (SKSCMA); and
2. Create a “Silver Hills Suburban Character Management Area” (SHSCMA) and add the four parcels of land totaling the  $\pm$  780.32 acres to the SHSCMA; and
3. Amend the North Valleys Area Plan Character Management Area map to reflect the removal of four parcels of land totaling the  $\pm$  780.32 acres from the SKSCMA and into the SHSCMA; and
4. Create a character statement for the SHSCMA.
5. Create a new land use policy: NV.1.8 to allow the following regulatory zones in the SHSCMA:
  - a. Public/Semi-public Facilities (PSP)
  - b. Low Density Suburban (LDS 1 – One unit per acre)
  - c. Low Density Suburban-Two (LDS 2 – Two units per acre)
  - d. Medium Density Suburban-Three (MDS 3 – Three units per acre)
  - e. Parks and Recreation (PR)
  - f. Open Space (OS)
  - g. Neighborhood Commercial (NC)
  - h. Specific Plan (SP)
6. Create a new “Goal Seven” within the North Valleys Area Plan for the proposed SHSCMA, to establish a land use pattern, site development guidelines, and architectural guidelines that will implement and preserve the Silver Hills community character as described in the North Valleys Vision and Character Statement, as they are proposed to be amended.
7. Renumber the remainder of the North Valleys Area Plan to allow the insertion of the new Goal Seven.
8. Create Policy NV.7.1 to require that at least 50% of the residential parcels located to the east of Red Rock Road and within the SHSCMA are at least one acre in size.
9. Create Policy NV.7.2 to require a minimum lot size of one-half acre for residential parcels located to the east of Red Rock Road and within the SHSCMA, and to allow a residential density of three dwellings to the acre for the area of the SHSCMA located to the west of Red Rock Road.
10. Create Policy NV.7.3 to require new subdivision established within the SHSCMA to include an open space buffer of at least 50 feet in width adjacent to any dwellings existing prior to the adoption of the SHSCMA and to require that all

- new parcels within 200 feet of existing parcels match the size of the existing parcels.
11. Create policies NV.7.4 through NV.7.11 to establish development standards within the SHSCMA (similar to policies NV.4.6 through NV.4.10 from the SKSCMA) including: varied building setbacks, varied architectural elevations, “open-fencing”, minimum 2-car residential garages, “dark-sky” exterior lighting, new dwellings located adjacent to existing dwellings to be single-story in height, landscaping that emphasizes, native vegetation and implementation of these standards through actions by Washoe County.

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

### **PREVIOUS ACTION**

On December 11, 2019, the TMRPC held a public hearing on Regional Conformance Review Case Number CR19-009 for Washoe County Master Plan Amendment Case Number WMPA17-0010 (Silver Hills). The TMRPC found that the proposed master plan amendment was not in conformance with the 2012 Truckee Meadows Regional Plan (TMRP). Members of the TMRPC noted that they were unable to make findings numbered 1, 3, 4 and 6 of the following required findings:

- 1) Consistency of the proposed plan with the regional form and pattern, (as defined by the combination of Centers, Transit-Oriented Development (TOD) Corridors, residential areas, open space, greenways, and natural features), and with regional projections of population and employment growth.**
- 2) Compatibility of the proposed plan with goals and policies regarding development constraints.
- 3) Compatibility of the proposed plan with goals and policies regarding infill development, housing, and jobs/housing balance.**
- 4) Compatibility of the proposed plan with existing and planned public service areas, policies, and priorities; availability, timing and phasing of infrastructure; and fiscal analysis of service provision.**
- 5) Compatibility of the proposed plan with existing military installations, including their location, purpose and stated mission.
- 6) Cumulative and indirect effects of the proposed plan.**

On October 22, 2019, the Board held a public hearing on the proposed master plan amendment and a related regulatory zone amendment. The Board approved those requests, being able to make the required findings of fact.

On August 19, 2019, the applicant filed an appeal to the decision of denial by the PC on the proposed master plan amendment and a related regulatory zone amendment to the Board.

On August 6, 2019, the PC held a public hearing on the proposed master plan amendment and a related regulatory zone amendment. The PC denied those requests, being unable to make the required findings of fact.

On June 10, 2019 the North Valleys Citizen Advisory Board recommended denial of both the proposed master plan amendment and a related regulatory zone amendment, and noted that:

- The proposal is not compatible with the existing master plan.
- The proposal would increase danger of fire to existing residents.
- Existing roads are not sufficient and traffic will get worse.
- The community previously worked with this developer to create a project that everyone could agree upon. This proposal breaks that promise.
- The proposal would change the character of the neighborhood for the worse.
- The site should be developed at a density of one dwelling to the acre.
- The resulting development may cause existing residents to be forced to connect to municipal sewer service.
- Traffic to the proposed development should be routed around, rather than through, the existing Silver Knolls area.
- Changes to the existing area plan are not wanted.
- This area should be kept rural.

On December 17, 19 and 20, 2018, the Washoe County Community Services Department held a series of visioning workshops in accordance with the North Valleys Area Plan when the character statement is proposed to be amended. The result of those workshops follows:

The residents of the North Valleys Area Plan, Silver Knolls Suburban Character Management Area, would like to express their vision to the Washoe County Planning Commission and Washoe County Board of Commissioners.

The North Valleys Area Plan and Silver Knolls Suburban Character Management Area should not be amended to allow greater residential density. Changes to the Master Plan are not wanted. Changes to the Master Plan to allow Specific Plans are not wanted.

Large private lots with less public open space are desirable. Any open space should remain undeveloped. Any new development should be same form and pattern as existing development.

Right now there is inadequate public services and infrastructure including: Schools, Police, Fire, Roads, Sewer, Water and Storm-Water Runoff. Additional residences will make the situation worse.

There is plenty of access to commercial uses and more commercial uses are not wanted.

It is very important that:

- At least 50% of all new lots be at least one acre in size and that a minimum lot size of ½ acre be preserved.
- Building setbacks and driveway design should be varied.
- Not more than 10% of the residences in a development should have the same architectural elevation.
- Garages should be sized for at least two cars.
- Lighting should be “dark sky.”
- At least 50% of dwellings in new developments should be single-story.
- Landscaping should emphasize low-water use.
- These standards should be implemented by Washoe County with all new Tentative Maps, Improvement Plans, CC&Rs and Deed Restrictions.

The traffic study submitted with the Master Plan Amendment application is invalid because of the date and time that it was conducted and the intersections that were studied.

Silver Knolls is too far from town for such high density development.

The plan that Bob Lissner has approved for 680 lots is consistent with our neighborhood.

The North Valleys Area Plan and Silver Knolls Suburban Character Management Area are correct now and all future development should abide by the existing plan.

## **BACKGROUND**

The applicant submitted the original version of the application in September of 2017. Revised versions were submitted in March and July of 2018, as well as February, May and June of 2019.

The applicant seeks several amendments to the North Valleys Area Plan and amendment of the regulatory zone on approximately 780 acres to create a specific plan that would allow 1872 dwellings.

The TMRPC has found that the proposed changes to the Washoe County Master Plan are not in conformance with the Truckee Meadows Regional Plan. Staff seeks direction from the Board whether or not to object to that finding by the TMRPC, and if that finding is upheld, whether or not to appeal that finding to the RRGB.

NRS 278.0282 requires in relevant part that the, “local governing body shall attach its reasons why the plan is in conformance with the comprehensive regional plan” to an objection filed with the regional planning agency.

Staff seeks comments from the Board on each of the findings that were unable to be made by the TMRPC. Partial responses might include some of the following ideas included in *italics*, below.

1) Consistency of the proposed plan with the regional form and pattern, (as defined by the combination of Centers, Transit-Oriented Development (TOD) Corridors, residential areas, open space, greenways, and natural features), and with regional projections of population and employment growth.

*Open space and pedestrian/equestrian access are proposed in the specific plan, the site is near areas of regional employment growth, the master plan designation of Suburban Residential is the same as the surrounding area, there is no request to change the overall master plan designation.*

3) Compatibility of the proposed plan with goals and policies regarding infill development, housing, and jobs/housing balance.

*The site is near areas of regional employment growth, additional housing may help to provide attainable housing in the North Valleys Area.*

4) Compatibility of the proposed plan with existing and planned public service areas, policies, and priorities; availability, timing and phasing of infrastructure; and fiscal analysis of service provision.

*The project developer has agreed that no more than 150 houses will be built annually until additional improvements are made to US395. Sewer and water infrastructure will be evaluated prior to approval of any tentative subdivision map. No construction will begin until all required infrastructure and facilities are established.*

6) Cumulative and indirect effects of the proposed plan.

*The project is proposed to be built out over a period of ten to twenty years, impacts on the surrounding area would not be immediate.*

## **FISCAL IMPACT**

No fiscal impact.

## **RECOMMENDATION**

It is recommended that the Board direct staff whether or not to object to the finding by the TMRPC, that the proposed changes are not in conformance with the Truckee Meadows Regional Plan, and if that finding is upheld, whether or not to appeal that finding to the RPGB. It is further recommended that, **if** the Board directs staff to seek reconsideration the Board provide comments on each of the required findings for the TMRPC to consider.

## **POSSIBLE MOTIONS**

### **To Object To The Finding Of Nonconformance:**

“Move that the Board direct staff to object to the finding of nonconformance with the Truckee Meadows Regional Plan, by the Truckee Meadows Regional Planning Commission (TMRPC), on Regional Conformance Review Case Number CR19-009 for Washoe County Master Plan Amendment Case Number WMPA17-0010 (Silver Hills). If not successfully objected to or appealed, the finding of nonconformance would effectively overrule the County Commission’s approval of the Silver Hills Project application which, among other things, would result in new master plan and regulatory zone designations for approximately 780 acres of land adjacent to Red Rock Road (APNs 087-309-10, 087-390-13, 086-232-31 and 086-203-05). The new designations would accommodate up to 1872 dwellings, amounting to an increase in potential density from one dwelling per acre to approximately 2.5 dwellings per acre. The applicant and landowner in the underlying matter is Lifestyle Homes TND, LLC.

AND

Further move that, if the TMRPC upholds the finding of nonconformance with the Truckee Meadows Regional Plan, the Board direct staff to appeal the decision of the TMRPC to the Truckee Meadows Regional Plan Governing Board (RPGB), for Regional Conformance Review Case Number CR19-009 for Washoe County Master Plan Amendment Case Number WMPA17-0010 (Silver Hills).”

### **No Objection To The Finding Of Nonconformance:**

“Move that the Board direct staff not to object to the finding of nonconformance with the Truckee Meadows Regional Plan, by the Truckee Meadows Regional Planning Commission (TMRPC), on Regional Conformance Review Case Number CR19-009 for Washoe County Master Plan Amendment Case Number WMPA17-0010 (Silver Hills). If not successfully objected to or appealed, the finding of nonconformance would effectively overrule the County Commission’s approval of the Silver Hills Project application which, among other things, would result in new master plan and regulatory zone designations for approximately 780 acres of land adjacent to Red Rock Road (APNs 087-309-10, 087-390-13, 086-232-31 and 086-203-05). The new designations would accommodate up to 1872 dwellings, amounting to an increase in potential density from one dwelling per acre] to approximately 2.5 dwellings per acre. The applicant and landowner in the underlying matter is Lifestyle Homes TND, LLC.”

Attachment: TMRPC Action Letter Dated 12/16/2019

CC:

Lifestyle Homes TND, LLC  
4790 Caughlin Parkway, Suite 519  
Reno, NV 89519

Garrett Gordon, c/o Lewis Roca Rothgerber Christie LLP  
One East Liberty Street  
Suite 300  
Reno, NV 89501

Mike Railey, c/o Christy Corporation, LTD  
1000 Kiley Pkwy  
Sparks, NV 89436