

Community Services Department
Planning and Building
APPEAL TO BOARD OF COUNTY
COMMISSIONERS (BCC)
APPLICATION




Community Services Department
Planning and Building
1001 E. Ninth St., Bldg. A
Reno, NV 89512-2845

Telephone: 775.328.6100

Washoe County Appeal of Decision to Board of County Commissioners

Your entire application is a public record. If you have a concern about releasing personal information please contact Planning and Building staff at 775.328.6100.

Appeal of Decision by (Check one)	
Note: Appeals to the Washoe County Board of County Commissioners are governed by WCC Section 110.912.20.	
<input checked="" type="checkbox"/> Planning Commission	<input type="checkbox"/> Board of Adjustment
<input type="checkbox"/> Hearing Examiner	<input type="checkbox"/> Other Deciding Body (specify) _____
Appeal Date Information	
Note: This appeal must be delivered in writing to the offices of the Planning and Building Division (address is on the cover sheet) within 10 calendar days from the date that the decision being appealed is filed with the Commission or Board Secretary (or Director) and mailed to the original applicant.	
Note: The appeal must be accompanied by the appropriate appeal fee (see attached Master Fee Schedule).	
Date of this appeal: <u>13 December, 2024</u>	
Date of action by County: <u>3 December, 2024</u>	
Date Decision filed with Secretary: <u>5 December, 2024</u>	
Appellant Information	
Name: Russ Earle and some/certain residents of Silver Knolls	Phone: 51020796456
Address: 11400 Osage Rd	Fax:
	Email: 24FireLT@gmail.com
City: RENO State: NV Zip: 89508	Cell:
Describe your basis as a person aggrieved by the decision: Immediate community member(s) who live in close proximity to the proposed change to higher density zoning that will result in increased congestion, traffic, noise, pollution, crime, use of public safety resources that are already sparse, degradation of the environment through increased storm-water runoff, and light pollution in a "dark skies" environment.	
Appealed Decision Information	
Application Number: WRZA24-0003	
Project Name: 10235 White Owl Dr and 12000 Red Rock Rd	
State the specific action(s) and related finding(s) you are appealing: <small>The Planning Commission should have found that the following findings were NOT met by the applicant.</small>	
<ol style="list-style-type: none"> 1. Consistency with the Master Plan- the request does not adhere/follow the MP, North Valley Area Plan, Silver Knolls Suburban Character Management Area section NV.1.5.e pertaining to density in this zone 2. Although somewhat compatible with surrounding land use, increased density will have an adverse effect on community safety and welfare (increased fire potential and use of sparse emergency services). 4. Availability of Facilities: We have a severe lack of law enforcement resources already along with delayed fire response to our community, public transportation is non-existent, transportation is gridlocked with only one way in and out of the North Valley's. The applicant states they are relying on public water with no water rights in their application. State water protection states it takes 7-10 years to permit and build a waste water treatment facility but they claim 1-3 years. 6. Desired Pattern of Growth - It does not seem prudent to increase housing density in an area that is slated to have the largest lithium/sulfur (hazmat) battery manufacturing plant in the world in its very close proximity. 7. Military Impact - The applicant has not contacted the Army Aviation unit at Stead to see how increased noise complaints from a higher density housing development will adversely effect their training and flying abilities. 	

received on 12/13/24


Appealed Decision Information (continued)

Describe why the decision should or should not have been made:

The Planning Commission approved the request for an increase in density from LDS to MDS and OS. This change does not adhere to the Master Plan, North Valley Area Plan, Silver Knolls Suburban Character Management Area section NV.1.5.e. The subject site is within this Character Management Area and would negatively impact the community if allowed to be changed to higher density than the Master Plan allows (1 dwelling/acre). We also have a lack of facilities (fire protection, County Sheriff, sewer treatment, public transportation) and increased density and population only compounds our lack of ways to evacuate during a fire.

See the above section for specifics on each finding and what was not done or was in violation of.

Cite the specific outcome you are requesting with this appeal:

Maintain the integrity of the Master Plan, SKSCMA section NV.1.5.e, and keep the one dwelling per acre mandate in the plan and deny the application for a zoning amendment.

Did you speak at the public hearing when this item was considered?

- Yes
- No


Did you submit written comments prior to the action on the item being appealed?

- Yes
- No

Appellant Signature

Printed Name: **Russell Earle - Silver Knolls Residents**

Signature:



Date: **13 December, 2024**

State the specific action(s) and related finding(s) you are appealing:

The Planning Commission should have found that the following findings were NOT met by the applicant.

1. Consistency with the Master Plan- the request does not adhere/follow the Master Plan, North valley Area Plan, Silver Knolls Suburban Character Management Area (SKSCMA) section NV.1.5.e pertaining to density in this zone at one housing unit per acre. In addition,

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.

In this case the requested amendment is in direct conflict with the Master Plan for the North Valley's on points 1 and 3:

From the North Valley Character Statement:

1. Future growth in the area will be managed to minimize negative impacts on the character of these communities, particularly those impacts related to the generation of light, air, and water pollution, open space, wildlife and wildlife habitat and the blending of new development with any existing development.
2. Silver Knolls Community is similar to the Golden Valley Community in its land use pattern. However, its location tends to provide Silver Knolls residents with a greater sense of isolation from other developed parts of the North Valleys.
3. Currently MDS is not permitted within the Silver Knolls Suburban Character Management Areas specifically because it does not fit the character of the community and would drastically change the environment and lifestyle of current residents.

By changing the zoning in this area from LDS1 to MDS3 would violate both other these points from the Master Plan. Adding almost 500 houses will, in fact, not blend with existing development, will all but eliminate the sense of isolation and privacy currently enjoyed by residents. This proposed development will have nothing but negative impact on the character of this community in every point listed in the master plan.

2. Although housing is compatible with the current SKSCMA stipulations surrounding land use, increased density is NOT, and will have an adverse effect on community safety and welfare (increased fire potential and use of sparse emergency services). Higher density housing leads to less defensible space and distance between structures, leading to a higher fire load in a smaller area, increasing the fire risk in a wildland environment. There are currently 9151 approved housing units to be built on the Red Rock corridor, no additional high density is needed until those already approved developments are built out.

3. Response to Change Conditions; more desirable use. In order to meet this condition, the proposed amendment must respond 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. In this case the proposal is said to be in response to the county's need for approx. 16,00 low income homes by 2048. If this is the case, then why are over 9000 of these homes being proposed in one area (Evans Ranch, Silver Star, Silver Hills etc) that is not zoned or equipped to handle this population instead of spreading this need across the county to ensure residents will have access to

services and jobs without having to change zoning and disrupt established communities.

4. Availability of Facilities:

- a. We have a severe lack of law enforcement resources already as the manning for WCSO has not been increased in over 20 years and response times for a code three incident can be over 30 minutes. In total, there are only 5 WCSO patrol units on duty north of the Truckee River on the best of days, with Sun Valley many times taking most of these units for issues in that area.
- b. Delayed fire/EMS response to our community, NFPA stipulates that an 8-minute response is desired, this area is at least 50-150% over that goal. Ambulance response times are horrible and sometimes have to be dispatched from downtown, resulting in a round-trip time of 40-60 minutes, depending on traffic. The first "golden hour" of a patient's life is lost in transport.
- c. Public transportation is non-existent, with no immediate plans to add any to the area.
- d. Transportation is routinely gridlocked on 395/North Virginia, with only one way in and out of the North Valley's. The 395 widening from Stead Blvd to Red Rock is not slated to be done until 2050 per RTC/ NDOT thus leading to a huge bottleneck north of Stead Blvd for decades to come. No additional higher density housing should be allowed on the Red Rock corridor until this transportation issue is addressed and resolved.
- e. The applicant states they are relying on public water with no water rights in their application. In addition, the NV State Water Protection states it takes 7-10 years to permit and build a waste water treatment facility but they claim 1-3 years.
- f. Schools- most schools are overcrowded with no relief in sight. Desert Heights elementary is at approx. 90% capacity, no data was available for Cold Springs Middle, and North Valleys High is over capacity and has been for a number of years. Before additional families, particularly low- income families with at risk children are added to an already struggling education system this need to be resolved. It is irresponsible to put these at-risk children in this situation.
- g. Health care facilities/medical/hospitals – we have very limited medical care facilities, with ER's being over 12 miles away.

5. No Adverse Effects. The proposed growth puts the community at higher risk. There is a 1.25 million square foot lithium/sulfur hazmat battery factory being planned on the Stead Airport as well. High density housing surrounding this facility is also a great risk. As mentioned previously the risk to fire and flooding in this area is already high. Adding this type of high-density housing will increase the risk of fire and flooding to all residents.

6. Desired Pattern of Growth - It does not seem prudent to increase housing density in an area that is slated to have the largest lithium/sulfur (hazmat) battery manufacturing plant in the world in its very close proximity. Planning this level of growth ahead of increasing needed services and protecting the safety and well-being of the citizens is negligent and puts the community at risk similar to what has happened in other parts of the North Valley's

7. Military Impact - The applicant has not contacted the Army Aviation unit at Stead to see how increased noise complaints from a higher density housing development will adversely affect their training and flying abilities by necessitating them to find other areas to train and causing the military to expend additional resources and increase costs to the taxpayers.

NOTE: Staff reports erroneously state that the Planning Commission had approved the Silver Hills project and that this project was no different. This statement is incorrect. The Planning Commission actually did

NOT approve the Silver Hills project on the basis that it did not meeting the Master Plan and Planning Staff also advised AGAINST the Silver Hills project. This was overturned by the County Commissioners and resulted in numerous lawsuits and stipulations that were placed on further development of this area. This proposal is in violation of those stipulations. Planning staff also stated, on the record, that the approval of the Silver Hills development would have NO standing on future requests for ANY zoning changes.

Describe why the decision should or should not have been made:

The Planning Commission approved the request for an increase in density from LDS to MDS and OS. This change does not adhere to the Master Plan, North Valley Area Plan, Silver Knolls Suburban Character Management Area section NV.1.5.e. The subject site is within the Silver Knolls Character Management Area and would negatively impact the community if allowed to be changed to higher density than the Master Plan allows (1 dwelling/acre). We also have a lack of facilities (fire protection, County Sheriff, sewer treatment, public transportation, schools, medical and hospitals) and increased density and population only compounds our lack of ways to evacuate during a fire.

See the above section for specifics on each finding and what was not done or was in violation of.