



# Planning Commission Staff Report

Meeting Date: July 2, 2019

Agenda Item: 9B

MASTER PLAN AMENDMENT CASE NUMBER: WMPA17-0010 (Silver Hills)  
REGULATORY ZONE AMENDMENT CASE NUMBER: WRZA17-0005 (Silver Hills)

**BRIEF SUMMARY OF REQUEST:** Amend the North Valleys Area Plan and the Master Plan Category, and Regulatory Zone, on four parcels of land to allow a Specific Plan for 1,872 dwellings, where 780 dwellings may currently be allowed, and to allow 45,000 square feet of floor area for commercial uses and unlimited acreage for Personal Storage and Storage of Operable Vehicles uses types.

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## CASE DESCRIPTIONS

**Master Plan Amendment Case Number WMPA17-0010 (Silver Hills):** For possible action, hearing, and discussion 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.

AND

**Regulatory Zone Amendment Case Number WRZA17-0005 (Silver Hills):** For possible action, hearing, and discussion to amend the regulatory zone on four parcels of land, totaling  $\pm$  780.32 acres, from Low Density Suburban (LDS) to Specific Plan (SP), with the intent of approving a specific plan allowing the development of 1,872 dwelling units. The overall residential density requested is approximately 2.4 dwellings to the acre. The development pattern proposed is similar to a common-open-space subdivision with lots as small as 3,700 square feet on the west side of Red Rock Road and lots as small as  $\frac{1}{2}$  acre on the east side of Red Rock Road. The specific plan also provides for a total of 45,000 square feet of floor area for commercial uses and unlimited acreage for personal storage and storage of operable vehicles uses types.

• Applicant:	Lifestyle Homes TND, LLC, Attn: Peter Lissner
• Property Owner:	Lifestyle Homes TND, LLC, Attn: Peter Lissner
• Location:	On both the east and west sides of Red Rock Road, north of its intersection with Silver Knolls Boulevard
• Assessor's Parcel Numbers:	087-309-10, 087-390-13, 086-232-31 and 086-203-05
• Parcel Sizes:	$\pm$ 308.6, $\pm$ 243.02, $\pm$ 190.03 and $\pm$ 38.67 acres (total of $\pm$ 780.32)
• Master Plan Category:	Suburban Residential (SR)
• Current Regulatory Zone:	Low Density Suburban (LDS: 1 dwelling per acre)
• Proposed Regulatory Zone:	Specific Plan (SP: $\pm$ 2.5 dwellings per acre)
• Area Plan:	North Valleys
• Citizen Advisory Board:	North Valleys
• Development Code:	Authorized in Article 820, Amendment of Master Plan and Article 821, Amendment of Regulatory Zone
• Commission District:	5 – Commissioner Herman

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**MASTER PLAN AMENDMENT STAFF RECOMMENDATION****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 deny Master Plan Amendment Case Number WMPA17-0010 being unable to make at least three of the six general findings of fact required at WCC Section 110.820.15(d) and all nine findings required by the North Valleys Area Plan.

*(Motion with Findings on Pages 54-56)*

**REGULATORY ZONE AMENDMENT STAFF RECOMMENDATION****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 deny Regulatory Zone Amendment Case Number WRZA17-0005 being unable to make all of the required findings in accordance with Washoe County Code Section 110.821.15 and all eight findings required by WCC Section 110.442.55.10.

*(Motion with Findings on Pages 56-57)*

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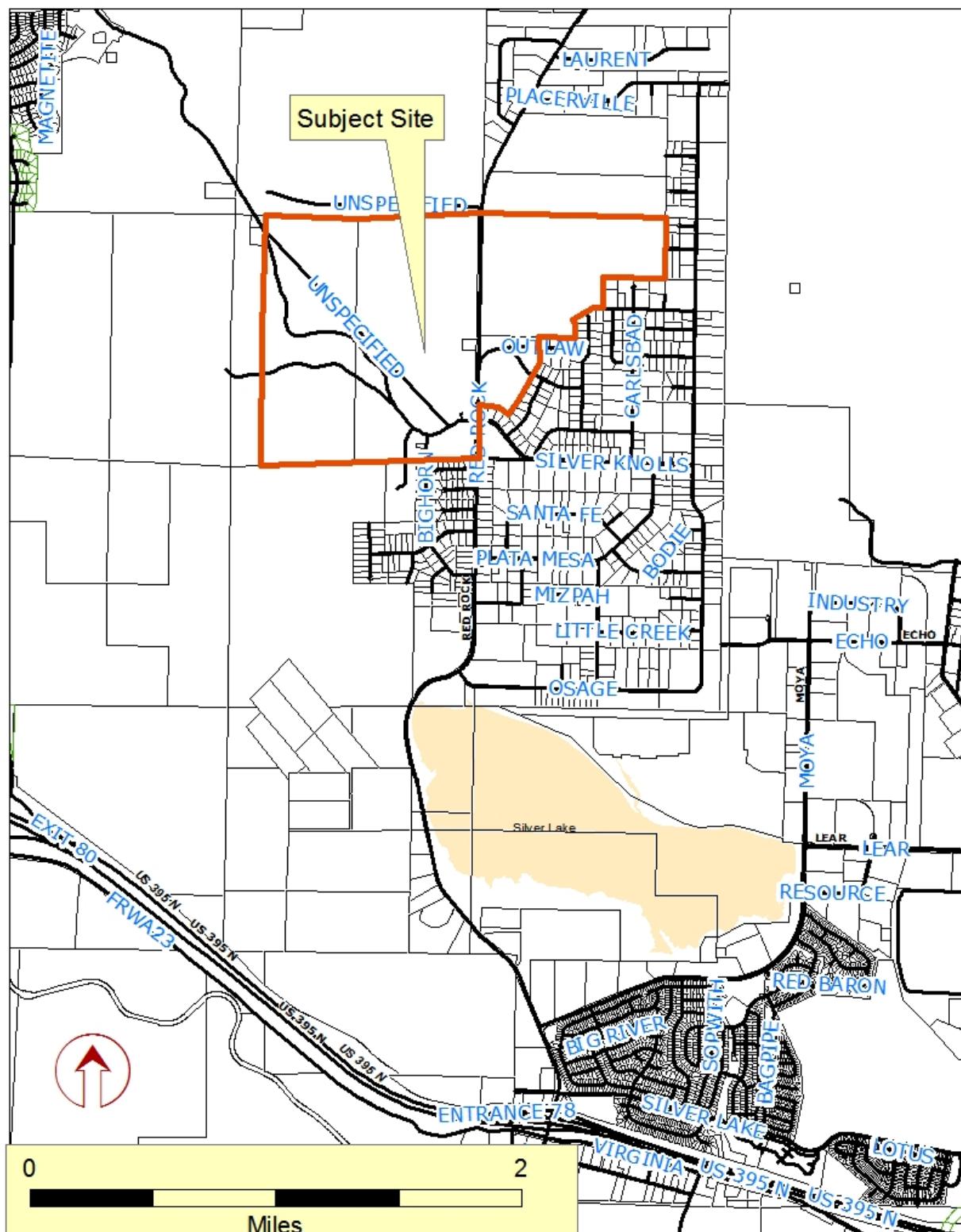
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**Exhibit Contents**

Public Notice Map .....	Exhibit A
Version 5 (Current) Application and Development Standards Handbook .....	Exhibit B
Public Comment on Application Version 1.....	Exhibit C
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Public Comment on Application Version 3.....	Exhibit E
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Agency Comment on Application Version 1 .....	Exhibit H
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Visioning Workshop #1 Posters December 17, 2018.....	Exhibit U
Visioning Workshop #2 Posters December 19, 2018.....	Exhibit V
Visioning Workshop #3 Posters December 20, 2018.....	Exhibit W

The exhibits to this report are available at the location below:

[https://www.washoecounty.us/csd/planning\\_and\\_development/board\\_commission/planning\\_commission/2019/Files/2019-07-02/WMPA17-0010%20and%20WRZA17-0005%20Silver%20Hills%20Exhibits.pdf](https://www.washoecounty.us/csd/planning_and_development/board_commission/planning_commission/2019/Files/2019-07-02/WMPA17-0010%20and%20WRZA17-0005%20Silver%20Hills%20Exhibits.pdf)



Vicinity map

## **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 community. 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 <http://www.washoecounty.us>, 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.

**Volume One** of the master plan outlines six countywide priorities through the year 2025. These priorities are known as elements and each is summarized below. The Land Use and Transportation Element, in particular, plays a vital role in the analysis of a master plan Amendment.

- Population Element. Projections of population, housing characteristics, trends in employment, and income and land use information for the County.
- Conservation Element. Information, policies and action programs, and maps necessary for protection and utilization of cultural and scenic, land, water, air and other resources.
- Land Use and Transportation Element. Information, policies and action programs, and maps defining the County's vision for development and related transportation facilities needed for the forecasted growth, and protection and utilization of resources.
- Public Services and Facilities Element. Information, policies and action programs, and maps for provision of necessary services and facilities (i.e. water, sewer, general government and public safety facilities, libraries, parks, etc.) to serve the land use and transportation system envisioned by the County.
- Housing Element. Information, policies and action programs, and maps necessary to provide guidance to the County in addressing present and future housing needs.
- Open Space and Natural Resource Management Plan Element. Information, policies and action programs, and maps providing the necessary framework for the management of natural resources and open spaces.

**Volume Two** of the master plan consists of 13 Area Plans, which provide detailed policies and action programs for local communities in unincorporated Washoe County relating to conservation, land use and transportation, public services and facilities information, and maps.

**Volume Three** of the master plan houses specific plans, joint plans and community plans that have been adopted by the Washoe County Board of County Commissioners. These plans provide specific guiding principles for various districts throughout unincorporated Washoe County.

Requests to amend the master plan may affect text and/or maps within one of the six elements, one of the 13 area plans, or one of the specific plans, joint plans or community plans. Master plan amendments require a change to the Master Plan and are processed in accordance with Washoe County Chapter 110 (Development Code), Article 820, *Amendment of Master Plan*.

When making a recommendation to the Washoe County Board of County Commissioners to adopt a master plan amendment, the Planning Commission must make at least three of the five findings as set forth in Washoe County Code (WCC) Section 110.820.15(d). If a military installation is required to be noticed, then an additional finding of fact pursuant to WCC Section 110.820.15(d)(6) is required. If there are findings relating to master plan amendments contained in the area plan in which the subject property is located, then the Planning Commission must also make all of those findings. A recommendation to adopt the master plan amendment requires an affirmative vote of at least 2/3's of the Planning Commission's total membership. Five members of the Planning Commission must vote in favor, for a recommendation of approval to be forwarded to the Board of County Commissioners.

### **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 area plans 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 RZA involves review for compliance with countywide policies found in Volume One of the Washoe County Master Plan and applicable area plan policies found in Volume Two of the Washoe County Master Plan. If the subject parcel(s) is within a specific plan, joint plan or community plan found in Volume Three of the Master Plan, then supplemental review shall be required to ensure compliance with the applicable plan. Additionally, the analysis includes review of the proposed amendment against the findings found in Article 821 of the Washoe County Development Code and any findings as set forth in the appropriate Area Plan.

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 RZA 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.

## **General Background**

In 2009 the applicant filed for a tentative subdivision map (case number TM09-001) on a  $\pm 780$ -acre site that includes the four parcels of land under consideration for amendment in the current request. That tentative map was approved in April of 2011 and allowed the development of 680 residential lots. The approval of that subdivision remains in effect at this time, by means of a development agreement to extend the date by which the first final map must be approved by Washoe County.

The applicant applied for a master plan amendment (MPA) and a regulatory zone amendment (RZA), in September of 2017 with the intent of allowing up to 2,340 dwelling units on the four parcels of land that constitute the  $\pm 780$ -acre subject site, that application was Version 1 of this request. That application was sent to the Truckee Meadows Regional Planning Agency (TMRPA) for a preliminary review. TMRPA staff indicated that they believed that conformance with the Regional Plan was unlikely as that plan specified particular areas in which residential densities greater than five dwellings to the acre were called out.

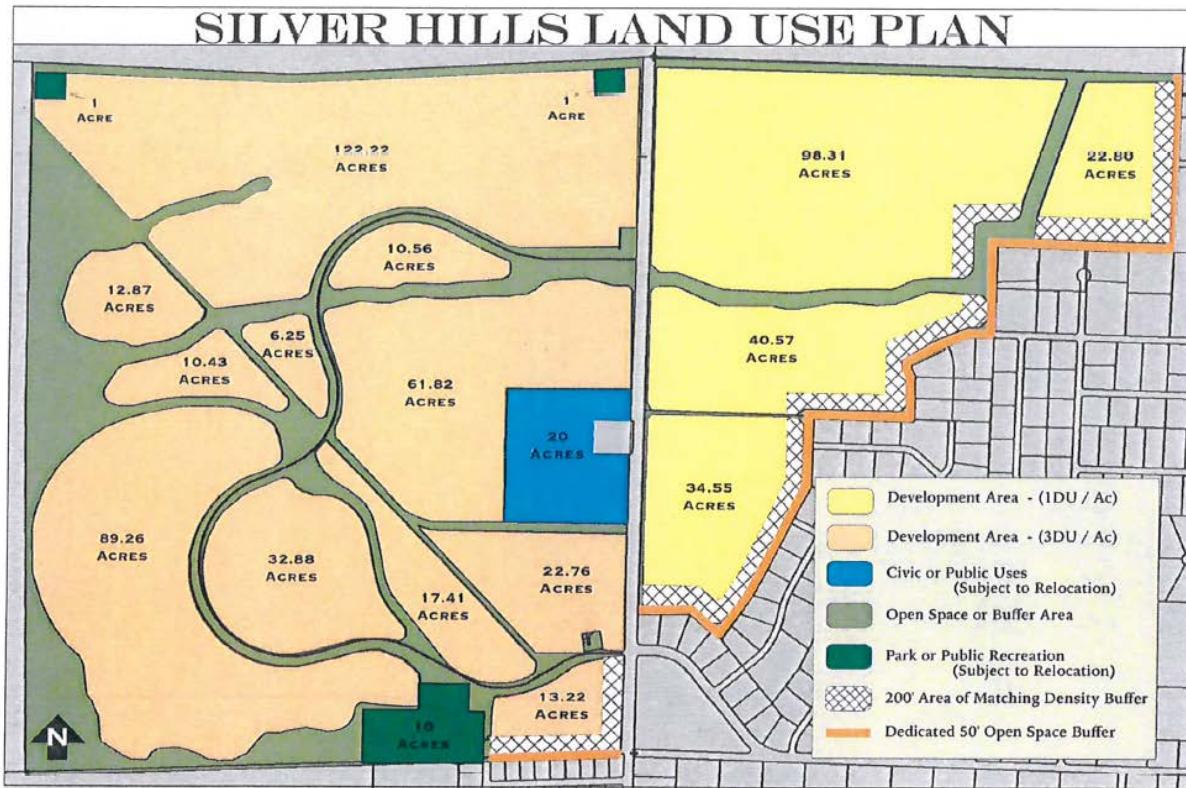
The applicant submitted version 2 of the MPA and RZA application in March of 2018. The applicant continued to seek approval of several changes to the North Valleys Area Plan to allow the approval of a plan which would allow up to 2,340 dwelling units on that  $\pm 780$ -acre subject site. The applicant sought approval of overall residential density of three dwellings to the acre. That plan, did not call out specific residential densities, it did, however, call out several areas that are proposed to be designated as being suitable for various intensities of residential development. Following opposition expressed at the North Valleys Citizen Advisory Board (NVCAB), the applicant requested a delay in further evaluation of the MPA / RZA while additional revisions were made. The applicant then undertook a series of meetings with private citizens in the area.

The applicant submitted version 3 of the MPA and RZA application in July of 2018. The applicant sought approval of several changes to the North Valleys Area Plan to allow the approval of a Specific Plan which would allow up to 1,654 dwelling units on two parcels of land that total  $\pm 551.62$  acres. The applicant sought approval of overall residential density of three dwellings to the acre. That plan included land only on the west side of Red Rock Road. That plan, did not call out specific residential densities, it did, however, call out several areas that were proposed to be designated for various intensities of residential development. The applicant requested a delay in further evaluation of the MPA / RZA while additional revisions were made. The applicant then undertook a series of workshops with the NVCAB and various meetings with private citizens in the area.

The applicant submitted version 4 of the MPA and RZA application in February of 2019. The applicant sought approval of several changes to the North Valleys Area Plan and the creation of a new character management area and a new specific plan, called "Silver Hills" that, if approved, would allow 1,872 dwellings on four parcels of land, totaling  $\pm 780$  acres. That  $\pm 780$  acres is the same land associated with version 1 and version 2, of this request. The general development pattern sought by the applicant included residential density of three dwellings to the acre on the west side of Red Rock Road and a residential density of one dwelling to the acre on the east side of Red Rock Road. The applicant requested a delay in further evaluation of the MPA / RZA while additional revisions were made.

The applicant submitted version 5, the current version, of the MPA and RZA application in May of 2019. Review of that application is the subject of this staff report. The applicant currently seeks approval of several changes to the North Valleys Area Plan and the creation of a new character management area and a new specific plan, called "Silver Hills" that, if approved, would allow 1,872 dwellings on four parcels of land, totaling  $\pm 780$  acres. The subject  $\pm 780$

acres is the same land associated with Version 1, Version 2 and Version 4, of this request. The specific plan sought by the applicant includes residential density of three dwellings to the acre on the west side of Red Rock Road and a residential density of one dwelling to the acre on the east side of Red Rock Road. The development pattern proposed includes individual lot sizes ranging from approximately one acre to 3,700 square feet (approximately ten to twelve dwellings to the acre). The specific plan also provides for a total of 45,000 square feet of floor area for commercial uses and unlimited acreage for personal storage and storage of operable vehicles uses types.



**TABLE 1: LAND USE SUMMARY**

LAND USE	GROSS AREA
<b>RESIDENTIAL</b>	
Residential Development Area <sup>1</sup>	595.91± acres
<b>NONRESIDENTIAL</b>	
Public Facility/Civic Use (PFC)	20± acres <sup>2</sup>
Park (P)	12± acres
Open Space (OS)	152.41± acres
<b>TOTAL</b>	<b>780.32±acres</b>

1 – Note: Limited Neighborhood Commercial uses shall be permitted within Residential Development Areas. Refer to Section 2.3 of Development Standards Handbook.

2 – If no public use is planned or established at the 80% build out stage of the Specific Plan, this area shall automatically revert to residential (refer to Development Standards Handbook).

There are many plans, codes and documents that must be evaluated in order for staff to come to a recommendation for a change of this nature to the Master Plan. However, it is instructive to note that the overall, nature of the request is simply to increase the allowable density on a large part of the subject site from one dwelling per acre to three dwellings per acre. This staff report includes the evaluation of many policies and specific provisions of many parts of many different documents which have resulted in a recommendation of denial by County Staff.

In general terms, the request may be seen to be out of character with the surrounding area and, if approved, would result in a substantially more intense development pattern than is contemplated by the Master Plan for this area. This is seen as a substantial detriment by the residents of the area. Conversely, additional housing may be a benefit to the North Valleys Area and Washoe County as a whole.

### **Evaluation of Master Plan Amendment Request**

One of the documents by which the proposal must be evaluated for compatibility is the 2012 Truckee Meadows Regional Plan (TMRP). Goal 2.2 of that plan states, "Local government master plans will be revised to preserve the scenic, natural, public safety and recreational values of sensitive land areas by constraining development on designated water bodies and ridgelines, natural slopes over 30 percent, and certain other lands." The proposed amendment is not consistent with this goal. The following graphic shows the natural slope of the subject site.



The areas shown in red to the left (west) of the site include slopes of 30% or greater. Those areas are "Development Constraints Areas" in accordance with the TMRP. While the conceptual development plan shows these areas as being included within open space or buffer areas those

areas are also included in the overall calculations for residential density at one dwelling to the acre. If the areas of 30% slope were removed from the density calculations the number of dwelling units (as otherwise based on the applicants request) would be 1868 rather than the requested 1872. This is inconsistent with TMRP Policy 1.3.2 which states in part that, "For the purposes of complying with this policy, density transfers are allowed from usable passive open space and are not allowed from any of the following areas: 2) property in the Development Constraints Area;".

Within the "Silver Hills – Specific Plan Development Standards" on page 1-9 it is stated that, "Adoption of the Silver Hills Specific Plan does not result in additional density on slopes greater than 30%." This is correct in that the applicant is not seeking additional density on slopes greater than 30%, but is seeking to transfer existing residential density at one dwelling to the acre from the areas with slopes greater than 30% and use that residential density throughout the remainder of the subject site, while increasing density on the remainder of the western portion of the site. The current regulatory zone allows one dwelling to the acre in those areas. The applicant addresses this policy on page 29 of the application materials.

The applicant proposes 20 acres of the site to be set aside for "Public Facility / Civic Use" such as, "schools, libraries, utility structures, fire stations, sheriff substations, etc." However, the residential density required to support the overall number of dwellings requested by the applicant, three dwellings to the acre, is included within this area. The result of this is the possibility of 60 additional dwelling units worth of density transferred from the public facility portion of the site to the remainder of the subject site. Likewise the applicant seek to designate 12 acres for park uses, which results in the possibility of 36 additional dwelling units worth of density transferred from the public facility portion of the site to the remainder of the subject site.

Additionally, 45,000 square feet of commercial floor space is proposed, it is reasonable to anticipate that approximately 5 acres of land is needed to support that commercial development for improvements such as parking and landscaping, which represents approximately 15 additional dwelling units worth of density relocated to the remainder of the subject site. Finally, there is no limit proposed for personal storage and storage of operable vehicles uses, which is not limited to the future residents of the proposed specific plan area. The result is that it is possible (though not intended), under the development standards proposed that the entire development could be made up of personal storage and storage of operable vehicles uses. A more likely situation is that perhaps 10 or 15 acres may be utilized in that manner, again with a corresponding number of dwellings constructed on the smaller lots in the interior of the project site.

Further evaluation of the various elements that make up the Washoe County Master Plan is also required. Volume One of the Master Plan includes the Population Element, Conservation Element, Land Use and Transportation Element and the Public Services and Facilities Element. Volume Two includes all area plans and the North Valleys Area Plan, which is applicable to this request. The following are goals set out in the master plan that are applicable to the current request.

#### **Population Element:**

Goal Four: Coordinate population growth with the availability of water, sanitary sewer, streets and highways, and other public facilities and services.

**Staff Comment:** Sanitary sewer would have to be extended to serve any additional development at the subject site. The proposed additional dwellings would require Red Rock Road to be widened to four lanes. At the current time, Red Rock Road is two lanes in width, but may be widened to four lanes, according to the Regional Transportation Plan by the year 2030.

If approved the ability to construct up to 1,872 dwellings would be immediate, although it may take much longer for development to occur. The MPA requested by the applicant is inconsistent with this goal, as the timing of the infrastructure is not in conjunction with the proposed intensification of land use. The applicant addresses this goal on page 29 of the application materials

POP.4.1 The Washoe County Department of Community Development [*now known as the Community Services Department*] will include an analysis of the demands for public services and facilities relative to existing and planned population in staff reports prepared in conjunction with Master Plan amendments.

**Staff Comment:** The demands upon public services created by the additional residential density requested by the applicant exceed the existing and planned service capacity, as discussed below.

The Washoe County Water Management Planner Coordinator, Vahid Behmaram, comments that:

The Master Plan Amendment application “envisions” “Annexation to TMWA water service territory” as the source of water supply to the proposed Regulatory Zone Amendment consisting of 1,872 dwelling units (see excerpt below).

Currently, TMWA water service, based on delivery of Fish Springs water resources, represents the only viable and sustainable water supply in the geographical area of the proposed Master Plan Amendment. To grant the requested land entitlements without a fully identified sustainable source of water supply is contrary to County policy and development code PSF.1.13, “Ensure that a safe and dependable water supply is provided”. The Master Plan Amendment and the Regulatory Zone Amendment as proposed do not commit to annex to TMWA for future water service from Fish Springs water resources NOR identify an equally sustainable and permitted source of water supply validated by Washoe County CSD. If another source of water supply other than TMWA is to support this project, review and discussion of availability and sustainability of said water supply shall be done prior to granting of these applications and not after. Therefore The Master Plan Amendment and the Regulatory Zone Amendment as proposed are deficient in meeting the code.

**4.3.2 Water**

The nearest existing water facilities to the project site is the Silver Knolls Water Company. There are existing Silver Knolls Water Company facilities within and adjacent to the project limits. However, the Silver Knolls Water Company is a small water system that is not capable of providing service to the Silver Hills project. It is envisioned that the Silver Hills Development will be annexed into the service territory of the Truckee Meadows Water Authority (TMWA) which currently exists to the southeast of the site. A TMWA Discovery will need to be prepared to provide service planning and an initial estimate of the required backbone water facilities necessary to provide service to the project.

In 2015, a TMWA discovery was prepared for a smaller project located on the same property. Although prepared for a different project, it is assumed for this purpose that many of the same requirements with oversizing will be necessary for the current proposal. The nearest TMWA facility to the site is a 12" diameter main located adjacent to the Army Aviation well to the east of the site within the confines of the Reno Stead Airport property (refer to Figure 4-4). From this location, a 3,500-foot main will need to be constructed to the boundary of the property.

An on-site booster pump station will need to be constructed in the northeastern portion of the site along the eastern boundary. From the booster station site and depending on the ultimate layout of the project, a parallel feeder main will need to be constructed to the northwest corner of the site.

A tank (or tanks) will be required and to obtain the elevation necessary will need to be located off-site. A suitable location for the tank (APN 556-120-07) is owned by the Developer and is adjacent to dedicated right of way. Naturally, due to terrain and the elevation of the tank, various pressure reducing stations will need to be incorporated into the ultimate design.

Water rights dedication will be required for the project, the amount of which cannot be anticipated at this time but will be one of the results of a future TMWA discovery application. The dedication rates will be based upon Rule 7 or a modification thereof when final demands are determined.

Captain Don Gill, of the Washoe County Sheriff's Office (See Exhibit J) commented that:

I have reviewed item #2, which deals with 780 acres that will ultimately be developed into 1,872 residential units in the Silver Knolls area. From the perspective of the Washoe County Sheriff's Office Patrol Division, there is little doubt once completed it will create considerable burden on law enforcement resources to respond to calls for service at homes, for traffic accidents, investigations, and other related issues to include possibly impacting the Detention Facility. Unlike the Fire Department which has its own tax districts to collect funds to staff their needs as growth occurs, law enforcement staffing is not necessarily increased and rarely increased upon new development.

For reference, our farthest North patrol beats are 1 and 2.

Beat 1 is staffed with one deputy and has been for the past 20+ years and it covers Cold Springs, Rancho Haven, and Red Rock (Silver Knowles). Beat 2 is staffed with one deputy and has been for the past 20+ years and it covers Lemmon Valley, Golden Valley, and Old North Virginia areas to include Horizon Hills and Grand View Estates.

As you can see, an increase in homes to the Silver Knowles area of such a magnitude would most likely require an additional North unit to assist with their area of responsibility. I know tables and appendix's were provided, which show the increased revenues to the County. I did not see where that would automatically increase patrol staffing to provide services to that area in general over and above what is already there.

The applicant addresses this policy on page 30 of the application materials and notes that, "As the project develops with future tentative maps, etc. the developer will be required to demonstrate that adequate public facilities and services exist to address each individual phase/project and provide for any required upgrades or improvements that are identified."

### **Conservation Element:**

Goal Two: Conduct development so that an area's visual features and amenities are preserved.

**Staff Comment:** The MPA requested by the applicant is inconsistent with this goal. Among the significant aspects of the visual features of the Silver Knolls Suburban Character Management Area is the preponderance of single-family detached dwellings on parcels of land generally one acre (43,560 square feet) or greater in size. The "Silver Hills - Specific Plan Development Standards" proposes single family detached dwellings in "Lower Density Neighborhoods" on parcels of land between 15,000 square feet and one acre in size this development pattern is generally proposed on the east side of Red Rock Road. The "Silver Hills - Specific Plan Development Standards" further proposes single family detached dwellings in "Mid-Range Single-Family Neighborhood" on parcels of land between 5,000 and 15,000 square feet in size (page 2-9), it further proposes single family detached and attached dwellings (including "small-lot patio homes, the use of alleyways and community greens, townhomes, and / or duplexes" in "Suburban Single-Family Neighborhood" on parcels of land with a minimum of 3,700 square feet for attached dwellings and 4,000 square feet for detached dwellings. These development patterns are generally proposed on the west side of Red Rock Road. The applicant addresses Goal Two on page 30 of the application materials.

Goal Three: Regulate or mitigate development to protect environmentally sensitive and/or critical land, water and wildlife resources that present development hazards or serve highly valuable ecological functions.

**Staff Comment:** Areas with slopes of 30% or greater are "Development Constraints Areas" in accordance with the TMRP. The conceptual development plan shows these areas as being included within open space or buffer areas. The MPA requested by the applicant is consistent with this goal.

### **Land Use and Transportation Element (LUTE)**

LUT.1.1 Washoe County should define smaller areas where more intense suburban development is permitted (parallel with the Area Plan Suburban Character Management Area, or SCMA), and larger areas outside the suburban areas where development is strictly limited to retain the existing rural character (parallel with the Area Plan Rural Character Management Area, or RCMA).

**Staff Comment:** The applicant has requested to remove the subject site from the Silver Knolls Suburban Character Management Area, and to create a new suburban character management area "Silver Hills." That action, if approved, would result in defining this area as a location for, "more intense suburban development is permitted (parallel with the area plan suburban character management area or SCMA)." The MPA requested by the applicant may or may not be consistent with this policy, depending upon whether or not the Planning Commission determines that more intense development of this particular area is appropriate. The applicant addresses this policy on page 30 of the application materials.

LUT.1.2 Mixed-use, sustainable developments are extremely encouraged.

**Staff Comment:** "Silver Hills - Specific Plan Development Standards" proposes to allow significantly more commercial uses than otherwise allowed in suburban areas, as well as

encouraging local agriculture. If the SCMA were modified to allow more intense suburban development as may be permissible under LUT1.1, then, depending upon whether or not the Planning Commission determines that more intense development of this particular area is appropriate, the proposed specific plan may or may not be consistent with this policy. The scale of commercial uses proposed is likely to be neighborhood-serving.

LUT.1.3 Streets should be narrowed and interconnected with bicycle lanes to provide more opportunity for walking and cycling as viable as well as desirable and safe modes of transportation.

**Staff Comment:** Roadways standards within the "Silver Hills - Specific Plan Development Standards" includes, sidewalks, pedestrian paths and landscaping (page 2-21). The MPA requested by the applicant is consistent with this policy, and may help to support the desired outcome of this policy.

LUT.1.4 Residential should be within close proximity to retail/commercial land uses within SCMAs to facilitate both walking and cycling as desirable and safe modes of transportation.

**Staff Comment:** The nearest retail commercial area is approximately three miles to the south of the project site, within the City of Reno, near the intersection of Red Rock Road and US Highway 395 North. The applicant is proposing substantially more commercial uses, within the proposed specific plan, than are otherwise allowed in suburban areas. The MPA requested by the applicant may be consistent with this policy, if approved, as more commercial uses would be permissible.

Goal Two: Standards ensure that land use patterns are compatible with suburban development and incorporate mixed-use.

**Staff Comment:** The "Silver Hills - Specific Plan Development Standards" proposes development patterns that are substantially more intense than the existing, surrounding, development pattern. The existing development pattern generally consists of single-family detached dwellings on parcels of land generally one-half acre (21,780 square feet) or greater in size to the south and single-family detached dwellings on parcels of land generally larger than one acre (43,560 square feet) or greater in size to the east. The areas to the north and west are generally undeveloped or developed at a very low residential density. The proposed standards also generally call for the inclusion of open space and buffers around the perimeter, along with lots that match the size of existing lots, when they are adjacent, more commercial uses are proposed within the specific plan, than are otherwise allowed in suburban areas. Whether or not the proposed open space and buffers create compatibility with the nearby suburban development is a question that the Planning Commission may consider. The applicant is proposing mixed uses.

LUT.2.1 Ensure that existing and proposed land uses are compatible.

- a. Projects shall be evaluated with the intent to promote mixed-use and land use compatibility.
- b. Mixed-use refers to the combining of retail/commercial and/or service uses with residential or office use in the same building or on the same site in one of the following ways:
  - i. Vertical Mixed-Use - A single structure with the above floors used for residential or office use and a portion of ground floors for retail and commercial.
  - ii. Horizontal Mixed-Use, Attached - A single structure, which provides retail/commercial or service use in the portion fronting the public or private street with attached residential, or office uses behind.

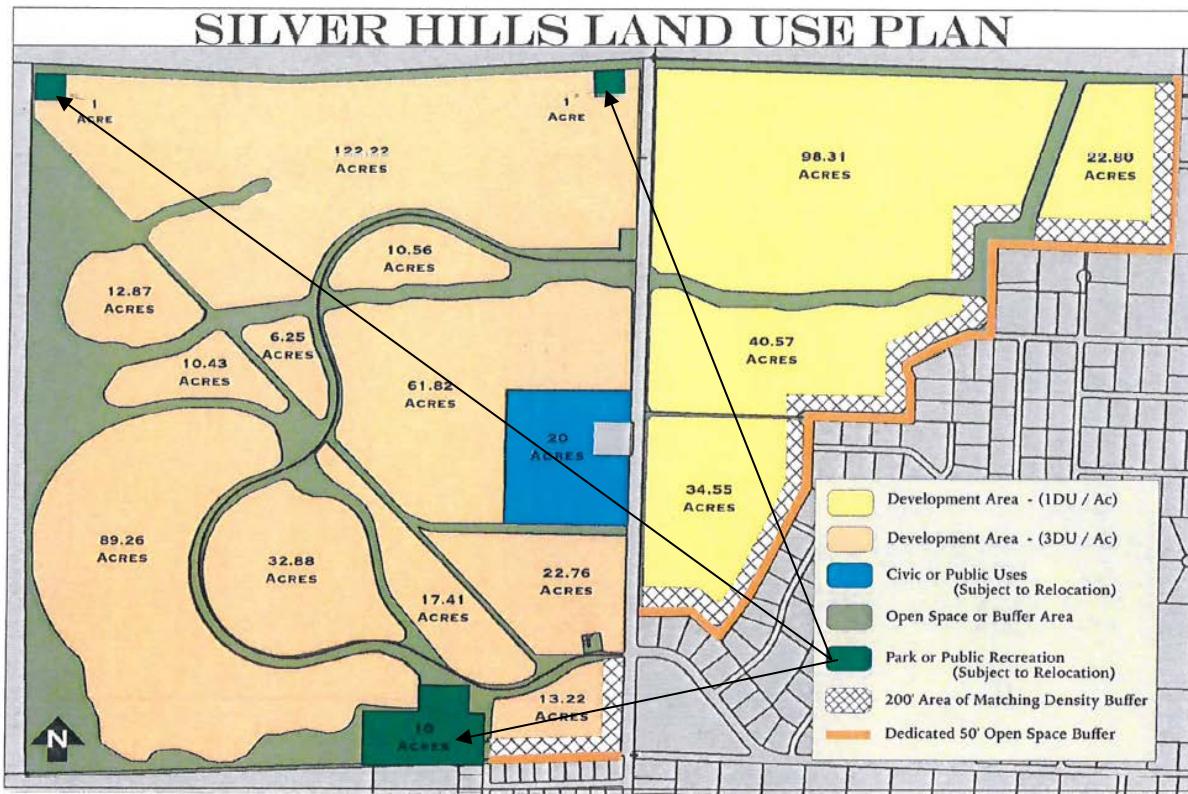
iii. Horizontal Mixed-Use, Detached - Two or more structures on one or more parcels of land which provide retail/commercial or service uses in the structure(s) fronting the public or private street, and residential or office uses in separate structure(s) behind the site.

**Staff Comment:** The applicant is proposing mixed uses within the “Silver Hills - Specific Plan Development Standards.” Whether or not the proposed open space and buffers create compatibility with the nearby suburban development is a question that the Planning Commission may consider. The applicant addresses this policy on page 31 of the application materials and states that, “network and sidewalk connections will link the project with surrounding areas, allowing residents access to public lands, trailheads, parks, community amenities, future school(s), etc. This benefits not only Silver Hills but existing residents as well.”

LUT.2.2 Allow flexibility in development proposals to vary lot sizes, cluster dwelling units, and use innovative approaches to site planning providing that the resulting design is compatible with adjacent development and consistent with the purposes and intent of the policies of the Area Plan. Development applications shall be evaluated with the intent to satisfy the minimum following criteria:

- a. Directs development away from hazardous and sensitive lands.
- b. Preserves areas of scenic and historic value.
- c. Provides access to public land.
- d. Retains agricultural uses, fire and windbreaks, wildlife habitat, wetlands, streams, springs and other natural resources. An adequate amount of prime resources must be retained in order to sustain a functioning ecosystem.
- e. Accommodates the extension and connection of trail systems and other active and passive recreational uses.
- f. Furthers the purposes and intent of the respective Area Plan.
- g. Prevents soil erosion.
- h. Encourages a minimum distance from residential dwellings to active recreation in parks.

**Staff Comment:** Whether the proposed open space and buffers and standards proposed within the “Silver Hills - Specific Plan Development Standards” result in a design that is “compatible” with adjacent development and consistent with the purposes and intent of the policies of the area plan is a question that the Planning Commission may consider. Development is directed away from land with slopes greater than 30%, however, residential density is being proposed to be transferred from those areas. Access to public lands to the north is preserved, with the walking trails proposed with the development. Open space is anticipated adjacent to the existing park, but active recreation in parks is proposed directly adjacent to residential areas within the proposed specific plan, as indicated in the land use pattern proposed by the applicant, below.



On page 19 of the application materials the applicant address policy LUT.2.2 as follows, "The Silver Hills Specific Plan provides for flexibility in land use in the Silver Knolls area by clustering dwelling units to provide a variety of lot sizes, while preserving open space and connections to adjacent public lands."

LUT.2.4 Development reviews shall include a process to ensure that a safe and reasonable walking/biking route exists between all relevant land uses that promote these alternative transportation modes within a community or region.

- The addition of Class 1 and 2 bicycle lanes will be evaluated where appropriate within new suburban developments. The connection of all existing bikeway systems will help provide an efficient interconnected system.
- Class 1 bicycle lanes (full grade separation from roadway) are encouraged as much as possible to increase safety and promote cycling and walking as viable and desirable modes of transportation.

**Staff Comment:** The proposed amendments are generally supported by this policy. Bike lanes are proposed on certain streets in the "Silver Hills - Specific Plan Development Standards". Paths and sidewalks are proposed throughout any future development. There would be, however, little connection to existing development outside of the subject site. The applicant addresses this policy on page 31 of the application materials.

**Goal Three:** The majority of growth and development occurs in existing or planned communities, utilizing smart growth practices.

**Staff Comment:** The subject site is currently within the Silver Knolls Suburban Character Management Area. The applicant seeks to remove the subject site from that area and to create a new "Silver Hills Suburban Character Management Area." If one considers that the Silver

Knolls Suburban Character Management Area is a planned community under the meaning of the Master Plan, then the proposal to remove the area and to change the master plan and regulatory zone would be inconsistent with development occurring within a planned community. Whether the proposed development pattern can be characterized as “smart growth” is a question that the Planning Commission may consider, however, as generally contemplated with the adoption of the Land Use and Transportation Element, smart growth would favor more intense development in areas in which necessary infrastructure already exists or is included within an adopted capital improvement plan. In that case, the current proposal is inconsistent with smart growth practices. The applicant addresses this policy on page 31 of the application materials, and contends that the specific plan would “provide a wide range of single family product types for a wide population demographic. This is accomplished through the application of smart growth principles such as clustering, preservation of open space and natural features, community amenities such as the proposed Agrihood, and limiting sprawl.”

LUT.3.1 Require timely, orderly, and fiscally responsible growth that is directed to existing suburban character management areas (SCMAs) within the Area Plans as well as to growth areas delineated within the Truckee Meadows Service Area (TMSA).

**Staff Comment:** The subject site is currently within the Silver Knolls Suburban Character Management Area, the applicant seeks to remove the subject site from that area, and to create a new “Silver Hills Suburban Character Management Area” and therefore the current proposal would not direct growth to existing SCMAs. The current proposal is inconsistent with this policy. The applicant addresses this policy on page 32 of the application materials and notes that the new SCMA would contain many of the same standards as the existing SCMA.

LUT.3.2 In order to provide a sufficient supply of developable land to meet the needs of the population, Area Plans shall establish growth policies that provide for a sufficient supply of developable land throughout the planning horizon of the next 20 years, with considerations to phase future growth and development based on the carrying capacity of the infrastructure and environment.

**Staff Comment:** The North Valleys Area Plan Policy NV.1.2 includes a, “combined policy growth level for the Suburban Character Management Areas [of] 2000 new residential units of land use capacity. Changes to the established regulatory zones will not add more than 2000 new units of land use capacity through 2025.” Since the adoption of the North Valleys Area Plan approximately 77 dwelling units of additional residential density has been approved by Washoe County. The current request, if approved, would allow, 1092 dwellings in addition to the 780 that may be permitted under the current regulatory zone on the subject parcels. The MPA requested by the applicant is consistent with this policy.

LUT.3.3 Single family detached residential development shall be limited to a maximum of five (5) dwelling units per acre.

**Staff Comment:** The applicant is requesting a maximum residential density of three dwelling units to the acre, within the specific plan. The proposed MPA is consistent with this policy.

Goal Four: Land use patterns allow for a range of housing choices and interconnected streets.

LUT.4.1 Maintain a balanced distribution of land use patterns to:

- a. Provide opportunities for a variety of land uses, facilities and services that serve present and future population;
- b. Promote integrated communities with opportunities for employment, housing, schools, park civic facilities, and services essential to the daily life of the residents; and

c. Allow housing opportunities for a broad socio-economic population.

**Staff Comment:** The “Silver Hills - Specific Plan Development Standards” proposes single family detached dwellings in “Lower Density Neighborhoods” on parcels of land between 15,000 and one acre in size (page 2-6), it further proposes single family detached dwellings in “Mid-Range Single-Family Neighborhood” on parcels of land between 5,000 and 15,000 square feet in size (page 2-9), it further proposes single family detached and attached dwellings (including “small-lot patio homes, the use of alleyways and community greens, townhomes, and / or duplexes” in “Suburban Single-Family Neighborhood” on parcels of land with a minimum of 3,700 square feet for attached dwellings and 4,000 square feet for detached dwellings (page 2-9). It further proposes commercial and civic uses within the suburban area. The MPA requested by the applicant is consistent with this goal.

On page 20 of the application materials the applicant address policy LUT.4.1 as follows, “A broad mix of housing opportunities will be provided with the Silver Hills Specific Plan, ranging from large lots at 1 unit per acre, to smaller, attached housing such as townhomes. The higher density portions of the project are proposed internally, with density matching and buffering at the boundaries of the project (where applicable) to provide transition to and compatibility with existing adjacent residential development. The mix of housing types will serve a large range of the socio-economic population, and will provide a more diverse base to support existing and anticipated employment growth in the North Valleys area.”

LUT.4.2 Encourage new developments to provide appropriate design to accommodate the needs of all users, including young, aging, handicapped and special needs populations.

**Staff Comment:** The “Silver Hills - Specific Plan Development Standards” do not specifically address the needs of the young, aging, handicapped and special needs populations. However, a variety of housing types are proposed that may help support the intent of this policy. The applicant addresses this policy on page 33 of the application materials, and contends that, “A key goal of the plan is to appeal to the “missing middle” by providing quality housing that is attainable for young families, singles, seniors, etc. that is consistent with area wages, etc.” Whether that variety of housing types addresses the needs of those various populations is a question that the Planning Commission may consider.

LUT.4.3 Encourage suburban developments to provide a mix of residential densities and housing types in close proximity to retail/commercial.

**Staff Comment:** As noted in the response to policy LUT.1.4, the nearest retail commercial area is approximately three miles to the south of the project site, within the City of Reno, near the intersection of Red Rock Road and US Highway 395 North. The applicant is proposing substantially more commercial uses in the specific plan than are otherwise allowed in suburban areas. The MPA requested by the applicant may be seen to be consistent with this policy, if approved, as more commercial uses would be permissible, or it may be seen to be inconsistent with this policy as there are few commercial or retail uses currently in the area that is proposed for an increase in intensity of residential development.

LUT.4.4 Encourage new suburban developments to provide interconnected street networks to improve fluidity between different land uses and encourage walking and cycling as viable and safe modes of transportation.

**Staff Comment:** As noted in the response to policy LUT.2.4, bike lanes are proposed on certain streets, paths and sidewalks are proposed throughout any future development. There would be, however, only limited connection to the existing development outside of the subject site. Intersections accessing the subject site would be at the location of existing streets adjacent to the site.

Goal Five: Development occurs where infrastructure is available.

LUT.5.1 Recognize the relationship between land use timing and the provision of adequate services and facilities.

- a. Provide an adequate facilities plan that meets the requirements described in the Development Guidelines section of the Land Use Groups.
- b. Consideration should be given to the long-term inefficiency of development with individual systems as opposed to the possible formation and use of community facilities districts.

**Staff Comment:** As previously noted, water service and sewer service are not available at this time. Extension of those services would be necessary, if approval is granted. The road system is inadequate at this time and substantial improvements would be necessary to accommodate the additional demand created by the proposed amendment. Comments from the Regional Transportation Commission include, "The 2040 RTP [Regional Transportation Plan] identifies Red Rock Road from Moya Boulevard to Evans Ranch to be widened from a 2 to 4 lanes by 2026." The applicant addresses this policy on page 33 of the application materials, and contends that, "The applicant will comply with the recommendations in the feasibility studies, including constructing the improvements that are required to support the intensification". The MPA requested by the applicant is inconsistent with this policy.

LUT.5.3 New development shall not reduce the quality of service for existing residents and businesses nor reduce the ability of public agencies to provide quality service.

**Staff Comment:** Approval of new development will have an impact upon existing infrastructure and public services. Please see the response from the Sheriff's office in regards to increase in calls for service on page 14 of this report. The applicant addresses this policy on page 34 of the application materials and contends that conditions of approval on future tentative subdivision maps would allow concurrency to be reviewed on a phase by phase basis. The MPA requested by the applicant is inconsistent with this policy.

LUT.5.4 Locate more intense pedestrian and transit-oriented development along major roads, transit corridors, and in activity centers within village centers.

**Staff Comment:** This is a request to increase the allowable residential density on most of the subject site from one dwelling to the acre to three dwellings to the acre and to provide for a development pattern on lots as small as 3,700 square feet. Red Rock Road, at this time is a two-lane road. It is not a major road or a transit corridor. The applicant addresses this policy on page 34 of the application materials, and notes that more intense uses are proposed to be located in the central portion of the project area. The proposal is inconsistent with this policy.

Goal Six: Land use and transportation decisions support and healthy economic base.

LUT.6.1: Acknowledge the importance of Washoe County (including the incorporated cities of Reno and Sparks) in the continued development of Northern Nevada's regional economic base.

- a. Strengthen and support the identity of the region by encouraging land uses that both contribute to the character of the community and enable the area to sustain a viable economic base.
- b. Encourage land uses that preserve a quality of life that define a sense of place within the region.

LUT.6.2: Promote development projects that direct resources to promote business attraction, retention and expansion.

**Staff Comment:** The proposed specific plan does not directly support, nor does it hinder, this goal, the currently-approved residential subdivision on the subject site would provide housing in the area. If approved, the requested specific plan could provide additional housing in the area.

On page 20 of the application materials the applicant addressed this goal as follows, "The North Valleys area is, and is planned to be, one of the largest employment centers in the region. As such, the Silver Hills project will serve to provide a jobs/housing balance within the North Valleys for a wide range of the population. Diverse housing is essential to attract businesses to this growth center of Washoe County, as adequate housing levels at affordable prices is a concern to businesses considering northern Nevada for relocation and/or expansion."

Goal Seven: Development patterns in the unincorporated SCMAs provide an alternative to the higher intensity land use patterns that are found in cities.

LUT.7.1 Village land use patterns may be developed in limited suburban locations.

- a. Villages should create secondary nodes of activity that complement larger city services rather than compete.
- b. Higher density urban villages should be located at the center of the village to take advantage of infrastructure and to provide a more efficient means of providing services.
- c. An urban village may include a mixed-use, higher density community located at the center of a suburban area.

**Staff Comment:** Development patterns proposed by the MPA requested by the applicant, includes attached single-family housing types on lots as small at 3,700 square feet. This equates to a development pattern of approximately 12 dwelling to the acre in some areas of the project site with an overall density of approximately 2.5 dwellings to the acre. This development pattern, within some areas of the project site, is roughly equivalent to the density allowed in Washoe County's Low Density Urban regulatory zone which is 10 dwellings to the acre for single-family detached housing types, 14 dwellings to the acre for multi-family types and 12 dwellings to the acre for mobile home parks. This proposal may be seen to create a "village" as contemplated in Goal 7. The subject site is bordered on the west by land within the City of Reno, this project may be seen to compete with, rather than compliment, city services. For those reasons the MPA requested by the applicant is inconsistent with this goal.

The applicant addresses this policy on page 35 of the application materials as follows, "While far from being an urban development, Silver Hills directly implements the principles included in this policy. To address item "a," development areas (villages) within Silver Hills are connected via a comprehensive trail/sidewalk network and are linked with common elements and amenities such as open spaces, agrihoods, landscaping themes, etc. Item "b" is implemented with more intense uses being clustered central/internal to the site allowing for more efficient use of infrastructure while addressing community desires to retain a more rural theme at the project periphery. This also serves to directly implement component "c" of this policy."

LUT.9.5 Require the connection of open space; trail access and bikeway systems with regard to a multitude of different trail uses.

**Staff Comment:** Trails are proposed in several of the open space areas of the subject site, as shown on the following map. The MPA requested by the applicant is consistent with this policy.

Goal Fifteen: Rural communities in outlying areas and in northern Washoe County are strengthened and protected from incompatible development.

**Staff Comment:** During the public review and public meeting process associated with this application one of the often repeated themes is that the area is currently rural, and that urban

land use development patterns are inconsistent with the rural area. Furthermore, the "Vision" for the North Valleys Area Plan shall respect the scenic and rural heritage of the area. However, the surrounding area, as well as the subject site, has a master plan designation of "Suburban Residential." Because of this, Goal 15 is not strictly applicable to the proposed MPA.

It must be recognized, however, that the existing development pattern generally consists of single-family detached dwellings on parcels of land generally one acre (43,560 square feet) or greater in size, and that many of those dwellings are on parcels of land much larger than one acre, the potential exists, however, for development of that area at a residential density of one dwelling per acre, at this time. Development at one dwelling per acre is suburban in nature.

Goal Thirty: Transportation systems reduce dependence on automobile.

LUT.30.1 Promote and create incentives for alternative modes of transportation before expanding the roadway network through the construction of new roads.

**Staff Comment:** The subject site is located within an otherwise suburban area with significant dependence upon the automobile for individual transportation outside of the proposed development area itself. Within the subject site, trails and walking paths are proposed, but connection to other alternate transportation facilities is very limited. The MPA requested by the applicant is inconsistent with this policy. The applicant addressed LUT Goal Thirty on page 35 of the application materials.

Goal Thirty-two: Washoe County shall recognize the Development Constraints Area (DCA) within the Truckee Meadows Regional Plan.

LUT.32.1 The Regional Plan defines the Development Constraints Area (DCA) as an overlay upon the Truckee Meadows Service Areas and the Rural Development Area.

LUT.32.2 The DCA consists of playas, significant water bodies, natural slopes over 30%, publicly owned open space, and properties that are deed restricted to prevent development. Constrained lands less than 1/3 acre in size will not be included in the DCA. The DCA overlay takes precedence over otherwise applicable policies describing the desired density and intensity of development within the Truckee Meadows Service Areas and the Rural Development Area.

**Staff Comment:** The subject site includes areas with slopes of 30% or greater and the applicant is seeking to include those areas in calculating residential density at one dwelling to the acre. The proposal is inconsistent with this policy. The applicant notes that the subject site is not identified as a DCA on the Truckee Meadows Regional Planning Map. Portions of the subject site meet the definition of a development constraints area. The applicant addressed this policy on page 36 of the application materials and notes that no additional density is being proposed in those areas.

## Housing Element

Policy 1.1: Allow for more flexibility in the zoning, building, and land use regulations to enable affordable housing units to be built throughout the community.

**Staff Comment:** The application states that a variety of housing types are requested to appeal to various demographics within the population, however, there is no mention of below-market-rate housing being proposed.

Policy 1.5: Encourage development at higher densities where appropriate.

**Staff Comment:** The overall residential density requested by the applicant is approximately 2.5 dwellings to the acre, which is generally consistent with the suburban residential master plan designation.

## North Valleys Area Plan

The subject site is located within the Silver Knolls community. Within the North Valleys Area Plan that community is described as follows:

As a low density suburban residential community, the 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. Silver Knolls is located at the west edge of the Reno-Stead Airport. It is bounded on the north and west by the Granite Hills range. Physically, the area can be characterized as gently sloping terrain at the base of this mountain range. These mountainous areas and the Reno-Stead Airport separate this community from developed areas in Reno-Stead, Cold Springs and Lemmon Valley. Commercial land use designations are not desired. Once again, the existence of livestock and other animals for recreational, educational and economic reasons is recognized as a significant contributor to the local character.

The Vision and Character Management section of the North Valleys Area Plan includes:

**Goal One: The pattern of land use designations in the North Valleys Area Plan will implement the community character described in the Character Statement.**

### Policies

NV.1.1 The North Valleys Character Management Plan (NVCMP) map shall identify the North Valleys Rural Character Management Area (NVRCMA), the Silver Knolls Suburban Character Management Area (SKSCMA), the Lemmon Valley Suburban Character Management Area (LVSCMA), the Golden Valley Suburban Character Management Area (GVSCMA), and the Reno-Stead Corridor Joint Plan area.

**Staff Comment:** The applicant seeks to remove the subject site from the Silver Knolls Suburban Character Management Area (SKSCMA) and to create a new “Silver Hills Suburban Character Management Area.” Goal one, above, contemplates the entirety of the area plan being included within one of several existing character management areas. The creation of a new character management area is inconsistent with this goal.

The applicant proposes to describe the new character management area as follows:

The Silver Hills Community is characterized by a medium density residential land use pattern that will (i) provide for a variety of housing options to meet the needs of a broad range of the area's population, and (ii) preserve the area's character and quality of life with design standards such as density matches, open space buffers and maintaining natural open spaces. The existing ridgelines and rolling terrain provide for a “mountain ranch” themed residential development that accentuates the views and natural topography and incorporates site features that promote farm-to-table living in a cooperative environment. A portion of the community was removed from the City of Reno and is still bounded by the City of Reno to its west. Limited commercial land use designations that are community-serving are desired if within a Specific Plan (with a special use permit). The North Valleys area has rapidly become one of the largest employment centers in the region and the Silver Hills community intends to (i) improve the housing/jobs balance to the area, (ii) improve fire and police protection to the area, (iii) provide support to the Silver Knolls Mutual Water Company customers, (iv) design the sanitary sewer and storm water systems to maintain levels that are at or below

pre-development flows into Swan and Silver Lakes; (v) designate a school site for the Washoe County School District, and (vi) create a vibrant, balanced community.

NV.1.2 The combined policy growth level for the Suburban Character Management Areas is 2000 new residential units of land use capacity. Changes to the established regulatory zones will not add more than 2000 new units of land use capacity through 2025. The Washoe County Department of Community Development [*now known as the Community Services Department*] will be responsible for tracking increasing land use potential to ensure this growth level is not exceeded.

**Staff Comment:** Since the adoption of the North Valleys Area Plan approximately 77 dwelling units of additional residential density has been approved by Washoe County. The current request, if approved, would allow 1092 dwellings in addition to the 780 that may be permitted under the current regulatory zone on the subject parcels.

NV.1.5 The following Regulatory Zones are permitted within the Silver Knolls Suburban Character Management Area:

- a. General Rural (GR – One unit per 40 acres).
- b. Low Density Rural (LDR – One unit per 10 acres).
- c. Medium Density Rural (MDR – One unit per 5 acres).
- d. High Density Rural (HDR – One unit per 2.5 acres).
- e. Low Density Suburban (LDS – One unit per acre).
- f. Public/Semi-public Facilities (PSP).
- g. Parks and Recreation (PR).
- h. Open Space (OS).

**Staff Comment:** While the applicant seeks to remove the subject site from the SKSCMA, as of the writing of this report the subject site is within the SKSCMA and therefore the policy remains applicable. The applicant addressed this policy on page 37 of the application materials and contends that the proposed regulatory zone is the best way to address concerns that were expressed during the public review of this request. The applicant seeks a Regulatory Zone of Specific Plan (SP), which is inconsistent with this policy.

**Goal Two: Common Development Standards in all designated Character Management Areas. Establish development guidelines that will implement and preserve the community character commonly found within the North Valleys planning area.**

## Policies

NV.2.1 The use of curb and gutter will be minimized. Pedestrian facilities should utilize alternative design and materials to avoid traditional sidewalk appearance. Proposals for the construction of curb, gutter, or traditional concrete sidewalks must be justified by demonstrating benefit to the health, safety and welfare of the community. Washoe County may permit the placement of roadside ditches in Public Improvement Easements to facilitate the implementation of this policy. Such ditches will be designed to a “recoverable-ditch” standard as determined by the Washoe County Department of Public Works.

**Staff Comment:** The development pattern requested in the “Silver Hills - Specific Plan Development Standards” includes the extensive use of curb and gutter as well as lots sizes as

small as 3,700 square feet. The curb and gutter proposed by the applicant is not in conformance with generally applicable standards. Please see the letter from the Washoe County Engineer, included in Exhibit L to this report.

**Goal Four: Silver Knolls Suburban Character Management Area. Establish a land use pattern, site development guidelines, and architectural guidelines that will implement and preserve the Silver Knolls community character as described in the North Valleys Vision and Character Statement.**

## Policies

NV.4.1 A minimum of 50% of the residential parcels in any subdivision established after the date of final adoption of this plan must be at least one acre in size.

**Staff Comment:** The applicant has requested that the subject site be removed from the Silver Knolls Suburban Character Management Area, and create a new "Silver Hills Suburban Character Management Area". None of the character management areas within the North Valleys Area Plan allow the inclusion of Specific Plan (SP) as a zoning category. The predominant development pattern in the Silver Knolls Suburban Character Management Area includes a preponderance of single-family detached dwellings on parcels of land generally one acre (43,560 square feet) or greater in size. Policy NV.4.1 is intended to ensure compatibility between new and existing developments. The MPA requested by the applicant seeks to negate this policy, by creating a new policy NV.7, which would allow parcels of land as small as 3,700 square feet, and is, therefore, inconsistent with this policy.

NV.4.2 The minimum size of residential parcels in a subdivision established after the date of final adoption of this plan is 0.5 acres.

**Staff Comment:** The MPA requested by the applicant seeks to negate this policy, by creating a new policy NV.7, and is, therefore, inconsistent with this policy. As noted previously, the North Valleys Area Plan does not contemplate the inclusion of specific plan (SP) as a regulatory zone in any case. Policy NV.4.2 is intended to ensure compatibility between new and existing developments. The North Valleys Area Plan is, "a citizen-based desire to identify, implement and preserve the community character that has evolved throughout the North Valleys over time." (NVAP Page 1) The desire of the citizens of the Silver Knolls area to preserve the community character includes the desire to maintain minimum parcel sizes of 0.5 acres and, the proposed MPA is inconsistent with that desire, as included in this policy.

NV.4.3 Subdivisions established after the date of final adoption of this plan will vary setbacks and driveway design.

**Staff Comment:** The development pattern requested in the "Silver Hills - Specific Plan Development Standards" includes smaller setbacks for smaller lots.

The applicant addresses Goal Four of the North Valley Area Plan on pages 37 and 38 of the application materials.

NV.4.5 In subdivisions established after the date of final adoption of this plan, perimeter fencing on individual parcels is optional. Perimeter fencing must be consistent with an "open fencing" concept. The use of block, concrete, or similar material should be limited to posts, pillars and similar uses and not used for panel or wall sections. Plans for the maintenance of perimeter fences will be submitted with tentative map applications.

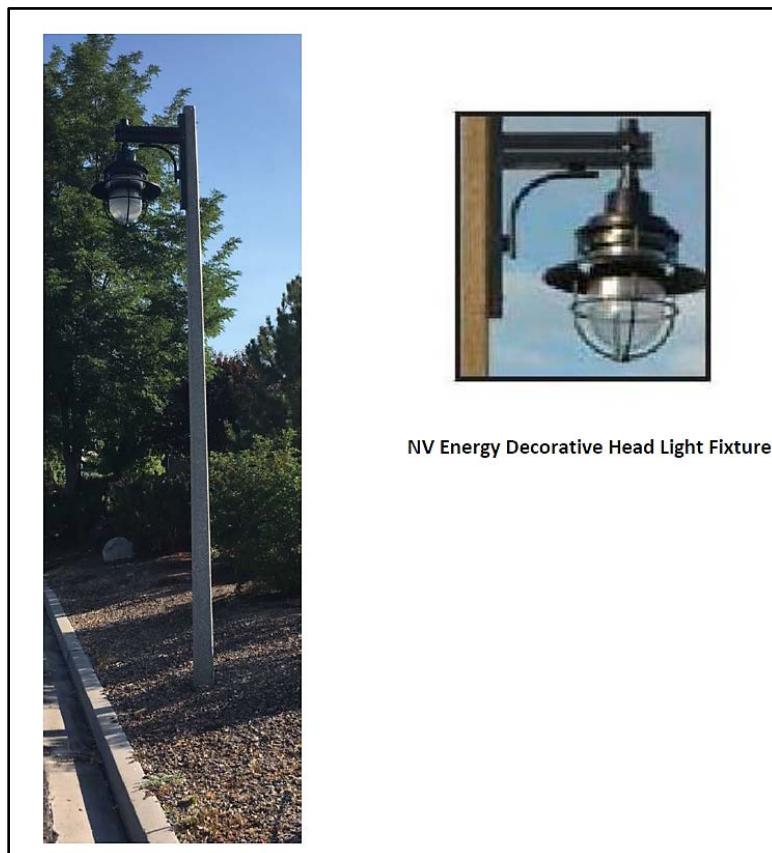
**Staff Comment:** The "Silver Hills - Specific Plan Development Standards" includes six-foot tall privacy fencing made of wood adjacent to interior roadways.

NV.4.6 In subdivisions established after the date of final adoption of this plan, residential garages will, at a minimum, be sized for two vehicles.

**Staff Comment:** The application materials specify two-car garages if the proposed Specific Plan is approved. The proposed MPA is consistent with this goal.

NV.4.7 In subdivisions established after the date of final adoption of this plan the use of streetlights will be minimized. Any lighting proposed must show how it is consistent with current best practice “dark-sky” standards.

**Staff Comment:** The “Silver Hills - Specific Plan Development Standards” addresses “dark-sky” standards on page 2-30, however the application materials also include photos of anticipated lighting fixtures that emit light horizontally (below, page 2-31). General Development Code standards require that light be emitted downward only, and prohibits the spillover of light onto adjoining properties. The proposed MPA is inconsistent with this goal.



NV Energy Decorative Head Light Fixture

NV.4.8 At least 50% of all dwellings in subdivisions established after the date of final adoption of this plan must be single story. All dwellings adjacent to existing residential development must match the adjacent building type (single-story/multi-story). Development is considered adjacent if it is not separated by a road or minimum 30 foot landscaped buffer area.

**Staff Comment:** The “Silver Hills - Specific Plan Development Standards” contemplates multi-story dwellings in many cases, particularly within the development areas with small lots. Compliance with this policy would be determined at time of tentative subdivision map approval, if the MPA is adopted.

NV.4.9 In subdivisions established after the date of final adoption of this plan, landscape designs will emphasize the use of native vegetation, with non-native and atypical vegetation

integrated sparingly into any landscaped area. Homebuilders must offer at least two separate xeriscape options.

**Staff Comment:** The proposed MPA is consistent with this policy, as various standards for low-water-usage landscaping are proposed in various areas within the subject site.

NV.4.10 The standards established in policies NV.4.1-NV.4.9 will be implemented through tentative map conditions, improvements plans, CC&Rs, or deed restrictions as appropriate. Washoe County staff shall establish the implementation measures as conditions of tentative map approval.

**Staff Comment:** Compliance with this policy would be determined at time of evaluation of tentative subdivision maps, if the MPA is adopted.

Goal Seven: The regional and local transportation system in the North Valleys planning area will be a safe, efficient, multi-modal system providing access to commercial services, public lands and recreational opportunities and efficient connections to the greater region. The system will contribute to the preservation and implementation of the community character as described in the North Valleys Vision and Character Statement.

## Policies

NV.7.1 Washoe County's policy level of service (LOS) for local transportation facilities in the North Valleys planning area is LOS "C." All development proposals must demonstrate how the established level of service on local transportation facilities will be maintained.

NV.7.2 The Washoe County Regional Transportation Commission (RTC) sets levels of service on regional roads. Washoe County will advocate for the RTC to establish policy levels of service "C" for all regional roads in the North Valleys planning area.

NV.7.3 Washoe County will work with the RTC and neighboring jurisdictions to ensure that the mitigation of potential development impacts in neighboring jurisdictions is consistent with the intent of Policies NV.7.1 and NV.7.2.

NV.7.4 The necessary right-of-way and intersection requirements identified in the Regional Transportation Plan will be protected through dedication, setback or other method deemed adequate and appropriate by the Regional Transportation Commission and Washoe County.

NV.7.5 Washoe County will ensure that the details of all new road construction that implement the adopted Regional Transportation Plan will be subject to a comprehensive public review and comment process.

NV.7.6 Washoe County will work with the Regional Transportation Commission to ensure that the design of all road improvements identified in the RTC Regional Transportation Plan provide for the safe intersection of any trail or proposed trail identified on the Recreational Opportunities Plan map.

NV.7.7 Washoe County will be an advocate for the establishment of efficient transit services to and within the North Valleys planning area.

NV.7.8 Future development plans in any Commercial District or Residential District of MDS intensity or greater must consider, and be consistent with, future or existing multi-modal opportunities, including transit services in the North Valleys planning area. Applications for site plans and tentative maps in these areas will specify the proposed response to this issue.

NV.7.9 Washoe County will work with the Regional Transportation Commission (RTC) to develop and implement a bikeways plan for the North Valleys planning area that is integrated

with the local and regional trails system and provides access to recreational opportunities, and public spaces such as schools and commercial areas (See Recreational Opportunities Plan map).

**Staff Comment:** It is the observation of Staff that the additional traffic potentially generated by the intensification in land use requested, is perhaps the most often stated and most intensely stated reason for opposition to this specific plan, by residents in the surrounding area.

The proposed Amendment has been evaluated by the RTC, based upon a policy level of service "D." This Area Plan requires the evaluation based upon a policy level of service "C" which is a more stringent standard. See pages 16 and 17 of the traffic analysis submitted by Solagui Engineers, attached.

The traffic analysis indicates that the intensification of residential density results in several segments of Red Rock Road operating at a level of service of "E" or "F." This is below the policy level of service of "C." To maintain the policy level of service Red Rock Road would be required to be widened to four travel lanes from Moya Boulevard, north to the project entrance. This is a distance of approximately three miles.

The 2040 Regional Transportation Plan identifies Red Rock Road from Moya Boulevard to Evans Ranch to be widened by 2026. The traffic study submitted by the applicant includes several recommendations, including that, "Red Rock Road ultimately be widened to four lanes from Moya Boulevard to Evans Ranch through RTC's Regional Road Impact Fee Program."

Sufficient infrastructure does not currently exist to serve the level of intensification of development potential to support the additional dwellings proposed. The specific plan is not consistent with Goal Seven of the North Valleys Area Plan.

Goal Twenty: Amendments to the North Valleys Area Plan will be for the purpose of further implementing the Vision and Character Statement, or to respond to new or changing circumstances. Amendments will conform to the North Valleys Vision and Character Statement. Amendments will be reviewed against a set of criteria and thresholds that are measures of the impact on, or progress toward, the Vision and Character Statement.

#### Policies

NV.20.1 In order for the Washoe County Planning Commission to recommend the approval of ANY amendment to the North Valleys Area Plan, the following findings must be made:

- a. The amendment will further implement and preserve the Vision and Character statement.
- b. The amendment conforms to all applicable policies of the North Valleys Area Plan and the Washoe County Master Plan, and the Regional Water Management Plan.
- c. The amendment will not conflict with the public's health, safety or welfare.

**Staff Comment:** The following is the Vision statement from the North Valleys Area Plan as well as the applicable portion of the Character Statement:

#### Vision

Through cooperation with the Washoe County Board of County Commissioners and the Washoe County Planning Commission, the North Valleys community will maintain and apply objective standards and criteria that serve to manage growth and development in North Valleys in a manner that:

- Respects the scenic, and rural heritage of the area by encouraging architectural and site design standards that are responsive to this heritage;

- Respects private property rights;
- Provides a range of housing opportunities;
- Provides ample open space and recreational opportunities;
- Addresses the conservation of natural, scenic and cultural resources;
- Ensures that infrastructure is coincident with development and appropriate in scale and character to the community character articulated below; and,
- Coordinates resource availability with the construction of infrastructure through the implementation of facilities and resources plans.

### **Character Statement**

The North Valleys planning area is home to a great variety of natural, scenic, cultural and economic resources. The recreational, educational, scientific and lifestyle opportunities afforded by these resources make a significant contribution to the area's character and to its quality of life. This character is supported by land uses that are distributed within several distinct communities. While the land uses found in the North Valleys planning area range from very rural to heavily suburban, the area's communities enjoy many elements of a more rural character, particularly as they relate to the natural environment, subdivision design, and livestock ownership. Much of the North Valleys, in both suburban and rural areas, exhibits a distinctly equestrian character. In part, this is due to the large areas of designated open space under federal ownership, both to the south associated with Peavine Mountain United States Forest Service (USFS), and to the north associated with numerous Bureau of Land Management (BLM) holdings. Ready access to these areas has contributed to a proliferation of outdoor recreational opportunities. In fact, the pressure on these lands to accommodate all of the various uses and users will require an ongoing effort to effectively manage these important areas to prevent degradation of the resource, and negative impacts on residents. 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. The scenic value of the natural hills and valleys is an important component of the North Valleys' character. Extensive re-shaping of the landscape by grading prior to development is not characteristic of the North Valleys planning area.

**Staff Comment:** In evaluating the findings required by the North Valleys Area Plan, the Planning Commission should consider whether or not the proposed MPA and RZA would further implement and preserve the Vision and Character Statement (shown above), as well as whether or not the amendment may conflict with the public's health, safety or welfare. Based upon staff's evaluation, the proposed MPA and RZA do not demonstrate consistency with North Valleys Area Plan Policies: NV.1.1, 1.5, 2.1, 4.1, 4.2, and 4.7, as noted previously in this report.

On page 12 of the documentation, submitted by the applicant, with Version 5 of this MPA and RZA application the applicant has included the following statement, "The proposed amendment to North Valleys Area Plan and applicable goals and policies is in response to changing circumstances for the Silver Knolls area as well as the North Valleys region as a whole. Significant job growth in the region has resulted in a high demand for new housing opportunities. Furthermore, diversification in single family housing types is desperately needed to allow housing access to a wider cross-section of the population, including the "missing middle." In addition, the planned expansion of Red Rock Road from two lanes to four in the 2022 to 2026 timeframe supports better utilization of the land that it will serve, as transportation capacity will be significantly increased. This is supported by a comprehensive fiscal impact analysis, as included as an exhibit to this report." The applicant further addresses each finding individually, on pages 13 and 14 of the application materials.

## **Washoe County Development Code**

Another document by which the current request must be evaluated is the Washoe County Development Code. The development code applies to, "All development and subdivision of land within the unincorporated area of Washoe County..." (WCC110.100.05)

Many of the standards proposed in the "Silver Hills - Specific Plan Development Standards" may conflict with basic development standards required by the Washoe County Development Code.

Among the potentially conflicting provisions is that, many commercial uses proposed to be allowed in the Silver Hills Specific Plan based upon an "Administrative Review." (Page 2-13) The only provision for administrative review in the development code is, under certain circumstances, for approval of a detached accessory dwelling, and is applicable to that use type only. There is no provision for a general "Administrative Review."

Another such conflict is that the "Silver Hills - Specific Plan Development Standards" allows for the following; [when] "a proposed use is not listed within Table 2-2 or within Table 110.302.05.01 of the Washoe County Development Code, the Director of Planning and Building may permit such use with the approval of an Administrative Review." (Page 2-16) Again, "Administrative Review" for such a request is an unknown process to Washoe County and this provision is contrary to WCC110.100.05 which states, "Any use not specifically enumerate as permitted in a regulatory zone pursuant to the Development Code, or interpreted by the Director of Community Development as permitted in a regulatory zone pursuant to Section 110.304.10, Authority and Responsibility, shall be considered to be prohibited in any regulatory zone for which the use is not enumerated."

The standards proposed include allowing detached accessory dwellings, by right, on all parcels of land within the Low and Mid-Range Single-Family Neighborhoods (Table 2-2). This is substantially more permissive than general provisions of the development code.

As noted previously in this report, several commercial use types are proposed to be allowed that are not otherwise allowed in suburban areas, some examples are: eating and drinking establishments, storage of operable vehicles, personal storage and retail sales – specialty stores.

The proposed specific plan calls for entry signs as well as neighborhood signs, wayfinding signs and signs for commercial uses. The number, height and size of signage proposed is substantially greater than otherwise allowed by Article 505, Signs, of the development code.

Several of the street design standards proposed in the specific plan do not conform to the Washoe County Development Code. Washoe County Engineering and Capital Projects Division provided the following technical comments, should the specific plan be adopted:

1. Several standards contained within the Silver Hills Specific Plan Development Standards Handbook conflict with engineering requirements in the Washoe County Development Code. Deviations from the Code need to be reviewed and approved by the Washoe County Engineering and Capital Projects Division on a case by case basis at the time of final design.
2. Handbook Section 2.4 proposes nonstandard public street sections and includes the use of rolled curb. Engineering requires the use of standard Type I curb & cutter (aka L-curb) for public streets.
3. Handbook Section 2.4, proposes sidewalks on only one side of the street. Engineering requires 4'wide concrete sidewalk be constructed on both sides of

all local streets. Minimum 5' wide concrete sidewalk is required on both sides of all collector streets and Red Rock Road. All sidewalks shall be maintained by the homeowners association.

4. Per Handbook Section 2.4.3, 20' wide privately maintained alleys may be used in single family areas. Engineering requires that private alleys meet the width requirements per sections 110.436.105 and 110.436.110 of the Development Code.

5. Handbook Sections 2.4.7 & 2.4.8 proposes nonstandard street lighting. The Handbook shall clarify that any street lights that do not meet Washoe County standards shall be private, and the CC&R's shall indicate operation and maintenance of the street lights shall be the responsibility of the homeowners association. Note that County standards do not include decorative head light fixtures and result in street lights installed mainly at major intersections; it appears that several more street lights are proposed in the Handbook.

6. Handbook Section 2.4.9, shall clarify that project entry structures and all non-County maintained items (signs, landscaping, paths, etc.) constructed with the Washoe County right-of-way will require a revocable occupancy permit and shall comply with AASHTO clear zone requirements.

7. Handbook Section 4.3.4 indicates the site ultimately drains to Silver Lake (a closed basin) and that retention basins will be used to limit runoff rates to below pre-development rates. Engineering will also require that runoff volumes be limited to at or below predevelopment rates requiring utilizing retention basins, or other Low Impact Development (LID).

8. Engineering requires that the Silver Hills Traffic Analysis be updated to reflect the proposed development of Silver Hills East that was not addressed in the original Silver Hills Traffic Analysis. Engineering also requires submittal of the updated trip generation summary letter dated, March 8, 2019 from Solaegui Engineers for review.

Washoe County Engineering goes on to state that, "Due to significant concerns noted above which cannot be addressed through conditions of approval, Engineering recommends denial of the application."

#### **Washoe County Regional Open Space and Natural Resource Management Plan (OSNRMP)**

This application was reviewed by relevant agencies including Washoe County Regional Parks and Open Space. Sophia Kirschenman, Park Planner, provided the following analysis:

The Washoe County Regional Parks and Open Space Program has reviewed and prepared the following comments related to the proposed Master Plan Amendment WMPA17-0010, Regulatory Zone Amendment WRZA17-0005, and the associated Development Standards Handbook proposed for the Silver Hills Development.

General Comments:

The proposed Silver Hills Suburban Character Management Area (SHSCMA) is divided into two planning areas, Silver Hills East and Silver Hills West. To the west of Silver Hills West is land also owned by the applicant, but within the City of Reno, so it is not included as part of the SHSCMA. Farther west, beyond the strip of land within the City of Reno, is land owned by the Bureau of Land Management (BLM). Public lands owned and managed by the BLM are also located to the north and south of the Silver Hills West Area.

The Washoe County Regional Open Space and Natural Resource Management Plan (OSNRMP) provides a framework, as well as goals and policies, for managing natural, cultural, historical, and recreational resources in Washoe County. Pursuant to OSNRMP Recreational Resource Goal 6, resource pressures near open space areas shall be minimized. Since the Silver Hills West portion of the SHSCMA is primarily surrounded by public lands, it is important to ensure that natural resource impacts are taken into consideration. The applicant proposes decreasing the minimum size of residential parcels in a subdivision in the Silver Hills West area from 0.5 acres to 0.3 acres. Staff of the Regional Parks and Open Space Program discourages this transition and recommends the downward transitioning of densities near open space areas in order to minimize resource pressures and fire danger, as consistent with OSNRMP Recreational Resource Policy 6.1. Additionally, Parks does not support the inclusion of the Neighborhood Commercial (NC) regulatory zone within the proposed SHSCMA. Again, this will increase resource pressure on the surrounding public lands and is inconsistent with the goals and policies of the OSNRMP.

The Regional Parks and Open Space Program recommends that the proposed specific plan be updated to include fire breaks between developed areas and open space to minimize the threats associated with wildland fires and reduce other urban interface conflicts, as consistent with OSNRMP Recreational Resources Policy 6.3.

#### Specific Comments on the Master Plan Amendment:

1. North Valleys Area Plan Policy NV 20.1(a) states that the North Valleys Area Plan can only be amended if that amendment will further implement and preserve the Vision and Character Statement. The proposed Silver Hills Suburban Character Management Area (SHSCMA) is located within the existing Silver Knolls Suburban Character Management Area (SKSCMA). The Silver Knolls community character, as described in the Vision and Character Statement, is identified as an area that provides residents with a greater sense of isolation from other developed parts of the North Valleys. The existence of livestock is an important element of the SKSCMA and commercial land use designations are not desired. The proposed Master Plan Amendment would decrease the minimum size of residential parcels in a subdivision in the western portion of the SHSCMA from 0.5 acres to 0.3 acres, allowing for higher residential densities in certain portions of the area. Additionally, the applicant is proposing the inclusion of the Neighborhood Commercial (NC) regulatory zone within the SHSCMA. Regional Parks and Open Space Program finds that both the decrease in minimum residential parcel sizes and the inclusion of the NC regulatory zone are inconsistent with the Silver Knolls Community Character, as described in the North Valleys Vision and Character Statement.

2. Washoe County Development Code (WCC) Section 110.820.15(d)(5), Desired Pattern of Growth, states that “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...” Once again, decreasing the minimum residential parcel size near the adjacent BLM lands does not promote the desired pattern for the orderly physical growth of the County.

Specific Comments on the Silver Hills Development Standards Handbook:

1. Figure 2-1 shows that parks and public recreation areas are subject to relocation. The Regional Parks and Open Space Program supports the addition of 10 acres of parklands to the north of the existing Silver Knolls Park. The addition of these lands is consistent with the goals and policies of the Washoe County Parks Master Plan and Residential Construction Tax (RCT) funds generated by development in this area can potentially be used for a future buildup of the existing park. If these 10 acres are relocated, Regional Parks and Open Space Program staff would need to evaluate consistency of the location with the goals of the Parks Master Plan and determine whether the use of RCT funds would be appropriate.
2. Section 2.2 (Parks) describes the development standards for parks and states that “the 11 acres established is a minimum and may be increased as the project develops over time.” Figure 2-1 shows 12 acres of dedicated parklands. The applicant should update the proposal to ensure that all sections of the proposal are consistent.
3. Section 2.2 (Parks) also states that “Smaller park facilities such as neighborhood parks may be dedicated to Washoe County or constructed and maintained by the Silver Hills Master Homeowners Association.” The development of smaller, neighborhood parks is inconsistent with the Washoe County Parks Master Plan and must be constructed, managed and maintained by the developer, a homeowner’s association, or other qualified group. An adequate construction, operation and maintenance agreement between the County and the developer/park manager must be established prior to the construction of the park.
4. Section 2.4.2 Roadway Design: Proposed paths should be consistent with Washoe County Green Book Standards. See comments for Table 2-3.
5. Table 2-3: Proposed paths should be consistent with Washoe County Green Book Standards which identify a minimum width of 6’ for a multi-use path. Table 2-3 identifies a 4’ to 6’ detached multi-purpose path.
6. Section 2.6 Trails:
  - a. “Pedestrian” trails are described as intended for pedestrian and bicycle use in this section. Need to clarify if the term “pedestrian” as used throughout the document refers to pedestrian only or bike and pedestrian use. Need to clarify if the roadway paths proposed in sections 2.4.4 and 2.4.5 are also intended for bicycle use.
  - b. Trail standards should be consistent with Washoe County Green Book Standards. The applicant should work with the park planner to

determine if site conditions warrant a deviation from the Washoe County Green Book Standards for trail construction, if needed.

c. Figure 2-20 is referenced in the text and is supposed to show a "backbone trail plan for Silver Hills". This figure is missing from the document. Figure 2-19 is included showing a "master trail system map". This should be updated to ensure consistency throughout the document.

7. All references to Washoe County Department of Parks and Recreation should be changed to Washoe County Regional Parks and Open Space Program.

8. Sections 2.7.1 Community Park and 2.7.2 Neighborhood Parks: All language in this document stating that parkland would be dedicated to and maintained by Washoe County should be removed.

- The applicant should work with the park planner to determine if and how residential construction tax can be used for future park construction in alignment with the County-wide Parks Master Plan.
- The applicant should work with the park planner to determine if and where dedication of parkland to Washoe County is appropriate and to determine whether Washoe County or the HOA would assume maintenance responsibilities through development of agreements.

9. Section 2.7.3 Trailheads: Trailheads cannot be reimbursed with RCT funds. This language should be removed. Again, the applicant should work with the park planner to determine if and where dedication of parkland to Washoe County is appropriate and to determine whether Washoe County or the HOA would assume maintenance responsibilities.

10. Chapter 5 should have a section on noxious weeds and include the use of Best Management Practices to prevent the spread of noxious and invasive weeds during construction activities.

Recommendation of Denial: The proposed MPA, RZA and Development Standards Handbook are inconsistent with the policies of the Washoe County Development Code, the North Valleys Master Plan, Washoe County Green Book Standards, and the Regional Open Space and Natural Resource Management Plan. Therefore, Washoe County Regional Parks and Open Space Program staff recommends denial of WMPA17-0010 and WRZA17-0005.

### **General Legal Framework**

In addition to the Washoe County Master Plan, Development Code and Regional Open Space and Natural Resource Management Plan, evaluation of the proposed specific plan must be made in terms of the general legal framework surrounding land use and zoning in Nevada. The proposed increase in intensity of use brings up a legal question as to whether the proposed MPA and RZA may be considered to be invalid "spot zoning." The Washoe County District Attorney's Office has provided the following guidance.

Because this request would result in a new range of land use restrictions applicable only to a single owner's property, an issue of immediate concern is whether this would constitute spot zoning. There is no simple way to answer a spot zoning question. Nor is it per se illegal under most authorities to create

zones of limited scope. However, there is a line that the courts recognize. Where it lies, is difficult to quantify outside of any particular factual context.

In section 25.83 of *McQuillin on Municipal Corporations* (3rd ed. 1991), the general notion is laid out that invalid spot zoning means “reclassifying one or more lots or parcels of land for a use out of harmony with the comprehensive plan or the classification of the surrounding areas, granting a discriminatory benefit to the parcel owner, and without regard to public welfare. ... While the term ‘spot zoning’ may not necessarily be confined to small areas or lots, the cases in which the courts have struck down rezoning ordinances as spot zoning have involved single lots or small areas ... [S] singling out of one lot or a small area for different treatment from that accorded to similar surrounding land indistinguishable from it in character, for the economic benefit of the owner of that lot or to his economic detriment, is invalid ‘spot’ zoning.”

Other factors noted in *McQuillin* relevant to a determination of the validity of spot zoning are as follows: (a) the use is very different from the prevailing use in the area; (b) the area involved is small; and (c) the classification is not for the benefit of the community but only to provide a specific advantage to a particular landowner.

The Nevada Supreme Court has stated it thusly: “The test of spot zoning is whether the amendment was made with the purpose of furthering a comprehensive zoning scheme or whether it was designed merely to relieve the land of a restriction which was particularly harsh upon that particular land.” *McKenzie v. Shelly*, 77 Nev. 237, 243, 362 P.2d 268, 270-71 (1961). In that case, the Court rejected an argument that it was invalid “spot zoning” to change the designation of property along Oddie Blvd in Sparks from residential to light commercial due to area growth and a desire for local shopping opportunities for residents.

Although it does not say so expressly, it appears a key consideration in a spot zoning analysis is whether the classification change is being granted to allow a use that would not otherwise be allowed in the area, akin to granting a variance to allow an unpermitted use (impermissible under the law), as opposed to granting a variance to allow a permitted use that doesn’t exactly conform to things like setback requirements (permissible under the law).

If this application is determined to be spot zoning, it should be denied. If, on the other hand, it is determined that there is substantial evidence that this change in designations would conform to the master plan and otherwise meets the findings necessary for the requested changes, then the planning commission may approve the application.

Based upon this guidance provided by the District Attorney, during its evaluation of the requested MPA, the Planning Commission should consider the following questions:

- Would approval reclassify one or more lots or parcels of land for a use out of harmony with the master plan or the regulatory zones of the surrounding areas, granting a discriminatory benefit to the parcel owner, and without regard to public welfare?
- Would approval single out one lot or a small area for different treatment from that accorded to similar surrounding land, indistinguishable from it in character, for the economic benefit of the owner of that lot or to his economic detriment?
- Would approval allow uses that are very different from the prevailing use in the area?

- Is the area involved small?
- Is the classification not for the benefit of the community but only to provide a specific advantage to a particular landowner?
- Would approval be made with the purpose of furthering a comprehensive zoning scheme or was designed merely to relieve the land of a restriction which was particularly harsh upon that particular land?
- Would approval of the classification change allow a use that would not otherwise be allowed in the area?

In overall summary of the proposed MPA, it is the opinion of county staff that the proposed specific plan may be consistent with some elements of the master plan. The proposed MPA is, however, inconsistent with many more elements of the master plan, than it is consistent with. The specific plan proposes to vary the uses and standards of the master plan and development code, and in all cases varies toward more intense uses and development patterns than are otherwise permissible. Evaluation of the relevant policies within the master plan lead staff to recommend that the Planning Commission deny the proposed MPA as it conflicts with, rather than further implements, the preponderance of relevant policies of the master plan. Further, approval of the proposed specific plan may be likely to constitute invalid "spot zoning."

### **Visioning Workshops, Citizen Advisory Board (CAB) and Neighborhood Meetings**

The current evaluation is of Version 5 of this amendment request. All previous versions submitted by the applicant, were also reviewed by the citizens of the North Valleys area as well as by county staff.

The North Valleys Area Plan at NV.20.2, requires that:

For any amendment that proposes to:

- Revise the Vision and Character statements
- Revise Goal One or its associated policies

The Washoe County Planning Commission must find that the Department of Community Development [*now known as the Community Services Department*] has conducted a series of community visioning workshops with the North Valleys Citizen Advisory Board (CAB) and the results of that process, including any CAB and staff recommendations, have been included and discussed in the staff analysis of the proposed amendment. Proposals to alter the boundaries of an identified character management area must be accompanied by a proposed land use change, and the land use proposal meets all of the applicable policies of the North Valleys Area Plan.

This proposal has been heard by the North Valleys CAB on several occasions and the applicant has held one additional general meeting for the public and several smaller meetings with individuals and groups. Further details of those meetings follow in this report and minutes from the CAB meetings are attached as Exhibits M through Q.

Version 1 of the request was submitted to Washoe County on September 15, 2017 and was scheduled to be heard by the North Valleys Citizen Advisory Board on October 9, 2017. The applicant asked for that request to be postponed prior to the CAB meeting. The item was not heard at that meeting, but several citizens spoke in opposition to the amendment under public comment. The minutes from that meeting are included at Exhibit M, to this report.

Version 2 of the request was submitted to Washoe County on March 1, 2018 and was heard by the North Valleys Citizen Advisory Board on April 9, 2018. Several citizens spoke in opposition

to the amendment, CAB members expressed opposition. The CAB voted to forward their comments to the Planning Commission. The minutes from that meeting are included at Exhibit N, to this report.

Version 3 of the request was submitted to Washoe County on June 15, 2018.

NRS 278.210(2) and WCC Section 110.820.20 require a neighborhood meeting for any proposed MPA. The neighborhood meeting was hosted by the applicant and held at the Cold Springs Family Center, located at 18400 Village Parkway, Reno, NV on July 26, 2018 from 6 pm to 7:30 pm. The applicant provided several locations around the room at which the applicant's representatives were available to speak with individuals regarding specific aspects of the MPA Proposal. There was no overall presentation and individual comments from the citizens attending that meeting were not collected.

Version 3 of the request was scheduled and heard by the North Valleys Citizen Advisory Board on August 13, 2018. Several citizens spoke in opposition to the amendment, CAB members expressed opposition. The CAB voted to forward their comments and opposition to the modifications proposed to the Planning Commission. The minutes from that meeting are included at Exhibit J, to this report.

The applicant then requested to delay the hearing on the proposed changes after criticism was raised that the previously-held meetings held were not "Visioning Workshops." The Planning and Building Division then conducted a series of three visioning workshops on December 17, 19 and 20, 2018. Those workshops were noticed to residents within 750 feet of the subject site, and the attendance ranged from about 35 to over 50 participants. All members of the North Valleys CAB were invited to attend and at least 4 indicated their availability each of the nights that a workshop was conducted. The members of the CAB were asked not to identify themselves and not to deliberate in any way, but rather to participate as members of the North Valleys community. A notice of possible quorum was posted for all workshops.

Participants in the workshops were asked to express their opinions by "voting" on various questions. The questions were developed jointly by the applicant and county staff. A red "dot" on a poster signified "no" while a blue dot signified "yes." Suspicion and distrust of County Staff, as well as the applicant and criticism of the visioning workshop process were often and vehemently stated throughout the workshops. Several participants indicated that they believed that their responses in *opposition* to any changes would be disregarded by staff and reported to the Planning Commission as *support* of the changes proposed. The questions asked of the participants, and all materials resulting from those workshops, are included in Exhibits U, V and W, attached to this report.

Staff believes that it is accurate to report that little or no support for any changes to the existing provisions of the master plan were expressed. The result of the visioning workshop process is the following statement:

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  $\frac{1}{2}$  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.

Staff believes that it is accurate to report that overwhelming, perhaps unanimous, agreement with the statement was expressed.

Version 4 of the request was submitted to Washoe County on February 15, 2019 and was scheduled and heard by the North Valleys Citizen Advisory Board on March 11, 2019. Several citizens spoke in opposition to the amendment, CAB members expressed opposition. The CAB voted to forward their comments and opposition to the modifications proposed to the Planning Commission. The minutes from that meeting are included at Exhibit P, to this report.

Version 5 (the current version) of this request was submitted to Washoe County on May 15, 2019. The request was considered at the regularly scheduled meeting of the North Valleys Citizen Advisory Board on June 10, 2019. Several citizens spoke in opposition to the amendments and several questions on specific aspects of the proposal were addressed. The recording secretary was not in attendance, so the meeting was audio recorded and draft minutes will be provided to the Planning Commission at the public hearing. Planning staff in attendance at that meeting noted the following comments from the public in attendance:

- 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.

In addition to individual comments, a petition was presented to the CAB in opposition to the proposal. The presenter noted that approximately 500 residents of the Silver Knolls area have signed the petition. That petition is included at Exhibit T to this report.

The CAB voted unanimously to recommend denial of the proposal to the Planning Commission, and noted that the residential density sought by the applicant is out of character with the surrounding area.

### **Reviewing Agencies**

The following agencies received a copy of the application for review and evaluation.

- US Bureau of Land Management
- US Postal Service
- State of Nevada
  - Department of Transportation
  - Department of Water Resources
- Washoe County Sheriff
- Washoe County Community Services Department
  - Planning and Building Division
  - Engineering and Capital Projects Division
  - Utilities/Water Rights
  - Parks and Open Spaces
- Washoe County Health District
  - Air Quality Management Division
  - Vector-Borne Diseases Program
  - Environmental Health Services Division
- Washoe County Regional Animal Services
- Washoe County School District
- Truckee Meadows Fire Protection District
- Regional Transportation Commission
- Reno-Tahoe Airport Authority
- City of Reno
- Washoe-Storey Conservation District
- Truckee Meadows Water Authority

The comments provided by those agencies/departments that responded are included at Exhibit L to this report. Denial of the MPA and RZA has been recommended by Washoe County Engineering, Washoe County Regional Parks and Open Space, and Washoe County Planning and Building. The Washoe County Sheriff noted that approval of the MPA and RZA, "will create considerable burden on law enforcement resources to respond to calls for service at homes, for traffic accidents, investigations, and other related issues to include possibly impacting the Detention Facility." The Washoe County Water Management Planner Coordinator noted that, "...the Master Plan Amendment and the Regulatory Zone Amendment as proposed are deficient in meeting the code."

### **Public Comments**

Staff has received many pieces of correspondence in response to each version of the MPA and RZA that have been submitted. The public comments are included with this staff report at

Exhibits C through G. Generally speaking, the preponderance of correspondence can be characterized as expressing concerns regarding, and opposition to, the proposed changes. Other correspondence expressed distrust of the neutrality of County Staff. During the review period for Version 4 of this request, several employees of Lifestyle Homes provided letters in support of the changes proposed at that time.

### **Public Notice**

Notice for MPAs must be given in accordance with the provisions of Nevada Revised Statutes 278.210(1), as amended and WCC Section 110.820.23. Notice was provided in a newspaper of general circulation within Washoe County at least 10 days before the public hearing date.

The current request (Version 5) of this MPA, as well as the related RZA requires that all property owners within 750 feet of the subject site, and a minimum of at least 30 property owners be noticed. Notice of the current requests was sent to the owners of 173 parcels of land surrounding the subject site. The map showing those parcels of land is included at Exhibit A to this report.

### **Evaluation of Master Plan Amendment Findings**

WCC Section 110.820.15(d) requires the Planning Commission to make at least three of the six general findings of fact (numbered 1 through 6, below) and all nine findings required by the North Valleys Area Plan (numbered 7 through 18, below), 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:** Evaluation of the goals and policies of the Master Plan, as well as a detailed discussion, are included in this staff report.

It is the opinion of staff that the proposed MPA is consistent with some aspects of the master plan, but is inconsistent with the preponderance of goals, policies and action programs including, but not necessarily limited to: Population Element Goal 4 and policy POP.4.1; Conservation Element Goal 2; Land Use and Transportation Element Policies LUT.1.1, 1.2, 3.1, 5.1, 5.4, 7.1, 30.1, 32.2 and the North Valleys Area Plan Policies: NV.1.1, 1.5, 2.1, 4.1, 4.2, and 4.7.

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.

**Staff Comment:** The surrounding land uses include a preponderance of single-family detached dwellings on parcels of land as small as one-half acre, but generally one acre or greater in size. The "Silver Hills - Specific Plan Development Standards" proposes single family detached dwellings in "Lower Density Neighborhoods" on parcels of land between 15,000 and one acre in size (page 2-6), it further proposes single family detached dwellings in "Mid-Range Single-Family Neighborhood" on parcels of land between 5,000 and 15,000 square feet in size (page 2-9), it further proposes single family detached and attached dwellings (including "small-lot patio homes, the use of alleyways and community greens, townhomes, and / or duplexes" in "Suburban Single-Family Neighborhood" on parcels of land with a minimum of 3,700 square feet for attached dwellings and 4,000 square feet for detached dwellings (page 2-9). While open space and buffers are proposed between existing developed areas and the proposed

development, the increase in residential density may allow development patterns that are incompatible with the adjacent land uses.

The Planning Commission should also consider whether or not approval of the requested changes would constitute improper "spot zoning."

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:** Conditions within the Silver Knolls Suburban Character Management Area are substantially similar to the conditions in 2005, when the North Valleys Area Plan was adopted. Staff is not aware of any further studies that have occurred since the plan was adopted by the Board of County Commissioners, affecting this evaluation. The applicant cites commercial and industrial development within the City of Reno as changed conditions that warrant changes to the North Valleys Area Plan. Whether or not the requested amendment represents a more desirable utilization of land, is a question that the Planning Commission should consider. During the public review of this amendment the preponderance of views expressed by the citizens in the area, were that the requested amendment does not represent 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.

**Staff Comment:** The additional dwellings allowable under the proposed Master Plan Designation would create a traffic level of service below the policy level of service for the North Valleys Area Plan. Additional infrastructure would be required to maintain the policy level of service. Some infrastructure improvements are anticipated in the RTC 2040 plan, but are not in place at this time. Additionally, the Sheriff's office has provided a comment that service to the overall area will be impacted.

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 North Valleys Area Plan describes the Silver Knolls Community as being a, "low density suburban residential community...with a greater sense of isolation from other developed parts of the North Valleys." The development pattern contemplated with the current request includes some open space and matching lot sizes along the perimeter, but also residential lots as small as 3,700 square feet within the subject site. The existing development pattern includes a large number of single family dwellings on lots one acre and greater in size. Whether or not the proposed development pattern would represent a desired pattern of growth, is a question that the Planning Commission should consider.

6. **Effect on a Military Installation.** The proposed amendment will not affect the location, purpose and mission of the military installation.

**Staff Comment:** There is no military installation within the required noticing distance for this amendment request. This finding is not required to be made or included in a motion made by the Planning Commission.

7. NV.20.1 (a). The amendment will further implement and preserve the Vision and Character Statement.

**Staff Comment:** The proposed amendment may help to implement some parts of the North Valleys Area Plan Vision and Character Statement such as "Provides a range of house opportunities and respects private property rights." It does not, however, further implement and preserve other aspects such as "respects the scenic, and rural heritage of the area by encouraging architectural and site design standards that are responsive to this heritage; Ensures that infrastructure is coincident with development and appropriate in scale and character to the community character articulated below; and, coordinates resource availability with the construction of infrastructure through the implementation of facilities and resources plans." Additionally, the proposed amendment may or may not be seen to, "Provide[s] ample open space and recreational opportunities." The Planning Commission should make the determination if, overall, the proposed MPA would further implement and preserve the vision and character statement.

8. NV.20.1 (b). The amendment conforms to all applicable policies of the North Valleys Area Plan and the Washoe County Master Plan, and the Regional Water Management Plan.

**Staff Comment:** As noted above, it is the evaluation of staff that the proposed MPA and RZA are inconsistent with the Population Element Goal 4 and policy POP.4.1; Conservation Element Goal 2; Land Use and Transportation Element Policies LUT.1.1, 1.2, 3.1, 5.1, 5.4, 7.1, 30.1 and 32.2, and the North Valleys Area Plan Policies: NV.1.1, 1.5, 2.1, 4.1, 4.2, and 4.7. An analysis of these goals and policies are discussed in detail in this staff report.

9. NV.20.1 (c). The amendment will not conflict with the public's health, safety or welfare.

**Staff Comment:** Sufficient infrastructure, including water service, sewer service and roadways are not in place at this time to serve the proposed intensification of land use on the subject site. Washoe County Sheriff's Office comments that, "The project will generate an increase in calls for service Patrol and our staff will not be augmented, thus resulting in a reduced level of overall service or response time to the citizens of the County."

10. NV.20.3 a. A feasibility study has been conducted, commissioned and paid for by the applicant, relative to municipal water, sewer and storm water that clearly identifies the improvements likely to be required to support the intensification, and those improvements have been determined to be in substantial compliance with all applicable existing facilities and resource plans for North Valleys by the Department of Water Resources. The Department of Water Resources will establish and maintain the standards and methodologies for these feasibility studies.

**Staff Comment:** The applicant has provided the required information as part of the application for this MPA request. The Washoe County Water Management Planner Coordinator, Vahid Behmaram has provided an evaluation including that, "The Master Plan Amendment and the Regulatory Zone Amendment as proposed do not commit to annex to TMWA for future water service from Fish Springs water resources NOR identify an equally sustainable and permitted source of water supply validated by Washoe County CSD. If another source of water supply other than TMWA is to support this project, review and discussion of availability and sustainability of said water supply shall

be done prior to granting of these applications and not after. Therefore The Master Plan Amendment and the Regulatory Zone Amendment as proposed are deficient in meeting the code."

11. NV.20.3 b. A traffic analysis has been conducted that clearly identifies the impact to the adopted level of service within the North Valleys planning area and the improvements likely to be required to maintain/achieve the adopted level of service. This finding may be waived by the Department of Public Works for projects that are determined to have minimal impacts. The Department of Public Works [now known as the *Engineering and Capital Projects Division*] may request any information it deems necessary to make this determination.

**Staff Comment:** The applicant has provided the required information as part of the application for this MPA request. That traffic study recommends, that "Red Rock Road ultimately be widened to four lands from Moya Boulevard to Evans Ranch through RTC's Regional Road Impact Fee Program." The study also indicates that several roadway segments and intersections will not operate within the policy level of service of "C" if the MPA is granted.

12. NV.20.3 c. For amendments that propose new or intensified commercial land use, the scale of the intended use has been shown to be community serving in nature.

**Staff Comment:** The "Silver Hills - Specific Plan Development Standards" proposes to allow significantly more commercial uses than otherwise allowed in suburban areas. While the scale of each individual commercial use is proposed to be relatively small, 5000 square feet for each commercial use, and a total of 45,000 square feet of floor area for most commercial uses. There is no limit proposed for personal storage and storage of operable vehicles uses. The result is that it is possible (though not intended), under the development standards proposed that the entire development could be made up of personal storage and storage of operable vehicles uses. The development standards also provide for "live-work" units in addition to the other types of commercial uses proposed. Given the lack of any limitation on the possible area of certain commercial uses, the proposed amendment is inconsistent with this finding.

13. NV.20.3 d. For residential land use intensifications, the potential increase in residential units will not exceed Washoe County's applicable policy growth level for the North Valleys Area Plan, as established under Goal One.

**Staff Comment:** The combined policy growth level for the suburban character management area is 2000 new residential units of land use capacity. Changes to the established regulatory zones will not add more than 2000 new units of land use capacity through 2025. Since the adoption of the North Valleys Area Plan approximately 77 dwelling units of additional residential density has been approved by Washoe County. The current request, if approved, would allow 1092 dwellings in addition to the 780 that may be permitted under the current regulatory zone on the subject parcels. The total number of new residential units of land use capacity would be 1872, if the amendment is approved. The proposed amendment is consistent with this finding.

14. NV.20.3 e. If the proposed intensification will result in a drop below the established policy level of service for transportation (as established by the Regional Transportation Commission and Washoe County) within the North Valleys planning area, the necessary improvements required to maintain the established level of service are scheduled in

either the Washoe County Capital Improvements Program or Regional Transportation Improvement Program within three years of approval of the intensification. For impacts to regional roads, the Washoe County Planning Commission, upon written request from the Regional Transportation Commission, may waive this finding.

**Staff Comment:** The intensification of residential density results in segments of Red Rock Road operating at a LOS of "D" or "E" (page 16). This LOS is below the policy LOS of "C." The report also indicates that several turning movements at various studied intersections will fall to LOS "D" and "F" (page 18). The 2040 Regional Transportation Plan identifies Red Rock Road from Moya Boulevard to Evans Ranch to be widened by 2026. Required improvements are not planned within the three-year time required by this finding. The proposed amendment is inconsistent with this finding.

15. NV.20.3 f. If roadways impacted by the proposed intensification are currently operating below adopted levels of service, the intensification will not require infrastructure improvements beyond those articulated in Washoe County and regional transportation plans AND the necessary improvements are scheduled in either the Washoe County Capital Improvements Program or Regional Transportation Improvement Program within three years of approval of the intensification.

**Staff Comment:** The roadways impacted by the proposed intensification are currently operating at or above adopted levels of service. This finding is not applicable to the proposed amendment.

16. NV.20.3 g. Washoe County will work to ensure that the long range plans of facilities providers for transportation, water resources, schools and parks reflect the policy growth level established in Policy 1.2.

**Staff Comment:** The increase in potential dwelling units associated with the proposed amendment is consistent with the policy growth level established in Policy NV.1.2. Areas for schools and parks are included within the proposed specific plan area. Long-range plans for transportation and infrastructure are insufficient for the intensity proposed and adequate water resources have not been identified.

17. NV.20.3 h. If the proposed intensification results in existing public school facilities exceeding design capacity and compromises the Washoe County School District's ability to implement the neighborhood school philosophy for elementary facilities, then there must be a current capital improvement plan or rezoning plan in place that would enable the District to absorb the additional enrollment. The Washoe County Planning Commission, upon request of the Washoe County School Board of Trustees, may waive this finding.

**Staff Comment:** The application was provided to the Washoe County School District for comment and evaluation. Additional students generated by the intensification of land use on the subject site would result in Silver Lake and Gomes Elementary Schools increasing from 97% of capacity to 118% of capacity. Cold Springs Middle School would increase from 70% of capacity to 81% of capacity. North Valleys High School would increase from 100% of capacity to 108% of capacity. The school district notes that it will seek a dedication of 10 acres of land for the purposes of an elementary school and that the need for a high school in the Cold Springs area has been identified, which would relieve overcrowding at North Valleys High School. The proposed amendment is inconsistent with this finding as no current capital improvement plan or rezoning plan is

in place that would enable the District to absorb the additional enrollment. School District comments are attached to this report.

18. NV.20.3 i. Any existing development in the North Valleys planning area, the Forest planning area, or the Northeast Truckee Meadows planning area which is subject to the conditions of a special use permit will not experience undue hardship in the ability to continue to comply with the conditions of the special use permit or otherwise to continue operation of its permitted activities.

**Staff Comment:** Staff has not received any comments from the operators of any special use permits stating that approval of the amendment would create undue hardship on the ability to continue to comply with any conditions of the special use permit or otherwise to continue operation of its permitted activities. The proposed amendment is consistent with this finding.

### **Evaluation of Regulatory Zone Amendment**

#### **Current Conditions**

The subject site, consisting of approximately 780 acres of land is undeveloped at this time. The topography is undulating and cut by natural drainage ways. It is bordered on the west by land that is under the City of Reno Sphere of Influence, to the north by public lands, to the east and south by privately-held parcels of land with a general development pattern of single-family dwellings on parcels one acre and larger in size. It is located within the Silver Knolls Suburban Character Management Area, of the North Valleys Area Plan.

#### **Change of Conditions**

Conditions within the Silver Knolls Suburban Character Management Area are substantially similar to the conditions in 2005, when the North Valleys Area Plan was adopted. Staff is not aware of any further studies that have occurred since the plan was adopted by the Board of County Commissioners, effecting this evaluation. The requested amendment seeks an overall residential density of approximately 2.5 dwellings to the acre, but a variety of development patterns internal to the proposed specific plan, of up to approximately ten dwellings to the acre. During the public review of this amendment the preponderance of views expressed, by the citizens in the area, were that the requested amendment does not represent a compatible utilization of land.

The application materials cite new industrial development in the Stead area of the City of Reno, a few miles to the southeast of the subject site, as justification for intensification of residential land use.

#### **Consistency with Master Plan and Regulatory Zone Map**

The applicable goals and policies of the Washoe County Master Plan are addressed earlier in this report. While the amendment requested conforms, in the opinion of staff, to some applicable goals and policies of the master plan, the proposed amendment does not conform to many of the goals and policies including: Population Element Goal 4 and policy POP.4.1; Conservation Element Goal 2; Land Use and Transportation Element Policies LUT.1.1, 1.2, 3.1, 5.1, 5.4, 7.1, 30.1, 32.2 and the North Valleys Area Plan Policies: NV.1.1, 1.5, 2.1, 4.1, 4.2, and 4.7, as reviewed earlier in this report.

### **Desired Pattern of Growth**

The pattern of growth proposed by the amendment does not promote the desired pattern for the orderly physical growth of the County, because infrastructure is not in place to serve it, traffic impacts will drop below the policy levels of service and public services such as law enforcement will be degraded. Expansion of public services into a new area does not comply with the goal of promoting growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.

### **Compatible Land Uses**

In determining compatibility with surrounding land uses, staff reviewed the Land Use Compatibility Matrix with the proposed Regulatory Zone. The compatibility matrix is found in the Land Use and Transportation Element in Volume One of the Washoe County Master Plan. The compatibility between the proposed and existing adjacent regulatory zones is captured in the following table. There is no change to the compatibility rating in any of the instances evaluated. Medium density suburban regulatory zone was used for compatibility rating as it allows three dwellings to the acre, as is proposed in the current amendment, on the west side of Red Rock Road. Compatibility on the east side remains unchanged.

**Compatibility Rating of  
Proposed Regulatory Zone with  
Existing Regulatory Zones on Adjacent Parcels**

<b>Subject Site <u>Existing</u> Regulatory Zone</b>	<b>Existing Adjacent Regulatory Zone</b>	<b>Compatibility Rating</b>
Low Density Suburban (LDS) one dwelling to the acre residential density	North: Open Space (OS)	High
	South: Open Space (OS); Public and Semi-Public Facilities (PSP); Parks and Recreation (PR); Low Density Suburban (LDS)	OS=High; PSP=Medium; PR=High; LDS=High
	East: Low Density Suburban (LDS)	High
	West: City of Reno Open Space	High
<b>Subject Site <u>Proposed</u> Regulatory Zone</b>	<b>Existing Adjacent Regulatory Zone</b>	<b>Compatibility Rating</b>
Specific Plan (SP) three dwellings to the acre residential density  [compatibility is based on the Medium Density Suburban (MDS) zone which also allows three dwelling to the acre]	North: Open Space (OS)	High
	South: Open Space (OS); Public and Semi-Public Facilities (PSP); Parks and Recreation (PR); Low Density Suburban (LDS)	OS=High; PSP=Medium; PR=High; LDS=High
	East: Low Density Suburban (LDS)	High
	West: City of Reno Open Space	High

High Compatibility: Little or no screening or buffering necessary.

Medium Compatibility: Some screening and buffering necessary.

Low Compatibility: Significant screening and buffering necessary

## **Availability of Facilities**

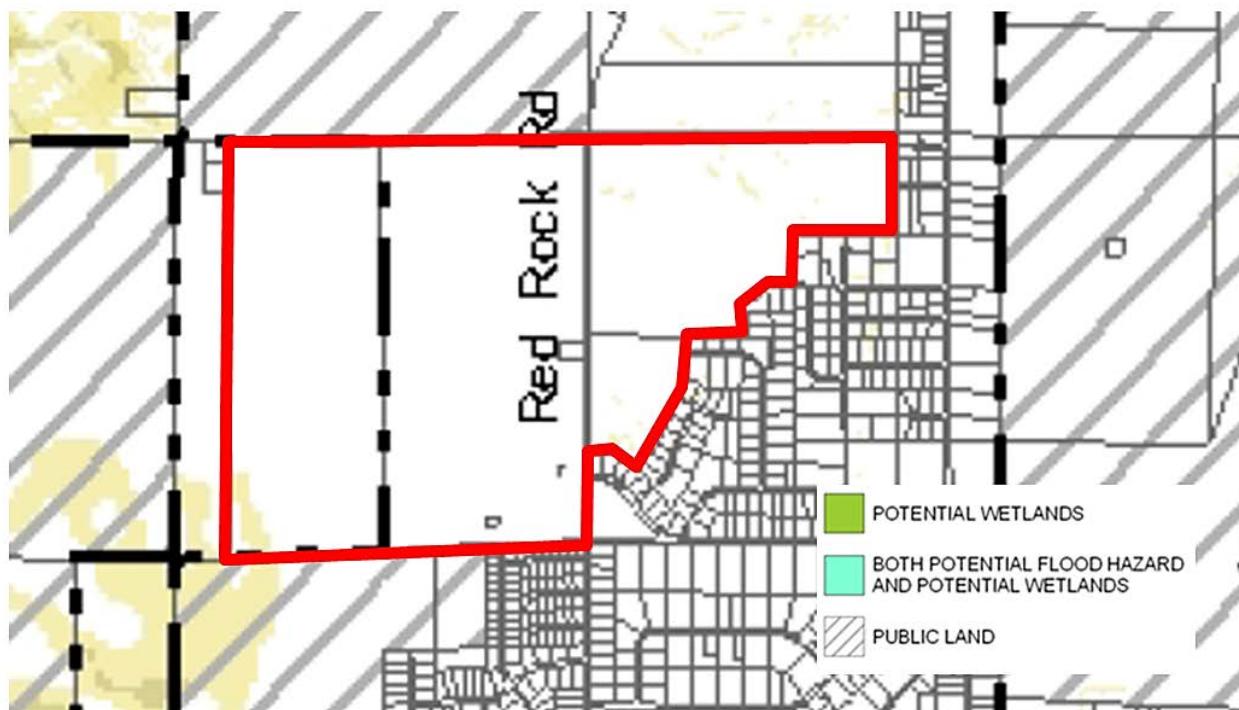
As discussed, at length, earlier in this report, at this time there is insufficient transportation infrastructure to support the proposed intensification, there is insufficient water infrastructure, and community services such as law enforcement would be degraded.

## **North Valleys Area Plan Assessment**

As discussed, at length, earlier in this report the proposed intensification is inconsistent with North Valleys Area Plan Policies: NV.1.1, 1.5, 2.1, 4.1, 4.2, and 4.7.

## **Development Suitability within the North Valleys Area Plan**

The following map is a portion of the North Valleys Area Plan Development Suitability Map. The subject site is generally designated as “most suitable” for development, with some areas, in the southwest corner, identified as having slopes greater than 15%.



In overall summary of the proposed RZA, it is the opinion of county staff that the proposed change of regulatory zone to “Specific Plan” may represent consistency with some elements of the master plan, however the change would be inconsistent with many more elements of the master plan, than it is consistent with. The specific plan proposes to vary the uses and standards of the development code, and in all cases varies toward more intense uses and development patterns than are otherwise permissible. Because evaluation of the relevant policies within the master plan lead staff to recommend that the Planning Commission deny the proposed MPA, likewise staff must, therefore, recommend denial of the proposed RZA, as it conflicts with, rather than further implements, the preponderance of relevant policies of the master plan. Further, approval of the proposed specific plan may be likely to constitute invalid “spot zoning.”

Should the Planning Commission disagree with this evaluation, and choose to recommend approval of the RZA, then staff recommends that the motion to approve include the following instructions to effectuate the change:

- Adopt the resolution contained at Exhibit S to the staff report on this item; and
- Require that the “Silver Hill Development Standards Handbook” be recorded with the Washoe County Recorder; and
- Adopt the changes to the North Valleys Regulatory Zone Map and include the recorded document number of the “Silver Hill Development Standards Handbook” as a note on the “Silver Hill Specific Plan Area”; and
- Recommend adoption of Regulatory Zone Amendment Case Number WRZA17-0005 to the Washoe County Board of Commissioners being able to make all of the required findings in accordance with Washoe County Code Section 110.821.15 as all eight findings required by WCC Section 110.442.55.

### **Staff Comment on Required Regulatory Zone Amendment Findings**

WCC Section 110.821.15 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 as well as all eight findings required by WCC Section 110.442.55 for approval of a Specific Plan. Staff has completed an analysis of the Regulatory Zone Amendment application and has determined that the proposal is not in compliance with the required findings as follows.

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.

**Staff Comment.** The proposed regulatory zone, specific plan (SP) is not allowed within the Silver Knolls Suburban Character Management Area, the applicant seeks to create a new “Silver Hills Suburban Character Management Area”. The proposed amendment is consistent with some aspects of the master plan, but is inconsistent with the preponderance of applicable goals, policies and action programs including, but not necessarily limited to: Population Element Goal 4 and policy POP.4.1; Conservation Element Goal 2; Land Use and Transportation Element Policies LUT.1.1, 1.2, 3.1, 5.1, 5.4, 7.1, 30.1, 32.2 and the North Valleys Area Plan Policies: NV.1.1, 1.5, 2.1, 4.1, 4.2, and 4.7.

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.

**Staff Comment.** The proposed Regulatory Zone, of Specific Plan (SP) would provide for land uses that are not compatible with existing land uses. Particularly unlimited amounts of certain commercial uses, and development patterns within proposed specific plan, with lots as small as 3,700 square feet.

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.** Conditions within the Silver Knolls Suburban Character Management Area are substantially similar to the conditions in 2005, when the North Valleys Area Plan was adopted. Staff is not aware of any further studies that have occurred since the

plan was adopted by the Board of County Commissioners, affecting this evaluation. Whether the requested amendment represents a more desirable utilization of land, is a question that the Planning Commission should consider. During the public review of this amendment the preponderance of views expressed were that the requested amendment does not represent 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.

**Staff Comment:** At this time there is insufficient transportation infrastructure to support the proposed intensification, there is insufficient water infrastructure, and community services such as law enforcement would be degraded.

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.

**Staff Comment:** The proposed amendment would adversely affect the implementation of the policies and action programs of the Washoe County Master Plan, as the proposed amendment has been shown to be incompatible with many goals, policies and action programs including: Population Element Goal 4 and policy POP.4.1; Conservation Element Goal 2; Land Use and Transportation Element Policies LUT.1.1, 1.2, 3.1, 5.1, 5.4, 7.1, 30.1, 32.2 and the North Valleys Area Plan Policies: NV.1.1, 1.5, 2.1, 4.1, 4.2, and 4.7.

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.

**Staff Comment:** The North Valleys Area Plan describes the Silver Knolls Community as being a, “low density suburban residential community...with a greater sense of isolation from other developed parts of the North Valleys.” The development pattern contemplated with the current request includes some open space and matching lot sizes along the perimeter, but also residential lots as small as 3,700 square feet within the subject site. Whether or not that would be a desired pattern of growth, is a question that the Planning Commission should consider.

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.

**Staff Comment:** There is no military installation within the area required to receive notice of this amendment. Therefore, the amendment will not affect the location, purpose and mission of any military installation.

8. WCC 110.442.55.10(a) **Consistency with Specific Plan Standards.** In what respects the plan is or is not consistent with the statements of objectives of a Specific Plan set forth in this Article;

**Staff Comment:** The purpose statement of Article 442, states, in relevant part that, “...greater flexibility shall be utilized to create a coordinated development that provides public benefits that are not likely to be available through the standard development process. These public benefits are derived from better and more comprehensive implementation of the goals and policies of the Master Plan...” [emphasis added] As

noted previously in this report, the proposed MPA and RZA is consistent with some goals of the Master Plan, but it is the evaluation of staff that it is inconsistent with the Population Element Goal 4 and policy POP.4.1; Conservation Element Goal 2; Land Use and Transportation Element Policies LUT.1.1, 1.2, 3.1, 5.1, 5.4, 7.1, 30.1 and 32.2, and the North Valleys Area Plan Policies: NV.1.1, 1.5, 2.1, 4.1, 4.2, and 4.7. Staff does not believe that this finding can be made. The applicant addresses this finding on page 19 of the application materials.

9. WCC 110.442.55.10(b) Departures from regulatory zone requirements are in public interest. The extent to which the plan departs from regulatory zone and subdivision regulations otherwise applicable to the property, including, but not limited to density, bulk and use, and the reasons why these departures are or are not deemed to be in the public interest;

**Staff Comment:** The specific plan proposes to vary the uses and standards of the master plan and development code, and in all cases varies toward more intense uses and development patterns than are otherwise permissible. As has been noted at length in this report, at this time insufficient infrastructure exists to serve the intensification of uses, thus the departures are not deemed to be in the public interest.

10. WCC 110.442.55.10(c) Residential/nonresidential ratio. The ratio of residential to nonresidential use in the planned development;

**Staff Comment:** The specific plan proposes to allow significantly more commercial uses than otherwise allowed in suburban areas. While the scale of each individual commercial use is proposed to be relatively small, 5000 square feet for each commercial use, and a total of 45,000 square feet of floor area for most commercial uses, there is no limit proposed for personal storage and storage of operable vehicles uses. The result is that it is possible (though not intended), under the development standards proposed that the entire development could be made up of personal storage and storage of operable vehicles uses. Thus, the possible ratio of residential to nonresidential land uses is inconsistent with the master plan designation of suburban residential.

11. WCC110.442.55.10(d) Adequacy of common open space. The purpose, location and amount of the common open space in the development and the adequacy or inadequacy of the amount and purpose of common open space as related to the proposed density and type of residential development.

**Staff Comment:** Approximately 152 acres of common open space is proposed for approximately 1872 dwelling which results in approximately 3,500 square feet of open space per dwelling. The proposed specific plan allows for development of open space areas for farming, detached accessory structures, such as barns and other similar uses. The Planning Commission should consider whether approximately 3,500 square feet of open space for each dwelling is adequate as related to the proposed density and type of residential development.

12. WCC110.422.55.10(e) Maintenance of Common Open Space. The reliability of the proposals for the maintenance and conservation of the open space;

**Staff Comment:** Common Open Space is proposed to be maintained in perpetuity by a homeowners association.

13. WCC110.422.55.10(f) Adequacy of public services, traffic and amenities. The physical design of the plan and the manner in which design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, and further the amenities of light and air, recreation and visual enjoyment.

**Staff Comment:** The specific plan makes adequate provisions for public services, provides adequate control over vehicular traffic, and further the amenities of light and air, recreation and visual enjoyment, within the plan itself, however, existing and proposed infrastructure for traffic, sewer and other services outside of the specific plan, to serve the specific plan area, are not sufficient to support the intensification.

14. WCC110.422.55.10(g) Relationship to neighborhood. The relationship, beneficial or adverse, of the proposed Specific Plan to the neighborhood in which it is proposed to be established.

**Staff Comment:** The specific plan includes open space buffers between existing and proposed residential lots. The specific plan includes matching the size of proposed lots with the adjacent existing lots. The applicant presents this as beneficial to the existing neighborhood, the property owners in that area have generally expressed their perception that the specific plan creates adverse impacts.

15. WCC110.422.55.10(h) Schedule sufficiency. If the development is to be built over a period of years, the sufficiency of the terms and conditions in the plan intended to protect the interests of the public, residents and owners of the development in the integrity of the plan.

**Staff Comment:** The development is intended to occur over a period of 15 to 20 years. The development relies on the construction of planned future infrastructure, such as roadway improvements that may, or may not, be constructed in the anticipated time, by the Regional Transportation Commission. While additional fees associated with new development may help to fund such improvements, there are no terms and conditions in place to ensure the interests of the public are secured.

## **Recommendations**

It is recommended that the Washoe County Planning Commission consider the evaluation of the MPA and RZA requests in light of the existing master plan and other relevant codes and documents. It is the opinion of staff that the proposed amendments are incompatible with the preponderance of goals and policies within the master plan. For that reason staff recommends that the Planning Commission deny both Master Plan Amendment Case Number WMPA17-0010 and Regulatory Zone Amendment Case Number WRZA17-0005 (Silver Hills). The following motions are provided for your consideration.

## **Possible Motions**

### **Master Plan Amendment:**

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 deny Master Plan Amendment Case Number WMPA17-0010 being unable to make at least three of the six general findings of fact required at WCC Section 110.820.15(d) and all nine findings required by the North Valleys Area Plan:

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.
6. Effect on a Military Installation. The proposed amendment will not affect the location, purpose and mission of the military installation.
7. NV.20.1 (a). The amendment will further implement and preserve the Vision and Character Statement.
8. NV.20.1 (b). The amendment conforms to all applicable policies of the North Valleys Area Plan and the Washoe County Master Plan, and the Regional Water Management Plan.
9. NV.20.1 (c). The amendment will not conflict with the public's health, safety or welfare.
10. NV.20.3 a. A feasibility study has been conducted, commissioned and paid for by the applicant, relative to municipal water, sewer and storm water that clearly identifies the improvements likely to be required to support the intensification, and those improvements have been determined to be in substantial compliance with all applicable existing facilities and resource plans for North Valleys by the Department of Water Resources. The Department of Water Resources will establish and maintain the standards and methodologies for these feasibility studies.
11. NV.20.3 b. A traffic analysis has been conducted that clearly identifies the impact to the adopted level of service within the North Valleys planning area and the improvements likely to be required to maintain/achieve the adopted level of service. This finding may be waived by the Department of Public Works for projects that are determined to have minimal impacts. The Department of Public Works may request any information it deems necessary to make this determination.
12. NV.20.3 c. For amendments that propose new or intensified commercial land use, the scale of the intended use has been shown to be community serving in nature.
13. NV.20.3 d. For residential land use intensifications, the potential increase in residential units will not exceed Washoe County's applicable policy growth level for the North Valleys Area Plan, as established under Goal One.
14. NV.20.3 e. If the proposed intensification will result in a drop below the established policy level of service for transportation (as established by the Regional Transportation

Commission and Washoe County) within the North Valleys planning area, the necessary improvements required to maintain the established level of service are scheduled in either the Washoe County Capital Improvements Program or Regional Transportation Improvement Program within three years of approval of the intensification. For impacts to regional roads, the Washoe County Planning Commission, upon written request from the Regional Transportation Commission, may waive this finding.

15. NV.20.3 f. If roadways impacted by the proposed intensification are currently operating below adopted levels of service, the intensification will not require infrastructure improvements beyond those articulated in Washoe County and regional transportation plans AND the necessary improvements are scheduled in either the Washoe County Capital Improvements Program or Regional Transportation Improvement Program within three years of approval of the intensification.
16. NV.20.3 q. Washoe County will work to ensure that the long range plans of facilities providers for transportation, water resources, schools and parks reflect the policy growth level established in Policy 1.2.
17. NV.20.3 h. If the proposed intensification results in existing public school facilities exceeding design capacity and compromises the Washoe County School District's ability to implement the neighborhood school philosophy for elementary facilities, then there must be a current capital improvement plan or rezoning plan in place that would enable the District to absorb the additional enrollment. The Washoe County Planning Commission, upon request of the Washoe County School Board of Trustees, may waive this finding.
18. NV.20.3 i. Any existing development in the North Valleys planning area, the Forest planning area, or the Northeast Truckee Meadows planning area which is subject to the conditions of a special use permit will not experience undue hardship in the ability to continue to comply with the conditions of the special use permit or otherwise to continue operation of its permitted activities.

#### **Regulatory Zone Amendment:**

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 deny Regulatory Zone Amendment Case Number WRZA17-0005 being unable to make all of the following findings in accordance with Washoe County Code Section 110.821.15 and all eight findings required by WCC Section 110.442.55.10:

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 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 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.
8. WCC 110.442.55.10(a) Consistency with Specific Plan Standards. In what respects the plan is or is not consistent with the statements of objectives of a Specific Plan set forth in this Article;
9. WCC 110.442.55.10(b) Departures from regulatory zone requirements are in public interest. The extent to which the plan departs from regulatory zone and subdivision regulations otherwise applicable to the property, including, but not limited to density, bulk and use, and the reasons why these departures are or are not deemed to be in the public interest;
10. WCC 110.442.55.10(c) Residential/nonresidential ratio. The ratio of residential to nonresidential use in the planned development;
11. WCC 110.442.55.10(d) Adequacy of common open space. The purpose, location and amount of the common open space in the development and the adequacy or inadequacy of the amount and purpose of common open space as related to the proposed density and type of residential development.
12. WCC 110.422.55.10(e) Maintenance of Common Open Space. The reliability of the proposals for the maintenance and conservation of the open space;
13. WCC 110.422.55.10(f) Adequacy of public services, traffic and amenities. The physical design of the plan and the manner in which design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, and further the amenities of light and air, recreation and visual enjoyment.
14. WCC 110.422.55.10(g) Relationship to neighborhood. The relationship, beneficial or adverse, of the proposed Specific Plan to the neighborhood in which it is proposed to be established.
15. WCC 110.422.55.10(h) Schedule sufficiency. If the development is to be built over a period of years, the sufficiency of the terms and conditions in the plan intended to protect the interests of the public, residents and owners of the development in the integrity of the plan.

Should the Planning Commission disagree with the recommendation of staff and choose to recommend approval of the amendments to the Board of County Commissioners, the following motions are provided:

**Master Plan Amendment:**

*(Five members of the Planning Commission must vote in favor, for a recommendation of approval to be forwarded to the Board of County Commissioners.)*

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 R of this staff report to amend the Master Plan as set forth in Master Plan Amendment Case Number WMPA17-0010 having made at least three of the six general findings of fact required at WCC Section 110.820.15(d) and all nine findings required by the North Valleys Area Plan. I further move to certify the resolution and the proposed Master Plan Amendments in WMPA17-0010 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.

***(Please state the reasons that each finding can be made.)***

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.
6. Effect on a Military Installation. The proposed amendment will not affect the location, purpose and mission of the military installation.
7. NV.20.1 (a). The amendment will further implement and preserve the Vision and Character Statement.
8. NV.20.1 (b). The amendment conforms to all applicable policies of the North Valleys Area Plan and the Washoe County Master Plan, and the Regional Water Management Plan.
9. NV.20.1 (c). The amendment will not conflict with the public's health, safety or welfare.
10. NV.20.3 a. A feasibility study has been conducted, commissioned and paid for by the applicant, relative to municipal water, sewer and storm water that clearly identifies the improvements likely to be required to support the intensification, and those improvements have been determined to be in substantial compliance with all applicable existing facilities and resource plans for North Valleys by the Department of Water Resources. The Department of Water Resources will establish and maintain the standards and methodologies for these feasibility studies.

11. NV.20.3 b. A traffic analysis has been conducted that clearly identifies the impact to the adopted level of service within the North Valleys planning area and the improvements likely to be required to maintain/achieve the adopted level of service. This finding may be waived by the Department of Public Works for projects that are determined to have minimal impacts. The Department of Public Works may request any information it deems necessary to make this determination.
12. NV.20.3 c. For amendments that propose new or intensified commercial land use, the scale of the intended use has been shown to be community serving in nature.
13. NV.20.3 d. For residential land use intensifications, the potential increase in residential units will not exceed Washoe County's applicable policy growth level for the North Valleys Area Plan, as established under Goal One.
14. NV.20.3 e. If the proposed intensification will result in a drop below the established policy level of service for transportation (as established by the Regional Transportation Commission and Washoe County) within the North Valleys planning area, the necessary improvements required to maintain the established level of service are scheduled in either the Washoe County Capital Improvements Program or Regional Transportation Improvement Program within three years of approval of the intensification. For impacts to regional roads, the Washoe County Planning Commission, upon written request from the Regional Transportation Commission, may waive this finding.
15. NV.20.3 f. If roadways impacted by the proposed intensification are currently operating below adopted levels of service, the intensification will not require infrastructure improvements beyond those articulated in Washoe County and regional transportation plans AND the necessary improvements are scheduled in either the Washoe County Capital Improvements Program or Regional Transportation Improvement Program within three years of approval of the intensification.
16. NV.20.3 g. Washoe County will work to ensure that the long range plans of facilities providers for transportation, water resources, schools and parks reflect the policy growth level established in Policy 1.2.
17. NV.20.3 h. If the proposed intensification results in existing public school facilities exceeding design capacity and compromises the Washoe County School District's ability to implement the neighborhood school philosophy for elementary facilities, then there must be a current capital improvement plan or rezoning plan in place that would enable the District to absorb the additional enrollment. The Washoe County Planning Commission, upon request of the Washoe County School Board of Trustees, may waive this finding.
18. NV.20.3 i. Any existing development in the North Valleys planning area, the Forest planning area, or the Northeast Truckee Meadows planning area which is subject to the conditions of a special use permit will not experience undue hardship in the ability to continue to comply with the conditions of the special use permit or otherwise to continue operation of its permitted activities.

**Regulatory Zone Amendment:**

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:

- 1) Adopt the resolution contained at Exhibit S to the staff report on this item; and

- 2) Require that the "Silver Hill Development Standards Handbook" be recorded with the Washoe County Recorder; and
- 3) Adopt the changes to the North Valleys Regulatory Zone Map including the recorded document number of the "Silver Hill Development Standards Handbook" as a note on the "Silver Hill Specific Plan Area"; and
- 4) Recommend adoption of Regulatory Zone Amendment Case Number WRZA17-0005 to the Washoe County Board of Commissioners having made all of the following findings in accordance with Washoe County Code Section 110.821.15 and all eight findings required by WCC Section 110.442.55.10;

***(Please state the reasons that each finding can be made.)***

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 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 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.
8. WCC 110.442.55.10(a) Consistency with Specific Plan Standards. In what respects the plan is or is not consistent with the statements of objectives of a Specific Plan set forth in this Article;
9. WCC 110.442.55.10(b) Departures from regulatory zone requirements are in public interest. The extent to which the plan departs from regulatory zone and subdivision regulations otherwise applicable to the property, including, but not limited to density, bulk and use, and the reasons why these departures are or are not deemed to be in the public interest;
10. WCC 110.442.55.10(c) Residential/nonresidential ratio. The ratio of residential to nonresidential use in the planned development;
11. WCC 110.442.55.10(d) Adequacy of common open space. The purpose, location and amount of the common open space in the development and the adequacy or inadequacy

of the amount and purpose of common open space as related to the proposed density and type of residential development.

12. WCC110.422.55.10(e) Maintenance of Common Open Space. The reliability of the proposals for the maintenance and conservation of the open space;
13. WCC110.422.55.10(f) Adequacy of public services, traffic and amenities. The physical design of the plan and the manner in which design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, and further the amenities of light and air, recreation and visual enjoyment.
14. WCC110.422.55.10(g) Relationship to neighborhood. The relationship, beneficial or adverse, of the proposed Specific Plan to the neighborhood in which it is proposed to be established.
15. WCC110.422.55.10(h) Schedule sufficiency. If the development is to be built over a period of years, the sufficiency of the terms and conditions in the plan intended to protect the interests of the public, residents and owners of the development in the integrity of the plan.

## 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 / Property Owner: Lifestyle Homes TND, LLC, Attn: Peter Lissner, 4790 Caughlin, Parkway, Suite 519, Reno, NV 89519

Consultant: Rubicon Design Group, Attn: Mike Railey, 1610 Montclair Avenue, Suite B, Reno, NV 89509

Others: Opticos Design, Inc., 2100 Milvia Street, Suite 125, Berkeley, CA 94704

Lewis Roca Rothgerber Christie, Attn: Garrett Gordon, 1 E. Liberty Street, Suite 300, Reno, NV 89501

CC: Mojra Hauenstein, Division Director  
Trevor Lloyd, Planning Manager  
Nate Edwards, Deputy District Attorney