



WASHOE COUNTY

"Dedicated To Excellence in Public Service"

www.washoecounty.us

CM/ACM KS
Finance DN
DA RAJ ✓
Risk Mgt. N/A
HR N/A
Other N/A

STAFF REPORT

BOARD MEETING DATE: January 27, 2015

DATE: January 7, 2015
TO: Board of County Commissioners
FROM: Eva M. Krause, AICP, Planner, Planning and Development Division
Community Services Department, 328-3796, ekrause@washoecounty.us
THROUGH: William H. Whitney, Division Director, Planning and Development
Community Services Department, 328-3617, bwhitney@washoecounty.us
SUBJECT: Public Hearing: Master Plan Amendment Case Number MPA14-003
(Nevada Pacific Development Corporation) – Affirm the finding of the
Planning Commission and adopt MPA14-003 to amend the master plan
map within the Tahoe Area Plan, being part of the Washoe County Master
Plan, changing the master plan designation of APN122-100-23 and APN
122-100-24 (593 and 601 Lakeshore Boulevard, respectively) from
Suburban Residential (SR) to Rural Residential (RR); and, if approved,
authorize the Chairman to sign the resolution after a determination of
conformance with the Tahoe Regional Plan has been made by the Tahoe
Regional Planning Agency. (Commission District 1.)

SUMMARY

To amend the Tahoe Master Plan map by changing the Master Plan category of 593 and 601 Lakeshore Boulevard from Suburban Residential to Rural Residential.

Washoe County Strategic Objective supported by this item: Sustainability of our financial, social and natural resources.

PREVIOUS ACTION

NRS requires the applicant to hold a neighborhood workshop to explain the purpose of the Master Plan amendment. The neighborhood meeting was held on November 5, 2014, at the Incline Library. Three people attended. There was some discussion about whether the property owner was planning on developing a condominium project. No objections were stated.

On December 2, 2014, the Planning Commission held a public hearing and on a unanimous vote adopted a resolution to amend the Tahoe Master Plan Map, changing the

AGENDA ITEM # 17

Master Plan category of 593 and 601 Lakeshore Boulevard from Suburban Residential to Rural Residential.

BACKGROUND

The property owner requested that his property be “down” zoned to High Density Rural, based on the following:

- The two subject properties are located between High Density Rural (HDR) to the west and High Density Suburban (HDS) to the east.
- The two subject properties are ± 2 and ± 6 acres in size, which is more consistent with the size standards for HDR (1 unit per 2 acres) than the current zoning HDS (7 units per acre).
- HDR zoning would reduce the allowed density on the property, which in turn reduces the potential for increased development.
- HDR zoning would grant the property owner the same development rights permitted to the neighboring properties to the west of the subject properties.
- In order to maintain consistency the with Washoe County’s Comprehensive Plan, the master plan designation must be amended from Suburban to Rural before the zoning can be change from HDS to HDR.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

It is recommended that the Board of County Commissioners Move to affirm the findings of the Planning Commission and adopt Master Plan Amendment Case Number MPA14-003, to amend the master plan map within the Tahoe Area Plan, being part of the Washoe County Master Plan, changing the master plan designation of APN122-100-23 and APN 122-100-24 (593 and 601 Lakeshore Boulevard, respectively) from Suburban Residential (SR) to Rural Residential (RR); and, authorize the Chairman to sign the resolution after a determination of conformance with the Tahoe Regional Plan has been made by the Tahoe Regional Planning Agency.

POSSIBLE MOTION

Should the Board agree with staff’s recommendation, a possible motion would be:
“Move to affirm the findings of the Planning Commission and adopt Master Plan Amendment Case Number MPA14-003, to amend the master plan map within the Tahoe Area Plan, being part of the Washoe County Master Plan, changing the master plan designation of APN122-100-23 and APN 122-100-24 (593 and 601 Lakeshore Boulevard, respectively) from Suburban Residential (SR) to Rural Residential (RR); and, authorize the Chairman to sign the resolution after a determination of conformance with the Tahoe Regional Plan has been made by the Tahoe Regional Planning Agency.”

Exhibits:

- A. Resolution
- B. Tahoe Master Plan Map
- C. Planning Commission Resolution 14-27
- D. Planning Commission Staff Report MPA14-003
- E. Excerpt from Planning Commission meeting, December 2, 2014



WASHOE COUNTY COMMISSION

1001 E. 9th Street
P.O. Box 11130
Reno, Nevada 89520
(775) 328-2005

**RESOLUTION
ADOPTING AN AMENDMENT TO THE
TAHOE AREA PLAN (MPA14-003),
A PART OF THE WASHOE COUNTY MASTER PLAN**

WHEREAS, Sections 278.150, 278.170 and 278.210, Nevada Revised Statutes, specify that the Washoe County Planning Commission may prepare, adopt and amend a master plan for all or any part of the County, subject to Washoe County Commission approval;

WHEREAS, A public hearing on the adoption of the amended TAHOE AREA PLAN, a part of the Washoe County Master Plan, was held on December 2, 2014, by said Planning Commission;

WHEREAS, The Washoe County Planning Commission has found that the TAHOE AREA PLAN, a part of the Washoe County Master Plan, and the most recent amendment, together with the applicable maps and descriptive matter, provide a long-term general plan for the development of the County including the subject matter currently deemed appropriate for inclusion in the Master Plan, and has submitted the amendment to the TAHOE AREA PLAN to the Washoe County Board of County Commissioners, with a recommendation for approval and adoption thereof;

WHEREAS, Section 278.220, Nevada Revised Statutes, specifies that the Washoe County Board of County Commissioners may adopt and endorse plans for Washoe County as reported by the Planning Commission, in order to conserve and promote the public health, safety and general welfare;

WHEREAS, A public hearing on the adoption of the Washoe County Master Plan, including the TAHOE AREA PLAN, was held on January 27, 2015, by the Washoe County Board of County Commissioners;

WHEREAS, At the conclusion of the public hearing, the Board of County Commissioners adopted the amendments to the TAHOE AREA PLAN, a part of the Washoe County Master Plan;

WHEREAS, Upon review of the proposed amendment by the Tahoe Regional Planning Agency, it was determined that the "amendments conform to the current PAS 037 Lakeview, and Governing Board approval is not necessary";

WHEREAS, A conformance review letter from the Tahoe Regional Planning Agency dated January 14, 2015 attesting that the Tahoe Area Plan is in conformance with the Tahoe Regional Plan was received by the Washoe County Planning and Development Division; and

WHEREAS, The amendment to the Tahoe Area Plan, a part of the Washoe County Master Plan, which is in conformance with the Tahoe Regional Plan, has completed all the necessary requirements for adoption as specified in the Nevada Revised Statutes and Article 820, Amendment of Master Plan, of the Washoe County Development Code; now, therefore, it is hereby

RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY, NEVADA, That the Board does hereby adopt the amended TAHOE AREA PLAN, a part of the Washoe County Master Plan, to serve as a guide for the orderly growth and development of Washoe County, Nevada.

ADOPTED this 27th day of January, 2015.

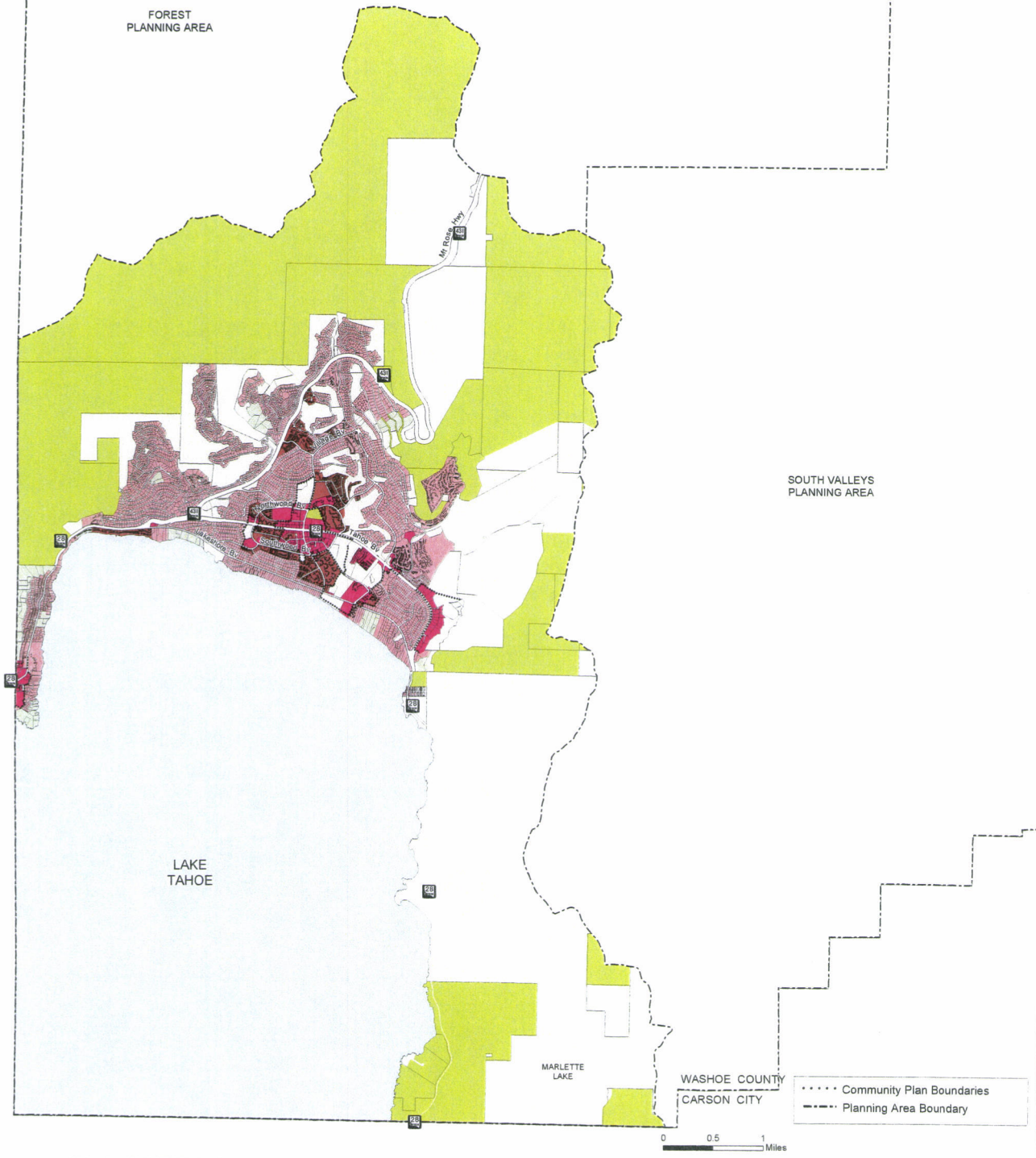
WASHOE COUNTY COMMISSION

Marsha Berkbigler, Chairman

ATTEST:

Nancy Parent, County Clerk


Exhibit B



TAHOE
MASTER PLAN MAP

- RURAL
- RURAL RESIDENTIAL
- SUBURBAN RESIDENTIAL
- URBAN RESIDENTIAL
- COMMERCIAL
- INDUSTRIAL
- OPEN SPACE

NOTE: THE SCALE AND CONFIGURATION OF ALL INFORMATION SHOWN HEREON ARE APPROXIMATE ONLY AND ARE NOT INTENDED AS A GUIDE FOR DESIGN OR SURVEY WORK. REPRODUCTION IS NOT PERMITTED WITHOUT PRIOR WRITTEN PERMISSION FROM THE WASHOE COUNTY PLANNING AND DEVELOPMENT DIVISION.

 © 2014 Planning and Development Division

CERTIFICATION:
THIS DOCUMENT HAS BEEN REVIEWED AND APPROVED AS AN ACCURATE REPRESENTATION OF THE ADOPTED MASTER PLAN MAPS OF WASHOE COUNTY, NEVADA, BY THE WASHOE COUNTY PLANNING AND DEVELOPMENT DIVISION.

DATE _____ DIRECTOR _____

**Community Services
Department**

**WASHOE COUNTY
NEVADA**

Post Office Box 11130
Reno, Nevada 89520 (775) 328-3600



RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

ADOPTING AN AMENDMENT TO THE WASHOE COUNTY MASTER PLAN, TAHOE AREA PLAN (MPA14-003), AND RECOMMENDING ITS ADOPTION TO THE BOARD OF COUNTY COMMISSIONERS

Resolution Number 14-27

Whereas Master Plan Amendment Case Number MPA14-003, came before the Washoe County Planning Commission for a duly noticed public hearing on December 2, 2014; and

Whereas the Washoe County Planning Commission heard public comment and input from both staff and applicant representatives regarding the proposed Master Plan amendment; and

Whereas the Washoe County Planning Commission has given reasoned consideration to the information it has received regarding the proposed Master Plan Amendment; and

Whereas the Washoe County Planning Commission has made five findings necessary to support adoption of this proposed Master Plan amendment as set forth in NRS Chapter 278 and Washoe County Development Code, Article 820, Amendment of Master Plan; and

Whereas, pursuant to Washoe County Code Section 110.820.15(d), in making this recommendation, the Washoe County Planning Commission finds that this proposed Master Plan Amendment::


1. Is in substantial compliance with the policies and action programs of the Master Plan.
2. Will result in land uses which are compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare;
3. Identifies and 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. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed Master Plan designation; and,
5. Will promote the desired pattern for the orderly physical growth of the county and guides the 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.

Now, therefore, be it resolved that pursuant to NRS 278.210(3) that the (1) Washoe County Planning Commission does hereby adopt the proposed Master Plan Amendment in Master Plan Amendment Case Number MPA14-003, comprised of the maps, descriptive matter and other matter intended to constitute the amendment as submitted at public hearing noted above. A certified copy of this resolution shall be submitted to the Board of County Commission and any appropriate reviewing agencies in accordance with NRS 278.220.

ADOPTED on December 2, 2014.


WASHOE COUNTY PLANNING COMMISSION

ATTEST:



Carl R. Webb, Jr., AICP, Secretary

Roger Edwards, Chair



Vice Chairman 1/14/15
sitting as
chair



Planning Commission Staff Report

Meeting Date: December 2, 2014

Subject: Master Plan Amendment Case Number MPA14-003
Applicant: Nevada Pacific Development Corporation
Agenda Item Number: 8.A.
Proposed amendment: To amend the master plan map within the Tahoe Area Plan, being part of the Washoe County Master Plan, changing the master plan designation of APN122-100-23 and APN 122-100-24 (593 and 601 Lakeshore Boulevard, respectively) from Suburban Residential (SR) to Rural Residential (RR).
Recommendation: **Adopt the resolution and authorize Chair to sign the attached Resolution**
Prepared by: Eva M. Krause. AICP, Planner
Washoe County Community Services Department
Planning and Development
Phone: 775.328.3796
E-Mail: ekrause@washoecounty.us

Description:

Master Plan Amendment Case Number MPA14-003 – To amend the Master Plan map within the Tahoe Area Plan, being part of the Washoe County Master Plan, by changing the Master Plan designation at 593 and 601 Lakeshore Boulevard from Suburban Residential (SR) to Rural Residential (RR).

- Applicant: Nevada Pacific Development Corporation
- Property Owner: Nevada Pacific Development Corporation
- Location: 593 and 601 Lakeshore Boulevard, Incline Village
- Assessor's Parcel Numbers: 122-100-23 and 122-100-24
- Parcel Size: 8.1 acres
- Current Master Plan Category: Suburban Residential (SR)
- Proposed Master Plan Category: Rural Residential (RR)
- Current Regulatory Zone: High Density Suburban (HDS)
- Proposed Regulatory Zone: High Density Rural (HDR)
- Development Code: Authorized in Article 820, Amendment of Master Plan

- Area Plan: Tahoe
- Citizen Advisory Board: Incline Village/Crystal Bay
- Commission District: 1 – Commissioner Berkbigler
- Section/Township/Range: Section 17, T16N, R18E, MDM, Washoe County, NV

Staff Report Contents

Explanation of a Master Plan Amendment..... 4

Current Conditions 5

Vicinity Map 6

Existing Conditions..... 6

Existing and Proposed Master Plan Maps 7

Change of Conditions 7

Consistency with Master Plan Map 7

Desired Pattern of Growth 8

Availability of Facilities..... 8

Tahoe Area Plan Assessment..... 8

Development Suitability within the Tahoe Area Plan..... 10

Citizen Advisory Board (CAB) 10

Public Notice 11

Agency Comments..... 12

Required Findings for a Master Plan Amendment..... 12

Recommendation 13

Motion 13

Appeal Process..... 14

Exhibits Contents

Motion to Approve worksheet..... Exhibit A

Motion to Deny worksheet..... Exhibit B

Resolution MPA14-003 Exhibit C

Tahoe Master Plan Map (proposed)..... Exhibit D

CAB member comment sheet Exhibit E

Community Meeting Notice Exhibit F

Public Hearing Noticing Map Exhibit G

Building and Safety Exhibit H

Environmental Health..... Exhibit I

North Lake Tahoe Fire Protection Exhibit J

Incline Village General Improvement District.....Exhibit K
Regional Transportation Commission Exhibit L
Master Plan Amendment Application Exhibit M

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>, click on Departments, click on Planning and Development, click on Planning Documents (Master Plan, Regulatory Zone) - or it may be obtained at the front desk of the Washoe County Planning and Development 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 Commission. 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 Development Code Article 820, Amendment of Master Plan.

When making a recommendation to the Washoe County Commission, the Planning Commission must make at least three of the findings as set forth in Section 110.820.15 of the Washoe County Development Code, unless a military installation is required to be noticed, then a finding of fact pursuant to subsection 6 of Section 110.820.15 is also required. If there are findings contained in the Area Plan in which the subject property is located, then the Planning Commission must make all of these findings in addition to the above referenced findings.

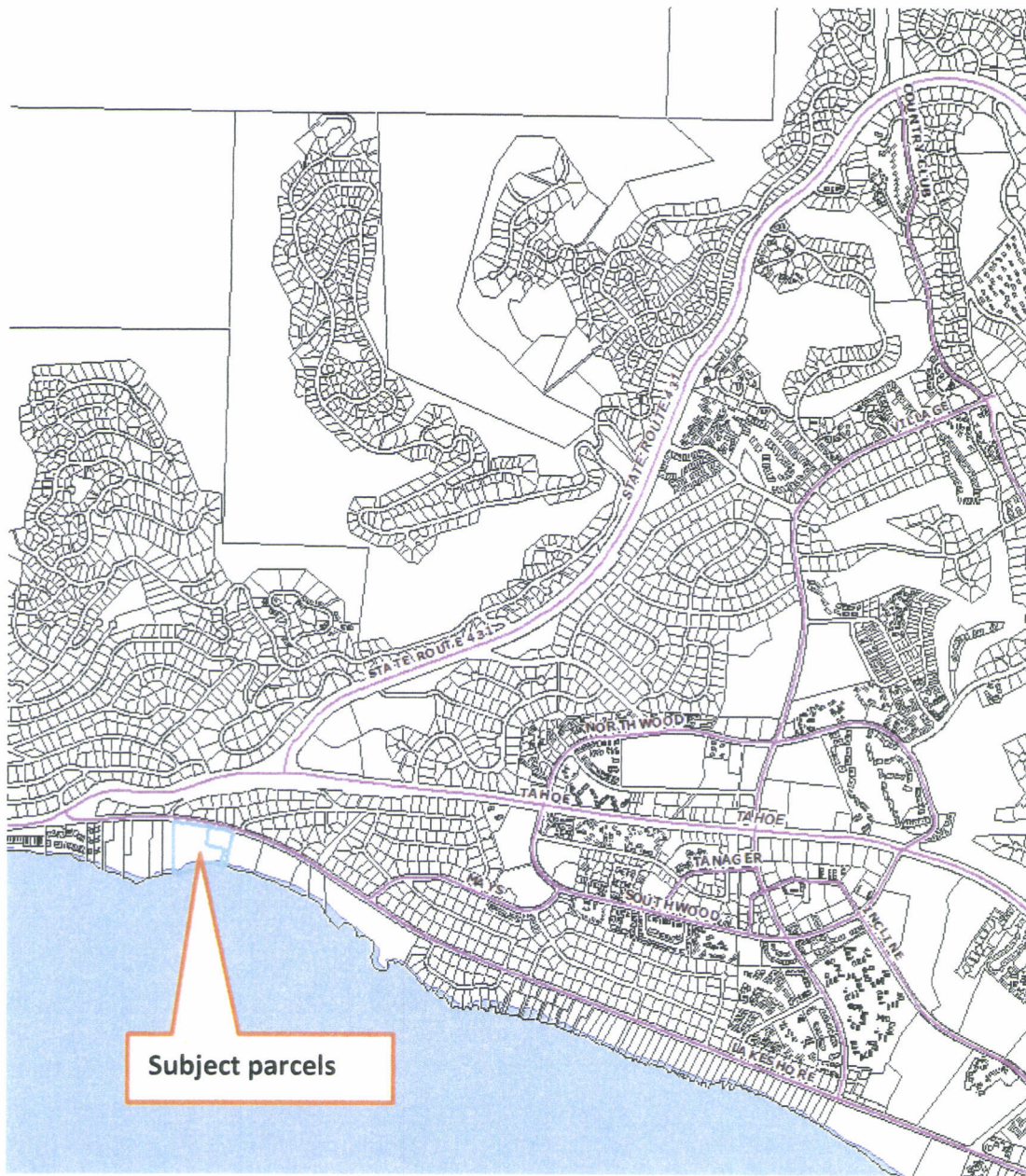


2011 Aerial Photograph

ANALYSIS

Current Conditions

The applicant owns both the subject parcels. 593 Lakeshore Boulevard is ± 6.34 acres and 601 Lakeshore Boulevard is ± 1.76 acres. The 601 Lakeshore parcel has an existing single family residence. The residence at 593 Lakeshore has been demolished, removing the house that had been built in a stream environment zone. The parcel at 593 Lakeshore retains the right to build a new residence.

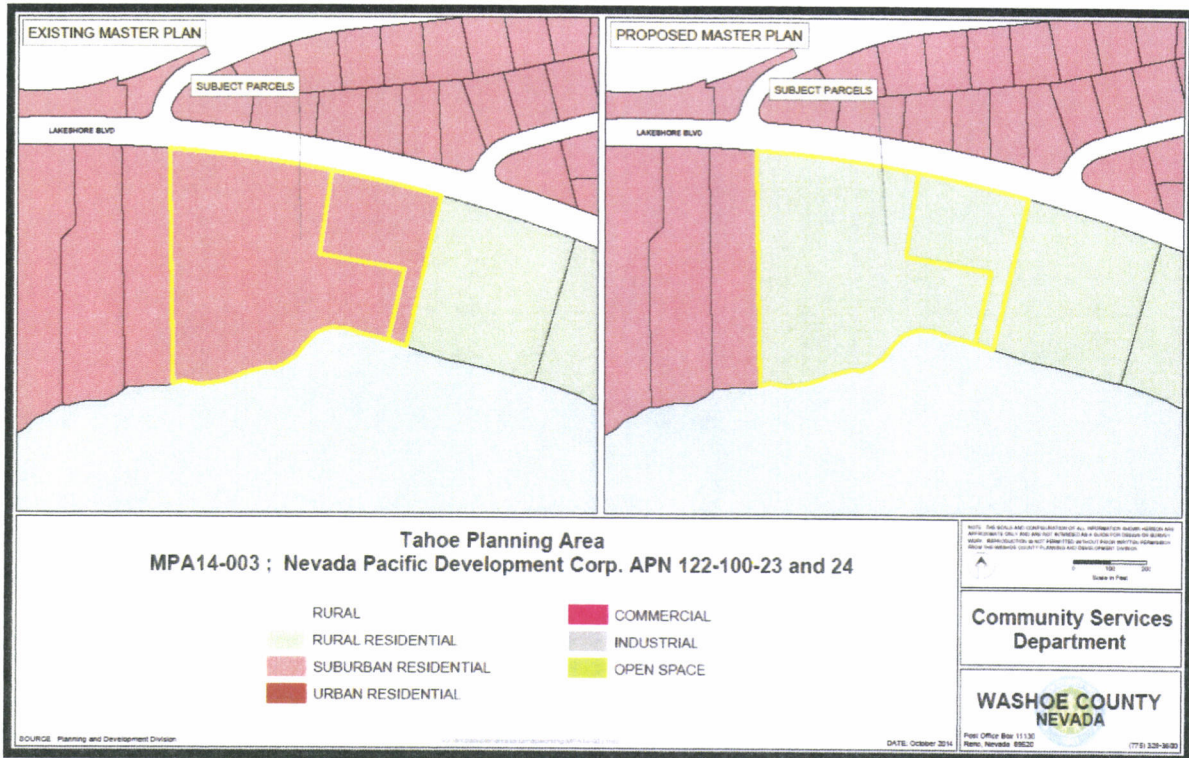


Vicinity Map

Existing Conditions

All the properties fronting Lake Tahoe and designated as Suburban Residential (SR) are between ± 0.8 and ± 6 acres, with most properties averaging about 2 acres. Under Suburban zoning classifications, lots would normally range for 5,000 square feet to one acre. The two subject parcels are approximately six acres and two acres in size. While the properties just north of the subject parcel (north side of Lakeshore Boulevard) average 17,500 square feet (± 0.4 acres).

Since properties in the Lake Tahoe basin cannot be subdivided per the Tahoe Regional Planning Agency's regulations, the suburban designation is not consistent with the existing development pattern of the lakeshore properties.



Existing and Proposed Master Plan Maps

Change of Conditions

When Washoe County changed from a one-map to the two-map system, staff did not review or do an analysis to determine what Master Plan categories should apply to the parcel base. To expedite the conversion and avoid a prolonged review process, the existing zoning dictated what the Master Plan categories would be.

In addition, the current zoning was based on the land use categories that were in place pre-1993. During the 1993 conversion to a new code, staff attempted to give properties a zoning classification that was a close comparison to what was already in place. This matching and overlaying of zoning and master plan classifications has sometimes resulted in a patchwork of zoning classification not based on lot size or character of the area. In some areas the zoning conversion created numerous non-conforming lots, which has been addressed only when a property owner has requested a change of zoning or the County had realized an error was made during a conversion to a new map system. This current proposed amendment of the Master Plan and zoning has been requested by the property owner.

Consistency with Master Plan Map

The applicant has proposed amending the Master Plan Map, changing the subject parcels from Suburban Residential (SR) to Rural Residential (RR), so that the proposed rezoning of the

parcels from High Density Suburban (HDS) to High Density Rural (HDR) remains in conformance with the Master Plan Map.

Over the past ten years, numerous community workshops have been held in Incline Village to determine what the community is and should look like. One of the major points that have been expressed is that the community likes the Incline Village planned development that was created in the 1960's. The community has expressed that they don't want a lot of change, especially in the residential areas. Redevelopment of the commercial areas is supported by most of the public as long as it doesn't create an urban development feel, like South Lake Tahoe. The idea of increasing density in the village center is still being debated, but increasing density in the residential areas has been negatively received.

The community likes the one house per parcel standard with the potential to have a guest house of a limited size. This has not created any controversy.

Desired Pattern of Growth

Properties abutting Lake Tahoe are highly desirable, command extremely high market prices, are very limited and hard to obtain. The pattern of growth has been influenced by TRPA regulations that limit development, control growth and restrict development along the lake shore. While the Tahoe Area Plan states that the vision is for higher density urban growth, TRPA regulations permit urban development only in the identified town centers. The subject parcel is not in a town center.

Areas outside of the Town Centers are restricted to one house per parcel with the possibility of an additional guest house. These development limits have routinely been supported and affirmed by the public at the many public "Visioning Workshops", neighborhood meetings and "Place Based Design" meetings held in Incline Village over the past 10 years.

In addition, the Rural Residential Master Plan classification supports the protection of the TRPA Scenic Corridor along Lakeshore Boulevard and from the waters of Lake Tahoe. Protection of scenic corridors is a requirement of the TRPA Compact that guides all development in the Tahoe Basin. The Rural Residential classification also encourages the goal of creating suburban and urban development in the town centers, by removing the potential to develop high density residential uses in the future.

Availability of Facilities

Both subject parcels are currently served by existing infrastructure (sewer and water provided by Incline Village General Improvement District) and public streets and facilities. The proposed master plan amendment reduces the potential for higher density, therefore reducing the potential need for additional public safety, schools and utility needs in the future.

Tahoe Area Plan Assessment

Land Use Plan

"Using Washoe County population projections for the year 2020, the intensity of development needed to accommodate projected population growth for the area was determined. The limiting factor of available buildable lots will restrict growth in the Incline Village/Crystal Bay area. There were less than 300 buildable lots in 1999. Gentrification of existing residential properties is an established pattern that will continue. Residential properties will increasingly be utilized by year-round residents instead of second home residents".

Staff Comments: The Tahoe Area plan predicted that the residential population of Incline Village and Crystal Bay would continue to grow from 9,952 in 2000 to 11,300 by 2020, and more people would make this area their main residence. In reality, the population had fallen to 8,777 in 2010 and the US Census Demographic and Housing Estimate for 2012, estimated the population at 7,963 with a ± 0.7 margin of error. In 2004, a new elementary school was constructed to relieve overcrowding, but enrollment has fallen from a high of 712 in 1999 to 427 for 2013-2014. The presumption that Incline Village and Crystal Bay's population would become more of a year round residential area instead of second homes has not come to fruition and needs to be re-evaluated.

Residential

"The Tahoe planning area is unique as compared to the remainder of the County because of the oversight of the Tahoe Regional Planning Agency which controls growth and development within the Tahoe Basin; and the Incline Village portion of the planning area began as a planned community at its inception and because of the strict environmental controls that direct development. Given these and other factors, the direction of future residential growth is established. Areas currently in residential use are planned for infill, at medium to high density suburban, on lots that are developable."

Staff comments: The proposed Rural Residential master plan designation permits residential development, but does not support the predicted population growth. Due to Tahoe Regional Plan regulations, subdivision of land creating new parcels is prohibited, so the number of vacant parcels is limited. According to TRPA records there are 219 vacant parcels in Incline Village and Crystal Bay. Because of the limited inventory of lots, infill and redevelopment is encouraged within the Town Centers. TRPA encourages redevelopment of the town centers by permitting higher densities within the town centers when certain conditions are met. The properties involved in this master plan amendment are not within the town centers, therefore not eligible for a density bonus. The TRPA regulations do not permit the properties to be developed to the maximum density permitted under the high density zoning designation that is currently in place.

T.1.4 Encourage attainment and maintenance of TRPA's scenic quality thresholds.

Staff comments: Both of the subject properties are located in a scenic corridor and are visible from both the lake and Lakeshore Boulevard. Designating the property as Rural Residential will assist in maintaining the view of the lake and the roadway by not allowing higher density development on the property.

T.2.4 Restore and/or revegetate disturbed areas using TRPA's approved plant list.

Staff comments: The removal of the house located at 593 Lakeshore permits the restoration and revegetation of the Second Creek stream environment. Any new structures will need to be relocated to an area on the property that is determined to be a higher capability land. The Rural Residential master plan designation supports the restoration and revegetation of the property.

T.3.1 Encourage existing and future developments in all land use designations to participate in long-term remedial erosion and urban runoff control programs to decrease the level of sediment and nutrient loading to Lake Tahoe.

Staff comments: See previous comment.

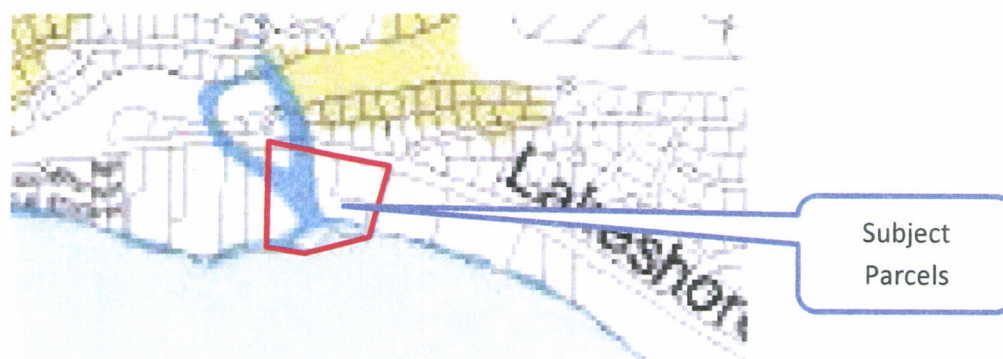
T.5.4 Minimize high traffic generating land uses in residential areas and locate them where the traffic circulation system can support the expected traffic.

Staff comments: Reclassifying the properties to Rural Residential master plan and a High Density Rural zoning classification will minimize the potential traffic generation from the properties by reducing the density permitted under the High Density Suburban designation.

Development Suitability within the Tahoe Area Plan

Because Second Creek runs through 593 Lakeshore Boulevard, a large portion of the property is designated 100-year Flood Hazard. TRPA site assessment concurs with the Development Suitability map and designates much of the property as sensitive or stream environment zones. Removing existing development and restoring functioning stream environment zones is highly encouraged to protect and improve Lake Tahoe's water quality and clarity.

The proposed Master Plan amendment does much to preserve and protect Second Creek and the surrounding stream environment zone by reducing future potential for more development within the identified 100-year Flood Hazard area on the subject properties.



Extract from Tahoe Area Plan Development Suitability Map

Citizen Advisory Board (CAB)

The proposed amendment was submitted to the members of the Incline Village/Crystal Bay Citizen Advisory Board (IVCB CAB). The IVCB CAB does not meet between the months of October and March, so the CAB members were asked to submit their written comments.

CAB Member Judy Miller forwarded her comments to staff. Mrs. Miller's comment sheet is attached as Exhibit E.

- The Master Plan describes Rural Residential as "where the County seeks to conserve the large lot residential lifestyle that has endured as a chief component of the regions overall character" but there are very few properties in the Incline Village area that are designated Rural Residential.
- Recommends that the property not be changed from Suburban Residential Master Plan classification.

Staff Comments: When Washoe County went to the 2-map system, staff did not review or do an analysis to determine what master plan categories should apply to the parcel base. To expedite the conversion, and avoid potential litigation the existing zoning dictated what the master plan categories would be. In turn, the current zoning was based on the land use categories that were in place pre-1993. During that conversion to a new code, staff attempted to give properties a zoning classification that was a close comparison to what was already in place. This matching and overlaying of zoning and master plan classifications has resulted in a

patchwork of zoning classification not based on lot size or character of the area, and has created numerous non-conforming lots.

The subject parcels and the lots to the east and west are all about one acre or more in size and are developed as single-family residences. None of these properties are envisioned to be suitable for High Density Suburban development, yet the subject properties and the properties to the west are all zoned as such (HDS) and the properties to the west are designated as High Density Rural (HDR).

- The public needs to be made aware that the proposed re-zoning will allow a detached accessory dwelling unit if approved.

Staff Comments: The applicant is required to hold a neighborhood meeting to explain to the surrounding property owners the reasons for the Master Plan request.

Staff created a mailing list for the applicant's representative, Nick Exline from Midkiff and Associates. On October 23, 2014 Mr. Exline mailed a notice of a community meeting to 52 property owners.

The community meeting was held on November 5, 2014 at the Incline Library from 5:30 to 7:30 p.m. Three people attended the meeting, asking what the proposal was about. Prior to the meeting Mr. Exline received one inquiry and Washoe County Staff received three phone calls. No negative comments were received.

- Are they building condos? – The proposed rezoning would reduce the allowable density, so it would not make sense to change the zoning to HDR if a condominium were being proposed.
- What can they do with the property? – A master plan amendment is required to change the zoning to High Density Rural. The zoning amendment would increase setbacks requirements and decrease allowable density and a 1,500 square foot guest house could be permitted.

A copy of the Community Meeting notice is attached as Exhibit F.

Public Notice

Notice for Master Plan and Regulatory Zone amendments must be given in accordance with the provisions of Nevada Revised Statutes 278.260, as amended.

Owners of all real property to be noticed are owners identified on the latest County Assessor's ownership maps and records. Such notice has complied when notice is sent to the last known addresses of such real property owners as identified in the latest County Assessor's records. Any person who attends the public hearing is considered to be legally noticed unless those persons can provide evidence that they were not notified according to the provisions of Washoe County Development Code Section 110.821.20.

A minimum of 30 property owners within 750 feet of the area to which the proposed amendment pertains must be noticed by mail at least 10 days before the public hearing date. Notice must also be given in a newspaper of general circulation within Washoe County at least 10 days before the public hearing date.

Noticing for this proposal: 51 property owners within 750 feet of the subject parcels were noticed by mail not less than 10 days before today's public hearing. Noticing Map is attached as Exhibit G.

Agency Comments

The proposed amendment was submitted to the following agencies for review and comment:

- Engineering and Capital Projects Division
- Building and Safety Division
- Environmental Health
- Incline Village General Improvement District
- Nevada State Lands
- Nevada Tahoe Conservancy
- North Lake Tahoe Fire Protection District
- Tahoe Regional Planning Agency
- US Forest Service
- Regional Transportation Commission

The follow agencies responded that they had no comments, conditions or objections (Exhibits H though L):

- Building and Safety Division, Don C Jeppson, Building Official
- Environmental Health, James English, EHS Supervisor
- North Lake Tahoe Fire Protection District, Mark Regan, Assistant Fire Marshal
- Incline Village General Improvement District, Tim Buxton, Chief Inspector
- Regional Transportation Commission, Debra Goodwin, Planning Administrator

Required Findings for a Master Plan Amendment

Washoe County Development Code Section 110.820.15 of Article 820, Amendment of Master Plan, requires that at least three of the following findings be made to the satisfaction of the Washoe County Planning Commission before recommending adoption to the Board of County Commissioners. Staff has completed an analysis of the Master Plan Amendment application and has determined that the proposal is in compliance with the required findings as follows.

1. Consistency with Master Plan. The proposed amendment is not in substantial compliance with the policies and action programs of the Master Plan. (Denial)

Staff Comment: The Tahoe Area Plan states the area will in-fill to become a medium to high density suburban community. This amendment does not support high density development. The proposed amendment does support the same Tahoe Area Plan Policies and Action Plan, and does not conflict with the remaining Policies or Actions.

2. Compatible Land Uses. The proposed amendment will provide for land uses compatible with existing adjacent land uses, and will not adversely impact the public health, safety or welfare. (Approval)

Staff Comment: The land use is consistent and compatible with the properties surrounding the subject parcels. The proposed amendment will permit the subject parcel

to build a detached accessory dwelling, which is also permitted on the properties to the north and east.

3. Response to Changed 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. (Approval)

Staff Comment: The predicted patterns of growth have not occurred. The population has declined, full time year round residences have diminished in favor of second homes and vacation rental properties, and the 2012 TRPA Regional Plan provides incentives moving infill development from sensitive lands and areas outside of town centers to inside town centers. The subject properties are both outside of the town centers and contain environmentally sensitive land.

4. Availability of Facilities. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed Master Plan designation. (Approval)

Staff Comment: There is proper access via public streets, sewer and water is provided by Incline Village GID, and there are fire, sheriff and County services available to the subject area. The master plan amendment reduces the ability to increase development on the property, thereby reducing the future demand for additional facilities and services.

5. Desired Pattern of Growth. The proposed amendment will not 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. (Denial)

Staff Comments: The projected population growth of the area has not occurred. The desired pattern of development was based on the projected population, and is not consistent with the community's vision for future of the Tahoe Area, based on numerous community workshops held over the past 10 years. The proposed amendment supports the communities vision and the current patterns of growth of the area.

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

Staff Comment: There are no Military Installations in the surrounding area.

Recommendation

Those agencies which reviewed the application stated they had no objections to the approval of the proposed master plan amendment. Therefore, after a thorough analysis and review, it is recommended that the proposed Master Plan Amendment be recommended for adoption to the Board of County Commissioners. The following motion is provided for your consideration:

Motion

Staff has provided a motion and finding worksheet for the Commissioners' use during the hearing. The worksheets are attached to this report.

Exhibit A is the motion to adopt. The Commission must be able to make three of the findings to adopt the amendment. Exhibit B is the motion to deny.

Appeal Process

An action of denial by the Planning Commission may be appealed to the Board of County Commissioners as specified in the Washoe County Development Code Section 110.821.25 within 10 days after the date of decision. If the end of the appeal period falls on a non-business day, the appeal period shall be extended to include the next business day.

xc: Applicant/Owner: Nevada Pacific Development Corporation
P.O. Box 4204
Incline Village, NV 89450

Consultant: Midkiff and Associates, Inc., Nick@midkiffandassoc.com

Action Order xc: Greg Salter, Esq., District Attorney's Office; Carol Buonanoma, Assessor's Office (CAAS); Theresa Wilkins, Assessor's Office; Incline Village/Crystal Bay Citizen Advisory Board; Incline Village General Improvement District, 893 Southwood Boulevard, Incline Village, NV 89451.

Motion and Findings to Adopt Master Plan Amendment

Motion:

I move that, after giving reasoned consideration to the information in the staff report and testimony and evidence produced at the public hearing, the Washoe County Planning Commission can make at least three of the following findings and based on those findings approve Resolution Number 14-_____ adopting MPA14-003 to amend the Tahoe Area Plan Master Plan Map being part of the Washoe County Master Plan, changing the Master Plan designation of APN122-100-23 and APN 122-100-24 (593 and 601 Lakeshore Boulevard, respectively) from Suburban Residential (SR) to Rural Residential (RR) as shown in Exhibit C and authorizing the chair to sign the resolution, Exhibit D.

#	Reference	Finding	Notes
Findings required by WCC 110.820.15 (indicate at least three)			
1.	820.15.(d)(1)	<u>Consistency with Master Plan.</u> The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan.	
2.	820.15(d)(2)	<u>Compatible Land Uses.</u> 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.	820.15(d)(3)	<u>Response to Changed Conditions.</u> 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	820.15 (d)(4)	<u>Availability of Facilities.</u> 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.	820.15(d)(5)	<u>Desired Pattern of Growth.</u> 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	820.15(d)(6)	<u>Effect on Military Installation.</u> The proposed amendment will not affect the location, purpose and mission of any military installation.	

Motion and Findings to Deny Master Plan Amendment

Motion:

I move that, after giving reasoned consideration to the information in the staff report and testimony and evidence produced at the public hearing, the Washoe County Planning Commission make the following findings and based on those findings **DENY** the proposed amendments to the Washoe County Master Plan Tahoe Area Plan (MPA 14-003).

#	Reference	Finding	Notes
Findings required by WCC 110.820.15 (indicate at least three)			
1.	820.15.(d)(1)	<u>Consistency with Master Plan.</u> The proposed amendment is not in substantial compliance with the policies and action programs of the Master Plan.	
2.	820.15(d)(2)	<u>Compatible Land Uses.</u> The proposed amendment would result in land uses which are incompatible with (existing or planned) adjacent land uses, and would adversely impact the public health, safety or welfare.	
3.	820.15(d)(3)	<u>Response to Changed Conditions.</u> The proposed amendment does not identify and respond to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment does not represent a more desirable utilization of land.	
4.	820.15(d)(4)	<u>Availability of Facilities.</u> There are not nor are there planned to be adequate transportation, recreation, utility and other facilities to accommodate the uses and densities permitted by the proposed Master Plan designation.	
5.	820.15(d)(5)	<u>Desired Pattern of Growth.</u> The proposed amendment does not promote the desired pattern for the orderly physical growth of the County. The proposed amendment does not guide 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.	820.15(d)(6)	<u>Effect on Military Installation.</u> The proposed amendment will affect the location, purpose and mission of any military installation.	



RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

ADOPTING AN AMENDMENT TO THE WASHOE COUNTY MASTER PLAN, TAHOE AREA PLAN (MPA14-003), AND RECOMMENDING ITS ADOPTION TO THE BOARD OF COUNTY COMMISSIONERS

Resolution Number 14-

Whereas Master Plan Amendment Case Number MPA14-003, came before the Washoe County Planning Commission for a duly noticed public hearing on December 2, 2014; and

Whereas the Washoe County Planning Commission heard public comment and input from both staff and applicant representatives regarding the proposed Master Plan amendment; and

Whereas the Washoe County Planning Commission has given reasoned consideration to the information it has received regarding the proposed Master Plan Amendment; and

Whereas the Washoe County Planning Commission has made four findings necessary to support adoption of this proposed Master Plan amendment as set forth in NRS Chapter 278 and Washoe County Development Code, Article 820, Amendment of Master Plan; and

Whereas, pursuant to Washoe County Code Section 110.820.15(d), in making this recommendation, the Washoe County Planning Commission finds that this proposed Master Plan Amendment::

1. Will result in land uses which are compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare;
2. Identifies and 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;
3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed Master Plan designation; and,
4. Will not affect the location, purpose and mission of a military installation.

Now, therefore, be it resolved that pursuant to NRS 278.210(3) that the (1) Washoe County Planning Commission does hereby adopt the proposed Master Plan Amendment in Master Plan Amendment Case Number MPA14-003, comprised of the maps, descriptive matter and other matter intended to constitute the amendment as submitted at public hearing noted above. A

certified copy of this resolution shall be submitted to the Board of County Commission and any appropriate reviewing agencies in accordance with NRS 278.220.

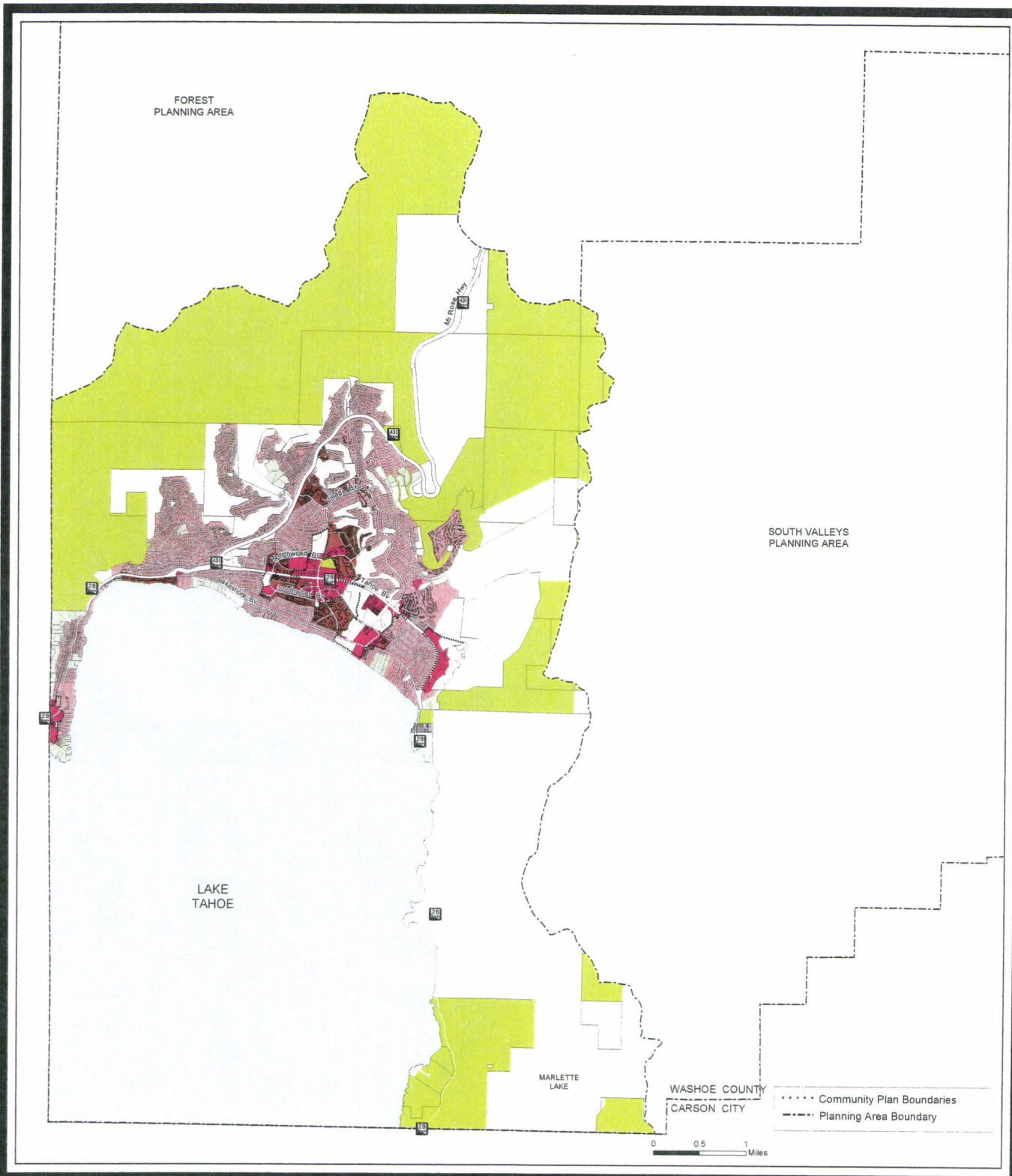
ADOPTED on December 2, 2014.

WASHOE COUNTY PLANNING COMMISSION

ATTEST:

Carl R. Webb, Jr., AICP, Secretary

Roger Edwards, Chair



TAHOE MASTER PLAN MAP

- RURAL
- RURAL RESIDENTIAL
- SUBURBAN RESIDENTIAL
- URBAN RESIDENTIAL
- COMMERCIAL
- INDUSTRIAL
- OPEN SPACE

NOTE THE SCALE AND CONFIGURATION OF ALL INFORMATION SHOWN HEREON ARE APPROXIMATE ONLY AND ARE NOT INTENDED AS A GUIDE FOR DESIGN OR SURVEY WORK. REPRODUCTION IS NOT PERMITTED WITHOUT PRIOR WRITTEN PERMISSION FROM THE WASHOE COUNTY PLANNING AND DEVELOPMENT DIVISION.

G:\mxd\planning\maps\maps\mmp\TA14-003.mxd

CERTIFICATION
THIS DOCUMENT HAS BEEN REVIEWED AND APPROVED AS AN ACCURATE REPRESENTATION OF THE ADOPTED MASTER PLAN MAPS OF WASHOE COUNTY, NEVADA, BY THE WASHOE COUNTY PLANNING AND DEVELOPMENT DIVISION.

DATE _____ DIRECTOR _____

**Community Services
Department**

**WASHOE COUNTY
NEVADA**

Post Office Box 11130
Reno, Nevada 89520

Washoe County Citizen Advisory Boards CAB Member Worksheet



Citizen Advisory Board: Incline Village/Crystal Bay _____

Meeting Date (if applicable): n/a _____

Topic or Project Name (include Case No. if applicable): MPA14-003, RZA14-006 _____

Please check the appropriate box:

My comments were (or) were not discussed during the meeting.

Identified issues and concerns:

The stated reason for the requested changes is not supported by the "Master Plan Intent" or by the lot size table referred to in the application. The Master Plan is supposed to guide land use in the future, not necessarily reflect the current state. Applicant claims that the current regulatory zone is "an error" because the lot size of the parcels is much larger than the minimum 5000 sq. ft. Development code language describing lot size says the numbers represent the minimum lot size required for a newly created lot in a subdivision (not the size of an existing lot in that regulatory zone).

When I read the Master Plan descriptions of the Rural Residential designation, the only part that might conceivably be applicable is that the Rural Residential designation supports large lots where they are predominant, i.e. "where the County seeks to conserve the large lot residential lifestyle that has endured as a chief component of the region's overall character."

However, out of over 7000 parcels in Incline Village, there are fewer than 20 that have the Rural Residential designation (not a "chief component"); those numbers don't support the proposed amendment to change from a Suburban designation to Rural Residential. None of the other purposes for the Rural Residential designation apply here ("small scale agricultural uses, natural resource conservation, and rural commerce"). For these reasons, I do not believe the proposed amendment is consistent with the Master Plan.

I also have concerns that the application does not inform the public of the potential effects of approving the amendments. The main difference I perceived (there certainly may be others) was that current zoning does not allow a secondary detached dwelling unit, but the proposed zoning would. It is not easy to discern from the application that instead of having one house on each lot, the new regulatory zone would allow two (main house and detached accessory dwelling unit) on each lot.

Suggested alternatives and/or recommendations:

I believe the existing (Suburban) Master Plan designation for these parcels is appropriate.

Before any amendment is considered by the Planning Commission, the public/neighbors should be made aware that the proposed regulatory zone will allow a secondary detached dwelling unit on each lot.

Name Judy Miller Date: 6 October 2014

(Please Print)

Signature: _____

Judy Miller

This worksheet may be used as a tool to help you take notes during the public testimony and discussion on this topic/project. Your comments during the meeting will become part of the public record through the minutes and the CAB action memorandum. Your comments, and comments from other CAB members, will and shall not collectively constitute a position of the CAB as a whole.

If you would like this worksheet forwarded to your Commissioner, please include his/her name.

Commissioner's Name: Marsha Berkgigler

Use additional pages, if necessary.

Please mail, fax or email completed worksheets to: Washoe County Manager's Office
Attention: CAB Program
Post Office Box 11130, Reno, NV 89520-0027
Fax: 775.328.2037
Email: cab@washoecounty.us

NOTICE OF NEIGHBORHOOD MEETING

A public meeting will be held on November 5, 2014 at the Incline Village Library located at 845 Alder Ave., Incline Village from 5:30 – 7:30pm to explain and discuss proposed amendments.

NEVADA PACIFIC DEVELOPMENT CORPORATION 593 AND 601 LAKESHORE BOULEVARD, INCLINE VILLAGE ASSESSOR'S PARCEL NUMBERS (APNs) 122-100-23 AND 122-100-24 MASTER PLAN AMENDMENT/REGULATORY ZONE AMENDMENT

Applicant: Nevada Pacific Development Corporation
Property Owner: Nevada Pacific Development Corporation
Location: 593 and 601 Lakeshore Boulevard, Incline Village
Assessor's Parcel Numbers: 122-100-23 and 122-100-24
Parcel Size : 9.1 Total Acres
Current Master Plan Category: Suburban Residential (SR)
Proposed Master Plan Category: Rural Residential (RR)
Current Regulatory Zone: High Density Suburban (HDS)
Proposed Regulatory Zone: High Density Rural (HDR)
WCC 110 Article 820 (Master Plan Amendment) and Article 821 (Regulatory Zone Amendment).
Development Code:
Area Plan: Tahoe
Citizen Advisory Board: Incline Village/Crystal Bay
Commission District: 1 - Commissioner Berkbigler
Section Township Range: Section 17, T16N, R18E, MDM Washoe, NV

Proposal - The Applicant/Property Owner is proposing a Master Plan Amendment and Regulatory Zone Amendment (discussed below) on the subject parcels to reduce density, increase lot size and setback requirements set out in Washoe County Development Code Table 110.406.05. A community meeting will be held on November 5, 2014 at the Incline Village Library from 5:30 – 7:30pm.

Master Plan Amendment Case Number MPA14-003 – To amend the master plan map within the Tahoe Area Plan, being part of the Washoe County Master Plan, changing the master plan designation of 593 and 601 Lakeshore Boulevard from Suburban Residential (SR) to Rural Residential (RR).

AND

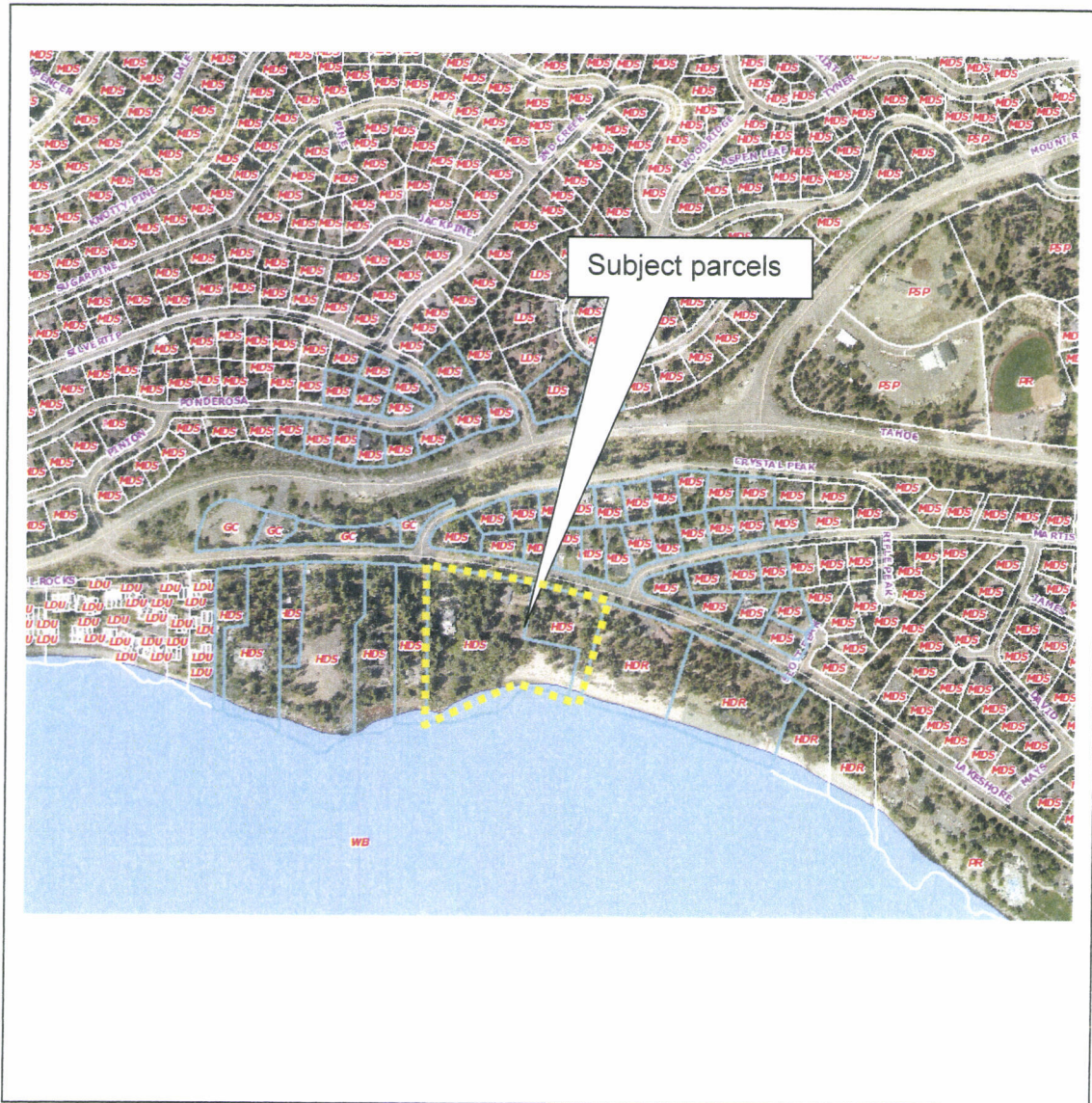
Regulatory Zone Amendment Case Number RZA14-006 – To amend the regulatory zone map within the Tahoe Area Plan, being part of the Washoe County Comprehensive Plan, changing the zoning designation of 593 and 601 Lakeshore Boulevard from High Density Suburban (HDS) to High Density Rural (HDR). To reflect requested changes and to maintain currency of planning area data, administrative changes are proposed. These administrative changes include a revised map with updated parcel base, and other matters properly relating thereto without prejudice to the final dispensation of the proposed amendments.

Contact Information: If you have any questions/comments please contact Nick Exline of Midkiff and Associates, Inc. (775-588-1090 / nick@midkiffandassoc.com) or Eva Krause of Washoe County Community Services (775-328-3797 / ekrause@washoecounty.us).

**MPA14-003
EXHIBIT F**

Public Notice

Pursuant to Washoe County Development Code Section 110.821.20 and 110.820.23 public notification consists of notification by mail of at least 30 separate property owners within a minimum 750 foot radius of the subject property. This proposal was noticed within a 750 foot radius of the subject property, noticing 51 separate property owners. Also, a notice setting forth the date, time and place of the public hearing was published in the Reno Gazette Journal 10 days prior to today's public hearing.



NOTICING MAP

From: Fagan, Donna
Sent: Tuesday, September 23, 2014 2:57 PM
To: Whitney, Bill; Jeppson, Don C; Budge, Jennifer; Smith, Dwayne E.; Solaro, David; Giesinger, Chad; Fox, Moni
Subject: Second September Agency Review

Please find attached, the second Agency Review Memo with the cases received this month by CSD, Planning and Development.

You've each been asked to review the below-listed item number; item descriptions and links to the applications are provided in the memo.

Bill: Item 2
Don: Item 1
Jen (parks/os): Item 1
Dwayne: Items 2 and 3
Dave: Item 3
Chad and Moni: Item 1 and 2

Thank you,
Donna

EXHIBIT H

From: Jeppson, Don C
Sent: Friday, September 26, 2014 1:27 PM
To: Fagan, Donna
Subject: RE: Second September Agency Review

B&S has no plan review comments.

EXHIBIT I

From: English, James
Sent: Tuesday, October 07, 2014 10:25 AM
To: Krause, Eva
Cc: English, James
Subject: MPA14-003 and RZA14-006 (Nevada Pacific Development)

October 7, 2014

The Washoe County Health District Environmental Health Services Division, has reviewed the master plan and regulatory zone amendment cases referenced above amendments and has no objections, comments or conditions for the items. Please contact me with any questions.

EXHIBIT H through J

Regards,

James English, REHS, CP-FS
EHS Supervisor
Waste Management/Land Development Programs

EXHIBIT J

From: Fagan, Donna
Sent: Tuesday, September 23, 2014 4:01 PM
To: Krause, Eva
Subject: FW: Second September Agency Review
Attachments: Mark Regan.vcf

For your records.

From: Regan, Mark [mailto:mregan@nltpd.net]
Sent: Tuesday, September 23, 2014 3:59 PM
To: Fagan, Donna
Subject: RE: Second September Agency Review

We are good with #2 I'll send a letter later



Development Review Status Sheet

Date: 10-3-14

Attention: Eva Krause
Washoe County Department of Community Development
PO Box 11130, Reno NV 89520

RE: MPA-14-003 & RZA 13-004
APN: 122-100-23 & 122-100-24
Service Address: 593-601 Lakeshore

Owner: Nevada Pacific Development Corporation

Phone: Fax: Email:

Mailing Address: 948 Incline Way

Request:

- Applicant: Nevada Pacific Development Corporation
• Property Owner: Nevada Pacific Development Corporation
• Location: 593 and 601 Lakeshore Boulevard, Incline Village
• Assessor's Parcel Numbers: 122-100-23 and 122-100-24
• Parcel Size: 9.1 acres total
• Current Master Plan Category: Suburban Residential (SR)
• Proposed Master Plan Category: Rural Residential (RR)
• Current Regulatory Zone: High Density Suburban (HDS)
• Proposed Regulatory Zone: High Density Rural (HDR)
• Development Code: Authorized in Article 820, Amendment of Master Plan; and Article 821, Amendment of Regulatory Zone
• Area Plan: Tahoe
• Citizen Advisory Board: Incline Village/Crystal Bay
• Commission District: 1 - Commissioner Berkgigler
• Section/Township/Range: Section 17, T16N, R18E, MDM, Washoe, NV
• Staff: Eva M. Krause, AICP, Planner Washoe County Community Services Department Planning and Development Division
• Phone: 775-328-3796
• E-mail: ekrause@washoecounty.us

Comments and Conditions: No Impact to the Incline Village General improvement District

Completed by: Tim Buxton, Chief Inspector
Phone: (775) 832-1246 Fax: (775) 832-1260

Incline Village General Improvement District, 1220 Sweetwater Road, Incline Village NV 89451

The contents of this transmission are intended only for the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination,

distribution, or copying of this communication is strictly prohibited. If you receive this communication in error, please notify us immediately by telephone and return the original to us at the above address via US Postal Service. We will reimburse you for your postage. Thank you.

Note: Send information to the case planner as prescribed on the memo from Dawn or the Washoe County Development. TLB



REGIONAL TRANSPORTATION COMMISSION

Public Transportation Streets and Highways Planning

October 2, 2014

FR: Chrono/PL 183-14

Mr. Trevor Lloyd, Senior Planner
Ms. Eva Krause, Planner
Washoe County Community Services Department
Planning and Development Division
P.O. Box 11130
Reno, NV 89520

**RE: RZA14-004 AND TM14-002 (AUTUMN TRAILS)
MPA14-003 AND RZA13-004 (NEVADA PACIFIC DEVELOPMENT
CORPORATION)**

We have reviewed the above applications and have no comments.

Thank you for the opportunity to comment on these applications. Please feel free to contact me at 335-1918 if you have any questions or comments.

Sincerely,

Debra Goodwin
Planning Administrator

DG/jm

**Copies: Bill Whitney, Washoe County Community Services Department
Marchon Miller, Regional Transportation Commission
Tina Wu, Regional Transportation Commission**

/Washoe County no comment 101014

Community Services Department
Planning and Development
**MASTER PLAN AMENDMENT
APPLICATION**



Community Services Department
Planning and Development
1001 E Ninth St., Bldg A.
Reno, NV 89520

Telephone: 775.328.3600

Washoe County Development Application

Your entire application is a public record. If you have a concern about releasing personal information, please contact Planning and Development staff at 775.328.3600.

Project Information		Staff Assigned Case No.: _____	
Project Name: Nevada Pacific Development Corp Master Plan Amendment			
Project Description: The applicant is proposing to ammend the existing Master Plan for two (2) parcels in Incline Village (subject parcels). The existing zoning on the subject parcels is incorrect per table 110.406.05.1. Please see attached submittal letter for additional information.			
Project Address: 593 and 601 Lakeshore Blvd, Incline Village, Nevada			
Project Area (acres or square feet): 593 (276,190s.f./6.3 acres) 601 (76,854 s.f./1.8 acres)			
Project Location (with point of reference to major cross streets AND area locator): Approximatley .32 miles east of the westerly intersection of Lakeshore Blvd and HWY 28.			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No(s):	Parcel Acreage:
122-100-23	6.3		
122-100-24	1.8		
Section(s)/Township/Range: Sec 17/ T 16/ R 18			
Indicate any previous Washoe County approvals associated with this application: Case No.(s).			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
Name: Nevada Pacifdic Devel Corp		Name: Midkiff and Associates, Inc.	
Address: P.O. Box 4204		Address: P.O. Box 12427	
Incline Village, NV Zip: 89450		Zephyr Cove, NV Zip: 89448	
Phone: Contact Consultant Fax:		Phone: 775-588-1090 Fax: 775-588-1091	
Email:		Email: nick@midkiffandassoc.com	
Cell: Other:		Cell: 775-240-9361 Other:	
Contact Person:		Contact Person: Nick Exline	
Applicant/Developer:		Other Persons to be Contacted:	
Name: Same as Property Owner		Name:	
Address:		Address:	
Zip:		Zip:	
Phone: Fax:		Phone: Fax:	
Email:		Email:	
Cell: Other:		Cell: Other:	
Contact Person:		Contact Person:	
For Office Use Only			
Date Received: Initial:		Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

Master Plan Amendment Supplemental Information

(All required information may be separately attached)

Chapter 110 of the Washoe County Code is commonly known as the Development Code. Specific references to Master Plan amendments may be found in Article 820, Amendment of Master Plan.

The Washoe County Master Plan describes how the physical character of the County exists today and is planned for the future. The plan is adopted by the community and contains information, policies and a series of land use maps. The Master Plan provides the essential framework for creating a healthy community system and helps guide decisions about growth and development in the County. The following are general types of requests the County receives to amend the Master Plan. Please identify which type of amendment you are requesting:

<input checked="" type="checkbox"/> A request to change a master plan designation(s) from the adopted master plan and/or area plan maps
<input type="checkbox"/> A request to add, amend, modify or delete any of the adopted policies found in the elements of the Master Plan
<input type="checkbox"/> A request to add, amend, modify or delete any of the adopted policies in the area plans
<input type="checkbox"/> A request to add, amend, modify or delete specific language found in the area plans
<input type="checkbox"/> Other (please identify):

Please complete this questionnaire to ensure consistent review of your request to amend the Washoe County Master Plan. Staff will review the application to determine if the amendment request is in conformance with the policies and language within the elements and area plans of the Master Plan or if the information provided supports a change to the plan. Please provide a brief explanation to all questions.

1. What is the Master Plan amendment being requested at this time?

The two (2) subject parcels have a Washoe County recognized zoning of High Density Suburban (HDS). Per Washoe County Development Code Table 110.406.05.1 an HDS designation has a minimal area size of 5,000 s.f. 593 Lakeshore has an area of 6.3 acres (276,190 s.f.) and 601 Lakeshore has an area of 1.8 acres (76,854 s.f.) The current HDS zoning does not adhere to Washoe County lot size standards. The applicant is concurrently submitting a Boundary Line Adjustment application. Post BLA the lot size for 593 would be 6.178 acres (269,104 s.f.) and 601 2.0 acres (87,120 s.f.). These lot sizes will more closely adhere to the propose HDR County zoning lot size standards

2. What conditions have changed and/or new studies have occurred since the adoption of the Washoe County Master Plan that supports the need for the amendment request?

When the Washoe County Master Plan was adopted numerous parcels within the Incline Village/Crystal Bay area were incorrectly zoned as it pertains to the parcel size standards in Washoe County Development Code Table 110.406.05.1. The proposed amendment will correct the zoning error on the two (2) subject parcels when the Washoe County Master Plan was adopted.

3. Please provide the following specific information.
 a. What is the location (address or distance and direction from nearest intersection)? Please attach a legal description.

The subject Parcels 593 Lakeshore Blvd (APN 122-100-23) and 601 Lakeshore Blvd (APN 122-100-24) and located approximatley .32 miles east of the westerly intersection of Lakeshroe Blvd and HWY 28. See attachments for the legal dexcriptions for the two (2) subject parcels.

- b. Please list the following (attach additional sheet if necessary):

APN of Parcel	Master Plan Designation	Existing Acres	Proposed Master Plan Designation	Proposed Acres
122-100-23	Reisidential	6.3	HDR	6.178
122-100-24	Reisidential	1.8	HDR	2

c. What are the adopted land use designations of adjacent parcels?

North	Residential (MDS)
South	Lake Tahoe
East	Residential (HDR)
West	Residential (HDS)

4. Describe the existing conditions and uses located at the site or in the vicinity (i.e. vacant land, roadways, buildings, etc.):

The subject parcels formerly maintained single family residential units. The former single family residential units have been demolished and the property owner/applicant is in the midst of designing new single family residences for the subject parcels. The slope, vegetation, rock outcroppings and TRPA verified land capability boundaries can be found on the attached site plans and question 5 below. The existing/verified entitlements (ERUs & coverage) that have recently been demolished are documented within the attachments.

5. Describe the natural resources associated with the site under consideration. Your description should include resource characteristics such as water bodies, vegetation, topography, minerals, soils and wildlife habitat.

The subject parcels are bordered by Lake Tahoe to the south and Lakeshore Blvd to the north. The vegetation consists primarily of Jeffrey pine, white fir, squaw carpet and greenleaf manzanita. The 593 parcel also has some riparian vegetation (horsetail, juncus, sedge, alder, willows and scattered cottonwoods) abutting the stream channel located on that parcel. The subject parcels have typical backshore soils along the shoreline and high land capacities 2, 4 (Qb and Qc unsorted, poorly consolidated granitic alluvium) and 6 (IsD-inville stony coarse sand loam 2-9 percent slopes).

6. Describe whether any of the following natural resources or systems are related to the proposed amendment:

- a. Is property located in the 100-year floodplain? (If yes, please attach documentation of the extent of the floodplain and any proposed floodplain map revisions in compliance with Washoe County Development Code, Article 416, Flood Hazards, and consultation with the Washoe County Department of Public Works.)

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
---	-----------------------------

Explanation:

the 593 parcel has bot a Stream Environmental Zone (SEZ) and 100/500 year flood plain. The proposed Master Plan Ammendment will not impact the existing limitations in these areas.

- b. Does property contain wetlands? (If yes, please attach a preliminary delineation map and describe the impact the proposal will have on the wetlands. Impacts to the wetlands may require a permit issued from the U.S. Army Corps of Engineers.)

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--

Explanation:

NA

- c. Does property contain slopes or hillsides in excess of 15 percent and/or significant ridgelines? (If yes, please note the slope analysis requirements contained in Article 424, Hillside Development of the Washoe County Development Code.)

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--

Explanation:

NA

- d. Does property contain geologic hazards such as active faults; hillside or mountainous areas; is subject to avalanches, landslides, or flash floods; is near a stream or riparian area such as the Truckee River, and/or an area of groundwater recharge?

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
---	-----------------------------

Explanation:

the 593 parcel has bot a Stream Environmental Zone (SEZ) as delineated by TRPA (attached) and 100/500 year flood plain. The proposed Master Plan Ammendment will not impact the existing limitations in these areas. The 593 parcel also has some riparian vegetation (horsetail, juncus, sedge, alder, willows and scattered cottonwoods) abutting the stream channel located on that parcel.

- e. Does property contain prime farmland; is within a wildfire hazard area, geothermal or mining area, and/or wildlife mitigation route?

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--

Explanation:

NA

- 7 Please describe whether any archaeological, historic, cultural, or scenic resources are in the vicinity or associated with the proposed amendment:

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
---	-----------------------------

Explanation:

The subject parcels have no known archeologica, historic or cultural resources located onsite. The subject parcels are littoral parcels and are located on teh shores of Lake Tahoe. The proposed Master Plan Amendment will not have any impact on the existing shorezone resources as established by TRPA. If any project is proposed on teh subject parcels the project woudl need to adhere to TRPA Code Subsection 30.16.

8. Do you own sufficient water rights to accommodate the proposed amendment? (Amendment requests in some groundwater hydrographic basins [e.g. Cold Springs, Warm Springs, etc.] require proof of water rights be submitted with applications. Please provide copies of all water rights documents, including chain of title to the original water right holder.)

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
---	-----------------------------

If yes, please identify the following quantities and documentation numbers relative to the water rights:

a. Permit #	IVGID Water	acre-feet per year	
b. Certificate #		acre-feet per year	
c. Surface Claim #		acre-feet per year	
d. Other #		acre-feet per year	

- e. Please attach a copy(s) of the water rights title (as filed with the State Engineer in the Division of Water Resources of the Department of Conservation and Natural Resources):

Water provided by IVGID. See question 9 below.

- f. If the proposed amendment involves an intensification of land use, please identify how sufficient water rights will be available to serve the additional development.

NA

9. Please describe the source and timing of the water facilities necessary to serve the amendment:

a. System Type:

<input type="checkbox"/> Individual wells		
<input type="checkbox"/> Private water	Provider:	
<input checked="" type="checkbox"/> Public water	Provider:	Incline General Improvement District

b. Available:

<input checked="" type="checkbox"/> Now	<input type="checkbox"/> 1-3 years	<input type="checkbox"/> 3-5 years	<input type="checkbox"/> 5+ years
---	------------------------------------	------------------------------------	-----------------------------------

c. Washoe County Capital Improvements Program project?

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--

d. If a public facility is proposed and is currently not listed in the Washoe County Capital Improvements Program and not available, please describe the funding mechanism for ensuring availability of water service:

NA

10. What is the nature and timing of sewer services necessary to accommodate the proposed amendment?

a. System Type:

<input type="checkbox"/> Individual septic		
<input checked="" type="checkbox"/> Public system	Provider:	Incline Village General Improvement District

b. Available:

<input checked="" type="checkbox"/> Now	<input type="checkbox"/> 1-3 years	<input type="checkbox"/> 3-5 years	<input type="checkbox"/> 5+ years
---	------------------------------------	------------------------------------	-----------------------------------

c. Washoe County Capital Improvements Program project?

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
------------------------------	--

- d. If a public facility is proposed and is currently not listed in the Washoe County Capital Improvements Program and not available, please describe the funding mechanism for ensuring availability of sewer service. If a private system is proposed, please describe the system and the recommended location(s) for the proposed facility.

NA

11. Please identify the street names and highways near the proposed amendment that will carry traffic to the regional freeway system

The subject parcels are currently single family residential parcels. Following the proposed Master Plan Amendment the subject parcels will still be single family residential parcels. That being said, the subject parcels will connect to the regional freeway system via HWY 28 and HWY 431.

12. Will the proposed amendment impact existing or planned transportation systems? (If yes, a traffic report will be required. See attached Traffic Impact Report Guidelines.)

Yes No

13. Community Services (provided and nearest facility):

a. Fire Station	Mt. Rose Fire Station
b. Health Care Facility	Incline Village Community Hospital
c. Elementary School	Incline Elementary School
d. Middle School	Incline Middle School
e. High School	Incline High School
f. Parks	Burnt Cedar Beach & Pool
g. Library	Incline Village Library
h. Citifare Bus Stop	Tahoe Area Rapid Transit (TART)

14. Describe how the proposed amendment fosters, promotes or complies with the policies of the adopted area plans and elements of the Washoe County Master Plan:

a. Population Element:

No impact to population element.

b. Conservation Element:

No impact to conservation element.

c. Housing Element:

No impact to housing element.

d. Land Use and Transportation Element:

No impact to Land Use and Transportation Element.

e. Public Services and Facilities Element:

No impact to Public Services and Facilities Element.

f. Adopted area plan(s):

No impact to Tahoe Area Plan

15. If the area plan includes a Plan Maintenance component, address all policies and attach all studies and analysis required by the Plan Maintenance criteria.

NA

Applicant Comments

This page can be used by the applicant to support the master plan amendment request and should address, at a minimum, how one or more of the findings for an amendment are satisfied. (Please refer to Article 820 of the Washoe County Development Code for the list of Findings.)

For additional please see attached submittal letter.

EXHIBIT E

RE: Public Hearing: MPA14-003

Draft Minutes of the December 2, 2014 Planning Commission Meeting

The Washoe County Planning Commission met in a scheduled session on Tuesday, December 2, 2014, in the Washoe County Commission Chambers, 1001 East Ninth Street, Reno, Nevada.

8. Public Hearings

Agenda Item 8A

- A. Master Plan Amendment Case Number MPA14-003** – To amend the Master Plan map within the Tahoe Area Plan, being part of the Washoe County Master Plan, by changing the Master Plan designation at 593 and 601 Lakeshore Boulevard from Suburban Residential (SR) to Rural Residential (RR).

Ms. Krause reviewed her staff reports dated November 21, 2014.

Commissioner Prough asked if the two parcels would be issued one APN. Ms. Krause said that the property owner is proposing a boundary line adjustment to make the smaller parcel larger, and in that case the two properties would get new APNs. Commissioner Horan asked if the noticing requirements had been met. Ms. Krause said yes.

Mr. Exline of Midkiff and Associates, Inc., the applicant's representative, said that they were requesting the rezoning in order to maintain the community character with larger lots.

Commissioner Horan moved that, after giving reasoned consideration to the information in the staff report and testimony and evidence produced at the public hearing, the Washoe County Planning Commission can make at least three of the following findings, specifically Finding 1, 2, 3, 4 and 5, and based on those findings approve Resolution Number 14-27 adopting MPA14-003 to amend the Tahoe Area Plan Master Plan Map being part of the Washoe County Master Plan, changing the Master Plan designation of APN122-100-23 and APN 122-100-24 (593 and 601 Lakeshore Boulevard, respectively) from Suburban Residential (SR) to Rural Residential (RR) as shown in Exhibit C and authorizing the chair to sign the resolution, Exhibit D.

#	Reference	Finding	Notes
Findings required by WCC 110.820.15			
1.	820.15.(d)(1)	<u>Consistency with Master Plan.</u> The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan.	
2.	820.15(d)(2)	<u>Compatible Land Uses.</u> 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.	820.15(d)(3)	<u>Response to Changed Conditions.</u> 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	820.15 (d)(4)	<u>Availability of Facilities.</u> 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.	820.15(d)(5)	<u>Desired Pattern of Growth.</u> 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	820.15(d)(6)	<u>Effect on Military Installation.</u> The proposed amendment will not affect the location, purpose and mission of any military installation.	

Commissioner Prough seconded the motion which carried unanimously.