



WASHOE COUNTY

Integrity Communication Service

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STAFF REPORT

BOARD MEETING DATE: June 16, 2020

DATE: May 15, 2020

TO: Board of County Commissioners

FROM: Julee Olander, Planner, Planning and Building Division, Community Services Department, 328.3627, jolander@washoecounty.us

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

SUBJECT: Public Hearing: Continuation/Re-hearing of Appeal of the Washoe County Planning Commission's denial of Regulatory Zone Amendment Case Number WRZA19-0010 (Highland Village) to amend the Sun Valley Regulatory Zone Map, a component of the Sun Valley Area Plan, to change the regulatory zone on two (2) parcels (APN: 508-020-41 & 43) totaling 54.5 acres from Low Density Suburban (LDS) (1 dwelling unit/acre maximum) and General Rural (GR) to High Density Suburban (HDS) (7 dwelling units/acre maximum) with the 3 acres that are currently GR to remain GR. The applicant is Regal Holdings of Nevada, LLC for the owner Charles J. Fornaro, et. al. for the two parcels, which are located on the northside of Highland Ranch Pkwy and north of Midnight Drive. And, if approved, authorize the chair to sign a resolution to this effect.

And

Introduction and first reading of an Ordinance pursuant to Nevada Revised Statutes 278.0201 through 278.0207 adopting a Development Agreement between (1) Washoe County and (2) Regal Holdings of Nevada, LLC and Charles J. Fornaro, et. al., for Highland Village, limiting the gross density to 4.2 dwelling units per acre on the portions of the property (APNs 508-020-41 and 508-020-43) zoned High Density Suburban. The term of the agreement is ten (10) years. The project is located north of Highland Ranch Parkway and north of Midnight Drive. The project encompasses a total of 2 parcels that total approximately 54.4 acres. The parcels are located within the Sun Valley Area Plan. The property is located within the Sun Valley Citizen Advisory Board boundaries and within Washoe County Commission District No.5. (APNS: 508-020-41 & 43)

Set the public hearing and second reading of the Ordinance for July 14, 2020 and, if adopted, further authorize the Chair to execute the final Development Agreement. (Commission District 5.)

AGENDA ITEM # _____

SUMMARY

The appellant, Regal Holdings of Nevada, LLC is seeking to overturn the Washoe County Planning Commission's denial on March 3, 2020. The appellant has appealed the denial providing justification to support the second and fourth findings, which were the findings that the Planning Commission (PC) was unable to make. The appeal was heard by the Board of County Commissioners (Board) on April 28, 2020; however, the Board was unable to approve the zone amendment. The Board directed that the regulatory zone amendment (RZA) be reconsidered by the PC with a Development Agreement limiting the number of housing units to a maximum of 4.2 units per acre. The PC has not yet heard this item at the time this staff report was due and released. On June 16, 2020, the Board will reconsider the RZA and introduce and hold the first reading of an ordinance adopting a Development Agreement to limit the number of units per acres for Highland Village.

Washoe County Strategic Objective supported by this item: Responsible Growth Management.

PREVIOUS ACTION

On June 2, 2020, the PC was updated on the status of the appeal of WRZA19-0010 (Highland Village) and presented a proposed development agreement for Highland Village limiting the number of allowed housing units. The PC was asked to provide a recommendation to the Board concerning the development agreement. (This staff report was due before the PC meeting; the PC recommendation will be provided during the County Commission meeting.)

On April 28, 2020, the Board reviewed the appeal of WRZA19-0010 (Highland Village). After presentations from staff, the applicant, and public comment, the Board concluded that the regulatory zone amendment request could not be supported as requested. The Board remanded the item back to the PC for a recommendation on the regulatory zone amendment (RZA) request to be paired with an associated development agreement in which the applicant voluntarily agreed to limit the number of allowed units to a gross density of 4.2 dwelling units per acre.

On March 3, 2020, the PC heard WRZA19-0010 (Highland Village), in a public hearing. The PC could not make finding 2 (compatible land uses) and finding 4 (availability of facilities) and unanimously denied the proposed amendment.

On January 21, 2020, this item was heard by the Sun Valley Citizen Advisory Board (SV CAB). The CAB recommended that the regulatory zone be amended to Medium Density Suburban (MDS) and not High Density Suburban (HDS).

BACKGROUND

At the April 28, 2020, County Commission meeting the appeal of WRZA19-0010 (Highland Village) was discussed and it was concluded that a development agreement limiting the number of possible housing units to 4.2 units should be required. The Board also requested that the development agreement be remanded to the PC for their recommendation.

The proposed development agreement establishes that Highland Village will only be allowed to develop a gross density of 4.2 units per acre despite the allowable density of the newly established regulatory zone designation. The density will only include the areas with a regulatory zone of High Density Suburban (HDS). The areas with a regulatory zone of General Rural (GR) will not be included in the gross density calculation of the Development Agreement. The development agreement is required to be signed by both the property owner's representative and the Chair of the Washoe County Commission.

The Board will need to resolve the appealed RZA from Low Density Suburban (LDS) to HDS. The applicant appealed the PC's denial for the RZA being unable to make two of the findings required by Washoe County Code (WCC) Section 110.821.15(d); specifically, the second and fourth findings for approval of the amendment of regulatory zone request [WCC Section 110.821.15(d) (2 & 4)], stated below:

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.

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.

The appellant's appeal application addresses the Planning Commission's comments regarding Findings 2 and 4 with the following comments:

- The Planning Commission's decision was arbitrary given the criteria that was established and required by reviewing authorities;
- Analysis was provided showing that the site is suitable for the proposed HDS regulatory zone;
- The request is consistent with the Washoe County Master Plan and the Sun Valley Area Plan and HDS is compatible with the surrounding regulatory zones;
- The Sun Valley Area Plan allows HDS regulatory zones; and
- There are existing or planned adequate public facilities to accommodate the proposed density.

FISCAL IMPACT

No fiscal impact.

POSSIBLE ACTIONS

It is recommended that the Board of County Commissioners review the record and take one of the following two actions:

1. Affirm the decision of the Planning Commission and deny Regulatory Zone Amendment Case Number WRZA19-0010 (Highland Village); or
2. Reverse the decision of the Planning Commission and approve Regulatory Zone Amendment Case Number WRZA19-0010 (Highland Village); as proposed by the applicant and as evaluated by staff in the Planning Commission staff report; and

3. Approve the introduction and first reading of an Ordinance to adopt the Development Agreement for Charles J. Fornaro, et al., limiting the gross density to 4.2 dwelling units per acre.

POSSIBLE MOTION FOR REGULATORY ZONE AMENDMENT

Should the Board agree with the Planning Commission’s denial of Regulatory Zone Amendment Case Number WRZA19-0010 (Highland Village), staff offers the following motion:

“Move to deny the appeal and affirm the decision of the Planning Commission to deny Regulatory Zone Amendment Case Number WRZA19-0010 (Highland Village). The denial is based upon the inability to make the findings required by WCC Section 110.810.30, Findings.”

or

Should the Board disagree with the Planning Commission’s denial of Regulatory Zone Amendment Case Number WRZA19-0010 (Highland Village), staff offers the following motion:

“Move to approve the appeal and reverse the decision of the Planning Commission and approve Regulatory Zone Amendment Case Number WRZA19-0010 (Highland Village). The approval is based on the Board’s ability to make all the findings required by WCC Section 110.810.30, Findings; and if approved, authorize the chair to sign a resolution to this effect.”

POSSIBLE MOTION FOR THE FIRST READING OF THE DEVELOPMENT AGREEMENT

“Move to approve the introduction and first reading of an Ordinance pursuant to Nevada Revised Statutes 278.0201 through 278.0207 adopting Development Agreement for Charles J. Fornaro, et al., limiting the gross density to 4.2 dwelling units per acre. The approval is based on the Board’s ability to make all the findings required by WCC Section 110.814.30(d), Findings ; and further move to set the public hearing and second reading for July 14, 2020.

- Attachments:
- A. Clerk’s letter dated 4/30/20
 - B. RZA Resolution
 - C. Ordinance & A-1 Development Agreement containing :
Exhibit A (Legal Description)
 - D. Board of Commission staff report dated April 28, 2020

cc:

Applicant: Regal Holdings of Nevada LLC, 3495 Lakeside Dr., #249, Reno, NV 89509, Email: ray@pezonella.com

Property Owner: Charles J. Fornaro, et al, 3936 Eagle Cir., Slatington, PA 18080

Consultant: John Krmpotic , 1East 1st Street, Reno, NV, 89501
Email: johnk@klsdesigngroup.com



WASHOE COUNTY
COMMUNITY SERVICES DEPARTMENT
Planning and Building Division
Planning Program

Attachment A
Page 1
 1001 EAST 9TH STREET
 RENO, NEVADA 89512
 PHONE (775) 328-6100
 FAX (775) 328.6133

April 30, 2020

Nancy Parent, County Clerk
 Washoe County
 1001 East Ninth Street
 Reno, NV 89512

SUBJECT: Appeal Case WRZA19-0010, Highland Village

Appeal of the Planning Commission’s decision of denial for Regulatory Zone Amendment Case No. WRZA19-0010, which requested to amend the Sun Valley Regulatory Zone Map, a component of the Sun Valley Area Plan, to change the regulatory zone on two (2) parcels (APN: 508-020-41 & 43) totaling 54.5 acres from Low Density Suburban (LDS) (1 dwelling unit/acre maximum) and General Rural (GR) to High Density Suburban (HDS) (7 dwelling units/acre maximum) with the 3 acres that are currently GR to remain GR, which are located on the northside of Highland Ranch Pkwy. and north of Midnight Drive. The Board of County Commissioners may take action to confirm the Planning Commission’s denial or reverse the decision and approve the Regulatory Zone Amendment.

Dear Ms. Parent:

Pursuant to NRS 278.0235, please be advised of final action on April 28, 2020, by the Washoe County Board of County Commissioners in the above referenced case. The County Commission’s final action resulted in the remanding of Case no. WRZA19-0010 as an advisory item to the Planning Commission with a development agreement allowing no more than 4.2 units per acre. After review of the RZA with development agreement by the Planning Commission the matter will be returned to the Board of County Commissioner to take action upon.

After the public hearing was closed, Commissioner Berkbigler made a motion and Commissioner Hermann seconded the motion to remand the case to the Planning Commission to review a development agreement and return the case and the development agreement to the Board of County Commissioners.

The Board’s action was unanimous and all five board members: Commissioner Lucey, Chair; Commissioner Berkbigler, Vice Chair; Commissioner Jung; Commissioner Herman; and, Commissioner Hartung voted in favor of the motion.

Commissioner Lucey can attest to the intended motion as described above and is co-signing this letter. Please provide a copy of this letter to our department indicating when this letter was received by your office.



INTEGRITY



EFFECTIVE COMMUNICATION



QUALITY PUBLIC SERVICE

Memo to: Regal Holdings of Nevada LLC
Subject: WRZA19-0010
Date: April 30, 2020
Page: 2

Sincerely,



Trevor Lloyd
Planning Manager, Planning and Building Division
Washoe County Community Services Department

Sincerely,



Commissioner Robert Lucey, Chair
Washoe County Board of County Commissioner

Cc: Dave Solaro, Assistant County Manager
Nathan Edwards, Deputy District Attorney
Mojra Hauenstein, Director, Planning and Building Division

Applicant: Regal Holdings of Nevada LLC, 3495 Lakeside Dr., #249, Reno, NV 89509,
Email: ray@pezonella.com

Property Owner: Charles J. Fornaro, et al, 3936 Eagle Cir., Slatington, PA 18080

Consultant: John Krmptic, 1 East 1st Street, Reno, NV, 89501
Email: johnk@klsdesigngroup.com



WASHOE COUNTY COMMISSION

1001 E. 9th Street
Reno, Nevada 89512
(775) 328-2000

**RESOLUTION
ADOPTING AN AMENDMENT TO THE SUN VALLEY
REGULATORY ZONE MAP (WRZA19-0010)**

WHEREAS, Regal Holdings of Nevada LLC applied to the Washoe County Planning Commission on behalf of Charles J. Fornaro, et al (owner) to amend the regulatory zone on two parcels (APN: 508-020-41 & 43) in the Sun Valley Area Plan totaling 54.5 acres from Low Density Suburban (LDS) (1 dwelling unit/acre maximum) and General Rural (GR) to High Density Suburban (HDS) (7 dwelling units/acre maximum) on 51.5 acres, with the 3 acres that are currently GR to remain GR in the Sun Valley Area Plan;

WHEREAS, On March 3, 2020, the Washoe County Planning Commission held a public hearing on the proposed amendment and denied Regulatory Zone Amendment Case No. WRZA19-0010;

WHEREAS, Upon holding a subsequent public hearing on April 28, 2020, this Board voted to remand the proposed zoning amendment to the Planning Commission for review and a recommendation if the zoning amendment were coupled with an associated development agreement limiting the gross density to 4.2 units per acre;

WHEREAS, Upon holding a subsequent public hearing on June 16, 2020, this Board voted to reverse the Planning Commission and adopt the proposed amendment (and hear the first reading of the associated development agreement limiting the gross density to 4.2 units per acre), having affirmed the following findings as made by the Planning Commission, pursuant to Washoe County Code Section 110.821.35:

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 not result in land uses which are incompatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare.
3. Response to Changed Conditions; more desirable use. The proposed amendment 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. 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.

AND

Findings for the Sun Valley Area Plan:

1. The amendment will further implement and preserve the Vision and Character Statement.
2. The amendment conforms to all applicable policies of the Sun Valley Area Plan, the Washoe County Master Plan.
3. The amendment will not conflict with the public's health, safety or welfare.

NOW THEREFORE BE IT RESOLVED,

That this Board does hereby ADOPT the amendment to the Sun Valley Regulatory Zone Map (Case No. WRZA19-0010), as set forth in Exhibit B-1 attached hereto.

ADOPTED this 16th day of June 2020, to be effective only as stated above.

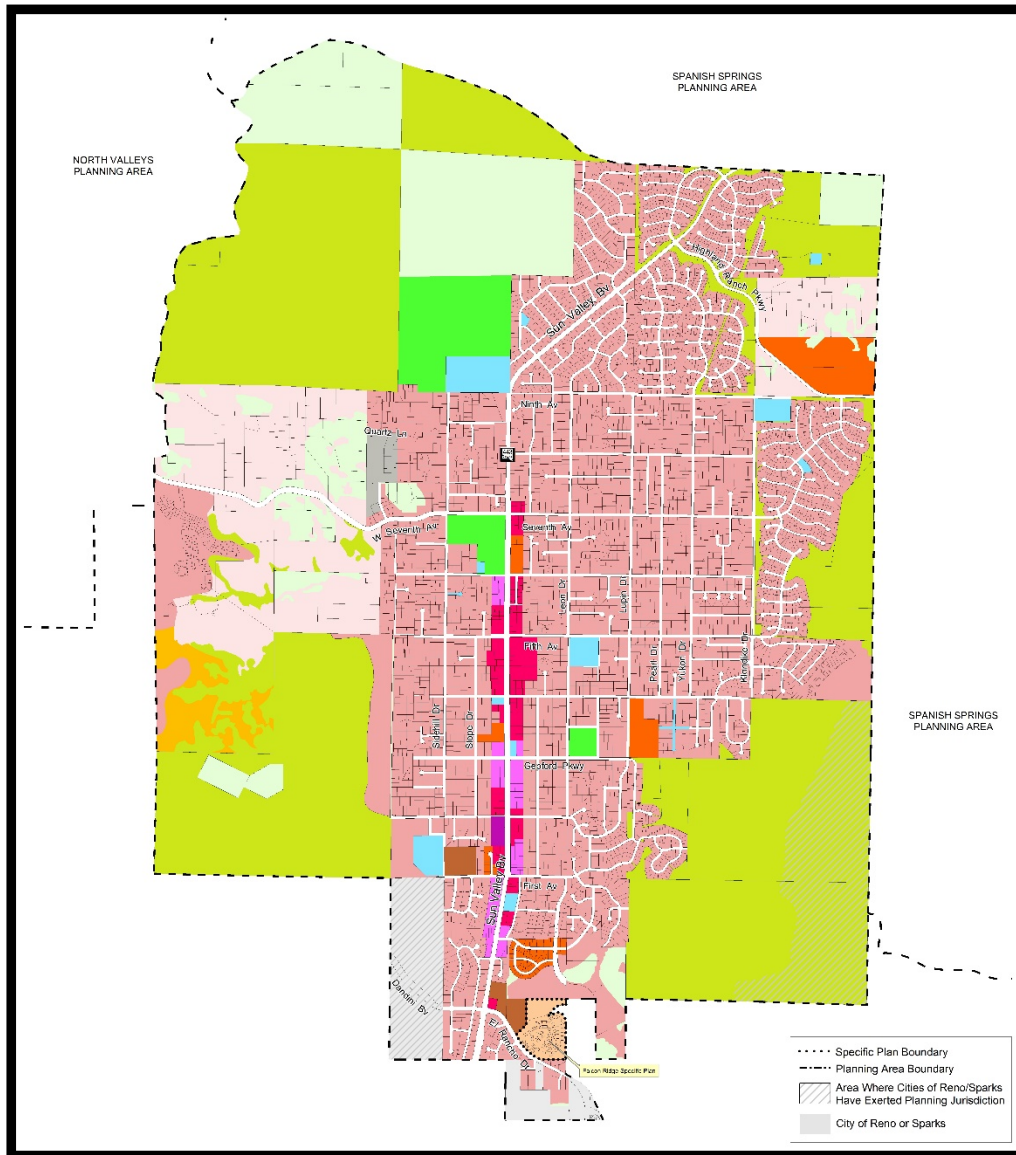
WASHOE COUNTY COMMISSION

Bob Lucey, Chair

ATTEST:

Nancy Parent, County Clerk

Exhibit B-1 WRZA19-0010



SUN VALLEY REGULATORY ZONE MAP

<ul style="list-style-type: none"> LOW DENSITY RURAL MEDIUM DENSITY RURAL HIGH DENSITY RURAL LOW DENSITY SUBURBAN LOW DENSITY SUBURBAN 2 MEDIUM DENSITY SUBURBAN MEDIUM DENSITY SUBURBAN 4 	<ul style="list-style-type: none"> HIGH DENSITY SUBURBAN LOW DENSITY URBAN MEDIUM DENSITY URBAN HIGH DENSITY URBAN GENERAL COMMERCIAL NEIGHBORHOOD COMMERCIAL/ OFFICE TOURIST COMMERCIAL 	<ul style="list-style-type: none"> INDUSTRIAL PUBLIC AND SEMI-PUBLIC FACILITIES PARKS AND RECREATION OPEN SPACE GENERAL RURAL GENERAL RURAL RESIDENTIAL DRY LAKE/ WATER BODY
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SOURCE: Planning and Building Division

NOTE: THE SCALE AND COVERAGE RATION OF ALL INFORMATION PROVIDED HEREIN ARE APPROXIMATE. CONSULT THE ORIGINAL RECORDS FOR A COMPLETE LIST OF RECORDS OR ANY OTHER INFORMATION THAT MAY BE NECESSARY TO VERIFY THE ACCURACY OF THIS INFORMATION. THE WASHOE COUNTY PLANNING AND BUILDING DIVISION.

DATE: _____ **DIRECTOR:** _____

Community Services Department

WASHOE COUNTY NEVADA

1001 E. Ninth St.
Reno, Nevada 89512 (775) 325-2600

PC Date: February 4, 2019
GCC Date: June 13, 2020

DRAFT: June 16, 2020

**WORKING COPY
INFORMATION ONLY**

REGULAR TEXT: NO CHANGE IN LANGUAGE

~~STRIKEOUT TEXT: DELETED LANGUAGE~~

BOLD TEXT: NEW LANGUAGE

Notice: Per NRS 239B.030, this document does not contain personal information as defined in NRS 603A.040

Summary: To adopt a Development Agreement for Highland Ranch.

BILL NO. _____

ORDINANCE NO. _____

TITLE:

An Ordinance pursuant to Nevada Revised Statutes 278.0201 through 278.0207 adopting a Development Agreement between (1) Washoe County and (2) Regal Holdings of Nevada, LLC and Charles J. Fornaro, et. al., for Highland Village, limiting the gross density to 4.2 dwelling units per acre on the portions of the property (APNs 508-020-41 and 508-020-43) zoned High Density Suburban. The term of the agreement is ten (10) years.

The project is located north of Highland Ranch Parkway and north of Midnight Drive. The project encompasses a total of 2 parcels that total approximately 54.4 acres. The parcels are located within the Sun Valley Area Plan. The property is located within the Sun Valley Citizen Advisory Board boundaries and within Washoe County Commission District No.5. (APNS: 508-020-41 & 43)

WHEREAS:

- A. Following a first reading and publication as required by NRS 244.100 (1), and after a duly noticed public hearing, this Board of County Commissioners desires to adopt this Ordinance; and
- C. This Board of County Commissioners has determined that this ordinance is being adopted pursuant to requirements set forth in Chapter 278 of NRS, and is therefore not a "rule" as defined in NRS 237.060 requiring a business impact statement.

SECTION 1.

The Development Agreement for Highland Ranch attached hereto as Attachment A-1 are hereby APPROVED by this ordinance. The Chairman is authorized to execute and deliver it for recording in the official records of Washoe County.

SECTION 2. General Terms.

1. All actions, proceedings, matters and things heretofore taken, had and done by the County and its officers not inconsistent with the provisions of this Ordinance are ratified and approved.
2. The Chairman of the Board and the officers of the County are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this ordinance. The District Attorney is authorized to make non-substantive edits and corrections to this Ordinance.
3. All ordinances, resolutions, bylaws and orders, or parts thereof, in conflict with the provisions of this ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, resolution, bylaw or order, or part thereof, heretofore repealed.
4. Each term and provision of this ordinance shall be valid and shall be enforced to the extent permitted by law. If any term or provision of this ordinance or the application thereof shall be deemed by a court of competent jurisdiction to be in violation of law or public policy, then it shall be deemed modified, ipso facto, to bring it within the limits of validity or enforceability, but if it cannot be so modified, then it shall be excised from this ordinance. In any event, the remainder of this ordinance, or the application of such term or provision to circumstances other than those to which it is invalid or unenforceable, shall not be affected.

Proposed on _____ (month) _____ (day), _____ 2020.

Proposed by Commissioner _____.

Passed _____ (month) _____ (day), _____ 2020.

Vote:

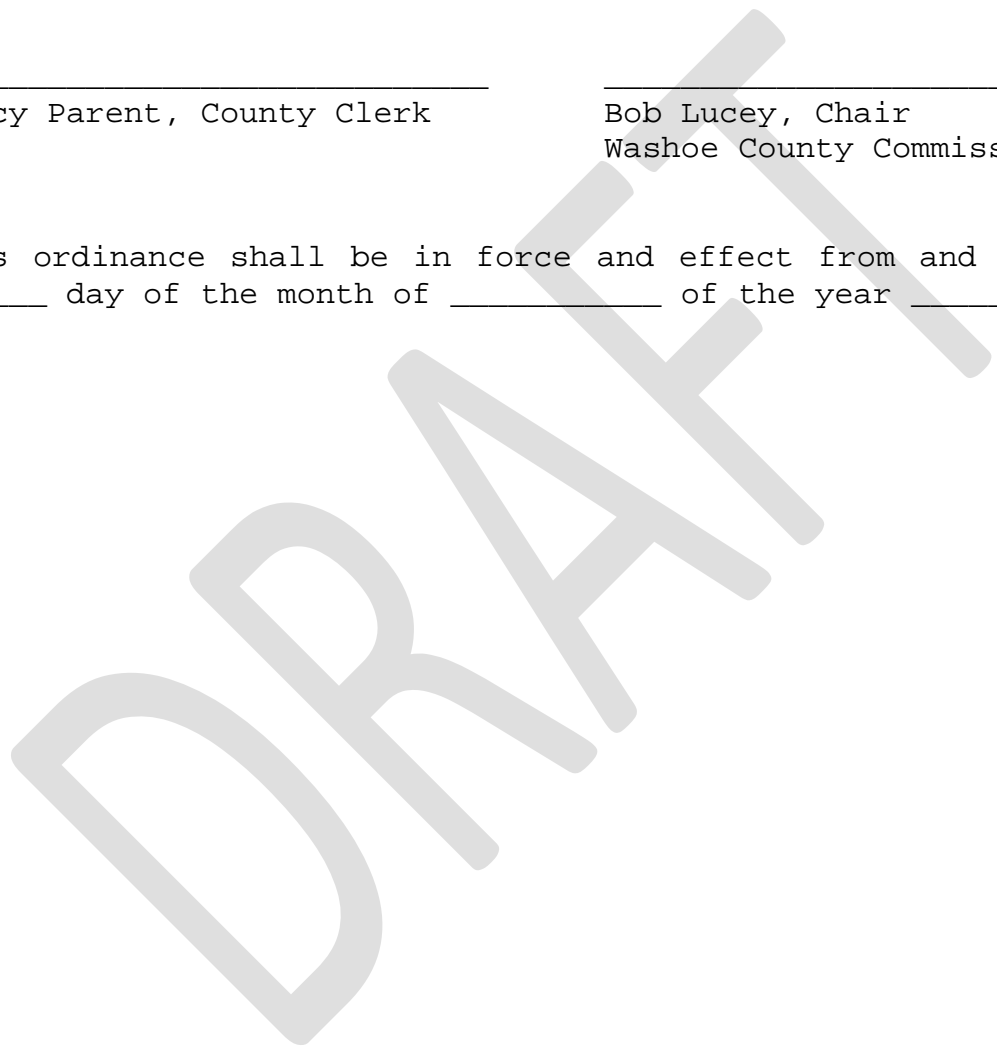
Ayes: Commissioners _____
Nays: Commissioners _____
Absent: Commissioners _____.

Attest:

Nancy Parent, County Clerk

Bob Lucey, Chair
Washoe County Commission

This ordinance shall be in force and effect from and after the
_____ day of the month of _____ of the year _____.



ATTACHMENT A-1

AGREEMENT

THIS AGREEMENT (“Agreement”) is made by and between **Regal Holdings of Nevada, LLC** (legally authorized representative of the “Landowner”), and the **COUNTY OF WASHOE**, a political subdivision of the State of Nevada, (“County”).

1. GENERAL.

1.1 Property. The Landowner is the owner of real property located in Washoe County, Nevada known as Assessor’s Parcel Numbers 508-020-41 and 508-020-43 in Washoe County, Nevada (the “Property”) as more particularly described in Exhibit A, attached hereto, which is subject to County’s Sun Valley Area Plan.

1.2. Regulatory Zone Map Amendment. Portions of the Property have a County regulatory zone of High Density Suburban (“HDS”), which, but for this Agreement, allows a density of up to seven single family dwellings per acre. The development of the Property must be conducted pursuant to the provisions of the Development Agreement and the Washoe County Development Code (the “Code”).

2. AGREEMENT CONCERNING DEVELOPMENT OF LAND.

2.1 Compliance with NRS 278.0201 and Code. This Agreement is an agreement concerning the development of land under NRS 278.0201 and Article 814, Development Agreements of the Washoe County Development Code. The Landowner is the owner of fee title to the Property, and therefore has a legal interest in the Property. In compliance with NRS 278.0201(1), the following covenants, terms and conditions are set forth:

2.1.1. The land which is subject to this Agreement is APN 508-020-41 & 43 which is described in Exhibit A: Legal Description.

2.1.2. The permitted uses on the Property and the residential density or intensity of use shall not exceed a gross density of 4.2 units per acre, whether detached or attached, for the Property for all areas within the High Density Suburban (HDS) regulatory zone.

2.1.3. The building standards and land uses will comply with all other standards of the HDS regulatory zone.

2.1.4. The development of the Property shall comply with all other applicable standards of the Washoe County Master Plan and the Washoe County Development Code.

2.1.5. The duration of this Agreement shall be for ten (10) years from the date of signing by the Board of County Commissioners, provided that all the terms of this Agreement shall remain binding and enforceable regarding construction or development commenced, and any related permits, or any use permit in existence at the time of expiration of this Agreement.

2.2 Code and Changes to the Law. The parties agree that changes in federal, state or county law concerning public health, safety or welfare will apply to any final map or other permit.

2.3 Public Notice. Any and all public notices required to be given in connection with this Agreement shall be given in accordance with Section 110.814.25 of the Code

2.4 Assumption of Risk. The Landowner acknowledges and agrees that the Landowner is proceeding voluntarily and at its own risk in entering into this Agreement and without advice, promises or guarantees of any kind from the County, other than as expressly set forth herein. The Landowner waives any claims for damages against the county that might arise out of, or relate to, a subsequent court determination that this Agreement or any provision in it is invalid and/or unenforceable, including any claim based on NRS 278.0233(1) regarding the requirements, limitations, or conditions imposed pursuant to this Agreement.

2.5 Default and Termination of Agreement. Subject to paragraph 2.6 below, this Agreement shall become null and void, at the option of the non-breaching party, in the event of noncompliance with any material term or deadline set forth in this Agreement if the breaching party fails to fully cure such noncompliance after reasonable written notice and opportunity to cure, provided that all the terms of this Agreement shall remain binding and enforceable regarding construction or development commenced, and any related permits or any use permit in existence at the time of termination of this Agreement.

2.6 Breach. Any nonperformance of any obligation hereunder when due, without adequate legal excuse, shall constitute a breach of this Agreement. Any nonperformance of any material obligation hereunder when due, without adequate legal excuse, shall constitute material breach of this Agreement, authorizing but not requiring the non-materially-breaching party to terminate the Agreement.

3. MISCELLANEOUS PROVISIONS.

3.1 Time is of the Essence. Time is of the essence in this Agreement.

3.2 Waivers. No waiver of any breach of any covenant or provision herein contained shall be deemed a waiver of any preceding or succeeding breach thereof, or of any other covenant or provision herein contained. No extension of time for performance of any obligation or act shall be deemed an extension of time for performance of any other obligation or act except those of the waiving party, which shall be extended by a period of time equal to the period of the delay.

3.3 Assignability of the Agreement. This Agreement shall be binding upon and inure to the benefit of all future successors in interest of the Property as described in Exhibit A (Legal

Description), and the successor shall assume the duties and obligations under this Agreement. This Agreement shall touch and concern the land and the parties agree that it runs with the land. Furthermore, Landowner agrees to record this Agreement in the office of the Washoe County Recorder against the Property to provide notice to the world of its provisions.

3.4 Entire Agreement. This Agreement is the final expression of, and contains the entire agreement between, the parties with respect to the subject matter hereof and supersedes all prior understandings with respect thereto.

3.5 Governing Law. The parties hereto acknowledge that this Agreement has been negotiated and entered into in the State of Nevada. The parties hereto expressly agree that this Agreement shall be governed by, interpreted under, and construed and enforced in accordance with the laws of the State of Nevada and venue for any action shall be solely in state district court for Washoe County, Nevada.

3.6 Days of Week. If any date for performance herein falls on a Saturday, Sunday or holiday, pursuant to the laws of the State, the time for such performance shall be extended to 5:00 p.m. on the next business day.

3.7 Written Amendments. Amendments to this Agreement shall be defined as changes which are not in substantial compliance with this Agreement. Amendments, if any, shall be approved as provided in NRS 278.0205. Changes hereto which are in substantial compliance with the overall Agreement may be requested by Owners and approved or denied by the Director of Planning and Building. The Owners may appeal an adverse decision by the Director of Planning and Building to the Board of County Commissioners by written notice filed with the Director of Planning and Building, if filed within twenty (20) days of receipt of the notice of the adverse decision unless an appeal to the Board of Adjustment is required to occur first. No oral statements or representations subsequent to the execution hereof by either party are binding on the other party, and neither party shall have the right to rely on such oral statements or representations.

3.8 Future Cooperation. Each party shall, at the request of the other, at any time, execute and deliver to the requesting party all such further instruments as may be reasonably necessary or appropriate in order to effectuate the purpose and intent of this Agreement.

3.9 Third Party Beneficiary Rights. This Agreement is not intended to create any third-party beneficiary rights in any person not a party hereto.

3.10 Interpretation. The parties hereto acknowledge and agree that each has been given the opportunity to review this Agreement with legal counsel independently. The parties have equal bargaining power and intend the plain meaning of the provisions herein. In the event of an ambiguity in or dispute regarding the interpretation of the Agreement, the interpretation of this Agreement shall not be resolved by any rule of interpretation providing for interpretation against the party who causes the uncertainty to exist, or against the draftsmen.

3.11. Counterparts. This instrument may be executed in two or more counterparts, which, when taken together, shall constitute one and the same instrument. Any signature page of this instrument may be detached from any counterpart without impairing the legal effect of any

signatures thereon, and may be attached to another counterpart identical in form thereto, but having attached to it one or more additional signature pages.

[Signatures appear on following page]

[Signature page to Development Agreement]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date above last written below.

LANDOWNER:

Regal Holdings of Nevada, LLC

By: _____

Date: _____

Name: Raymond Pezonella

Title: Manager

COUNTY:

**COUNTY OF WASHOE, a political
subdivision of the State of Nevada, by its
BOARD OF WASHOE COUNTY
COMMISSIONERS**

By: _____
Bob Lucey, Chair

Date: _____

ATTEST:

Nancy Parent, County Clerk

STATE OF NEVADA)
)ss.
COUNTY OF WASHOE)

 This instrument was acknowledged before me on July _____, 2020, by
_____ as a Manager of Charles J. Fornaro, et al.

My Commission Expires: _____

STATE OF NEVADA)
)ss.
COUNTY OF WASHOE)

 This instrument was acknowledged before me on July _____, 2020, by Bob Lucey, Chairman
of the Washoe County Board of County Commissioners.

Notary Public
My Commission Expires: _____

Exhibit "A"

LEGAL DESCRIPTION OF PROJECT PROPERTY (APN: 508-020-41 and 508-020-43)

All that certain real property situated in the County of Washoe, State of Nevada, described as follows:

The South half of the South half of the Southeast Quarter and the North half of the South half of the Southeast Quarter in Section 8, Township 20 North, Range 20 East, M.D.B.&M., Washoe County, Nevada.

EXCEPTING THEREFROM those portions dedicated to the County of Washoe, a political subdivision of the State of Nevada, by instruments recorded December 11, 1997, in Book 5069, Page 775, Document No. 2161272, Official Records and recorded April 8, 1998, in Book 5195, Page 906, Document No. 2197961, Official Records. (APN: 508-020-41 and 508-020-43)



WASHOE COUNTY

Integrity Communication Service

www.washoecounty.us

STAFF REPORT

BOARD MEETING DATE: April 28, 2020

DATE: March 13, 2020

TO: Board of County Commissioners

FROM: Julee Olander, Planning and Building Division, Community Services Department, 328-3627, jolander@washoecounty.us

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

SUBJECT: Public Hearing: Appeal of the Washoe County Planning Commission's denial of Regulatory Zone Amendment Case Number WRZA19-0010 (Highland Village) to amend the Sun Valley Regulatory Zone Map, a component of the Sun Valley Area Plan, to change the regulatory zone on two (2) parcels (APN: 508-020-41 & 43) totaling 54.5 acres from Low Density Suburban (LDS) (1 dwelling unit/acre maximum) and General Rural (GR) to High Density Suburban (HDS) (7 dwelling units/acre maximum) with the 3 acres that are currently GR to remain GR. The applicant is Regal Holdings of Nevada LLC for the owner Charles J. Fornaro, et al. for the two parcels, which are located on the northside of Highland Ranch Pkwy and north of Midnight Drive. And, if approved, authorize the chair to sign a resolution to this effect. (Commission District 5.)

SUMMARY

The appellant, Regal Holding of Nevada LLC is seeking to overturn the Washoe County Planning Commission's denial on March 3, 2020. The appellant has appealed the denial providing justification to support the second and fourth findings, which were the findings that the Planning Commission were unable to make.

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

PREVIOUS ACTION

On March 3, 2020, the amendment was considered, in a public hearing, before the Planning Commission. The Planning Commission could not make finding 2 (compatible land uses) and finding 4 (availability of facilities) and unanimously denied the proposed amendment.

On January 21, 2020, this item was heard by the Sun Valley Citizen Advisory Board (SV CAB) (see Attachment E). The CAB recommended that the regulatory zone be amended to Medium Density Suburban (MDS) and not High Density Suburban (HDS).

AGENDA ITEM # _____

BACKGROUND

The Washoe County Planning Commission was unable to make two of the findings required by Washoe County Code (WCC) Section 110.821.15(d); specifically, the second and fourth findings for approval of the amendment of regulatory zone request [WCC Section 110.821.15(d) (2 & 4)], stated below:

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.
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.

The appellant's application (see Attachment A) addresses the Planning Commission's comments regarding Findings 2 and 4 with the following comments:

- The Planning Commission decision was arbitrary given the criteria that was established and required by reviewing authorities;
- Analysis was provided showing that the site is suitable for HDS regulatory zoning;
- The request is consistent with the Washoe County Master Plan and the Sun Valley Area Plan and HDS is compatible with the surrounding zoning;
- The Sun Valley Area Plan allows HDS regulatory zoning; and
- There are existing or planned adequate public facilities to accommodate the proposed density.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

It is recommended that the Board of County Commissioners review the record and take one of the following two actions:

1. Affirm the decision of the Planning Commission and deny Regulatory Zone Amendment Case Number WRZA19-0010 (Highland Village); or
2. Reverse the decision of the Planning Commission and approve Regulatory Zone Amendment Case Number WRZA19-0010 (Highland Village) as proposed by the applicant.

POSSIBLE MOTIONS

Should the Board agree with the Planning Commission's denial of Regulatory Zone Amendment Case Number WRZA19-0010 (Highland Village), staff offers the following motion:

“Move to deny the appeal and affirm the decision of the Planning Commission to deny Regulatory Zone Amendment Case Number WRZA19-0010 (Highland Village). The

denial is based upon the inability to make the findings required by WCC Section 110.810.30, *Findings*.”

or

Should the Board disagree with the Planning Commission’s denial of Regulatory Zone Amendment Case Number WRZA19-0010 (Highland Village), staff offers the following motion:

“Move to approve the appeal and reverse the decision of the Planning Commission and approve Regulatory Zone Amendment Case Number WRZA19-0010 (Highland Village). The approval is based on the Board’s ability to make all the findings required by WCC Section 110.810.30, *Findings*.”

Attachments:

Attachment A: Appeal Application dated 3/4/20

Attachment B: Planning Commission Action Order dated 3/6/20

Attachment C: Planning Commission Staff Report dated 3/3/20

Attachment D: Planning Commission Minutes of 3/3/20

Attachment E: CAB Minutes 1/21/20

Attachment F: BCC RZA Resolution

cc:

Appellant: Regal Holdings of Nevada LLC, 3495 Lakeside Dr., #249, Reno, NV 89509, Email: ray@pezonella.com

Owner: Charles J. Fornaro, et al, 3936 Eagle Cir., Slatington, PA 18080

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



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

Telephone: 775.328.6100

Washoe County Appeal of Decision to Board of County Commissioners

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

Appeal of Decision by (Check one)	
Note: Appeals to the Washoe County Board of County Commissioners are governed by WCC Section 110.912.20.	
<input checked="" type="checkbox"/> Planning Commission	<input type="checkbox"/> Board of Adjustment
<input type="checkbox"/> Hearing Examiner	<input type="checkbox"/> Other Deciding Body (specify) _____
Appeal Date Information	
Note: This appeal must be delivered in writing to the offices of the Planning and Building Division (address is on the cover sheet) within 10 calendar days from the date that the decision being appealed is filed with the Commission or Board Secretary (or Director) and mailed to the original applicant.	
Note: The appeal must be accompanied by the appropriate appeal fee (see attached Master Fee Schedule).	
Date of this appeal: <u>3/9/2020</u>	
Date of action by County: <u>March 3, 2020 - WC Planning Commission</u>	
Date Decision filed with Secretary: <u>March 6, 2020</u>	
Appellant Information	
Name: <u>Regal Holdings of Nevada, LLC</u>	Phone: <u>775-827-6700</u>
Address: <u>3495 Lakeside Drive, Suite 249</u>	Fax: <u>None</u>
	Email: <u>Ray@pezonella.com</u>
City: <u>Reno</u> State: <u>Nv</u> Zip: <u>89509</u>	Cell: <u>775-742-4196</u>
Describe your basis as a person aggrieved by the decision: <u>My basis is that of an applicant and the person/entity that is pursuing development of the property.</u>	
Appealed Decision Information	
Application Number: <u>WRZA19-0010</u>	
Project Name: <u>Highland Village</u>	
State the specific action(s) and related finding(s) you are appealing: <u>The specific action of the WCPC was to deny the RZA based on their inability to make two findings: Those are Findings #2 and #4 as required in Article 821, Section 11.821.15 per the WC Development Code.</u>	

Appealed Decision Information (continued)

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

The commission focused on two findings (#2 and #4) in their discussion, deliberation and ultimately their decision to deny the request. The decision of the WCPC was arbitrary given the criteria that has been established and required by reviewing authorities. Staff analysis had proven that a) the site is suitable for density allowed in the HDS zone; b) the request is consistent with the WC Master Plan and the SVAP; c) the SVAP indicates a desired pattern of growth is promoted with this zoning designation; d) there are existing or planned adequate public facilities to accommodate the proposed density; and e) the proposed zone shows a High Compatibility rating in the compatibility matrix.

Cite the specific outcome you are requesting with this appeal:

That the Washoe County Board of County Commissioners overturn the decision of the Washoe County Planning Commission and ratify the staff recommendation. Specifically, the request is to approve the Regulatory Zone Amendment from LDS and GR to HDS given the staff analysis concluded that all of the required 6 findings (#7 is not applicable) were met.

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

- Yes
 No

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

- Yes
 No

Appellant Signature

Printed Name: **Ray Pezonella**

Signature:



Date:

March 9, 2020



WASHOE COUNTY

COMMUNITY SERVICES DEPARTMENT

Planning and Building Division

Planning Program

Attachment B
Page 1
1001 EAST 9TH STREET
RENO, NEVADA 89512
PHONE (775) 328-6100
FAX (775) 328.6133

Planning Commission Action Order

Regulatory Zone Amendment Case Number WRZA19-0010

Decision: **Denial**

Decision Date: March 3, 2020

Mailing/Filing Date: March 6, 2020

Property Owner: Charles J. Fornaro et al
3936 Eagle Circle
Slatington, PA 18080

Assigned Planner: Julee Olander, Planner
Washoe County Community Services Department
Planning and Building Division
Phone: 775.328.3627
E-Mail: jolander@washoecounty.us

Regulatory Zone Amendment Case Number WRZA19-0010 (Highland Village) – For possible action, hearing, and discussion to approve a regulatory zone amendment for 2 parcels totaling 54.5 acres from Low Density Suburban (LDS) (1 dwelling unit/acre maximum) and General Rural (GR) to High Density Suburban (HDS) (7 dwelling units/acre maximum) and the 3 acres that are currently GR will remain GR for Regal Holdings of Nevada LLC and Charles J. Fornaro, et al and, if approved, authorize the chair to sign a resolution to this effect.

- Applicant: Regal Holdings of Nevada LLC
- Property Owner: Charles J. Fornaro et al
- Location: North of Highland Ranch Pkwy. & North of Midnight Drive
- Assessor's Parcel Numbers: 508-020-41 & 43
- Parcel Sizes: 21.0 & 33.5 acres
- Master Plan Categories: Suburban Residential (SR) & Rural (R)
- Regulatory Zones: Low Density Suburban (LDS) & General Rural (GR)
- Area Plan: Sun Valley
- Citizen Advisory Board: Sun Valley
- Development Code: Authorized in Article 821, Amendments of Regulatory Zone
- Commission District: 5 – Commissioner Herman

Notice is hereby given that the Washoe County Planning Commission denied the above referenced case number based on the inability to make findings 2 and 4 required by Washoe County Code Section 110.821.15. The Commission could not make finding 2 concerning "compatible with adjacent land uses" and finding 4 concerning "adequate transportation".



INTEGRITY



EFFECTIVE
COMMUNICATION



QUALITY
PUBLIC SERVICE

To: Charles J. Fornaro, et al
Subject: WRZA19-0010
Date: March 6, 2020
Page: 2

2. 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.
4. 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.

Anyone wishing to appeal this decision to the Washoe County Board of County Commissioners may do so within 10 calendar days after the Mailing/Filing Date shown on this Action Order. To be informed of the appeal procedure, call the Planning staff at **775.328.6100**. Appeals must be filed in accordance with Section 110.912.20 of the Washoe County Development Code.

Washoe County Community Services Department
Planning and Building Division



Trevor Lloyd
Secretary to the Planning Commission

TL/JO/ks

xc:

Applicant: Regal Holdings of Nevada LLC, 3495 Lakeside Dr., #249, Reno, NV 89509,
Email: ray@pezonella.com

Property Owner: Charles J. Fornaro, et al, 3936 Eagle Cir., Slatington, PA 18080

Consultant: Odyssey Engineering, 895 Roberta Lane #104, Sparks, NV 89431,
Email: frank@odysseyreno.com

Action Order xc: Nathan Edwards, District Attorney's Office; Keirsten Beck, Assessor's Office; Rigo Lopez, Assessor's Office; Tim Simpson, Utilities; Leo Vesely, Engineering and Capital Projects; Vahid Behmaram, Water Management; District Health; Charles Moore, Truckee Meadows Fire Protection District; Regional Transportation Commission; Washoe County School District; Sun Valley Citizen Advisory Board, Chair; and Sun Valley GID



Planning Commission Staff Report

Meeting Date: March 3, 2020

Agenda Item: 9B

REGULATORY ZONE AMENDMENT CASE NUMBER: WRZA19-0010 (Highland Village)

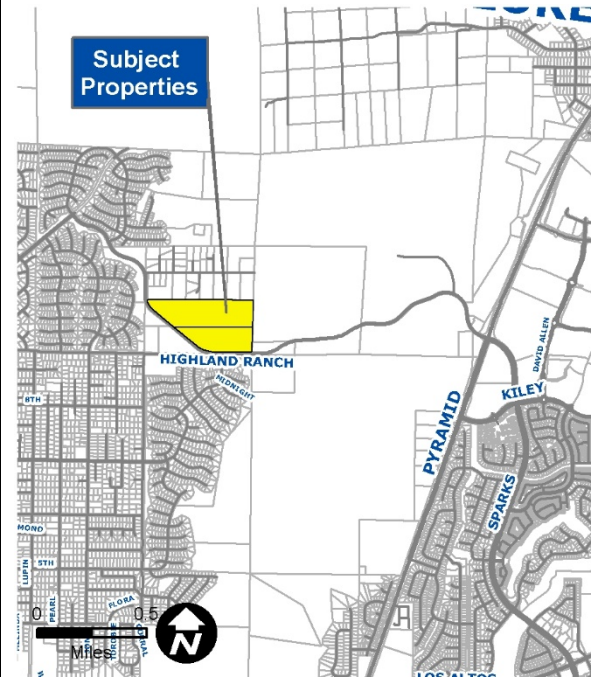
BRIEF SUMMARY OF REQUEST: To approve a regulatory zone amendment from regulatory zone Low Density Suburban (LDS) to High Density Suburban (HDS) on two parcels of land

STAFF PLANNER: Planner's Name: Julee Olander
Phone Number: 775.328.3627
E-mail: jolander@washoecounty.us

DESCRIPTION

For possible action, hearing, and discussion to approve a regulatory zone amendment for 2 parcels totaling 54.5 acres from Low Density Suburban (LDS) (1 dwelling unit/acre maximum) and General Rural (GR) to High Density Suburban (HDS) (7 dwelling units/acre maximum) and the 3 acres that are currently GR will remain GR for Regal Holdings of Nevada LLC and Charles J. Fornaro, et al and, if approved, authorize the chair to sign a resolution to this effect.

Applicant: Regal Holdings of Nevada LLC
Property Owner: Charles J. Fornaro et al
Location: North of Highland Ranch Pkwy. & North of Midnight Drive
APN: 508-020-41 & 43
Parcel Sizes: 21.0 & 33.5 acres
Master Plan: Suburban Residential (SR) & Rural (R)
Regulatory Zone: Low Density Suburban (LDS) & General Rural (GR)
Area Plan: Sun Valley
Citizen Advisory Board: Sun Valley
Development Code: Authorized in Article 821, Amendments of Regulatory Zone
Commission District: 5 – Commissioner Herman



STAFF RECOMMENDATION

APPROVE

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 adopt the resolution included as Exhibit A, recommending adoption of Regulatory Zone Amendment Case Number WRZA19-0010, having made all of the following findings in accordance with Washoe County Code Section 110.821.15(d). I further move to certify the resolution and the proposed Regulatory Zone Amendment in WRZA19-0010 as set forth in this staff report for submission to the Washoe County Board of County Commissioners and, if approved, authorize the chair to sign a resolution to this effect.

(Motion with Findings on Pages 11 and 12)

Staff Report Contents

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Exhibit Contents

Regulatory Zone Amendment Resolution Exhibit A

Agency Comments..... Exhibit B

CAB Minutes Exhibit C

Noticing Map Exhibit D

Application Exhibit E

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 analysis of the subject proposal can be found on page 4.

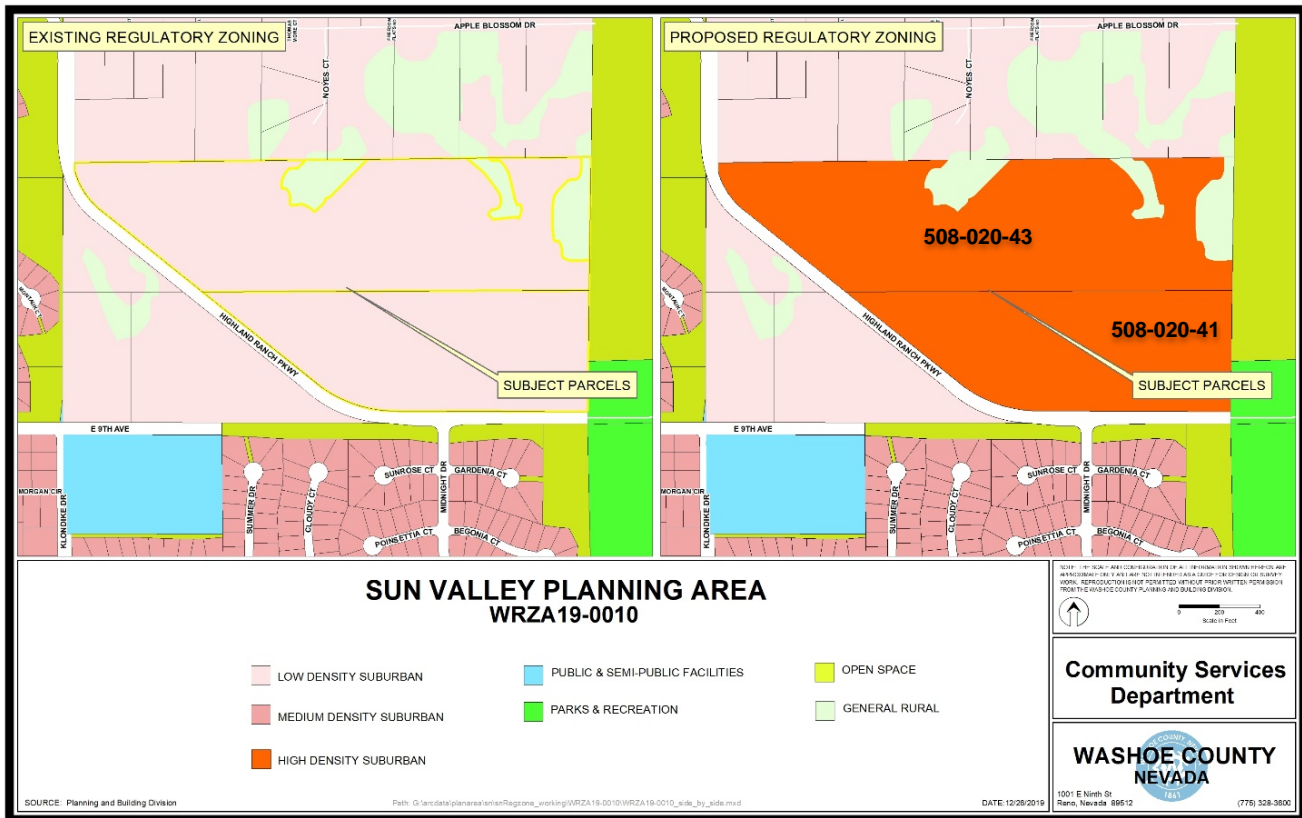
The purpose of a regulatory zone amendment (RZA) is to provide a method for amending the regulatory zone maps of Washoe County. The regulatory zone maps depict the regulatory zones (i.e. zoning) adopted for each property within the unincorporated area of Washoe County. The regulatory zones establish 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 regulatory zone amendment 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 regulatory zone amendment 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.



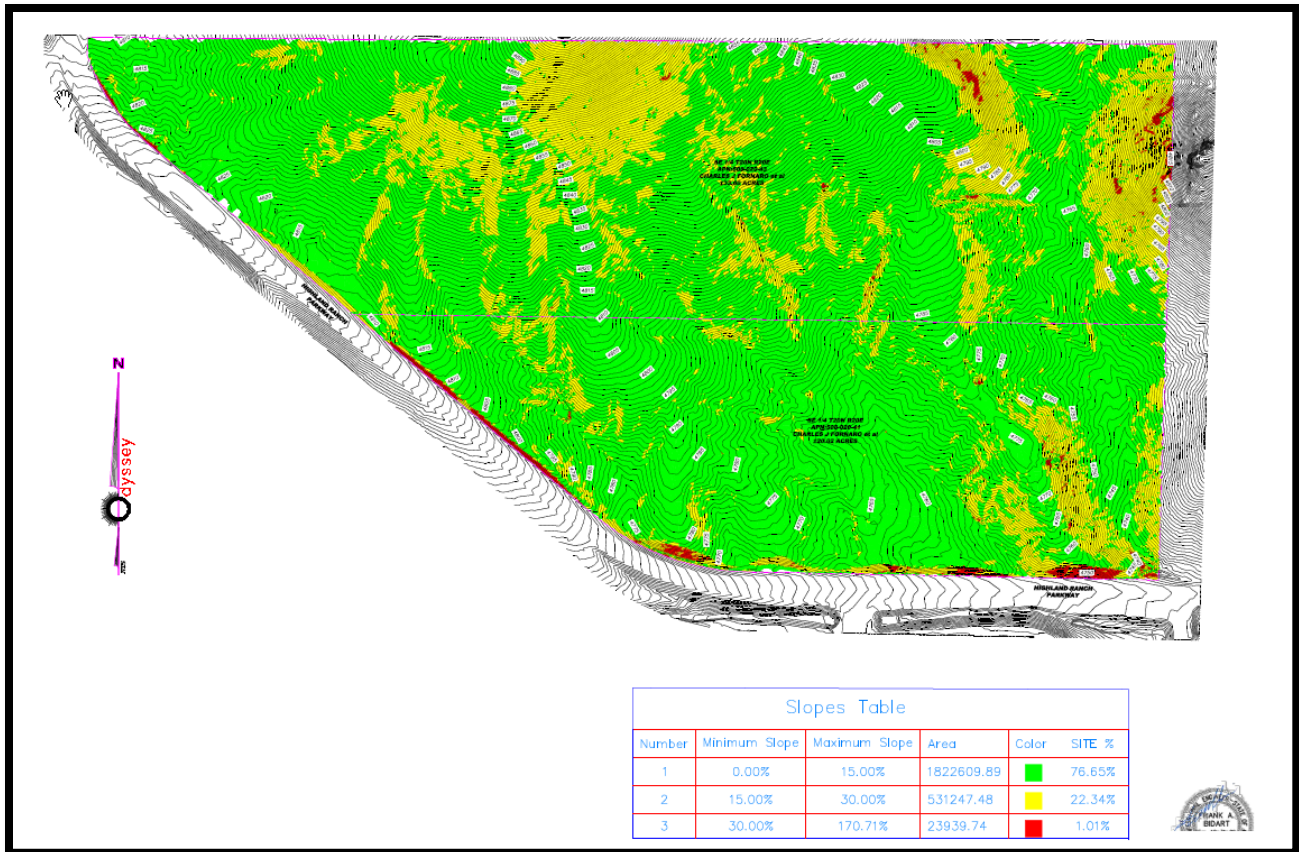
Side by Side Comparison of Proposed Regulatory Zone Map

ANALYSIS

Current Conditions

The request is to change the regulatory zone from Low Density Suburban (LDS) to High Density Suburban (HDS) on two parcels of land, totaling approximately 54.5 acres. One parcel is 21.0 acres and the other parcel is 33.5 acres. The larger parcel APN:508-020-43, has several areas with a regulatory zone designation of General Rural (GR) totaling approximately 3.13 acres, these areas will remain GR. If these areas are developed requirements in Article 424, Hillside Development will need to be addressed. The two parcels and surrounding parcels have a master plan designation of Suburban Residential (SR) and Rural (R). The proposed regulatory zone of High Density Suburban (HDS) is allowed within the SR master plan designation.

The two parcels are covered with native vegetation and are currently vacant. The property is sloped towards the north. The main areas that have significant slope are zoned GR and will remain GR, which will minimize development and preserve these areas. The majority of the site is less than 15% slope (see slope map on following page). Developed areas that meet Article 424 requirements will be reviewed and addressed with any future application.



Slope Map



The parcels to the west and south have a regulatory zone of Medium Density Suburban (MDS), Open Space (OS) and Public and Semi Public Facilities (PSP); to the north the parcels have a regulatory zone of LDS and GR and to the east the parcels are in the City of Sparks sphere-of-influence. The Stone Canyon subdivision is located to the south along Midnight Drive and the Stone Creek subdivision is located to the west off Maricopa Drive. The larger parcel to the east is owned by the US government and the smaller one is owned by the Sun Valley General Improvement District (SVGID).

Change of Conditions

The applicant states that affordable and workforce housing is needed. Houses on smaller lots tend to be more affordable and the regulatory zone amendment to HDS has the potential of increasing affordable housing stock in the area. The total acreage for the two parcels for this amendment is approximately 51 acres. There are approximately 3 additional acres that have a GR regulatory zone and those acres will remain GR and are not being included in the density calculation. The applicant is only requesting to change 51 acres from LDS to HDS. The LDS regulatory zone allows 1 unit per acre and the proposed HDS regulatory zone allows 7 units per acre. This amendment would increase the total possible housing units from 51 units to 357 units.

Consistency with Master Plan and Regulatory Zone Map

Regulatory zone amendments are to be reviewed for consistency with applicable policies and action plans of the Washoe County Master Plan. The following master plan policies and programs are applicable to the proposed amendment requests.

Housing Element- Volume One of the Washoe County Mater Plan

Goal One: Remove Regulatory Barriers to increase the availability of affordable and workforce housing for all.

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 proposed regulatory zone amendment will provide smaller lots, which will increase the density and expand the type housing, increasing the availability of housing in the area.

Policy 1.5: Encourage development at higher densities where appropriate.

Staff Comment: The proposed regulatory zone amendment is requesting a higher density than currently is allowed.

Goal Seven: Promote Homeownership opportunities.

Policy 7.4: Promote home ownership as a community asset.

Staff Comment: The proposed regulatory zone amendment will increase the availability of housing, which will make home ownership possible for more people.

Sun Valley Area Plan- Volume Two of the Washoe County Mater Plan

Goal One: The pattern of land use designations in the Sun Valley Area Plan will implement and preserve the community character described in the Character Statement.

SUN.1.3 The following Regulatory Zones are permitted within the Sun Valley Suburban Character Management Area:

- a. High Density Rural (HDR – One unit per 2.5 acres).

- b. Low Density Suburban (LDS – One unit per acre).
- c. Medium Density Suburban (MDS – Three units per acre).
- d. High Density Suburban (HDS – Seven units per acre).
- e. Medium Density Urban (MDU – Twenty-one units per acre).
- f. Neighborhood Commercial/Office (NC).
- g. General Commercial (GC).
- h. Industrial (I).
- i. Public/Semi-Public Facilities (PSP).
- j. Parks and Recreation (PR).
- k. General Rural (GR).
- l. Open Space (OS).

Staff Comment: The proposed regulatory zone amendment to High Density Suburban (HDS) is allowed in the Sun Valley Suburban Character Management Area where the two parcels are located.

SUN.1.12 Prior to any approval of proposed land use intensification that will result in existing school facilities exceeding design capacity and which may compromise the Washoe County School District's ability to implement the neighborhood school philosophy for elementary facilities, the school district will identify improvements in their capital improvements plan or school rezoning plan that will enable the District to absorb the additional enrollment. The Washoe County Planning Commission, upon request of the Washoe County School District Board of Trustees, may waive this finding.

Staff Comment: The Washoe County School District reviewed the application and stated that the schools will continue to be under capacity.

Desired Pattern of Growth

The Sun Valley Area Plan encourages a range of housing opportunities, including affordable housing.

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 table below.

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

Proposed Regulatory Zone	Existing Adjacent Regulatory Zone	Compatibility Rating
High Density Suburban (HDS)	Low Density Suburban (LDS)	High
High Density Suburban (HDS)	Open Space (OS)	High
High Density Suburban (HDS)	General Rural (GR)	Medium

*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

The parcels are located in the Sun Valley and Spanish Springs Hydrographic Basin. The application indicates that water and sewer service will be provided by the Sun Valley General Improvement District (SVGID). Water rights will be acquired from Truckee Meadows Water Authority (TMWA) to fulfill the require amount needed by SVGID. The SVGID has stated that the parcels will need to be annexed into the SVGID service area and SVGID does have the water and sewer capacity to service the increased density. The SVGID has several connection options in the area of Highland Ranch Parkway and when the specific development plans are submitted the connections will be defined. SVGID sewer does go to Truckee Meadows Water Reclamation Facility (TMWRF)in Sparks

The site will be developed to have two points of ingress and egress from Highland Ranch Parkway, which is a two-lane roadway. The one access will align with Midnight Drive and the other will be located so that it could be accessed by future development on the vacant parcels to the west. The Regional Transportation Commission (RTC) reviewed the application and states that Highland Ranch Parkway is a 2 lane moderate access control facility, which requires at least a policy level of service (LOS) D and capacity is typically 17,500 ADT for LOS D. RTC also states, "RTC's Travel Demand Model currently shows Highland Ranch Parkway with 7,200 ADT and future 2040 volumes as 4,00 ADT." The decrease in volumes to 4,00 ADT is likely due to several planned capacity improvements in the area. In 2027-2040 the planned improvements including:

1. Pyramid Highway/Sun Valley/US 395 connector, from US 395 to Pyramid Way/Sparks Blvd (6-lanes from US 395 to W Sun Valley arterial & 4-lanes from W Sun Valley arterial to Pyramid Highway); and
2. West Sun Valley 4-lane arterial, from Dandini Blvd. to Eagle Canyon

The Washoe County School District states the area is currently zoned for Palmer Elementary School, Desert Skies Middle School and Spanish Spring High School and the future Hug High School at Wildcreek. The impact to the elementary school would be up to 50 new students, for the middle school schools 29 new students and the high school up to 26 new students. These increases are not projected to cause capacity issues at any of the schools and the schools will

Washoe County Planning Commission

Staff Report Date: February 13, 2020

remain under capacity. The schools will be able to meet the proposed zone change and increased housing units. (See Exhibit B, for agency comments)

Sun Valley Area Plan Assessment

The introduction of the Sun Valley Area Plan states that the plan is to manage growth and development in a manner that includes “a range of low, medium, high density housing opportunities” and “affordable housing”.

Development Suitability within the Sun Valley Area Plan

The parcels are located in the Sun Valley Area Plan and are within the Suburban Character Management Area. The parcels are noted as “most suitable” on the Development Suitability map, except for the areas with the regulatory zoning of GR. The parcels are also located in Tier 2 of the 2019 Truckee Meadows Regional Plan, which allows up to 30 units per acre.

Sun Valley Citizen Advisory Board (SV CAB)

The proposed amendment was heard by the Sun Valley Citizen Advisory Board (CAB) meeting on January 21, 2020. The CAB recommended that the regulatory zoning be Medium Density Suburban (MDS) and not HDS. The public discussion included the following comments:

- Active faults in the area and earthquakes
- Concerns for access off Highland Ranch Parkway
- Traffic and cut through traffic on Midnight Drive
- Size of lots and the number of units allowed with HDS zoning
- MDS is ok not HDS
- Is the infrastructure in place to handle the increased number of houses
- Need more sheriff and fire personal for the area

See Exhibit C for the CAB meeting minutes. Staff did not receive phone calls or email concerning the amendment.

Public Notice

Notice for 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 is compiled when it 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 Section 110.821.20 of the Washoe County Development Code.

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: 160 property owners within 750 feet of the subject parcel(s) were noticed by mail not less than 10 days before today's public hearing. (See Exhibit C.)

Agency Comments

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

- Washoe County Community Services Department
 - Engineering and Capital Projects
 - Parks and Open Space
 - Planning and Building
 - Water Rights
- Washoe County Health District
 - Environmental Health Services
 - Air Quality
- Washoe County Sheriff
- State of Nevada
 - Department of Wildlife
- Truckee Meadows Fire Protection District
- City of Sparks Fire
- City of Sparks Community Services
- Washoe County School District
- Sun Valley General Improvement District (GID)
- Truckee Meadow Water Authority
- NV Energy
- Regional Transportation Commission
- Washoe-Storey Conservation District

Comments were received from: Washoe County Building, Parks, Engineering and Capital Projects, Water Management, Washoe County Health District, Washoe-Storey Conservation District, Sun Valley General Improvement District, and Washoe County School District. (See Exhibit D)

Staff Comment on Required 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. Staff has completed an analysis of the Regulatory Zone Amendment application and has determined that the proposal is in compliance with the required findings as follows.

1. 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 amendment does not conflict with the policies and action programs of the master plan.

2. 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 amendment will increase density, which will provide more housing in the area and conforms to all applicable policies of the Sun Valley Area Plan and the Washoe County Master Plan as described earlier in this report. The proposed amendment will not conflict with the public's health, safety or welfare.

3. 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: The amendment will increase the availability of housing in the area, which is needed and desired by the Sun Valley Area Plan and the Washoe County Master Plan and will comply with the 2019 Truckee Meadows Regional Plan.

4. 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: All needed facilities are present or will be provided by the applicant with any future development plans. The amendment was reviewed by various departments and agencies and no recommendations of denial were received for the proposed amendment.

5. 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 will not adversely affect the impact of the implementation of the policies and action programs of the Washoe County Master Plan.

6. 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 proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County by increasing housing units and as detailed in this staff report.

7. The proposed amendment will not affect the location, purpose and mission of the military installation.

Staff Comment: There are no military installations within the required noticing area.

Recommendation

Those agencies which reviewed the application provided commentary in support of approval of the project. Therefore, after a thorough analysis and review, it is recommended that the proposed regulatory zone amendment be recommended for adoption to the Board of County Commissioners. The following motion is provided for your consideration:

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 adopt the resolution included as Exhibit A, recommending adoption of Regulatory Zone Amendment Case Number WRZA19-0010, having made all of the following findings in accordance with Washoe County Code Section 110.821.15 and having made the findings in accordance with the Sun Valley Area Plan. I further move to certify the resolution and the proposed Regulatory Zone Amendment in WRZA19-0010 as set forth in this staff report for submission to the Washoe County Board of Commissioners and authorize the chair to sign the resolution on behalf of the Washoe County Planning Commission.

1. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan and the Regulatory Zone Map.
2. 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. 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. 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. The proposed amendment will not adversely affect the implementation of the policies and action programs of the Washoe County Master Plan.
6. 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. The proposed amendment will not affect the location, purpose and mission of the military installation.

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: Regal Holdings of Nevada LLC, 3495 Lakeside Dr., #249, Reno, NV 89509,
Email: ray@pezonella.com

Property Owner: Charles J. Fornaro, et al, 3936 Eagle Cir., Slatington, PA 18080

Consultant: Odyssey Engineering, 895 Roberta Lane, Reno, NV 89431,
Email: frank@odysseyreno.com



RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION
RECOMMENDING ADOPTION OF REGULATORY ZONE AMENDMENT CASE
NUMBER WRZA19-0010 AND THE AMENDED SUN VALLEY AREA PLAN
REGULATORY ZONE MAP

Resolution Number 20-09

Whereas Regulatory Zone Amendment Case Number WRZA19-0010 came before the Washoe County Planning Commission for a duly noticed public hearing on March 3, 2020; and

Whereas the Washoe County Planning Commission heard public comment and input from staff regarding the proposed regulatory zone amendment; and

Whereas the Washoe County Planning Commission has given reasoned consideration to the information it has received regarding the proposed regulatory zone amendment; and

Whereas the Washoe County Planning Commission has made the findings necessary to support adoption of this proposed regulatory zone amendment as set forth in NRS Chapter 278 and Washoe County Code Chapter 110, Article 821, Amendment of Regulatory Zone; and

Whereas, pursuant to Washoe County Code Section 110.821.15(d), in making this recommendation, the Washoe County Planning Commission finds that this proposed regulatory zone amendment:

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan;
2. Compatible Land Uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare;
3. Response to Change Conditions; more desirable use. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land;
4. Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed amendment;
5. No Adverse Effects. The proposed amendment will not adversely effect 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; and
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 a military installation.

Now, therefore, be it resolved that the Washoe County Planning Commission does hereby recommend adoption of Regulatory Zone Amendment Case Number WRZA19-0010 and the amended Sun Valley Area Plan Regulatory Zone Map included as Exhibit A to this resolution to the Washoe County Board of County Commissioners.

ADOPTED on March 3, 2020

WASHOE COUNTY PLANNING COMMISSION

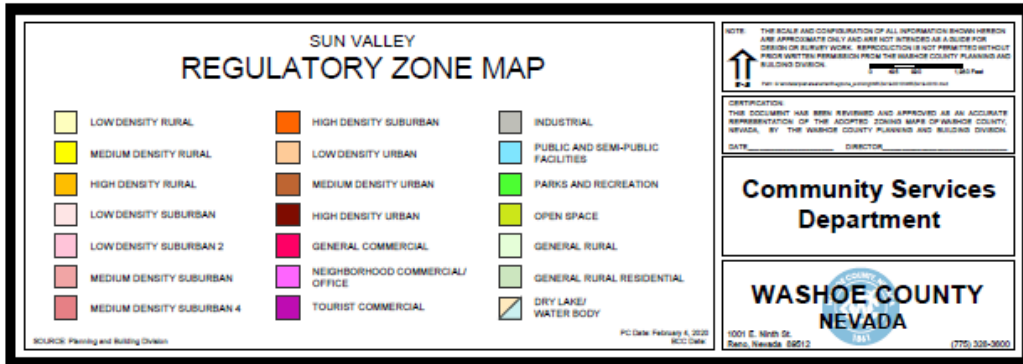
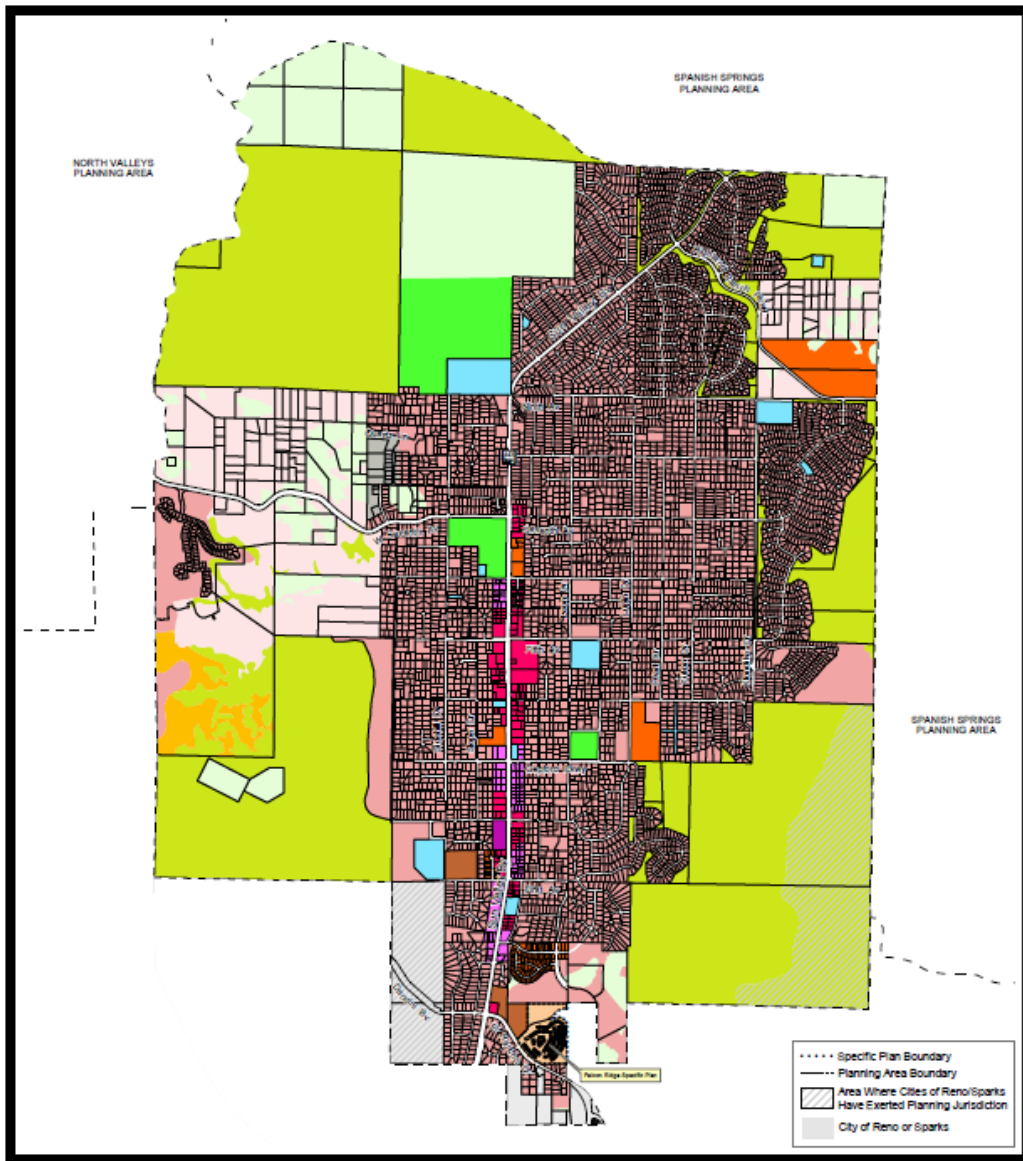
ATTEST:

Trevor Lloyd, Secretary

Larry Chesney, Chair

Attachment: Exhibit A – Sun Valley Area Plan Regulatory Zone Map

Exhibit A, WRZA19-0010



Olander, Julee

From: Holly, Dan
Sent: Tuesday, December 24, 2019 1:08 PM
To: Olander, Julee
Subject: Regulatory Zone Amendment Case Number WRZA19- 0010 (Highland Village)

Julee: I have reviewed the above referenced permit application and have no comments at this time. Thank You,

Olander, Julee

From: Lawson, Jacqueline
Sent: Tuesday, December 24, 2019 8:00 AM
To: Olander, Julee
Cc: Conti, Christina
Subject: FW: December Agency Review Memo II
Attachments: December Agency Review Memo II.pdf

Good Morning Julee,

The EMS Program does not currently have any comments regarding Regulatory Zone Amendment Case Number WRZA19-0010 (Highland Village) included in December Agency Review Memo II. Please let me know if you have any questions.

Thank you

Jackie

From: Stark, Katherine
Sent: Monday, December 23, 2019 4:23 PM
To: Wolf, Mike <MWolf@washoecounty.us>; English, James <JEnglish@washoecounty.us>; Rubio, Wesley S <WRubio@washoecounty.us>; Conti, Christina <cconti@washoecounty.us>
Cc: Cona, Denise <DCona@washoecounty.us>; Health – EHS Front Desk <HealthEHS@washoecounty.us>; Stark, Katherine <KRStark@washoecounty.us>; Emerson, Kathy <KEmerson@washoecounty.us>
Subject: December Agency Review Memo II

Good afternoon,

Please find the attached Agency Review Memo with cases received in December by Washoe County Community Services Department, Planning and Building.

You've each been asked to review the applications for the items indicated below. The item descriptions and links to the applications are provided in the memo.

Please remember to send any agency review responses/comments directly to the Planner for the case, rather than replying to me.

Mike (Air Quality) – Item 2

Jim E. & Wes (Env. Health) – Item 2

Christina (Emergency Med. Svcs.) – Item 2

Thank you!



Katy Stark
Office Support Specialist, Planning and Building Division | Community Services Department
krstark@washoecounty.us | Office: 775.328.3618 | Fax: 775.328.6133
1001 East Ninth Street, Bldg. A, Reno, NV 89512





WASHOE COUNTY

COMMUNITY SERVICES DEPARTMENT

Engineering and Capital Projects

1001 EAST 9TH STREET
PO BOX 11130
RENO, NEVADA 89520-0027
PHONE (775) 328-3600
FAX (775) 328.3699

Date: January 3, 2020

To: Julee Olander, Planner

From: Leo Vesely, P.E., Licensed Engineer

Re: Highland Village
Regulatory Zone Amendment WRZA19-0010
APN: 508-020-41 & 43

DRAINAGE (COUNTY CODE 110.416, 110.420, 110.421 and 110,438)

Contact Information: Leo Vesely, P.E. (775) 328-3600}

There are no Drainage and Grading related comments.

TRAFFIC AND ROADWAY (COUNTY CODE 110.436)

Contact Information: Mitch Fink (775) 328-2050

There are no Traffic related comments.

UTILITIES (County Code 422 & Sewer Ordinance)

Contact Information: Tim Simpson, P.E. (775) 954-4648

There are no Utility related comments.



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WASHOE COUNTY

COMMUNITY SERVICES DEPARTMENT

Regional Parks and Open Space

1001 EAST 9TH STREET
RENO, NEVADA 89520-0027
PHONE (775) 328-3600
FAX (775) 328.3699

TO: Julee Olander, Planner

FROM: Sophia Kirschenman, Park Planner

DATE: December 27, 2019

SUBJECT: Regulatory Zone Amendment Case Number WRZA19-0010
(Highland Village)



Washoe County Regional Parks and Open Space (Parks) has reviewed and prepared the following comments related to Regulatory Zone Amendment Case Number WRZA19-0010:

The proposed regulatory zone amendment would change the regulatory zone on two parcels, totaling ±54.6 acres, from Low Density Suburban (LDS) and General Rural (GR) to High Density Suburban (HDS). While the proposed zoning would be consistent with the regional land designations identified in the recently-adopted Truckee Meadows Regional Plan, there are constraints identified on the subject parcels that would limit development. Specifically, portions of APN 508-020-43 are characterized by steep slopes. Additionally, Recreational Resource Policy 6.1 in Washoe County's Open Space and Natural Resource Management Plan states: *Strongly discourage high-density development near open space areas and consider the downward transitioning of densities next to or near open space areas in order to minimize resource pressure, fire danger, and other negative impacts.* The subject properties are bordered to the east by public lands managed by the Bureau of Land Management (BLM). While Parks does support the downward transitioning of densities next to open space areas (such as those areas to the east of these properties), Parks is also aware that those lands likely have lesser resource values due to their fragmented nature and the existing impacts of encroaching development.

Given these considerations, Parks supports the rezone request for those portions of the parcels which are currently zoned LDS, but recommends that those portions which are currently zoned GR remain zoned GR. This would maintain the protections that are currently in place. Additionally, the portions of APN 508-020-43 which are zoned GR are generally along the northern and eastern part of the parcel, thereby providing some buffer zones to the lower-density properties to the north and the public lands to the east. Parks also encourages the property owners to consider including additional open space buffers along the northern and eastern borders of these properties in any future development proposals.



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QUALITY PUBLIC SERVICE

From: [Chris Melton](#)
To: [Olander, Julee](#)
Cc: [Jennifer Merritt](#)
Subject: WRZA-19-0010
Date: Monday, January 06, 2020 11:01:30 AM

[**NOTICE:** This message originated outside of Washoe County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Regulatory Zone Amendment Case Number WRZA19-0010 (Highland Village)

This parcel is NOT currently within our existing service boundary. Would have to annex in to our service area, if they do so, SVGID would be the water and sewer provider. They would be subject to Water and Sewer Facility Fees as well as Dedication of Water Rights for development. If you have any additional questions, please feel free to call or email.

Thank you,

Chris Melton
Public Works Director
Sun Valley General Improvement District
5000 Sun Valley Blvd.
Sun Valley, NV 89433
Phone: 775-673-2253
Fax: 775-673-7708
CMelton@svgid.com
Website: www.svgid.com

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From: [Chris Melton](#)
To: [Olander, Julee](#)
Cc: [Jennifer Merritt](#)
Subject: RE: WRZA-19-0010
Date: Friday, January 24, 2020 4:23:56 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

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Julee,

No the owner hasn't applied for annexation into SVGID service area, but SVGID currently has water and sewer capacity. The property would be subject to annexation, Water Right Dedication as well as Water and Sewer Facility fees and **any** and **all** infrastructure improvements needed to serve development. Hope this helps.

Thank you,

Chris Melton
Public Works Director
Sun Valley General Improvement District
5000 Sun Valley Blvd.
Sun Valley, NV 89433
Phone: 775-673-2253
Fax: 775-673-7708
CMelton@svgid.com
Website: www.svgid.com

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From: Olander, Julee [mailto:JOlander@washoecounty.us]
Sent: Friday, January 24, 2020 4:04 PM
To: ChrisMelton
Cc: Jennifer Merritt
Subject: RE: WRZA-19-0010

Chris,

I know we talked about this, but could you let me know that if the owner applied for annexation that the GID does have capacity or not? Just need to clarify if this zoned change is approved that the SVGID would be able to annex the property. Let me know if you have any questions.

Thank you,

| **Julee Olander**



Planner | Community Services Department- Planning & Building Division

jolander@washoecounty.us | Office: 775.328.3627 | Fax: 775.328.6133

1001 E. Ninth St., Bldg A., Reno, NV 89512



Connect with us: [cMail](mailto:cmelton@svgid.com) | [Twitter](#) | [Facebook](#) | www.washoecounty.us

From: Chris Melton <cmelton@svgid.com>
Sent: Monday, January 06, 2020 11:01 AM
To: Olander, Julee <JOLander@washoecounty.us>
Cc: Jennifer Merritt <jmerritt@svgid.com>
Subject: WRZA-19-0010

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Regulatory Zone Amendment Case Number WRZA19-0010 (Highland Village)

This parcel is NOT currently within our existing service boundary. Would have to annex in to our service area, if they do so, SVGID would be the water and sewer provider. They would be subject to Water and Sewer Facility Fees as well as Dedication of Water Rights for development. If you have any additional questions, please feel free to call or email.

Thank you,

Chris Melton
Public Works Director
Sun Valley General Improvement District
5000 Sun Valley Blvd.
Sun Valley, NV 89433
Phone: 775-673-2253
Fax: 775-673-7708
CMelton@svgid.com
Website: www.svgid.com

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WRZA19-0010
EXHIBIT B



Washoe County School District

425 East Ninth Street * P.O. Box 30425 * Reno, NV 89520-3425
Phone (775) 348-0200 * (775) 348-0304 * www.washoeschools.net

Board of Trustees: Katy Simon Holland, President * Malena Raymond, Vice President * Angela Taylor, Clerk
* Jacqueline Calvert * Andrew Caudill * Scott Kelley * Ellen Minetto * Kristen McNeill, Ed.D., Interim Superintendent

03-Jan-20

Julee Olander, Planner
Washoe county Community Services Department
Planning and Building Division
1001 East 9th Street
Reno, NV 89512

RE: WRZA19-0010 (Highland Village)

Dear Ms./Mrs. Olander,

Highland Village, which proposes **up to 382** new mixed-family residential units, will impact Washoe County School District facilities. This project is currently zoned for the following schools:

Palmer Elementary School

Palmer ES has **2** portable buildings (**4** classrooms) in use that provide temporary space for an additional **100** students.

- **Estimated Highland Village impact = up to 50** new ES students (**382** mixed-family units x **0.132** ES students per unit)
- **Base Capacity = 543**
- **Current Enrolment = 460**
- **% of Base Capacity = 85%**

- **Current Enrolment including Highland Village = 510**
- **% of Base Capacity including Highland Village = 94%**
- **Projected enrolment 2024/2025 School Year = 485/89% Capacity**
- **Projected enrolment 2029/2030 School Year = 468/86% Capacity**



Desert Skies Middle School

- **Estimated Highland Village impact = up to 29** new MS students (382 mixed-family units x 0.075 MS students per unit)
- **Base Capacity = 1,412**
- **Current Enrolment = 1,055**
- **% of Base Capacity = 75%**

- **Current Enrolment including Highland Village = 1,084**
- **% of Base Capacity including Highland Village = 77%**
- **Projected enrolment 2024/2025 School Year = 900/64% Capacity**
- **Projected enrolment 2029/2030 School Year = 909/64% Capacity**

Spanish Springs High School and Hug High School @ Wildcreek

Spanish Springs HS has 5 portable buildings (10 classrooms) in use that provide temporary space for an additional 250 students.

- **Estimated Highland Village impact = up to 26** new HS students (382 mixed-family units x 0.068 HS students per unit)
- **Base Capacity (Spanish Springs HS) = 2,312**
- **Current Enrolment = 2,492**
- **% of Base Capacity = 108%**

Fall of 2022, it is anticipated that the school enrolment boundary encompassing Highland Village will be oriented to the new Hug High School at Wildcreek. The enrolment projections for which 5 & 10 years from current include the following:

- **Projected enrolment 2024/2025 School Year = 2,003/91% Capacity**
- **Projected enrolment 2029/2030 School Year = 1,908/87% Capacity**

Thank you for the opportunity to comment. Please communicate any further questions and/or comments.

Brett A. Rodela

Brett A. Rodela, GIS Analyst
Washoe County School District Capital Projects
14101 Old Virginia Road
Reno NV USA 89521
775.325.8303
brett.rodela@washoeschools.net



Washoe-Storey Conservation District

Bret Tyler Chairmen
Jim Shaffer Treasurer
Cathy Canfield Storey app
Jean Herman Washoe app

1365 Corporate Blvd.
Reno NV 89502
775 857-8500 ext. 131
nevadaconservation.com

January 6, 2020

Washoe County Community Services Department

C/O Julee Olander, Planner

1001 E Ninth Street, Bldg A

Reno, NV 89512

R: WRZA19-0010 Highland Village

Dear Julee,

In reviewing Highland Village, the Conservation District has the following comments.

In the preliminary review for Highland Village the typical front yard should be xeriscaped and the use of earth tone colors for the project to blend in with the existing natural environmental amenities.

Thank you for providing us the opportunity to review the project that may have impacts on our natural resources.

Sincerely,

Tyler-Shaffer



WASHOE COUNTY

COMMUNITY SERVICES

INTEGRITY COMMUNICATION SERVICE

P.O. Box 11130
Reno, Nevada 89520-0027
Phone: (775) 328-3600
Fax: (775) 328-3699

December 27, 2019

TO: Julee Olander, Planner, Washoe County Community Services Department Planning and Building Division

FROM: Vahid Behmaram, Water Management Planner Coordinator, CSD

SUBJECT: Regulatory Zone Amendment Case Number WRZA19-0010 (Highland Village)

Project description:

Adoption of an amendment to approve a regulatory zone amendment from Low Density Suburban (LDS - 1 unit per acre) regulatory zone to High Density Suburban (HDS - 7 units per acre) regulatory zone on two parcels of land, totaling approximately 54.6 acres. Location: north of Highland Ranch Pkwy. & north of Midnight Drive, Assessor's Parcel Numbers: 508-020-41 & 43.

The Community Services Department (CSD) offers the following Water Rights conditions and /or comments regard these amendments:

Comments: The Sun Valley Area Plan in part states that:

Section 110.218.05 Community Water and Sewer. The following types of development shall be served by community water and sewer facilities:

(a) Residential development of one (1) unit or more per acre;

Section 110.218.25 New Parcel Restrictions. The creation of additional parcels in any regulatory zone within the Sun Valley planning area is restricted to areas within the service area of recognized water purveyors.

The application as filed lacks necessary information and proof that the parcels subject to the proposed amendment are annexed into SVGID water and Sewer service territory and acknowledgment that SVGID has adequate future capacity for both water and sewer delivery. Washoe County recommends that the applicant attempt to acquire some form of



WASHOE COUNTY

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documentation or acknowledgment from SVGID. Otherwise the application should be denied.



WWW.WASHOECOUNTY.US

From: [Julie Masterpool](#)
To: [Olander, Julie](#)
Cc: [Rebecca Kapuler](#)
Subject: Highland Village
Date: Monday, January 13, 2020 11:13:42 AM
Attachments: [image004.emz](#)
[image005.png](#)
[image007.emz](#)
[Access Management Stanards Table E-2.pdf](#)

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Let me know if this works for you.
Julie

Highland Village – Zone amendment from low density to high density

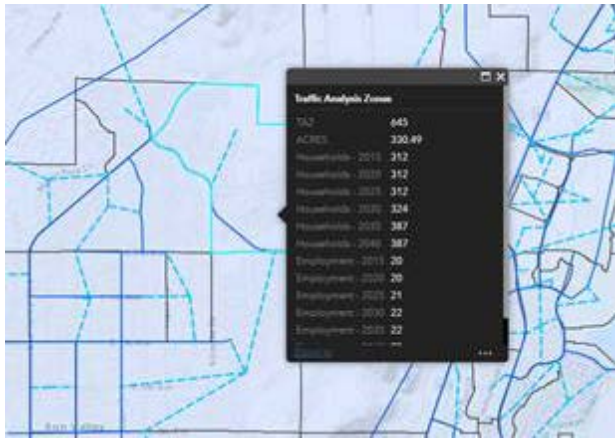
The [Regional Transportation Plan \(RTP\)](#) identifies Highland Ranch Parkway as an arterial with moderate-access control. To maintain arterial capacity, the following RTP access management standards should be maintained.

(See RTP Table E-2)

The policy Level of Service (LOS) standard for Highland Ranch Parkway is LOS D. Policy LOS for intersections shall be designed to provide a level of service consistent with maintaining the policy level of service of the intersecting corridor. This project should be required to meet all the conditions necessary to complete road improvements to maintain policy LOS standards.

RTC's Travel Demand Model currently shows Highland Ranch Parkway with 7,200 ADT and future 2040 volumes as 4,000 ADT. The decrease in anticipated volumes are likely due to capacity improvements on the regional network in the future years redirecting traffic flows. The capacity for a 2 lane moderate access control facility with Policy LOS D is typically 17,500 ADT. The Traffic Analysis Zone (TAZ 645) which includes the identified APNs, shows only minimal growth to the forecast year 2040. Once a development proposal is made identifying the total number of new units and access points onto Highland Ranch, a new traffic model runs based on the proposed development may be necessary to determine the impacts to the Regional Road System (RRS).







Sun Valley Citizen Advisory Board

Approval of these draft minutes, or any changes to the draft minutes, will be reflected in writing in the next meeting minutes and/or in the minutes of any future meeting where changes to these minutes are approved by the CAB. Minutes of the regular meeting of the Spanish Springs Citizen Advisory Board held January 21, 2020, 6:00 p.m. at the Sun Valley Neighborhood Center 115 West 6th Street, Sun Valley, NV 89433.

1. *CALL TO ORDER/ DETERMINATION OF QUORUM – The meeting was called to order at 6:04 p.m by Carmen Ortiz.

MEMBERS PRESENT: Carol Burns, Antonio Gonzalez, Carmen Ortiz, Margaret Reinhart, Michael Rider, Stephen Machutta (alternate)

MEMBERS ABSENT: James Georges

2. *PLEDGE OF ALLEGIANCE – The pledge was recited.

3. *PUBLIC COMMENT – There were no requests for public comment, Carmen Ortiz closed the public comment period.

Brenda, representative from Family Resource Center provided an update. She said they relocated to the Desert Skies school. She handed out flyers. She announced they have a family pantry day and provided the locations. She said they help with basic needs including assistance with utility bills. Phone:775-327-1511.

With no further requests, Carmen closed the public comment period.

7. DEVELOPMENT PROJECTS- The project description is provided below with links to the application or you may visit the Planning and Building Division website and select the Application Submittals page: www.washoecounty.us/comdev

7.A. Regulatory Zone Amendment Case Number WRZA19-0010 (Highland Village)- Request for community feedback, discussion and possible action to forward community and Citizen Advisory Board comments to Washoe County staff on a request a regulatory zone amendment from Low Density Suburban (LDS - 1 unit per acre) regulatory zone to High Density Suburban (HDS - 7 units per acre) regulatory zone on two parcels of land, totaling approximately 54.6 acres. (for Possible Action)

- Applicant\Property Owner: Regal Holdings of Nevada, LLC
- Location: north of Highland Ranch Pkwy. & north of Midnight Drive.
- Assessor’s Parcel Number: 508-020-41 & 43
- Staff: Julee Olander, Planner; 775-328-3627; jolander@washoecounty.us
- Reviewing Body: Tentatively scheduled for the Planning Commission on February 4, 2020.

Julee Olander, Washoe County planner, was available to answer questions.

Ron Bath, applicant representative, provided a presentation.

Public comment:

Judy said the application doesn’t mention faults. She said there is shifting on the fault. Those who live on higher density need to know this.

Tammy, Highland Ranch resident, said there are two main ways in. She said people use Midnight and go through Highland Ranch. She said we already have a ton of traffic. She asked how roads and access be improved. There is increased traffic with the new school. She asked what will happen with traffic with dense development.

A public member spoke about traffic issues. He said low density housing sort of makes sense, but high-density housing doesn't make sense. Traffic will be unbearable. He asked about services for the area.

Susan S. said all of the housing is on 1 or 3 on the acres. She said she is concerned that the master plan will need to change if we need to do this. Unless master plan changes with RTC, nothing will change with the roads. They will make them to do the minimum requirements. She said she is worried about capital improvement plan and master plan. She said she is concerned about 7 per acre. She spoke about cluster development and open space. She said she is concerned with infrastructure, RTC, and other entities involved with roads in the area.

Matt, owns land adjacent to subject property, asked for clarification; he asked if there isn't a proposed development, just trying to change zoning. He asked if a green belt will be maintained between the properties.

Board comments:

Michael Rider said he has been out here since 1971. He said keep it with 3 per acre with open space. He said he isn't ok with 7. He spoke about other development. The traffic on Highland Ranch will be unbearable. He said he isn't in favor of high density. He said he believes the community needs to match the community next to it. He said we are being inundated. We need the infrastructure to support the growth. He said we need a comprehensive plan. He spoke about safety. If the road is inundated, the emergency service can't access. We cannot move through our own community.

Carol Burns agreed with Michael. She said there are two GID board members who support these businesses. She said she is uncomfortable with that. She talked about traffic lined up. The valley is being trapped. We cannot move. If they don't increase the size of the road, we are trapped.

Margaret Reinhart said she is opposed to 7 units per acre. She said she can handle 3 units per acre which would conform with the area. She agreed with Michael.

Antonio said the concerns have been addressed already. He agreed to address the infrastructure issues.

Stephen Machutta asked when Sun Valley Blvd will be expanded.

Carmen said she is concerned with traffic.

Ron Bath, representative, introduced Odyssey Engineering. Ron Bath addressed the questions and concerns. He said they haven't studied the faults yet.

Frank, the project Engineer, said concerns will be addressed. Right now, we are bringing this into conformance with Regional Plan. Julee said the Regional Planning agency just adopted a plan that oversees Washoe County, Reno, Sparks. The Planning Agency looked at densities. They came up with a different process than they had before. Primarily here in Sun Valley, it's 1/3 acre properties. Julee said they are looking at higher density to allow for more affordable housings in the area. They have tiered everything. The sun valley master plan allows for high density suburban in this area. It's allowed. Because the Regional Plan constrained it before, you haven't seen this high density in the past, but that has changed, and this area is now identified which allows for higher density. Julee said

it's a zone change but allowed by Regional and Sun Valley Area Plan. Carmen asked where the master plan and Regional Plan is located online. Julee said its located on departments/planning/master plan. She said the Regional Plan is located on Truckee Meadows Regional Planning agency. Tmrpa.org is the website for the Regional Planning agency. It's been adopted by Washoe County, Reno, and Sparks. It's brand new.

Frank, Engineer spoke about coming into conformance with zoning. He said we still need to look at what we want to propose on that property. He said they believe it may be single family housing. Engineer said he is also frustrated with RTC.

Margaret asked if they will be stick built. Ron said they don't know yet, but probably single-family stick built. Ron said we won't get 7-units per acre on that property. He said zoning says they can do that. Ron said they don't have a plan yet. Julee reminded everyone of the process – request for zone change or master plan change. She said this is the beginning step. They are trying to bring in more affordable housing and workforce housing. There are slope challenges on that property. This will give them options. They will come back with a tentative map. That is when you will find out more about traffic, utilities, proposed units. Washoe County requires one enclosed garage.

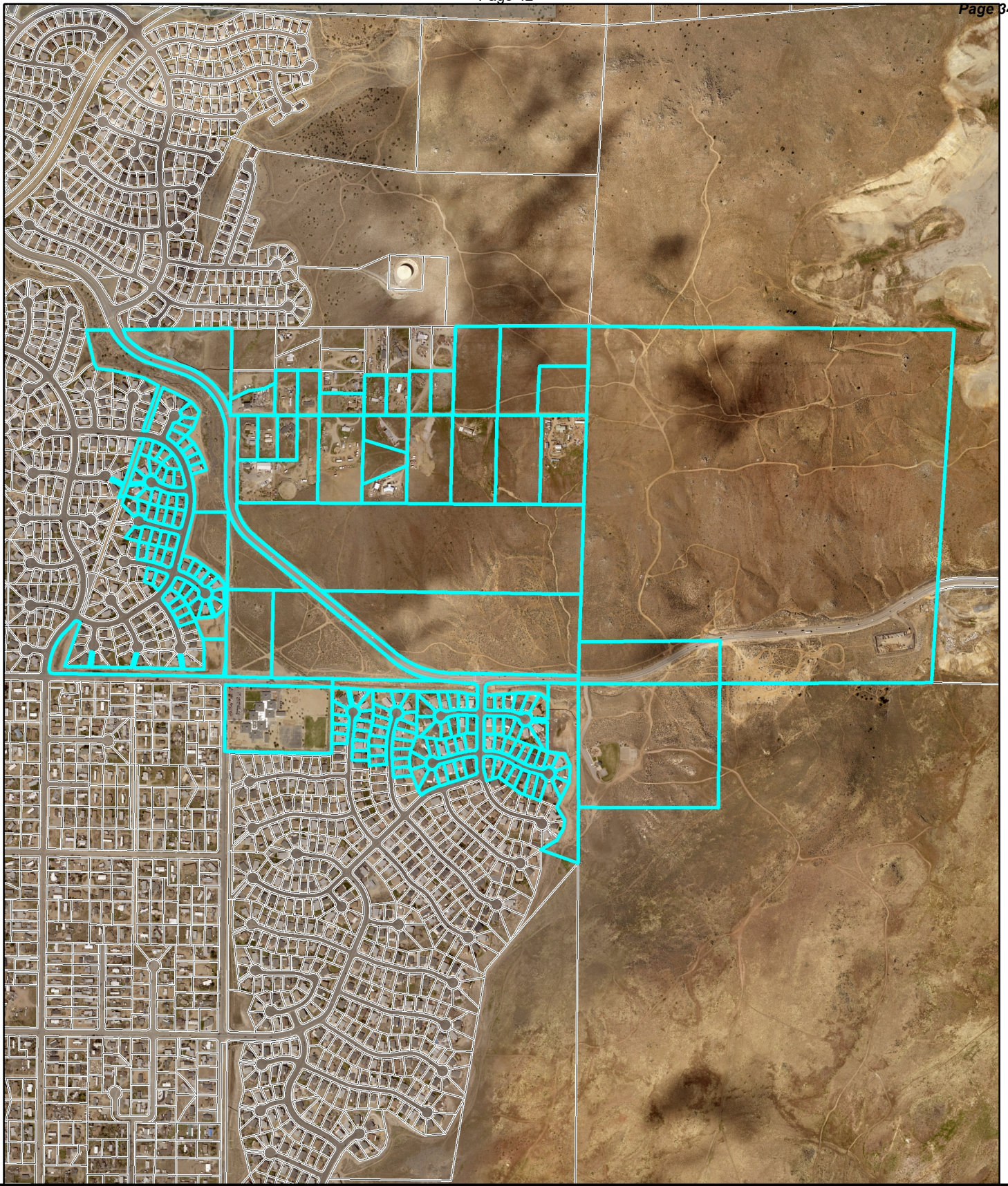
Chris Melton, GID, said Sun Valley GID will provide the water and waste water. They will be subject to fees and water rights. Any fees will be paid by the developer.

Ron Bath said a traffic study will be approved. Master plan has been addressed. 7 per acre won't be possible. He said there is topographical issues with this property. He said there needs to be an area between existing homes and the project.

MOTION: Michael Rider moved to recommend medium density, not high density. He said medium density is a better idea. Carol Burns seconded the motion. The motion carried unanimously.

ADJOURNMENT – Meeting adjourned at 8:00 p.m.

Number of CAB members present: 5
Number of Public Present: 70
Presence of Elected Officials: 1
Number of staff present: 2



WRZA19-0010
Highland Village
Noticing Map - 750 feet



0 250 500 750
Feet

Community Services
Department



1001 E Ninth St
Reno, Nevada 89512 (775) 328-3600



December 13, 2019

Washoe County
Community Services Department
1001 E. 9th Street. Bldg A
Reno, NV 89512

Attn: Trevor Lloyd, Planning Manager
RE: Highland Ranch Parkway Re-Zone Application

Dear Mr. Lloyd

On behalf of Regal Holdings of Nevada, LLC., a Nevada Limited Liability Company. I am pleased to submit the application for a Regulatory Zone Amendment of approximately 54.6 acres consisting of Assessor Parcel Numbers 508-020-41 and 508-020-43. The applicant is requesting a change of zoning from LDS to HDS. The HDS zoning designation will provide for development of much needed single family residential affordable housing to be built on the property.

The following pages contain information in support of a Regulatory Zone Amendment of this property that is consistent with the goals and needs of Washoe County and the community in general.

If you have any questions or require any further documentation or clarification, please contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ron Bath".

Ronald W. Bath
Manager

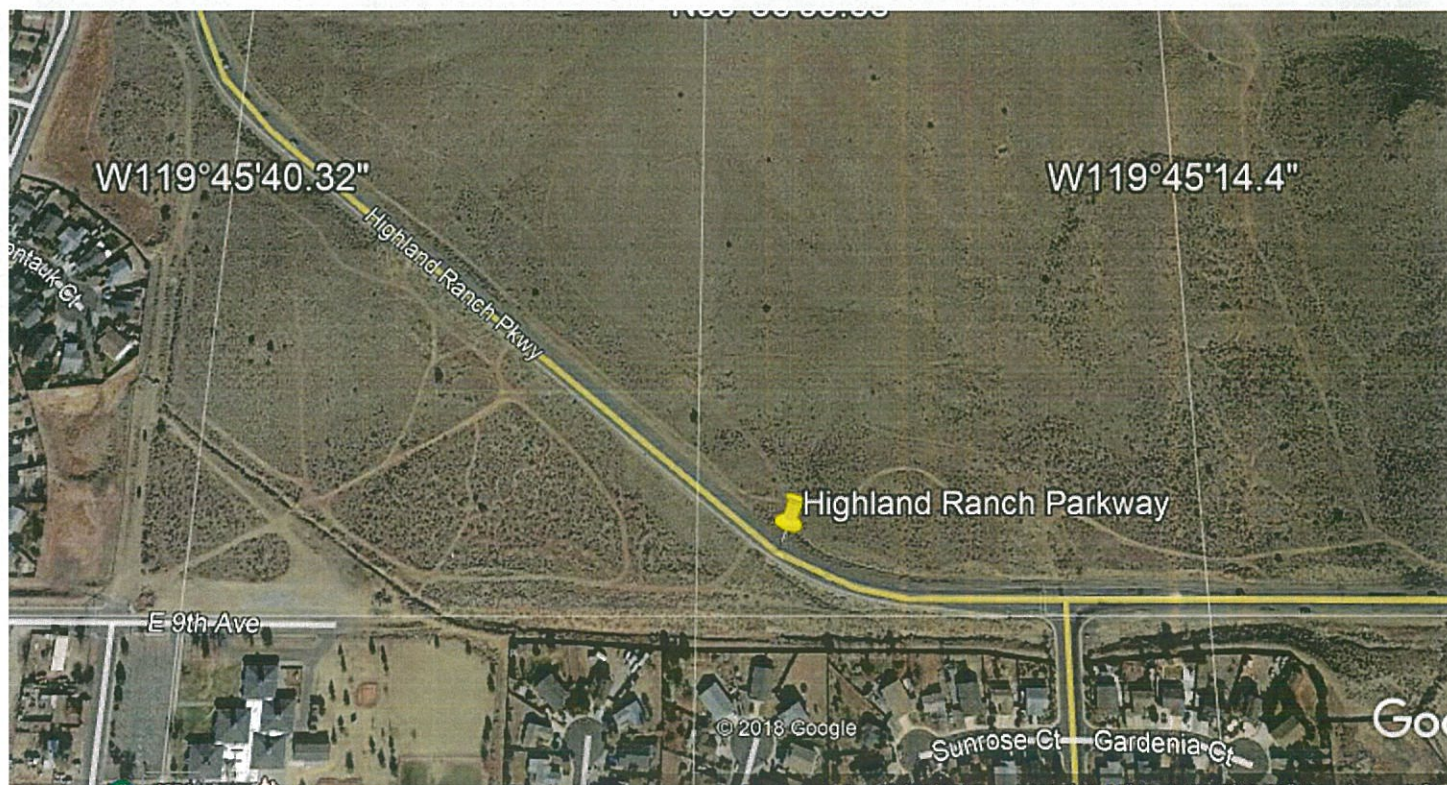
2560 Granite Springs Road, Reno, NV 89519

ron.salmonpoint@gmail.com

(775) 303-3789

**WRZA19-0010
EXHIBIT E**

APPLICATION FOR REGULATORY ZONE AMENDMENT



Prepared For:

Regal Holdings of Nevada, LLC.

Prepared By:

**Salmon Point Development, LLC.
Ron & Teri Bath
2560 Granite Springs Road
Reno, NV 89519**

Washoe County Development Application

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

Project Information		Staff Assigned Case No.: _____	
Project Name: Highland Village			
Project Description: Rezone request from LDS to HDS allowing for the development of the property in similar manner as the existing surrounding subdivision development.			
Project Address: 0 Highlands Ranch Parkway			
Project Area (acres or square feet): 54.617 acres			
Project Location (with point of reference to major cross streets AND area locator): Bordering Highland Ranch Parkway			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No.(s):	Parcel Acreage:
508-020-41	21.019	508-020-43	33.598
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: Charles J. Fornaro, et al		Name: Odyssey Engineering	
Address: 3936 Eagle Cir.		Address: 895 Roberta Ln. #104	
Slatington, PA	Zip: 18080	Sparks, NV	Zip: 89431
Phone: (610) 760-0394	Fax:	Phone: (775) 359-3303	Fax:
Email: none		Email: frank@odysseyreno.com	
Cell:	Other:	Cell: (775) 236-3329	Other:
Contact Person: Charles J. Fornaro		Contact Person: Frank Bidart	
Applicant/Developer:		Other Persons to be Contacted:	
Name: Regal Holdings of Nevada LLC		Name: Ron Bath	
Address: 3495 Lakeside Dr. #249		Address: 3500 Lakeside Ct. #211	
Reno, NV	Zip: 89509	Reno, NV	Zip: 89509
Phone: (775) 827-6700	Fax:	Phone:	Fax:
Email: ray@pezonella.com		Email: ron.salmonpoint@gmail.com	
Cell: (775) 742-4196	Other:	Cell: (775) 303-3789	Other:
Contact Person: Ray Pezonella		Contact Person: Ron Bath	
For Office Use Only			
Date Received:	Initial:	Planning Area:	
County Commission District:—		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

**Regulatory Zone Amendment
Supplemental Information**
(All required information may be separately attached)

Please complete the following supplemental information to ensure consistent review of your request to amend the Washoe County Zoning Map. Please provide a brief explanation to all questions answered in the affirmative.

1. List the Following information regarding the property subject to the Regulatory Zone Amendment.
 - a. What is the location (address, distance and direction from nearest intersection)?

Accross Highland Ranch Parkway from Midnight Drive

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

APN of Parcel	Master Plan Designation	Current Zoning	Existing Acres	Proposed Zoning	Proposed Acres
508-020-41	Tier 2	LDS	21.019	HDS	21-019
508-020-43	Tier 2	LDS 89% GR 11%	33.598	HDS	33.598

- c. What are the regulatory zone designations of adjacent parcels?

	Zoning	Use (residential, vacant, commercial, etc.)
North	LDS	Vacant and residentia
South	MDS	Residential subdivision
East	BLM	Federal Land
West	MDS	Residential subdivision

3. Describe the existing conditions and uses located on the site (i.e. vacant land, roadways, easements, buildings, etc.).

Vacant Land --

4. 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.

Rock mountain to be used as open space

5. Does the property contain development constraints such as floodplain or floodways, wetlands, slopes, or hillsides in excess of 15%, geologic hazards such as active faults, significant hydrologic resources, or major drainages or prime farmland?

<input checked="" type="checkbox"/> Yes, provide map identifying locations	<input type="checkbox"/> No
--	-----------------------------

6. Is the site located in an area where there is potentially an archeological, historic, or scenic resource?

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

Explanation: —

--

7. Are there sufficient water rights to accommodate the proposed amendment? Please provide copies of all water rights documents, including chain of title to the original water right holder.)

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

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

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

- a. Title of those rights (as filed with the State Engineer in the Division of Water Resources of the Department of Conservation and Natural Resources):

--

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

--

8. 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:	TMWA and SVGID

- 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. Is this part of a 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 or not available, please describe the funding mechanism for ensuring availability of water service.

--

9. 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: SVGID

- 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. Is this part of a 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 or 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.

--

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

Highland Ranch Parkway

11. Will the proposed amendment impact existing or planned transportation systems? (If yes, a traffic report is required.)

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

12. Community Services (provided name, address and distance to nearest facility).

a. Fire Station	Reno Fire Department 110 Quartz Ln, Sun Valley, NV 3/4 mile NE
b. Health Care Facility	RENOWN Urgent Care Los Altos, 202 Los Altos PKWY, Sparks. 3 miles
c. Elementary School	Virginia Palmer Elementary School. 5890 Klondike Dr. Sun Valley, NV 1/4 mile
d. Middle School	Desert Skies Middle School, 7550 Donatello Dr. Sun Valley, NV 1/4 mile
e. High School	Proctor Hug High School, 2880 Sutro St. Reno, NV, 3 miles
f. Parks	Sun Valley Regional Park, 5905 Sidehill Ln., Sun Valley, NV 1.5 miles
g. Library	Sparks Library, 1126 12th St., Sparks, NV 5 miles
h. Citifare Bus Stop	Sun Valley Dr & 7th Ave., Sun Valley, NV 1.5 miles

Projects of Regional Significance Information For Regulatory Zone Amendments

Nevada Revised Statutes 278.026 defines "Projects of Regional Significance". Regulatory Zone amendment requests for properties within the jurisdiction of the Truckee Meadows Regional Planning Commission (TMRPC) must respond to the following questions. A "Yes" answer to any of the following questions may result in the application being referred first to the Truckee Meadows Regional Planning Agency (TMRPA) for submission as a project of regional significance. Applicants should consult with County or Regional Planning staff if uncertain about the meaning or applicability of these questions.

1. Will the full development potential of the Regulatory Zone amendment increase employment by not less than 938 employees?—

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

2. Will the full development potential of the Regulatory Zone amendment increase housing by 625 or more units?

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

3. Will the full development potential of the Regulatory Zone amendment increase hotel accommodations by 625 or more rooms?

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

4. Will the full development potential of the Regulatory Zone amendment increase sewage by 187,500 gallons or more per day?

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

5. Will the full development potential of the Regulatory Zone amendment increase water usage by 625 acre-feet or more per year?

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

6. Will the full development potential of the Regulatory Zone amendment increase traffic by 6,250 or more average daily trips?

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

7. Will the full development potential of the Regulatory Zone amendment increase the student population from kindergarten to 12th grade by 325 students or more?

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

—

OWNER AFFIDAVIT

—

Property Owner Affidavit

Applicant Name: REGAL HOLDINGS OF NEVADA, LLC.

The receipt of this application at the time of submittal does not guarantee the application complies with all requirements of the Washoe County Development Code, the Washoe County Master Plan or the applicable area plan, the applicable regulatory zoning, or that the application is deemed complete and will be processed.

STATE OF NEVADA)
COUNTY OF WASHOE)

I, Charles Fornaro
(please print name)

being duly sworn, depose and say that I am the owner* of the property or properties involved in this application as listed below and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects complete, true, and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of Planning and Building.

(A separate Affidavit must be provided by each property owner named in the title report.)

Assessor Parcel Number(s): 508-020-41 AND 508-020-43

Printed Name CHARLES FORNARO

Signed Charles Fornaro

Address 3936 Eagle Cir
Slatington PA 16880

Subscribed and sworn to before me this
19 day of November

(Notary Stamp)

MARIA SHURILLA - Northampton Pa

Notary Public in and for said county and state

My commission expires: 10/20/20

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
Maria L. Shurilla, Notary Public
Walnutport Boro., Northampton County
My commission expires October 20, 2020

Maria L. Shurilla

*Owner refers to the following: (Please mark appropriate box.)

- Owner
- Corporate Officer/Partner (Provide copy of record document indicating authority to sign.)
- Power of Attorney (Provide copy of Power of Attorney.)
- Owner Agent (Provide notarized letter from property owner giving legal authority to agent.)
- Property Agent (Provide copy of record document indicating authority to sign.)
- Letter from Government Agency with Stewardship

December 2018

Property Owner Affidavit

Applicant Name: REGAL HOLDINGS OF NEVADA, LLC.

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STATE OF NEVADA)
COUNTY OF WASHOE)

I, DOMINICK NOFREY FORNARO
(please print name)

being duly sworn, depose and say that I am the owner* of the property or properties involved in this application as listed below and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects complete, true, and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of Planning and Building.

(A separate Affidavit must be provided by each property owner named in the title report.)

Assessor Parcel Number(s): 508-020-41 AND 508-020-43

Printed Name DOMINICK N. FORNARO

Signed *Dominick Fornaro*

Address 1404 LEON ST.

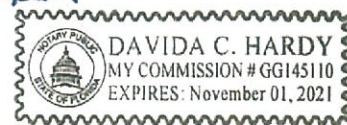
KEY WEST, FL. 33040

Subscribed and sworn to before me this
15th day of November, 2019

(Notary Stamp)

Monroe, FLORIDA *David C Hardy*
Notary Public in and for said county and state

My commission expires: Nov. 1, 2021



*Owner refers to the following: (Please mark appropriate box.)

- Owner
- Corporate Officer/Partner (Provide copy of record document indicating authority to sign.)
- Power of Attorney (Provide copy of Power of Attorney.)
- Owner Agent (Provide notarized letter from property owner giving legal authority to agent.)
- Property Agent (Provide copy of record document indicating authority to sign.)
- Letter from Government Agency with Stewardship

Property Owner Affidavit

Applicant Name: REGAL HOLDINGS OF NEVADA, LLC.

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STATE OF ~~NEVADA~~ ^{New Jersey})
COUNTY OF ~~WASHOE~~ ^{Ocean})

I, FRANK FORNARO JR.
(please print name)

being duly sworn, depose and say that I am the owner* of the property or properties involved in this application as listed below and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects complete, true, and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of Planning and Building.

(A separate Affidavit must be provided by each property owner named in the title report.)

Assessor Parcel Number(s): 508-020-41 AND 508-020-43

Printed Name FRANK FORNARO JR

Signed Frank Fornaro Jr.

Address 15 NELSON CT.

TOMS RIVER NJ - 08757

Subscribed and sworn to, before me this 22 day of November, 2014.

(Notary Stamp)

Adam C Servodio
Notary Public in and for said county and state

My commission expires: 6/28/21

ADAM C. SERVODIO
Notary Public - New Jersey
OCEAN County
My Comm. Expires 06-28-2021
No. 50040957

*Owner refers to the following: (Please mark appropriate box.)

- Owner
- Corporate Officer/Partner (Provide copy of record document indicating authority to sign.)
- Power of Attorney (Provide copy of Power of Attorney.)
- Owner Agent (Provide notarized letter from property owner giving legal authority to agent.)
- Property Agent (Provide copy of record document indicating authority to sign.)
- Letter from Government Agency with Stewardship

Property Owner Affidavit

Applicant Name: REGAL HOLDINGS OF NEVADA, LLC.

The receipt of this application at the time of submittal does not guarantee the application complies with all requirements of the Washoe County Development Code, the Washoe County Master Plan or the applicable area plan, the applicable regulatory zoning, or that the application is deemed complete and will be processed.

STATE OF NEVADA)
COUNTY OF WASHOE)

DAVID FORNARO

(please print name)

being duly sworn, depose and say that I am the owner* of the property or properties involved in this application as listed below and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects complete, true, and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of Planning and Building.

(A separate Affidavit must be provided by each property owner named in the title report.)

Assessor Parcel Number(s): 508-020-41 AND 508-020-43

Printed Name DAVID FORNARO

Signed [Signature]

Address 1036 CREEGER AVE

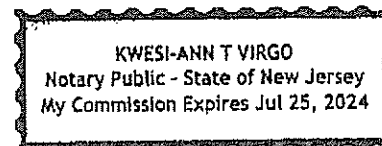
UNION NJ, 07083

Subscribed and sworn to before me this 23rd day of November, 2019

(Notary Stamp)

[Signature]
Notary Public in and for said county and state

My commission expires: 07-25-24



*Owner refers to the following: (Please mark appropriate box.)

- Owner
- Corporate Officer/Partner (Provide copy of record document indicating authority to sign.)
- Power of Attorney (Provide copy of Power of Attorney.)
- Owner Agent (Provide notarized letter from property owner giving legal authority to agent.)
- Property Agent (Provide copy of record document indicating authority to sign.)
- Letter from Government Agency with Stewardship

Property Owner Affidavit

Applicant Name: REGAL HOLDINGS OF NEVADA, LLC.

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STATE OF NEVADA)
)
COUNTY OF WASHOE)

I, Nafrey Fornaro (please print name)

being duly sworn, depose and say that I am the owner* of the property or properties involved in this application as listed below and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects complete, true, and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of Planning and Building.

(A separate Affidavit must be provided by each property owner named in the title report.)

Assessor Parcel Number(s): 508-020-41 AND 508-020-43

Printed Name Nafrey Fornaro

Signed Nafrey Fornaro

Address 35132 Ford Blvd
Freehold N.J. 07728

Subscribed and sworn to before me this
19th day of November, 2019.

(Notary Stamp)

[Signature] Hills NJ
Notary Public in and for said county and state

My commission expires: 9/1/21

*Owner refers to the following: (Please mark appropriate box.)

- Owner
- Corporate Officer/Partner (Provide copy of record document indicating authority to sign.)
- Power of Attorney (Provide copy of Power of Attorney.)
- Owner Agent (Provide notarized letter from property owner giving legal authority to agent.)
- Property Agent (Provide copy of record document indicating authority to sign.)
- Letter from Government Agency with Stewardship

December 2018

Property Owner Affidavit

Applicant Name: REGAL HOLDINGS OF NEVADA, LLC.

The receipt of this application at the time of submittal does not guarantee the application complies with all requirements of the Washoe County Development Code, the Washoe County Master Plan or the applicable area plan, the applicable regulatory zoning, or that the application is deemed complete and will be processed.

STATE OF NEVADA

COUNTY OF WASHOE

DOMINICK FORNARO
(please print name)

being duly sworn, depose and say that I am the owner* of the property or properties involved in this application as listed below and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects complete, true, and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of Planning and Building.

(A separate Affidavit must be provided by each property owner named in the title report.)

Assessor Parcel Number(s): 508-020-41 AND 508-020-43

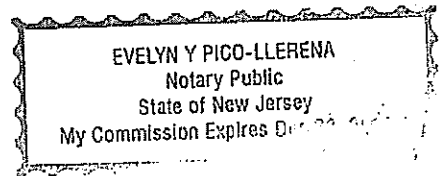
Printed Name DOMINICK FORNARO
Signed [Signature]
Address 18 RT 46
COLUMBIA NV. 07837

Subscribed and sworn to before me this 22 day of November, 2019

[Signature]
Notary Public in and for said county and state

My commission expires: 12/20/2019

(Notary Stamp)



*Owner refers to the following: (Please mark appropriate box.)

- Owner
- Corporate Officer/Partner (Provide copy of record document indicating authority to sign.)
- Power of Attorney (Provide copy of Power of Attorney.)
- Owner Agent (Provide notarized letter from property owner giving legal authority to agent.)
- Property Agent (Provide copy of record document indicating authority to sign.)
- Letter from Government Agency with Stewardship

Property Owner Affidavit

Applicant Name: REGAL HOLDINGS OF NEVADA, LLC.

The receipt of this application at the time of submittal does not guarantee the application complies with all requirements of the Washoe County Development Code, the Washoe County Master Plan or the applicable area plan, the applicable regulatory zoning, or that the application is deemed complete and will be processed.

STATE OF NEVADA)
)
COUNTY OF WASHOE)

I, Anthony J Pietrantonio
(please print name)

being duly sworn, depose and say that I am the owner* of the property or properties involved in this application as listed below and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects complete, true, and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of Planning and Building.

(A separate Affidavit must be provided by each property owner named in the title report.)

Assessor Parcel Number(s): 508-020-41 AND 508-020-43

Printed Name Matthew Pietrantonio
Executor estate Anthony J Pietrantonio
Signed Matthew Pietrantonio

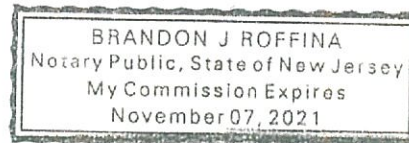
Address 255 Union Ave
New Providence, NJ 07974

Subscribed and sworn to before me this
21 day of November, 2019.

(Notary Stamp)

Hammonton, NJ - Brandon Joffina
Notary Public in and for said county and state

My commission expires: 11/07/2021



*Owner refers to the following: (Please mark appropriate box.)

- Owner
- Corporate Officer/Partner (Provide copy of record document indicating authority to sign.)
- Power of Attorney (Provide copy of Power of Attorney.)
- Owner Agent (Provide notarized letter from property owner giving legal authority to agent.)
- Property Agent (Provide copy of record document indicating authority to sign.)
- Letter from Government Agency with Stewardship

State of New Jersey Union County Surrogate's Court

In the Matter of the Estate of:

Anthony J. Pietrontone (Widowed), Deceased
AKA: Tony Pietrontonie

EXECUTOR
SHORT FORM CERTIFICATE
OF LETTERS TESTAMENTARY

Date of Death: **May 10, 2018**

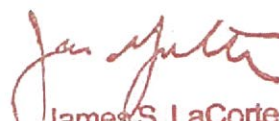
I, **James S. LaCorte**, Surrogate of the County of Union, do hereby certify that the Last Will and Testament of the decedent, late of Union County, State of New Jersey, was admitted to Probate by the Surrogate of Union County on June 5, 2018; and that Letters Testamentary were issued to:

Mathew Pietrontone,

the Executor(s) named therein, who is/are duly authorized to administer the estate of said deceased agreeably to said Will and said Letters Testamentary have never been revoked and still remain in full force and effect.

WITNESS my hand and seal of office this
5th day of June, 2018




James S. LaCorte
Surrogate & Deputy Clark of the Superior Court of **NJ**
Chancery Division, Probate Part, Union County

Property Owner Affidavit

Applicant Name: REGAL HOLDINGS OF NEVADA, LLC.

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New Jersey
STATE OF ~~NEVADA~~)
Hunterdon
COUNTY OF ~~WASHOE~~)

I, William Nowak
(please print name)

being duly sworn, depose and say that I am the owner* of the property or properties involved in this application as listed below and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects complete, true, and correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of Planning and Building.

(A separate Affidavit must be provided by each property owner named in the title report.)

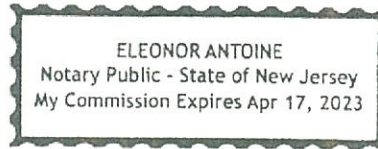
Assessor Parcel Number(s): 508-020-41 AND 508-020-43

Printed Name William Nowak
Signed [Signature]
Address 11118 Lake Katherine Circle
Clend FL 34711

Subscribed and sworn to before me this 29th day of November, 2019.

[Signature]
Notary Public in and for said county and state
My commission expires: 04/17/2019

(Notary Stamp)



*Owner refers to the following: (Please mark appropriate box.)

- Owner
- Corporate Officer/Partner (Provide copy of record document indicating authority to sign.)
- Power of Attorney (Provide copy of Power of Attorney.)
- Owner Agent (Provide notarized letter from property owner giving legal authority to agent.)
- Property Agent (Provide copy of record document indicating authority to sign.)
- Letter from Government Agency with Stewardship

PROPERTY TAX PAID IN FULL

WASHOE COUNTY TREASURER

PO BOX 30039
RENO, NV 89520-3039
775-328-2510

Received By: nhuang Receipt Number: U19.15:
Location: Treasurer's Office Receipt Year: 20
Session: nhuang-0-12162019 Date Received: 12/16/20

PAYMENT RECEIPT

Type	Description	Balance	Net Tax	Interest	Fees Penalties	Current Due	Current Paid	Balance Remainir
Real	Bill Number: 2019114419 Bill Year: 2019 PIN: 50802041 Primary Owner: CHARLES J FORNARO Property Addr: 9TH AVE Property Desc: Section 8 SubdivisionName _UNSPECIFIED Township 20 Range 20	4,095.43	3,956.93	0.00	138.50	4,095.43	4,095.43	0.00
Real	Bill Number: 2018105235 Bill Year: 2018 PIN: 50802041 Primary Owner: CHARLES J FORNARO Property Addr: 9TH AVE Property Desc: Section 8 SubdivisionName _UNSPECIFIED Township 20 Range 20	3,280.95	2,675.02	271.45	334.48	3,280.95	3,280.95	0.00
Totals:		7,376.38	6,631.95	271.45	472.98	7,376.38	7,376.38	0.00

PAID
DEC 13 2019
W. C. T. O. 27

Tender Information:		Charge Summary:	
Check #9/265101	7,376.38	Real	7,376.38
Total Tendered	7,376.38	Total Charges	7,376.38

WASHOE COUNTY TREASURER PO BOX 30039 RENO, NV 89520-3039

By Whom Paid:

FIRST CENTENNIAL TITLE CO
1450 RIDGEVIEW DR STE 100
RENO NV 85519

BALANCE REMAINING	0.00
CHARGES	7,376.38
PAID	7,376.38
CHANGE	0.00

WRZA19-0010
EXHIBIT E

NASHOE COUNTY TREASURER

PO BOX 30039
RENO, NV 89520-3039
75-328-2510

Received By: nhuang Receipt Number: U19.15334
Location: Treasurer's Office Receipt Year: 2019
Session: nhuang-0-12162019 Date Received: 12/16/2019

PAYMENT RECEIPT

Type	Description	Balance	Net Tax	Interest	Fees Penalties	Current Due	Current Paid	Balance Remaining
Real	Bill Number: 2019113841 Bill Year: 2019 PIN: 50802043 Primary Owner: CHARLES J FORNARO Property Addr: HIGHLAND RANCH PKWY Property Desc: Range 20 Township 20 SubdivisionName _UNSPECIFIED Section 8 Bloc	6,382.91	6,167.05	0.00	215.86	6,382.91	6,382.91	0.00
Real	Bill Number: 2018106967 Bill Year: 2018 PIN: 50802043 Primary Owner: CHARLES J FORNARO Property Addr: HIGHLAND RANCH PKWY Property Desc: Range 20 Township 20 SubdivisionName _UNSPECIFIED Section 8 Bloc	5,111.25	4,169.13	423.06	519.06	5,111.25	5,111.25	0.00
Totals:		11,494.16	10,336.18	423.06	734.92	11,494.16	11,494.16	0.00

PAID
DEC 13 2019
W. C. T. O. 27

Tender Information:		Charge Summary:	
Check #10/265102	11,494.16	Real	11,494.16
Total Tendered	11,494.16	Total Charges	11,494.16

WASHOE COUNTY TREASURER PO BOX 30039 RENO, NV 89520-3039

By Whom Paid:

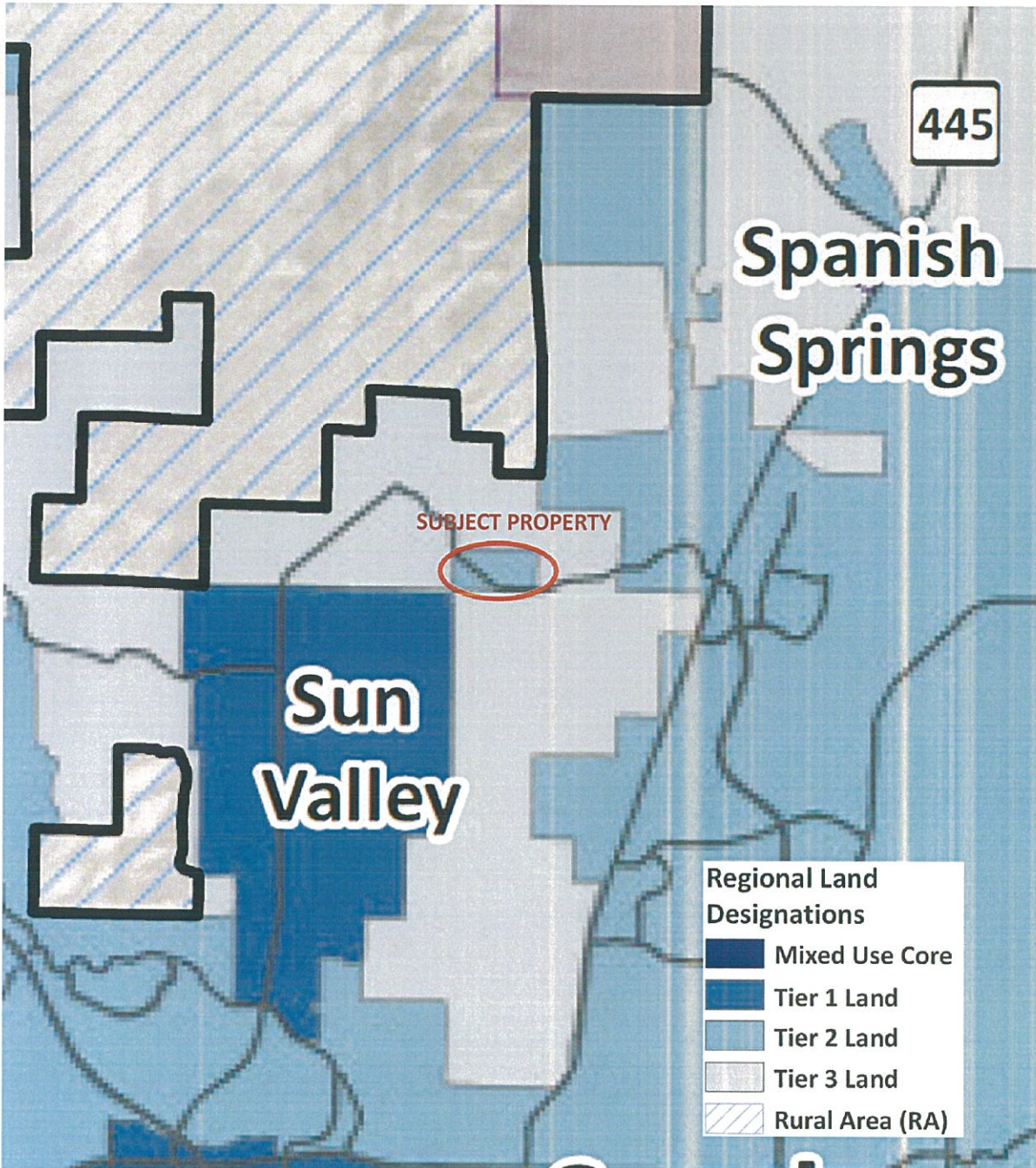
FIRST CENTENIAL TITLE CO
1450 RIDGEVIEW DR STE 100
RENO NV 89519

BALANCE REMAINING	0.00
CHARGES	11,494.16
PAID	11,494.16
CHANGE	0.00

APPLICATION MATERIALS

CONSISTENCY WITH MASTER PLAN

TMRPA MASTER PLAN AMMEDMENT DESIGNATIONS MAP



Consistency with Master Plan (Cont.)

Truckee Meadows Regional Planning Agency with the unanimous support of Washoe County adopted a new version of its master plan in October of this year. With excellent foresight the properties in this application were included in the revised master plan as Tier 2 Land. A rezone of this land will comply with the goals of Tier 2 Land as defined in the Master Plan.

Regional Land Designation	Minimum Density (dwelling units per acre)	Maximum Density (du/ac)	Nonresidential Standards
Mixed Use Core	14 du/ac	No maximum	0.25 floor-area ratio (FAR) minimum
Tier 1 Land	Existing	No maximum	None
Tier 2 Land	No minimum	30 du/ac	None

Compatible Land Use

The entire southern border of the property from west to east follows Highland Ranch Parkway, a county two lane with middle turn lane minor arterial roadway, designed to carry a significant amount of traffic in and about Sun Valley., The property is surrounded on three sides by single family residential developments that are similar with the request of this application. Natural slope and the creation of open space land will buffer the larger land area properties to the north. The design of the development will allow for two points of ingress and egress onto Highland Ranch Parkway, one in alignment with Midnight Drive at the east end, and a second that will align with future development at the western end of the property. Both points will have clear visibility in both directions. All other roadways will be contained within the development. There will be minimal impact on other roadways in Sun Valley from tis development. Residents of the development will have easy access to shopping, health services, schooling, etc. from Highland Ranch Parkway.

Response to Change Conditions, more desirable use

After thorough review of the revised TMRPA Master Plan it was determined by the developers of the property that this zoning will comply with the goals of Affordable Housing Strategies outlined in the new Master Plan by:

- identifying the needs of the community regarding affordable and workforce housing;
- reducing regulatory barriers to the provision of affordable housing;
- preserving or rehabilitating current affordable and workforce housing stock when possible;
- increasing new affordable and workforce housing stock;
- providing for a diverse range of housing types;
- documenting existing and new affordable and workforce housing; and
- developing incentives, partnerships, and processes to facilitate the creation of additional affordable and workforce housing stock.

There has never been a more urgent need for affordable housing in our community. This Regulatory Zone Amendment request will be a step in the right direction to fulfill that need.

Availability of Facilities

The developer and its representatives met with Sun Valley General Improvement District staff and outside engineering representative on November 12, 2019 and discussed the availability of necessary services to the property. While there is additional engineering to be designed, it was determined that there is adequate sewer and water services to accommodate the development of the property. Water will be acquired from TMWA in the amount to fulfill the required amount as determined by SVGID. There is adequate utility services in Highland Ranch Parkway. There are parks and recreational facilities in the Sun Valley vicinity that will not be adversely affected by this development. The new Desert Skies Middle School and Virginia Palmer Elementary School will not be adversely affected.

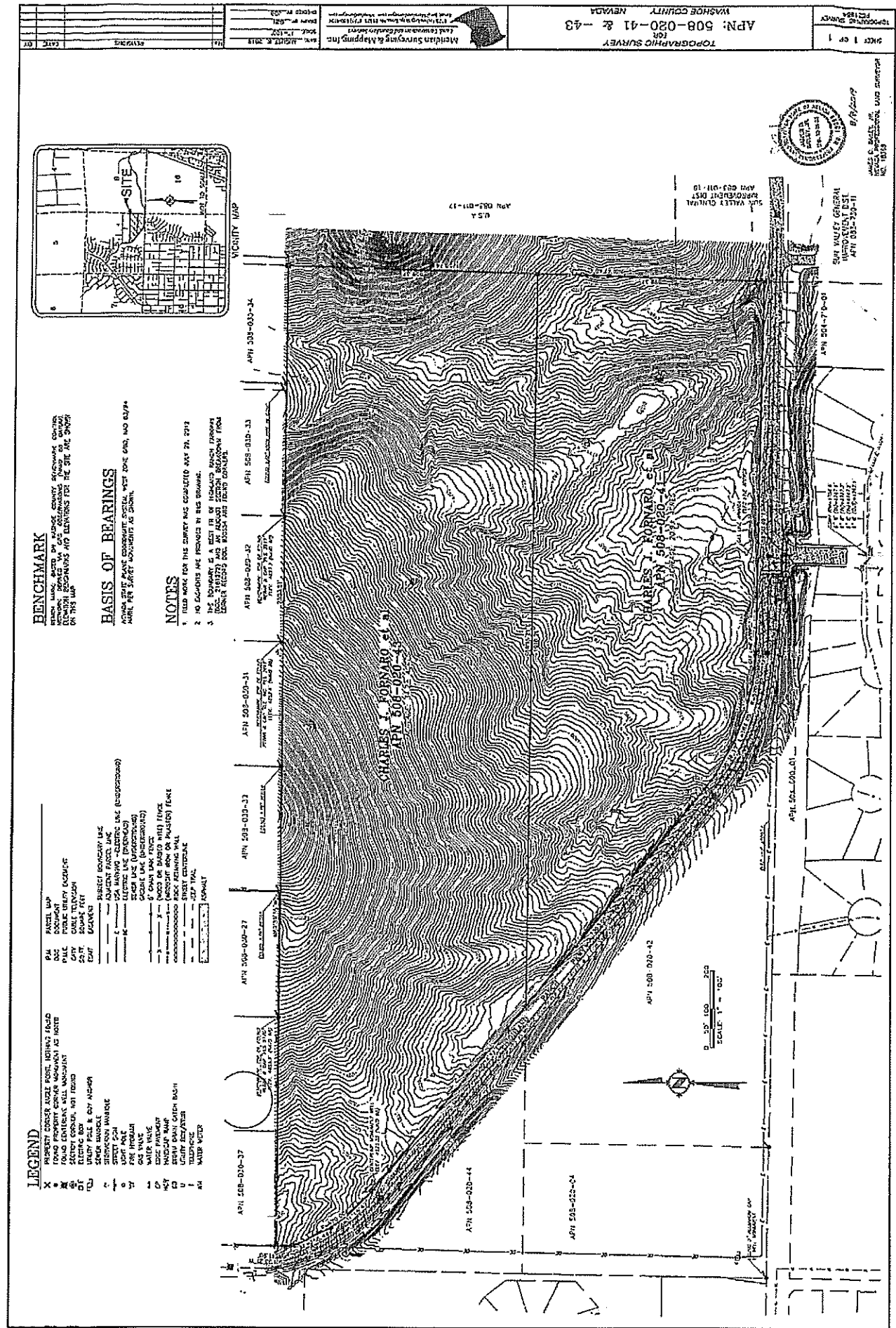
No Adverse Effects

The Regulatory Zone Amendment request will not have any adverse effect on the current Washoe County Master Plan, to the contrary it will be in complete conformance with the TMRPA Master Plan that was recently approved by Washoe County.

Desired Pattern of Growth

The proposed amendment will promote the desired pattern for the orderly physical growth of the County. To the contrary this request complies with the desired effect created by the Tier 2 Land use designation as adopted by the Truckee Meadows Regional Planning Agency at its October meeting. This project fulfills the need for affordable housing and meets all of the criteria described in the Master Plan as a Tier 2 Land development project. The project itself will be designed to protect the existing natural environmental amenities as open space within the development. Impact upon public schools and infrastructure will be minimal and the project will contribute to the maintenance and potential expansion of those amenities.

APPLICATION MAP



BENCHMARK

ALL BENCHMARKS SHOWN ON THIS MAP ARE TO BE USED AS CHECKED POINTS FOR THE SURVEY. BENCHMARK DATA IS PROVIDED FOR THE SURVEY AND IS NOT TO BE USED FOR ANY OTHER PURPOSE.

BASIS OF BEARINGS

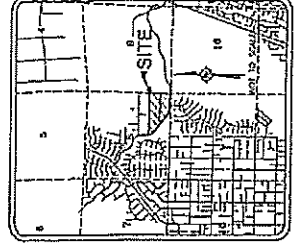
ALL BEARINGS ARE BASED ON THE NORTH SOUTHERN CALIFORNIA MOUNTAIN MEAN TIME ZONE DATUM, 1983.

NOTES

1. THIS MAP FOR THIS SURVEY WAS COMPLETED MAY 24, 2017.
2. NO ENCUMBRANCES ARE SHOWN ON THIS MAP.
3. THE PROPERTY IS A PART OF THE CHARLES J. TORBARCO TRACT, APN 508-020-41 TO 508-020-60, AND IS SUBJECT TO THE EASEMENTS AND ENCUMBRANCES THEREON.

LEGEND

- X PROPERTY CORNER MARKER (CONCRETE OR METAL)
- ROAD PROPERTY CORNER MARKER AS NOTED
- ▲ ROAD CENTERLINE MARKER (CONCRETE OR METAL)
- ROAD RIGHT OF WAY MARKER (CONCRETE OR METAL)
- ELECTRIC BOX
- TELEPHONE BOX
- UTILITY POLE & 6" DIA. ALUMINUM
- SEWER MANHOLE
- WATER MANHOLE
- WATER METER
- STREET CORNER MARKER
- STREET POLE
- FIRE HYDRANT
- WATER TOWER
- WATER TANK
- SIDE PAVEMENT
- SIDEWALK
- UTILITY ENCUMBRANCE
- TELEPHONE
- FENCE
- ASPHALT



VICINITY MAP



APN 508-020-41 & 43
TOPOGRAPHIC SURVEY
WASHOE COUNTY
NEVADA

APN 508-020-41 & 43
TOPOGRAPHIC SURVEY
WASHOE COUNTY
NEVADA

Median Surveying & Mapping, Inc.
Lead Surveyors: Charles J. Torbarco
Survey No. 2017-107
Scale: 1" = 100'

DATE: 05/24/17
DRAWN BY: [Name]
CHECKED BY: [Name]



WASHOE COUNTY PLANNING COMMISSION Meeting Minutes

Planning Commission Members

Larry Chesney, Chair
Francine Donshick, Vice Chair
James Barnes
Thomas B. Bruce
Sarah Chvilicek
Kate S. Nelson
Trevor Lloyd, Secretary

Tuesday, March 3, 2020
6:30 p.m.

Washoe County Commission Chambers
1001 East Ninth Street
Reno, NV

The Washoe County Planning Commission met in a scheduled session on Tuesday, March 3, 2020, in the Washoe County Commission Chambers, 1001 East Ninth Street, Reno, Nevada.

1. *Determination of Quorum

Chair Chesney called the meeting to order at 6:30 p.m. The following Commissioners and staff were present:

Commissioners present: Larry Chesney, Chair
Francine Donshick, Vice Chair
James Barnes
Thomas B. Bruce
Sarah Chvilicek

Commissioners absent: Kate S. Nelson

Staff present: Trevor Lloyd, Secretary, Planning and Building
Dan Cahalane, Planner, Planning and Building
Julee Olander, Planner, Planning and Building
Nathan Edwards, Deputy District Attorney, District Attorney's Office
Katy Stark, Recording Secretary, Planning and Building
Donna Fagan, Office Support Specialist, Planning and Building

2. *Pledge of Allegiance

Commissioner Chvilicek led the pledge to the flag.

3. *Ethics Law Announcement

Deputy District Attorney Edwards provided the ethics procedure for disclosures.

4. *Appeal Procedure

Secretary Lloyd recited the appeal procedure for items heard before the Planning Commission.

5. *General Public Comment and Discussion Thereof

Alexandra Profant stated she is a candidate for the District 1 Planning Commission Seat. She said there will be a neighborhood watch program on March 6 at the Incline Village Library hosted by Teresa Aquila to address items in terms of Short-Term Rental issues and how to better utilize resources. She requested clarification regarding IVCB CAB authority to approve or recommend an item. She added she attended the CAB meeting last night, and their authority was uncertain. She showed the District 1 area map.

With no further requests for public comment, Chair Chesney closed the Public Comment period.

6. Approval of Agenda

In accordance with the Open Meeting Law, Commissioner Chvilicek moved to approve the agenda for the March 3, 2020 meeting as written. Vice Chair Donshick seconded the motion, which passed unanimously with a vote of five for, none against.

7. Approval of February 4, 2020 Draft Minutes

Vice Chair Donshick moved to approve the minutes for the February 4, 2020, Planning Commission meeting as written. Commissioner Chvilicek seconded the motion, which passed unanimously with a vote of five for, none against.

8. Planning Items

A. Possible action to approve a resolution of Appreciation of Service for Philip Horan and to authorize the Chair to sign the resolution on behalf of the Planning Commission.

Mr. Lloyd read a resolution. The individual Planning Commission members expressed their appreciation and gratitude towards Phil Horan.

Phil Horan thanked the Commission and expressed how he has enjoyed serving over the years and working with Staff and Commission Members.

DDA Edwards stated it's been a pleasure to work with Phil Horan.

Mr. Lloyd said he will miss Phil: his commitment to the County is second to none.

There were no requests for public comment.

MOTION: Commissioner Bruce moved to approve the resolution. Vice Chair Donshick seconded the motion, which passed unanimously with a vote five for, none against.

9. Public Hearings

A. Master Plan Amendment Case Number WMPA19-0008 (Sparks SOI Reversion) – For possible action, hearing, and discussion to approve a resolution initiating and adopting an amendment to the Washoe County Master Plan for the purpose of assigning Washoe County master plan land use designation on 1,180 parcels that have been removed from the City of Sparks' Sphere of Influence and returned to Washoe County's jurisdiction. The subject properties will be assigned the most closely related master plan land use designation in comparison with their previous city of Sparks master plan designation.

AND

Regulatory Zone Amendment Case Number WRZA19-0008 (Sparks SOI Reversion) – For possible action, hearing, and discussion to approve a resolution initiating and adopting an amendment to the Washoe County Regulatory Zone Map for the purpose of assigning Washoe County regulatory zones on 1,180 parcels that have been removed from the City of Sparks' Sphere of Influence (SOI) and returned to Washoe County's jurisdiction. The subject properties will be assigned the most appropriate regulatory zone based on its previous Washoe County regulatory zone (if applicable) or based on its current land use and lot size.

The areas affected are generally described as follows:

- All parcels accessed via Ponderosa Drive,
 - Generally, the parcels bound by Sullivan Ln to the east, Wedekind Rd to the south, Charolaise Cir to the west, and Isle of Skye Dr. to the north.
 - Generally, parcels accessed by Anthony Pl, Weems Way, and via Moorpark Court from the north.
 - Generally, parcels bound by Wildcreek Golf Course to the west; Federal land to the north; Orr Ditch, Skyridge Ln. North Mccarran Blvd, and Wedekind Rd. to the south and east.
 - All parcels within the Sunset View Rancho Estates 2 subdivision at the terminus of East Prater Way.
 - Generally, the parcels bound by Sparks Blvd. to the west, Shadow Ln. to the south, Country Cir. to the east and Satellite Dr. to the north
 - Generally, parcels to the west of pyramid highway between Los Altos Pkwy. and Golden View Dr. that are not Federal lands.
 - Generally, the parcels east of pyramid highway bound by Los Altos Pkwy to the south, Ebbet's Pass Dr. and Orr Ditch to the east, and Kiley Pkwy to the north.
 - Lazy five park and Jesse Hall Elementary School
 - Generally, the areas accessed via Dolores Dr. that are not already within Washoe County
 - Generally, the parcels accessed via Baldwin Way
 - Generally, parcels abutting the 2680 ft of Eaglenest Rd when accessed via La Posada Dr to the North.
-
- Applicant: Washoe County
 - Property Owner: See Exhibit A - Noticing
 - Location: Former Sparks Sphere of Influence
 - Assessor's Parcel Numbers: See Exhibit A - Noticing
 - Parcel Size: Varies
 - Existing Master Plan Categories: Commercial (C), Community Facilities (CF), Intermediate Density Rural (IDR), Low Density Residential (LDR), (Large Lot Residential (LLR), Multi-Family Residential (MF14)
 - Proposed Master Plan Categories: Open Space (OS), Rural Residential (OS), Suburban Residential (SR), Urban Residential (UR), Commercial (C)
 - Existing Regulatory Zones: Third Rural Conservation Agricultural District (A7), First Rural Conservation District (A5), Second Agricultural District (A2), First Agricultural District (A1), Second Estates District (E2), First Estates District (E1), General Commercial Non Residential District (C2), General Rural (GR), Medium Density Suburban (MDS), High Density Suburban (HDS), Low Density Urban (LDU)

- Proposed Regulatory Zones: LDS/2), Medium Density Suburban/4, (MDS/4), High Density Suburban (HDS), Low Density Urban (LDU), General Commercial (GC), Public and Semi-Public Facilities (PSP), Parks and Recreation (PR)
- Area Plans: Spanish Springs, Sun Valley
- Citizen Advisory Board: Neighborhood Meeting
- Development Code: Authorized in Article 820, 821
- Commission District: 3 – Commissioner Jung; 4 – Commissioner Hartung; 5 – Commissioner Herman
- Prepared by: Dan Cahalane, Planner; Chris Bronczyk, Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775.328.3628 (Dan); 775.328.3612 (Chris)
- E-Mail: dcahalane@washoecounty.us;
cbronczyk@washoecounty.us

Chair Chesney opened the public hearing and called for any member disclosures. There were no disclosures.

Dan Cahalane, Washoe County Planner, provided a staff presentation.

Public Comment:

J. Edward Parker he said he lives on Pah Ra Drive. He said he has lived in trepidation for many years as Sparks had tried to annex his community. He said they were designated in their SOI. He requested the Commission to pass this and move on.

Katie Knepper said she lives on Ponderosa Drive. She read from a prepared statement. She wanted to speak about 1995 Ponderosa Drive zoning which was inappropriately rezoned. She said a new structure was approved by Sparks that was in conflict with code. Sparks denied there was an issue. Safe Embrace was the owner of the group home that was in violation with the code. A group care facility is not allowed in a residential area. It's a private dead-end drive. She said she attended subsequent meetings where the city admitted their mistakes but was not willing to fix it.

Alfred Knepper stated Safe Embrace is the owner of the property; the owner is the vice president on the City Council who should have known this wasn't allowed. They should have known they couldn't lawfully proceed against code. No administrator had authority to make changes to code or use. It was not a mistake, but a disregard to the law. Due to SOI, only Washoe County could take action. He said they filed a complaint and followed up for an update. Safe Embrace had been in place for a long time and shouldn't be penalized. Safe Embrace is not being penalized. To remain as-is would award bad behavior. It should be rewound and should be a single-family use as the other homes on the Drive. He said he has documentation, including admission of the errors. He said he is in contact with Dave Solaro.

Susan Fisher said she owns on Isle of Sky. She supports staff recommendation of this SOI.

Jed S., President of Safe Embrace on Ponderosa Ave., said this has been an ongoing contentious issue. He said we have done our best over the 18 years we have served this community. He said we do transitional housing for domestic violence. He said there were 100 emails with approval with City of Sparks. Unfortunately, the neighbors haven't been properly informed. The builder

went out to bid and had nothing to do with City of Sparks. He said they just renewed the business license with City of Sparks. He supports reverting it back and zoning changes.

Chris Crabtree said he is in support of this motion. He spoke about a County island. He wants to note a specific parcel split in half on Satellite Drive and Sparks Blvd. It's zoned as an unbuildable splinter. The other side of the hill is permitted use development. It should remain open space. It's only remaining open air. There is wildlife and ecology there. City of Sparks built over land that he owns. Sparks Blvd. intersects with his property, and he is in communication with them and wasn't sure if it will become under Washoe County purview. He said he wanted to bring it to their attention.

Brian Bunin said this is the first notice he received. He doesn't know if he is affected or not. He asked if he should have been notified. He asked if he is impacted.

Commissioner Chvilicek said three members of the Washoe County Planning Commission also serve on Regional Planning Commission. It went through the Regional Planning update. She said we have dealt with this for a long time and are well informed of the process and have no questions.

Chair Chesney had questions in regard to particular parcels and how staff will address them. He said it's a good idea; however, it's a big roller and smaller acorns will get crushed. Mr. Lloyd said it's long overdue. In many regards, property owners have been passed back and forth between Washoe County and Sparks for the last 15 years. It's under the planning jurisdiction of City of Sparks. It will clear up jurisdictions. Identical use will be established.

Dan Cahalane stated we are trying to maintain what has been in existence. There are some properties able to subdivide. If you have specific questions regarding public comment, then he can address them. Commissioner Bruce asked about the group home situation. Mr. Cahalane spoke to the issues. They were Washoe County but had to go through Sparks for planning. We had a valid City of Sparks land use that we had to enforce.

DDA Edwards stated if City of Sparks had jurisdiction and the owner had a land use approval granted and use established, then the County won't be able to come back after the fact and cancel that use. He said he doesn't have enough information about Safe Embrace. He advised the Commission that they have no authority to give direction about taking away use on any property tonight. He said he understands the comment, but this agenda item won't address that issue tonight.

Mr. Cahalane clarified the gentleman's concern during public comment regarding noticing and any impact to his property.

Master Plan Amendment Case Number WMPA19-0008 (Sparks SOI Reversion)

MOTION: Vice Chair Donshick moved 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 initiate the master plan amendment and adopt the resolution contained at Exhibit H of this staff report to amend the Master Plan as set forth in Master Plan Amendment Case Number WMPA19-0008 having made the following five findings in accordance with Washoe County Code Section 110.820.15(d). She further moved to certify the resolution and the proposed Master Plan Amendments in WMPA19-0008 as 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.

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.

AND

Regulatory Zone Amendment Case Number WRZA19-0008 (Sparks SOI Reversion):

MOTION: Vice Chair Donshick moved 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 initiate the regulatory zone amendment and adopt the resolution included as Exhibit I, recommending adoption of Regulatory Zone Amendment Case Number WRZA19-0008 having made all of the following findings in accordance with Washoe County Code Section 110.821.15. She further moved to certify the resolution and the proposed Regulatory Zone Amendment in WRZA19-0008 as set forth in this staff report for submission to the Washoe County Board of Commissioners and authorize the chair to sign the resolution on behalf of the Washoe County Planning Commission.

1. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan and the Regulatory Zone Map.
2. 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. 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. 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. The proposed amendment will not adversely affect the implementation of the policies and action programs of the Washoe County Master Plan.
6. 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. The proposed amendment will not affect the location, purpose and mission of the military installation.

Mr. Lloyd stated this item requires a super majority in order to pass.

The motion was seconded by Commissioner Chvilicek and passed unanimously, with a vote of five in favor, none against.

B. Regulatory Zone Amendment Case Number WRZA19-0010 (Highland Village) – For possible action, hearing, and discussion to approve a regulatory zone amendment for 2 parcels totaling 54.5 acres from Low Density Suburban (LDS) (1 dwelling unit/acre maximum) and General Rural (GR) to High Density Suburban (HDS) (7 dwelling units/acre maximum) and the 3 acres that are currently GR will remain GR for Regal Holdings of Nevada LLC and Charles J. Fornaro, et al and, if approved, authorize the chair to sign a resolution to this effect.

- Applicant: Regal Holdings of Nevada LLC
- Property Owner: Charles J. Fornaro et al
- Location: North of Highland Ranch Pkwy. & North of Midnight Drive
- Assessor's Parcel Numbers: 508-020-41 & 43
- Parcel Sizes: 21.0 & 33.5 acres
- Master Plan Categories: Suburban Residential (SR) & Rural (R)
- Regulatory Zones: Low Density Suburban (LDS) & General Rural (GR)
- Area Plan: Sun Valley
- Citizen Advisory Board: Sun Valley
- Development Code: Authorized in Article 821, Amendments of Regulatory Zone
- Commission District: 5 – Commissioner Herman
- Prepared by: Julee Olander, Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775.328.3627
- E-Mail: jolander@washoecounty.us

Chair Chesney opened the public hearing. He called for member disclosures; there were none.

Julee Olander, Washoe County Planner, provided a staff presentation.

The applicant was available for questions.

Public Comment:

Judy Hillulash said she lives off of Apple Blossom. She said she has lived there for 30 years. She said she has experienced faults. She is concerned with the change in zoning that people are susceptible to earthquake damage. Traffic will be impacted. Access to the area will put an undue burden on the residents in Sun Valley. We have to wait 20 years for new access roads on Highland Ranch road.

Mark Newmann said he lives on Cloudy Court and will look onto the new housing complex. He said he doesn't have an issue with low density, but high density will add more traffic in the area. He said you have to wait six lights to get through the traffic signal. It's an added burden. Please stay with the original plan.

Alan Nichols said he lives on Leonardo in Highland Ranch. He said he has had the pleasure to meet Francine and Chuck Allen. He said his job is to build projects in 20 countries for people who have a lot of money and who don't ask a lot of questions. He said he reviewed this project and reviewed resources, and when will it happen. He said he looked at water, wells, and faults. He said he looked at buildings for earthquake issues. He said to our dismay, we found many cracked foundations. He said when they moved here, they looked for a place with good schools, well-constructed homes, low traffic, and easy access. He said in the small print, it mentioned low density. High density will provide problems. He said he wants more physical data on soil and sewer system, so people know what it takes to make it happen. He spoke about traffic and resources. He asked if they would have to dig the wells deeper to make it happen.

Carmen Ortiz, chair of the CAB, stated her comments are included the staff report. She said we need affordable housing in the area. There are great concerns. She asked how the children are going to walk to school around Highland Ranch and cross the street. According to WCSD, elementary school students can ride the school bus if they live more than 2.25 miles away. The kids will walk 1.9 miles. For high school, the walking distance is 3 miles which means they can take the bus, but what happens if they miss the bus. It's not safe for them to walk. There is a park nearby on the opposite side of Highland Ranch. Those who purchase in this project need to be safe. She asked what the plans are for stop sign or stop light. RTC had planned for an expansion 20 years ago. We are still waiting for that. It won't drop from the projections that were included in the report.

J. Parker said he was an appraiser for 32 years. He said he is aware of the land uses. He looked at this area during potential subdivisions. In order to make this work, it will take extensive cuts and fills that weren't included in this. He said you will over burden the services. There are not the services to support the area. He suggests limiting to 4-units per acre with handbook for developer in this area.

Sherry Fairchild said she doesn't encourage this. We see terrible things happening in our neighborhood, including graffiti. There is more since the new middle school went in. There is a lot of traffic cutting through Highland Ranch. People aren't stopping at the stop signs. We are concerned someone will get killed. We have to call police all the time. We are trying to do our best as an HOA community to alert neighbors. It's a burden. If you bring in more people, RTC won't put in a new road for another 20 years. The new school had to bring in a mobile building already. They are already over capacity. Look ahead and don't over burden even more. She said pedestrians are being hit. Our community is hurting. We don't have the services we need.

Tom Courson said he had a question regarding hilly areas. This is a large parcel. There is a lot of zoning that can happen in General Rural. Don't allow three parcels to be general rural. Make it open space or something compatible with high density.

Commissioner Chvilicek asked if the designated areas left GR are slope restricted. Ms. Olander said yes, designated GR. It was discussed if the areas that are GR should be changed to be designated open space. There is a possibility someone could build a single-family residence on the GR areas, but they would have to address the slope. Commissioner Chvilicek said 30% or above means no building can take place. Ms. Olander said Washoe County code has requirements to build on 30%, and Regional Planning also has restrictions. Ms. Olander said they have to address access, and that would be challenging. Commissioner Chvilicek said the request

is to go from LDS to HDS, but the CAB recommended MDS which isn't before us tonight. Mr. Lloyd said the request is from LDS to HDS, and the motion has to be based on the application.

Commissioner Bruce said there are issues with transportation. Sun Valley Blvd. needs to be four lanes with sidewalks up to Highland Ranch. There are safety issues that will be exacerbated with one outlet. He questioned the high density. He said he can settle for medium density. Chair Chesney reminded him that isn't the motion tonight. Chair Chesney agreed and said Highland Ranch isn't much of a corridor. He stated we are reviewing the zoning, not a project.

Commissioner Chvilicek reviewed agency comments in regard to the school district. She said it's to capacity but doesn't address safe routes.

MOTION: Commissioner Chvilicek moved 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 WRZA19-0010, not being able to make all of the following findings in accordance with Washoe County Code Section 110.821.15 including compatibility, safety, and transportation.

1. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan and the Regulatory Zone Map.
2. 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. 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. 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. The proposed amendment will not adversely affect the implementation of the policies and action programs of the Washoe County Master Plan.
6. 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. The proposed amendment will not affect the location, purpose and mission of the military installation.

Vice Chair Donshick seconded the motion to deny, which was passed unanimously, five in favor, none against.

Mr. Lloyd read the appeal process.

C. Special Use Permit Case Number WSUP20-0001 (Fish Springs Solar) – For possible action, hearing, and discussion to approve:

(1) A special use permit for:

- (a) A 300 megawatt (MW) solar energy center, renewable energy use type, on 2,191 noncontiguous acres and

(b) Major grading, consisting of 1,490 acres of grading with cuts of 351,000 cubic yards (cy) and fills of 337,000cy; and

(2) A variance for a reduction of minimum landscaping standards and parking requirements.

This is a project of regional significance which will also require approval by the regional planning authorities in addition to the county.

- Applicant/Property Owner: Fish Springs Ranch, LLC
- Location: 45 miles north of Reno in southeastern Honey Lake Valley
- Assessor's Parcel Numbers: 074-040-15, 23, 24, 56, 57, 58, 61; 074-420-07, 11, 14, 15, 16; 074-070-16, 28, 72, 73, 74
- Parcel Size: 2191 acres total
- Master Plan Category: Rural (R)
- Regulatory Zone: General Rural (GR)
- Area Plan: High Desert
- Citizen Advisory Board: Gerlach/Empire
- Development Code: Authorized in Article 302, 438, 810, 812
- Commission District: 5 – Commissioner Herman
- Prepared by: Dan Cahalane, Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775.328.3628
- E-Mail: dcahalane@washoecounty.us

Chair Chesney opened the public hearing. He called for member disclosures. There were no member disclosures.

Dan Cahalane, Washoe County Planner, provided a staff presentation.

The applicant and representative of the Fish Springs Solar project, Alyssa Kruger, provided an applicant presentation.

Commissioner Bruce asked why they need two parcels. She explained there is BLM land between the two parcels. Commissioner Bruce stated he is concerned about fire. He asked how they plan to mow. Ms. Kruger addressed his concerns regarding fire and stated they will utilize the local volunteer fire station. The project engineer, Dwyane McCloud, spoke about mowing down to six inches. Commissioner Bruce said it looks like a good sheep pasture. Mr. McCloud stated they have used sheep in the past, but it takes a lot of sheep.

Chair Chesney asked about adjoining landowners. He asked if they feel they are land locked. Mr. Cahalane stated the neighboring property owner, Robert Thomsen, is working with them regarding the drainage. Robert Thomsen will provide input regarding drainage.

Commissioner Chvilicek asked about the conex storage. Mr. Cahalane said it's permanent. Ms. Kruger stated they store operation equipment. Commissioner Chvilicek asked about water for onsite wells. She asked if those have been drilled. Ms. Kruger stated the wells are already existing. Commissioner Chvilicek asked staff regarding conditions with Native American grave and historical land disturbance. She asked that the tribe be notified of any grave disturbance. Mr. Cahalane stated he can add that.

DDA Edwards noted the conditions regarding Native American graves; it's from statutory scheme. He said it triggers staff to notify the tribe. That addition to the condition could be problematic.

Public Comment:

Robert Thomsen stated he lives at 500 Indian Lane. He said he is a 23-year resident. He said his experience in the valley is unbelievable. He said he notices everything: wind, water, rain, roads. He said there will be two laborers left to work on the roads. He said we need more County people working on the roads, widening roads. There needs to be a water truck to keep the dust down during construction. The dust will create a dust bowl. He said he wanted to address solar being installed on the parcels which adjoin his parcel. He said he is concerned with the heat effect with the southern wind. He said he is planting drought resistant plants. He said he looks forward to working with the project manager on drainage. He said our road needs widening, and gravel needs to be put down. He said more potholes came up. We need people to work on the roads. He said we need housing in Gerlach.

Thomas J. Hall said he owns 360 acres of land east of this project. He said the roads need maintenance. He said there was a landing strip. He said we want to protect the area. He said we are concerned about fugitive dust with all the vegetation being removed. He said his land is to the east and will be the depository of dust. It's a massive grading project. He asked if there will be conditions to manage the dust. He said there should be vegetation planted around the parking lot. He said conex boxes will be placed. Nevada is not a wasteland. We need some landscaping to make it look nice. He said aviation is a concern. He said the solar flare is blinding. He is concerned with interruption with flight plans. It's a major problem. He said Robert is the fire crew for Fish Springs, and he has one dilapidated truck. He said he doesn't have an issue with economic development, but they need to spend time to make it beautiful.

Alexandra Profant stated she had concerns, especially with the conex boxes. She said when you are designing an alternative energy, off-grid system, the direct current collection systems need deep cycle battery systems. She said to Mr. Hall's comment 'Nevada isn't a waste land,' anytime a public utility is going in, or when it involves FAA and interrupts flight patterns, there is a historical survey to be done. She hadn't seen that was done with this project and recommended it. In regard to triggering any Native American feedback, she noted they are a monarchy and won't respond to plans just being sent to them, but prefer a formal invitation sent to the colony chairman if you want a response. She said it's come to her attention that in the residential disclosure guide of Nevada real estate, there is no net regarding disclosures. She said with ground water or underground storage tanks, they need to address any direct current or energy storage and where it will be located and how it will impact BLM right-of-way. Carefully consider because it could be a liability to the County.

Tom Courson said he would be concerned about fire. With this being a special use permit, you could require them to put in a fire buffer between the setbacks. He said we saw all the fires in California last year. It's a remote area with volunteer fire fighters. He encouraged the commission to require a fire buffer and said it should be maintained. He encouraged the commission to be specific with the drainage requirements. Things need to be put in place that trigger enforcement. Once you grant the project, they won't work with your people. He asked if they are pounding posts into the ground, then how do they know they aren't hitting graves.

Ragnar Kuehnert asked if they have done an overall environmental impact statement. He asked who will maintain ownership of the land. He asked if it will be owned by the energy company or Fish Springs. He asked what the impact will be to utility rates.

Alan Nichols said he has experience with Steamboat 212 going up Mt. Rose with NV Energy, and there are vaults that are faulty. He said he hasn't heard about the construction of the vaults. He said if they are leaking, there is a problem.

With no further public comment, Chair Chesney closed the public comment period.

In response to what Counsel advised, Commissioner Chvilicek withdrew her statement regarding a condition to notify tribal councils.

Commissioner Bruce asked if it's appropriate to ask FAA regarding take off and landings. Mr. Cahalane stated the application has been sent to Reno/Tahoe Airport Authority and staff has received no comments.

Chair Chesney said he heard the public comments. He said the staff report addresses the concerns about dust and fire, and he hopes that puts them to ease.

MOTION: Vice Chair Donshick moved 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 approve with conditions Special Use Permit Case Number WSUP20-0001 for Fish Springs Ranch, LLC, having made all five findings in accordance with Washoe County Code Section 110.810.30:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the High Desert Area Plan;
2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;
3. Site Suitability. That the site is physically suitable for a renewable energy production use and for the intensity of such a development;
4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

Commissioner Chvilicek seconded the motion which passed unanimously, with a vote of five in favor, none against.

D. Amendment of Conditions Case Number WAC20-0001 (Falcon Ridge) for Tentative Subdivision Map Case Number TM14-003 (Falcon Ridge) – For possible action, hearing, and discussion to approve an amendment of conditions to amend condition number 1(r) of Tentative Subdivision Map Case Number TM14-003 (Falcon Ridge) to allow for 0-ft front and rear setbacks in lieu of the 10ft setbacks within the Falcon Ridge Development. This modification would be pursuant to WCC 110.406.05 and Article 408, which allows variances of lot standards in a common open space subdivision in certain instances.

- Applicant: Desert Wind Homes
- Property Owner: Falcon Ridge, by Desert Wind LP

- Location: East of the junction of El Rancho Dr. and Falcon Rock Ln.
- Assessor's Parcel Numbers: 035-731-(01-37), 035-741-(01-59), 035-751-(01-47)
- Parcel Size: 16 acres in total
- Master Plan Category: Urban Residential
- Regulatory Zone: Low Density Urban
- Area Plan: Sun Valley
- Citizen Advisory Board: Sun Valley
- Development Code: Authorized in Article 608, 610, 616
- Commission District: 5 - Commissioner Herman
- Prepared by: Dan Cahalane, Planner
Washoe County Community Services Department
Planning and Building Division

- Phone: 775.328.3628
- E-Mail: dcahalane@washoecounty.us

Chair Chesney opened the public hearing. Chair Chesney called for disclosures. There were no disclosures.

Dan Cahalane, Washoe County Planner, provided a staff presentation.

The applicant and project representative, Derek Wilson, provided a project presentation.

There were no requests for Public Comment. Chair Chesney closed the public comment period.

There was no Commissioner discussion.

MOTION: Commissioner Chvilicek moved 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 approve Amendment of Conditions Case Number WAC20-0001 for Falcon Ridge by Desert Wind LP, having made all ten findings in accordance with Washoe County Code Section 110.608.25:

1. Plan Consistency. That the proposed map is consistent with the Master Plan and any specific plan;
2. Design or Improvement. That the design or improvement of the proposed subdivision is consistent with the Master Plan and any specific plan;
3. Type of Development. That the site is physically suited for the type of development proposed;
4. Availability of Services. That the subdivision will meet the requirements of Article 702, Adequate Public Facilities Management System;
5. Fish or Wildlife. That neither the design of the subdivision nor any proposed improvements is likely to cause substantial environmental damage, or substantial and avoidable injury to any endangered plant, wildlife or their habitat;
6. Public Health. That the design of the subdivision or type of improvement is not likely to cause significant public health problems;

7. Easements. That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision;
8. Access. That the design of the subdivision provides any necessary access to surrounding, adjacent lands and provides appropriate secondary access for emergency vehicles;
9. Dedications. That any land or improvements to be dedicated to the County is consistent with the Master Plan; and
10. Energy. That the design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

Vice Chair Donshick seconded the motion which passed, four in favor, one against. Commissioner Bruce was opposed.

10. Chair and Commission Items

- *A. Future agenda items – none
- *B. Requests for information from staff – none

11. Director's and Legal Counsel's Items

*A. Report on previous Planning Commission items – Mr. Lloyd reported Silver Hills went back to Regional Planning and failed. It was then appealed and approved by the governing board. He said the Short-Term Rental topic was heard by the County Commission, who provided direction to staff.

- *B. Legal information and updates – none

12. *General Public Comment and Discussion Thereof

Alexandra Profant provided a private activity bond program pamphlet and highlighted a few items for the Commission to review. She said she picked up the State Historic Preservation plan update. She didn't think the governor has signed it yet. She said if we don't consider preservation planning, others will define it for us. She said there are incentives to promote projects relative to historic, and State incentives in commercial projects in development of rental housing. Please consider protection of property with natural persons right to protect their property relative to owner occupancy and due process with eviction. She said effective in 2019, Senate Bill 151, removes provisions governing an eviction procedure for any tenant of a commercial premise. It's a conflict between natural persons' right to due process before being removed from a property versus a corporate person right. Please review during the review during the short-term rental process.

Mark Newmann stated he is a Highland Ranch community resident in Sun Valley. He thanked the Commission for keeping it low density. He spoke about access points and traffic in Highland Ranch. He asked how he can get speed bumps through his neighborhood or stop signs to slow people down. There are a lot of kids that are still out playing in the neighborhood.

There were no further requests for public comment, Chair Chesney closed the public comment period.

13. Adjournment

With no further business scheduled before the Planning Commission, the meeting adjourned at 8:47 p.m.

Respectfully submitted by Misty Moga, Independent Contractor.

Approved by Commission in session on **Month Day**, 2020

Trevor Lloyd
Secretary to the Planning Commission



Sun Valley Citizen Advisory Board

Approval of these draft minutes, or any changes to the draft minutes, will be reflected in writing in the next meeting minutes and/or in the minutes of any future meeting where changes to these minutes are approved by the CAB. Minutes of the regular meeting of the Spanish Springs Citizen Advisory Board held January 21, 2020, 6:00 p.m. at the Sun Valley Neighborhood Center 115 West 6th Street, Sun Valley, NV 89433.

1. *CALL TO ORDER/ DETERMINATION OF QUORUM – The meeting was called to order at 6:04 p.m by Carmen Ortiz.

MEMBERS PRESENT: Carol Burns, Antonio Gonzalez, Carmen Ortiz, Margaret Reinhart, Michael Rider, Stephen Machutta (alternate)

MEMBERS ABSENT: James Georges

2. *PLEDGE OF ALLEGIANCE – The pledge was recited.

3. *PUBLIC COMMENT – There were no requests for public comment, Carmen Ortiz closed the public comment period.

Brenda, representative from Family Resource Center provided an update. She said they relocated to the Desert Skies school. She handed out flyers. She announced they have a family pantry day and provided the locations. She said they help with basic needs including assistance with utility bills. Phone:775-327-1511.

With no further requests, Carmen closed the public comment period.

7.A. Regulatory Zone Amendment Case Number WRZA19-0010 (Highland Village)- Request for community feedback, discussion and possible action to forward community and Citizen Advisory Board comments to Washoe County staff on a request a regulatory zone amendment from Low Density Suburban (LDS - 1 unit per acre) regulatory zone to High Density Suburban (HDS - 7 units per acre) regulatory zone on two parcels of land, totaling approximately 54.6 acres. (for Possible Action)

- Applicant\Property Owner: Regal Holdings of Nevada, LLC
- Location: north of Highland Ranch Pkwy. & north of Midnight Drive.
- Assessor's Parcel Number: 508-020-41 & 43
- Staff: Julee Olander, Planner; 775-328-3627; jolander@washoecounty.us
- Reviewing Body: Tentatively scheduled for the Planning Commission on February 4, 2020.

Julee Olander, Washoe County planner, was available to answer questions.

Ron Bath, applicant representative, provided a presentation.

Public comment:

Judy said the application doesn't mention faults. She said there is shifting on the fault. Those who live on higher density need to know this.

Tammy, Highland Ranch resident, said there are two main ways in. She said people use Midnight and go through Highland Ranch. She said we already have a ton of traffic. She asked how roads and access be improved. There is increased traffic with the new school. She asked what will happen with traffic with dense development.

A public member spoke about traffic issues. He said low density housing sort of makes sense, but high-density housing doesn't make sense. Traffic will be unbearable. He asked about services for the area.

Susan S. said all of the housing is on 1 or 3 on the acres. She said she is concerned that the master plan will need to change if we need to do this. Unless master plan changes with RTC, nothing will change with the roads. They will make them to do the minimum requirements. She said she is worried about capital improvement plan and master plan. She said she is concerned about 7 per acre. She spoke about cluster development and open space. She said she is concerned with infrastructure, RTC, and other entities involved with roads in the area.

Matt, owns land adjacent to subject property, asked for clarification; he asked if there isn't a proposed development, just trying to change zoning. He asked if a green belt will be maintained between the properties.

Board comments:

Michael Rider said he has been out here since 1971. He said keep it with 3 per acre with open space. He said he isn't ok with 7. He spoke about other development. The traffic on Highland Ranch will be unbearable. He said he isn't in favor of high density. He said he believes the community needs to match the community next to it. He said we are being inundated. We need the infrastructure to support the growth. He said we need a comprehensive plan. He spoke about safety. If the road is inundated, the emergency service can't access. We cannot move through our own community.

Carol Burns agreed with Michael. She said there are two GID board members who support these businesses. She said she is uncomfortable with that. She talked about traffic lined up. The valley is being trapped. We cannot move. If they don't increase the size of the road, we are trapped.

Margaret Reinhart said she is opposed to 7 units per acre. She said she can handle 3 units per acre which would conform with the area. She agreed with Michael.

Antonio said the concerns have been addressed already. He agreed to address the infrastructure issues.

Stephen Machutta asked when Sun Valley Blvd will be expanded.

Carmen said she is concerned with traffic.

Ron Bath, representative, introduced Odyssey Engineering. Ron Bath addressed the questions and concerns. He said they haven't studied the faults yet.

Frank, the project Engineer, said concerns will be addressed. Right now, we are bringing this into conformance with Regional Plan. Julee said the Regional Planning agency just adopted a plan that oversees Washoe County, Reno, Sparks. The Planning Agency looked at densities. They came up with a different process than they had before. Primarily here in Sun Valley, it's 1/3 acre properties. Julee said they are looking at higher density to allow for more affordable housings in the area. They have tiered everything. The sun valley master plan allows for high density suburban in this area. It's allowed. Because the Regional Plan constrained it before, you haven't seen this high density in the past, but that has changed, and this area is now identified which allows for higher density. Julee said it's a zone change but allowed by Regional and Sun Valley Area Plan. Carmen asked where the master plan and Regional Plan is located online. Julee said its located on departments/planning/master plan. She said the Regional Plan is located on Truckee Meadows Regional Planning agency. Tmrpa.org is the website for the Regional Planning agency. It's been adopted by Washoe County, Reno, and Sparks. It's brand new.

Frank, Engineer spoke about coming into conformance with zoning. He said we still need to look at what we want to propose on that property. He said they believe it may be single family housing. Engineer said he is also frustrated with RTC.

Margaret asked if they will be stick built. Ron said they don't know yet, but probably single-family stick built. Ron said we won't get 7-units per acre on that property. He said zoning says they can do that. Ron said they don't have a plan yet. Julee reminded everyone of the process – request for zone change or master plan change. She said this is the beginning step. They are trying to bring in more affordable housing and workforce housing. There are slope challenges on that property. This will give them options. They will come back with a tentative map. That is when you will find out more about traffic, utilities, proposed units. Washoe County requires one enclosed garage.

Chris Melton, GID, said Sun Valley GID will provide the water and waste water. They will be subject to fees and water rights. Any fees will be paid by the developer.

Ron Bath said a traffic study will be approved. Master plan has been addressed. 7 per acre won't be possible. He said there is topographical issues with this property. He said there needs to be an area between existing homes and the project.

MOTION: Michael Rider moved to recommend medium density, not high density. He said medium density is a better idea. Carol Burns seconded the motion. The motion carried unanimously.

ADJOURNMENT – Meeting adjourned at 8:00 p.m.

Number of CAB members present: 5
Number of Public Present: 70
Presence of Elected Officials: 1
Number of staff present: 2

R20-022



WASHOE COUNTY COMMISSION

1001 E. 9th Street
Reno, Nevada 89512
(775) 328-2000

**RESOLUTION
ADOPTING AN AMENDMENT TO THE SUN VALLEY
REGULATORY ZONE MAP (WRZA19-0010)**

WHEREAS, Regal Holdings of Nevada LLC applied to the Washoe County Planning Commission on behalf of Charles J. Fornaro, et al (owner) to amend the regulatory zone on two parcels (APN: 508-020-41 & 43) totaling 54.5 acres from Low Density Suburban (LDS) (1 dwelling unit/acre maximum) and General Rural (GR) to High Density Suburban (HDS) (7 dwelling units/acre maximum) and the 3 acres that are currently GR will remain GR in the Sun Valley Area Plan;

WHEREAS, On March 3, 2020, the Washoe County Planning Commission held a public hearing on the proposed amendment and denied Regulatory Zone Amendment Case No. WRZA19-0010;

WHEREAS, Upon holding a subsequent public hearing on April 28, 2020, this Board voted to reverse the Planning Commission and adopt the proposed amendment, having affirmed the following findings as made by the Planning Commission, pursuant to Washoe County Code Section 110.821.35:

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 not result in land uses which are incompatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare.
3. Response to Changed Conditions; more desirable use. The proposed amendment 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. 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.

AND

Findings for the Sun Valley Area Plan:

Regulatory Zone Amendment
WRZA19-0010 Highland Village
Page 2 of 3

R20-022

1. The amendment will further implement and preserve the Vision and Character Statement.
2. The amendment conforms to all applicable policies of the Sun Valley Area Plan, the Washoe County Master Plan.
3. The amendment will not conflict with the public's health, safety or welfare.

NOW THEREFORE BE IT RESOLVED,

That this Board does hereby ADOPT the amendment to the Sun Valley Regulatory Zone Map (Case No. WRZA19-0010), as set forth in Exhibit B-1 attached hereto.

ADOPTED this 28th day of April 2020, to be effective only as stated above.

WASHOE COUNTY COMMISSION

Bob Lucey, Chair

ATTEST:

Nancy Parent, County Clerk

Exhibit B-1: WRZA19-0010

