



# Planning Commission Staff Report

Meeting Date: August 4, 2015

**Subject:** Resolution to Initiate a Master Plan Amendment and Initiate a Regulatory Zone Amendment

**Applicant:** Planning and Development Division

**Agenda Item Number:** 8D

**Summary:** To consider and adopt a resolution initiating an amendment to the Forest Area Plan Master Plan Land Use map, and to initiate an amendment to the Forest Area Regulatory Zone map

**Recommendation:** **Adopt and authorize the Chair to sign the attached resolution to amend the Forest Area Plan and initiate the amendment to the Forest Area Regulatory Zone map**

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## Description

**Possible action to adopt** a resolution initiating an amendment to the Master Plan Map of the Forest Area Plan, a part of the Washoe County Master Plan; and an amendment to the Forest Area Regulatory Zone map. Both amendments are required in order to correct several mapping errors which inadvertently placed the Open Space master plan category and regulatory zone on several privately owned properties in the Forest planning area. The amendment would change the current Master Plan category and zoning designation on the subject properties from Open Space (OS) to another appropriate Master Plan category and zoning designation to be determined during the amendment process.

- Applicant: Washoe County
- Property Owners: Numerous
- Location: Mt. Rose Highway near Sky Tavern Ski Area
- Assessor Parcel Numbers: 048-091-01, 048-091-02; 048-151-05, 06, 07, 08, 09, 10, 11, 12, 13, 14 & 15
- Existing Master Plan Category: Open Space (OS)
- Existing Regulatory Zone: Open Space (OS)
- Area Plan: Forest
- Citizen Advisory Boards: South Truckee Meadows/Washoe Valley
- Development Code: Authorized in Article 820, *Amendment of Master Plan* and Article 821, *Amendment of Regulatory Zone*
- Commission Districts: 2 – Commissioner Lucey
- Section/Township/Range: Sec 17, T17N, R19E, Washoe County, NV

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**Exhibit Contents**

Resolution for Master Plan Amendment Initiations .....Exhibit A

## **Initiating Amendments**

The Washoe County Development Code provides that amendments to the Washoe County Master Plan may be initiated in one of two fashions. First, real property owners may submit an application to initiate an amendment. Second, the Planning Commission or the Board of County Commissioners may initiate an amendment by resolution.

The Washoe County Development Code provides that amendments to Washoe County Regulatory Zone maps may be initiated in one of three fashions. First, real property owners may submit an application to initiate an amendment. Second, the Planning Commission or Board of County Commissioners may initiate through a simple majority vote. Third, the Director of the Planning and Development Division may initiate an amendment.

From time to time, the Planning Commission or the Board of County Commissioners may find it necessary to pursue amendments to the Master Plan in order to implement the plan more effectively or to adjust the plan to better align with the vision of the community. Similarly, amendments to the Regulatory Zone maps are necessary to implement changes to the Master Plan, or to respond to changing development conditions.

After initiation, public notices and neighborhood meetings shall take place, after which the Planning Commission considers the proposed Master Plan Amendment (MPA) and Regulatory Zone Amendment (RZA) in a public hearing(s). The Planning Commission may recommend approval, approval with modifications or denial of the proposed amendments. The Planning Commission adopts the Master Plan amendments by resolution on a 2/3's vote. The Planning Commission records its recommendation by resolution for Master Plan Amendments and by way of an Action Order of a simple majority vote of the Planning Commission members present at the meeting for Regulatory Zone Amendments. Then, the Board of County Commissioners affirms the decision of the Planning Commission by majority vote of its total membership for an MPA and a simple majority vote of its total membership for an RZA.

The Washoe County Board of County Commissioners hears all amendments recommended for approval, and amendments recommended for denial upon appeal.

## **Background**

The Washoe County Planning and Development Division requests amendments to the Forest Area Master Plan Map and the Forest Area Regulatory Zone Map for the purpose of correcting several mapping errors that occurred in 1997 when the Forest Area Land Use Plan Map of the Washoe County Comprehensive Plan was amended to change a large area of the Forest planning area from General Rural (GR) to Open Space (OS). At the time of the change, the Open Space land use designation was intended to be placed on a large number of properties in the Mt. Rose area acquired by the U.S. Forest Service and changed to government or public ownership. However, the Open Space land use designation (old "one map" category for both the master plan category and regulatory zone) was inadvertently placed on 13 small privately owned parcels. These are the 13 lots subject to this amendment request. Eleven of the lots are

located immediately south of the Sky Tavern Ski Area and two of the lots are located east of the Sky Tavern Ski Area across the Mt. Rose Highway.

**Public Notice**

There are no public notice requirements established within the Development Code for initiations to Master Plan and Regulatory Zone amendments.

**Recommendation**

Staff recommends adoption of the attached resolution to initiate amendments to the Forest Area Plan and to authorize the Chair to sign the resolution contained as Exhibit A on behalf of the Planning Commission. Staff also recommends initiation of amendments to the Forest Area Regulatory Zone map. The following motion is provided for your consideration:

**Motion**

I move to adopt the resolution to initiate amendments to the Forest Area Plan and authorize the Chair to sign the resolution contained as Exhibit A on behalf of the Planning Commission. I further move to initiate amendments to the Forest Area Regulatory Zone map.



## RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

### INITIATING AN AMENDMENT TO THE FOREST AREA PLAN

Resolution Number 15-13

Whereas, the Washoe County Development Code provides that amendments to the Master Plan may be initiated by the Washoe County Planning Commission; and

Whereas, the Washoe County Planning and Development division proposes to amend the Forest Area Regulatory Zone Map for the purpose of changing the current regulatory zone from open space (OS) to an appropriate Master Plan category in order for the property owner to construct a house; and

Whereas, the Planning and Development Division determined that the current OS regulatory zone on the properties was the result of a mapping error that occurred sometime around 1997 and that the OS regulatory zone should not have been placed on the privately owned property;

Whereas, the Planning and Development Division is asking the Planning Commission to initiate a Master Plan Amendment and Regulatory Zone Amendment in order to correct a mapping error and re-establish a Master Plan land use category and regulatory zone on thirteen properties in order to bring these properties into conformance with Washoe County requirements and/or apply land use and regulatory zone categories that are appropriate for privately owned property;

Now, therefore, be it resolved that pursuant to Washoe County Code Chapter 110.821.05(a) that the Washoe County Planning Commission does hereby resolve: (1) that amendments be initiated to the Washoe County Master Plan, Forest Area Plan and the Forest Area Regulatory Zone Map to change the Master Plan categories for thirteen parcels (parcel numbers 048-091-01 & 02; 048-151-05, 06, 07, 08, 09, 10, 11, 12, 13, 14 & 15...) located within the Forest Area Plan boundaries from Open Space to more appropriate Master Plan categories; (2) that a public hearing with this Planning Commission on the amendments be held within 60 days of this resolution's adoption date; and (3) that this amendment be initiated without prejudice to its final disposition.

ADOPTED on August 4, 2015

WASHOE COUNTY PLANNING COMMISSION

ATTEST:

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Carl R. Webb, Jr., AICP, Secretary

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Roger M. Edwards, Chairman