



WASHOE COUNTY

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DA ✓
Risk Mgt. N/A
HR N/A
Other N/A

STAFF REPORT

BOARD MEETING DATE: January 27, 2015

DATE: January 7, 2015

TO: Board of County Commissioners

FROM: Eva M. Krause, AICP, Planner, Planning and Development Division
Community Services Department, 328-3796, ekrause@washoecounty.us

THROUGH: William H. Whitney, Division Director, Planning and Development
Community Services Department, 328-3617, bwhitney@washoecounty.us

SUBJECT: Public Hearing: Regulatory Zone Amendment Case Number RZA14-006 (Nevada Pacific Development Corporation) – Affirm the finding of the Planning Commission and adopt Regulatory Zone Amendment Case Number RZA14-006 – To amend the Regulatory Zone map within the Tahoe Area Plan, being part of the Washoe County Comprehensive Plan, changing the zoning designation of APN 122-100-23 and APN 122-100-24 (593 and 601 Lakeshore Boulevard) from High Density Suburban (HDS) to High Density Rural (HDR); and to reflect requested changes and to maintain currency of planning area data, administrative changes are proposed. These administrative changes include a revised map with updated parcel base and other matters properly relating thereto without prejudice to the final dispensation of the proposed amendments and, if approved, authorize the Chairman to sign the resolution to be effective after MPA14-003 has been adopted. (Commission District 1.)

SUMMARY

To amend the Tahoe Area Plan map by changing the zoning designation of 593 and 601 Lakeshore Boulevard from High Density Suburban (HDS) to High Density Rural (HDR).

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

PREVIOUS ACTION

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

AGENDA ITEM # 18

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

BACKGROUND

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

- The two subject properties are located between High Density Rural (HDR) to the west and High Density Suburban (HDS) to the east.
- The two subject properties are ± 2 and ± 6 acres in size, which is more consistent with the size standards for HDR (1 unit per 2 acres) than the current zoning HDS (7 units per acre).
- HDR zoning would reduce the allowed density on the property, which in turn reduces the potential for increased development.
- HDR zoning could permit a detached accessory dwelling (guest house), up to maximum size of 1,500 square feet.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

It is recommended that the Board of County Commissioners affirm the findings of the Planning Commission and adopt Regulatory Zone Amendment Case Number RZA14-006 to amend the Regulatory Zone map within the Tahoe Area Plan, being part of the Washoe County Comprehensive Plan, changing the zoning designation of APN 122-100-23 and APN 122-100-24 (593 and 601 Lakeshore Boulevard) from High Density Suburban (HDS) to High Density Rural (HDR); and to reflect requested changes and to maintain currency of planning area data, administrative changes are proposed. These administrative changes include a revised map with updated parcel base and other matters properly relating thereto without prejudice to the final dispensation of the proposed amendments and, if approved, authorize the Chairman to sign the resolution to be effective after MPA14-003 has been adopted.

POSSIBLE MOTION

Should the Board agree with staff’s recommendation, a possible motion would be:

‘Move to affirm the findings of the Planning Commission and adopt Regulatory Zone Amendment Case Number RZA14-006 to amend the Regulatory Zone map within the Tahoe Area Plan, being part of the Washoe County Comprehensive Plan, changing the zoning designation of APN 122-100-23 and APN 122-100-24 (593 and 601 Lakeshore Boulevard) from High Density Suburban (HDS) to High Density Rural (HDR); and to reflect requested changes and to maintain currency of planning area data, administrative changes are proposed. These administrative changes include a revised map with updated parcel base and other matters properly relating thereto without prejudice to the final

dispensation of the proposed amendments and, if approved, authorize the Chairman to sign the resolution to be effective after MPA14-003 has been adopted.'

Exhibits:

- A. WCC Resolution for RZA14-006
- B. Tahoe Area Plan Regulatory Zone Map
- C. Planning Commission Resolution 14-28
- D. Planning Commission Staff Report for RZA14-003
- E. Excerpt from the December 2, 2014 Planning Commission Minutes



WASHOE COUNTY COMMISSION

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

**RESOLUTION
ADOPTING AN AMENDMENT TO THE
TAHOE REGULATORY ZONING MAP (RZA14-006),
A PART OF THE WASHOE COUNTY COMPREHENSIVE PLAN**

WHEREAS, Nevada Pacific Development Corporation, applied to the Washoe County Planning Commission to amend the regulatory zone of parcels identified as APN 122-100-23 and APN 122-100-24 (593 and 601 Lakeshore Boulevard) from High Density Suburban (HDS) to High Density Rural (HDR) as set forth in Exhibit B attached hereto;

WHEREAS, On December 2, 2014, the Washoe County Planning Commission held a duly noticed public hearing, determined that it had given reasoned consideration to the information it had received from staff, the applicant and from public comment regarding the proposed Regulatory Zone Amendment, approved the request for adoption; and, in connection therewith, made the following findings as required by Washoe County Development Code Section 110.821.15:

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 a military installation; and

WHEREAS; This action will become effective after adoption of Master Plan Amendment Case Number MPA14-003;

NOW THEREFORE BE IT RESOLVED,

That this Board of County Commissioners affirms the findings of the Planning Commission and hereby ADOPTS the amendment to the Spanish Springs Area Plan Regulatory Zone Map (Regulatory Zone Amendment Case Number RZA14-004), as provided in the map, and documents attached hereto.

ADOPTED this 27th day of January, 2015, to be effective only as stated above.

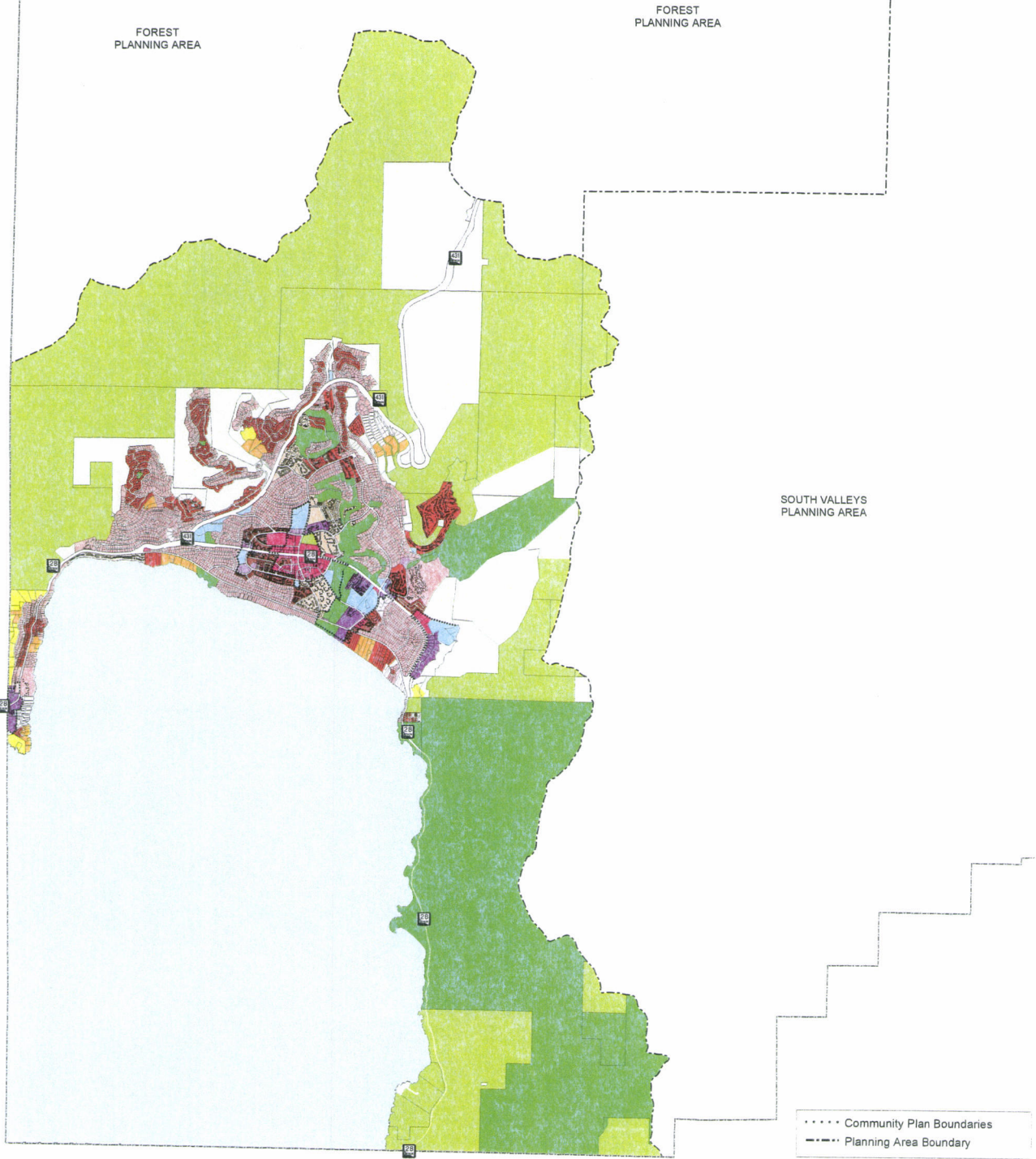
WASHOE COUNTY COMMISSION

Marsha Berkbigler, Chairman

ATTEST:

Nancy Parent, County Clerk

Exhibit B



TAHOE REGULATORY ZONE MAP

LOW DENSITY RURAL	HIGH DENSITY SUBURBAN	INDUSTRIAL
MEDIUM DENSITY RURAL	LOW DENSITY URBAN	PUBLIC AND SEMI-PUBLIC FACILITIES
HIGH DENSITY RURAL	MEDIUM DENSITY URBAN	PARKS AND RECREATION
LOW DENSITY SUBURBAN	HIGH DENSITY URBAN	OPEN SPACE
LOW DENSITY SUBURBAN 2	GENERAL COMMERCIAL	GENERAL RURAL
MEDIUM DENSITY SUBURBAN	NEIGHBORHOOD COMMERCIAL/OFFICE	GENERAL RURAL AGRICULTURAL
MEDIUM DENSITY SUBURBAN 4	TOURIST COMMERCIAL	DRY LAKE/WATER BODY

Planning and Development Division

PC Date: December 2, 2014
BCC Date:
RPC Date:

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0 1,250 2,500 5,000 Feet

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

DATE _____ DIRECTOR _____

Community Services Department

WASHOE COUNTY NEVADA

Post Office Box 11130
Reno, Nevada 89520

(775) 328-3600



RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

RECOMMENDING ADOPTION OF REGULATORY ZONE AMENDMENT CASE NUMBER RZA14-006 AND THE AMENDED TAHOE REGULATORY ZONE MAP

Resolution Number 14- 28

Whereas Regulatory Zone Amendment Case Number RZA14-006, came before the Washoe County Planning Commission for a duly noticed public hearing on December 2, 2014; and

Whereas the Washoe County Planning Commission heard public comment and input from 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 Development Code, 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. Is in substantial compliance with the policies and action programs of the Master Plan and the Regulatory Zone map;
2. Will provide for land use compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare;
3. Responds to changed conditions or further studies that have occurred or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land;
4. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed Regulatory Zone Amendment;
5. Will not adversely affect the implementation of the policies and action programs of the Washoe County Master Plan,
6. 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. 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 RZA14-006, comprised of the map, descriptive matter, administrative changes required to maintain currency of the planning area and other matter intended to constitute the amendment as submitted at public hearing noted above.


ADOPTED on December 2, 2014.

WASHOE COUNTY PLANNING COMMISSION

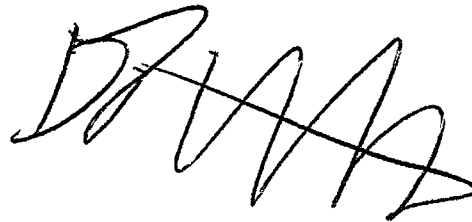
ATTEST:



Carl R. Webb, Jr., AICP, Secretary



Roger M. Edwards, Chairman





Planning Commission Staff Report

Meeting Date: December 2, 2014

Subject: Regulatory Zone Amendment Case Number RZA14-006
Applicant: Nevada Pacific Development Corporation
Agenda Item Number: 8.B.
Proposed Amendment: Regulatory Zone Amendment Case Number RZA14-006 – To amend the Regulatory Zone map within the Tahoe Area Plan, being part of the Washoe County Comprehensive Plan, changing the zoning designation of APN 122-100-23 and APN 122-100-24 (593 and 601 Lakeshore Boulevard) from High Density Suburban (HDS) to High Density Rural (HDR).

To reflect requested changes and to maintain currency of planning area data, administrative changes are proposed. These administrative changes include a revised map with updated parcel base and other matters properly relating thereto without prejudice to the final dispensation of the proposed amendments.

Recommendation: Approve the Regulatory Zone Amendment by adopting the resolution and authorize Chair to sign

Prepared by: Eva M. Krause, AICP, Planner
Washoe County Community Services Department
Division of Planning and Development
Phone: 775.328.3796
E-Mail: ekrause@washoecounty.us

Description:

Regulatory Zone Amendment Case Number RZA14-006 – To amend the Regulatory Zone map within the Tahoe Area Plan, being part of the Washoe County Comprehensive Plan, changing the zoning designation of APN 122-100-23 and APN 122-100-24 (593 and 601 Lakeshore Boulevard) from High Density Suburban (HDS) to High Density Rural (HDR). The proposed regulatory zone amendment will reduce permissible density; increase minimum lot size and setback requirements; and permit one detached accessory dwelling in addition to an allowed primary dwelling unit on each property.

To reflect requested changes and to maintain currency of planning area data, administrative changes are proposed. These administrative changes include a revised map with updated parcel base and other matters properly relating thereto without prejudice to the final dispensation of the proposed amendments.

- Applicant: Nevada Pacific Development Corporation
- Property Owner: Nevada Pacific Development Corporation
- Location: 593 and 601 Lakeshore Boulevard, Incline Village

- Assessor's Parcel Numbers: 122-100-23 and 122-100-24
- Parcel Size: 8.1 acres
- Current Master Plan Category: Suburban Residential (SR)
- Proposed Master Plan Category: Rural Residential (RR)
- Current Regulatory Zone: High Density Suburban (HDS)
- Proposed Regulatory Zone: High Density Rural (HDR)
- Development Code: Authorized in Article 821, Amendment of Regulatory Zone

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

Staff Report Contents

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Exhibits Contents

Tahoe Regulatory Zoning Map (proposed)..... Exhibit A
Resolution RZA14-006..... Exhibit B
Master Plan Amendment Application Exhibit C

Explanation and Processing of a Regulatory Zone Amendment

The following explains a Regulatory Zone Amendment, including its purpose and the review and evaluation process involved for an application with such a request.

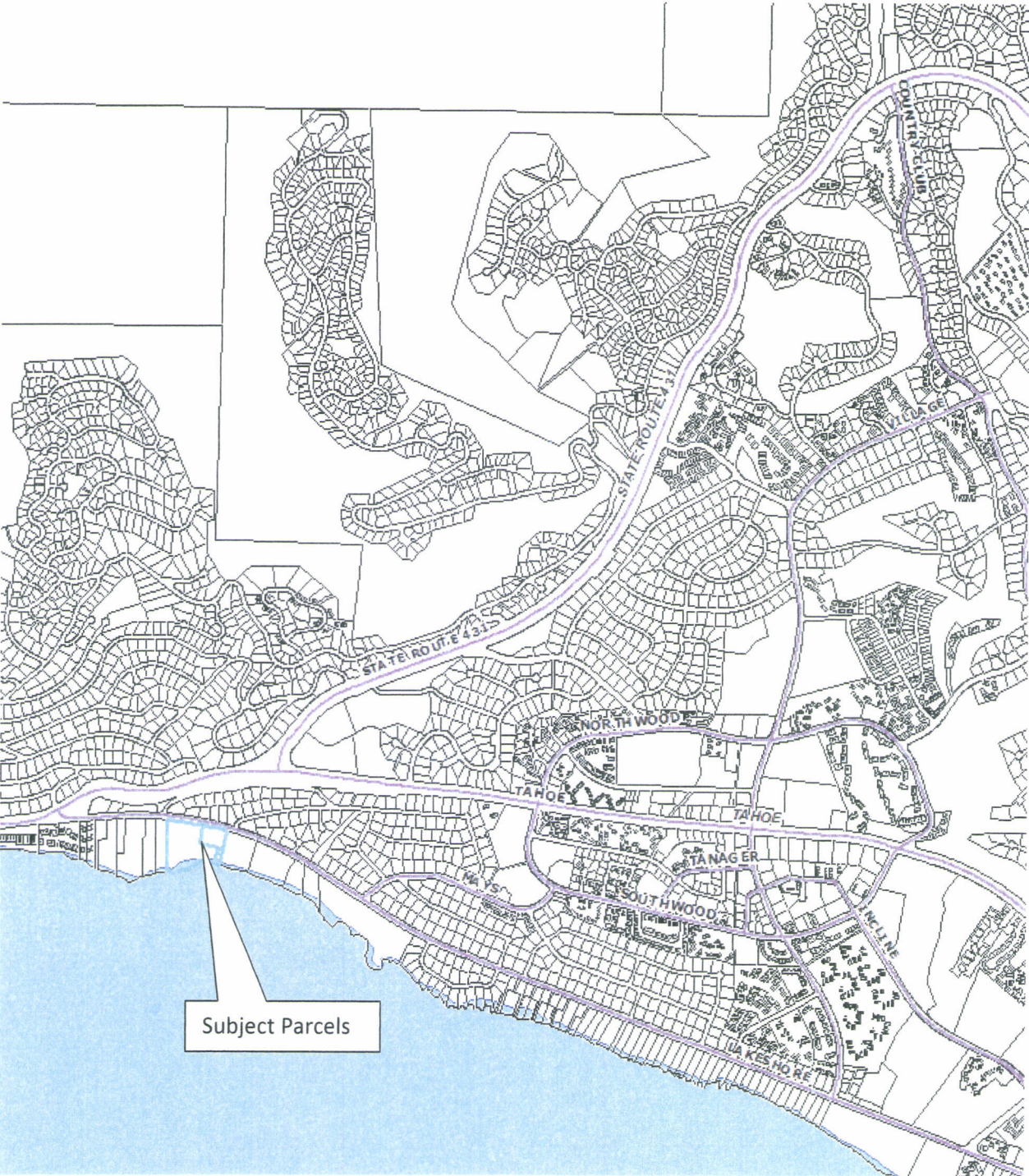
The purpose of a Regulatory Zone Amendment (RZA) is to provide a method for amending the Regulatory Zone Maps of Washoe County. The Regulatory Zone Maps depict the Regulatory Zones (i.e. zoning) adopted for each property within the unincorporated area of Washoe County. The Regulatory Zones establish the uses and development standards applied to each property.

Regulatory zones are designed to implement and be consistent with the Master Plan by ensuring that the stability and character of the community will be preserved for those who live and work in the unincorporated areas of the County. A regulatory zone cannot be changed if it conflicts with the objectives or policies of the Master Plan, including area plans that further define policies for specific communities. The Master Plan is the blueprint for development within the unincorporated County. Pursuant to NRS 278, any action of the County relating to zoning must conform to the Washoe County Master Plan.

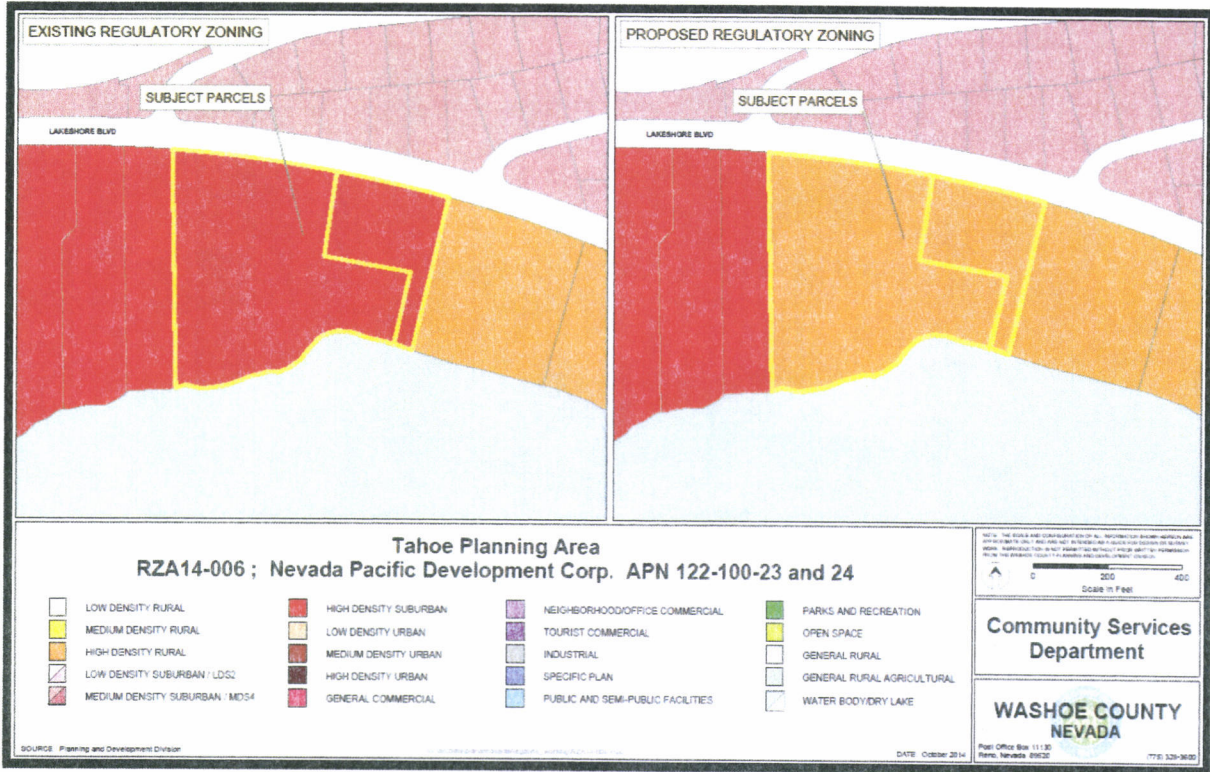
Evaluation of the proposed Regulatory Zone Amendment involves review for compliance with countywide policies found in Volume One of the Washoe County Master Plan and applicable area plan policies found in Volume Two of the Washoe County Master Plan. If the subject parcel(s) is within a Specific Plan, 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 Washoe County Development Code Article 821, Amendment of Regulatory Zone. 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.



Vicinity Map



Existing and Proposed Regulatory Zone Maps

Analysis

This regulatory zoning map amendment is being done in conjunction with a Master Plan amendment, therefore much of the analysis has been done as part of the Master Plan Amendment MPA14-003 staff report. The analysis provided in this staff report address those issues that are specific to the findings for the proposed zoning amendment.

Approval of this regulatory zone amendment is contingent upon Master Plan Amendment MPA14-003 being adopted.

Current Conditions

Currently there is boundary line adjustment application in process reducing the property at 593 Lakeshore Boulevard to ±6.1 acres and increasing the property at 601 Lakeshore Boulevard to ±2 acres. The boundary line adjustment is permissible under both the current and proposed Master Plan and zoning designations and does not impact or change the analysis of the proposed amendment.

The surrounding properties are all developed with single family residences. The properties across the street (north side of Lakeshore Boulevard) from the subject parcels are smaller lots, average size 0.4 acres and are zoned Medium Density Suburban. The lake front parcels on either side of the subject parcels range from ±0.8 acres to ±4.4 acres. The parcels to the east

are zoned High Density Rural, while the properties to the west are zoned High Density Suburban.

The current zoning designations of Medium Density Suburban and High Density Rural permit the building of an accessory dwelling on each lot, they are not allowed in High Density Suburban zones. If approved the subject properties could potential build a main dwelling and guest house (detached accessory dwelling) on each property. The guest house would be limited to a maximum 1,500 square feet of living space. The zoning amendment does not change the allowable site coverage.

While a 1,500 square foot detached accessory dwelling is permitted in all Rural Residential zones, it is also permitted in Low Density Suburban and an 800 square foot accessory dwelling is permitted in Medium Density Suburban zones. Under the current master plan classification the applicant could ask for a zoning amendment to the Low or Medium Density Suburban zones without doing a master plan amendment. Medium Density Suburban is consistent with the small properties to the north, but Low Density Suburban zoning is more compatible with the lot size and the residential development to the east and west. The problem with the Low Density Suburban designation is that it would only apply to the two subject lots and risks being considered spot zoning. With approval of the master plan amendment and amending the regulatory zone, designation the subject properties as High Density Rural, the properties will be consistent with the properties to the east and compatible with the current development patterns in the surrounding area.

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 Rural (HDR)	North	Medium Density Suburban (MDS)	High
	East	High Density Rural (HDR)	High
	West	High Density Suburban (HDS)	Medium

High Compatibility:	Little or no screening or buffering necessary
Medium Compatibility:	Some screening and buffering necessary
Low Compatibility:	Significant screening and buffering necessary

Staff Comment on Required Findings

Washoe County Development Code Section 110.821.15, 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: With the approval of the Master Plan Amendment MPA14-003, the proposed regulatory map amendment is consistent with the master plan 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.

Staff Comment: While a 1,500 square foot detached accessory dwelling is permitted in all Rural Residential zones, it is also permitted in Low Density suburban and an 800 square foot accessory dwelling is permitted in Medium Density Suburban zones. Under the current master plan classification the applicant could ask for a zoning amendment to the low or medium density suburban zones without doing the master plan amendment.

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 population and development predictions discussed in the Tahoe Area Plan document have not come to fruition. Changes to the Tahoe Regional Plan directing growth to the "town centers" and the growth control measures that effect all development within the Tahoe basin, has reduced the possibility of higher density suburban development on the subject property. The proposed zoning amendment is consistent with these changing conditions.

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: The existing facilities and services have been established for the residential development that is permitted under the proposed zoning. The zoning amendment reduces the potential for more development in the future.

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 does not adversely impact any of the policies or action plans of the Tahoe Area Plan, or any of the implementation 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 projected population growth for the Tahoe area has not been attained and with the growth control limits that are controlled by the Tahoe Regional Plan, suburban growth outside of the “town centers” is not permitted. The proposed amendment promotes the goals and policies of the Tahoe Regional Plan.

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

Staff Comment: There are no military installations in the area affected by this proposed amendment.

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 Planning Commission recommends adoption of the attached Regulatory Zone Map (Exhibit A) and authorize the chair to sign the resolution (Exhibit B) amending the regulatory zone map within the Tahoe Area Plan, being part of the Washoe County Comprehensive Plan, changing the zoning designation of APN 122-100-23 and APN 122-100-24 (593 and 601 Lakeshore Boulevard) from High Density Suburban (HDS) to High Density Rural (HDR); and to reflect requested changes and to maintain currency of planning area data, making administrative changes to the Tahoe area plan. These administrative changes include a revised map with updated parcel base and other matters properly relating thereto without prejudice to the final dispensation of the proposed amendment; having made all of the following findings in accordance with Washoe County Development Code Section 110.821.15:

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 a military installation.

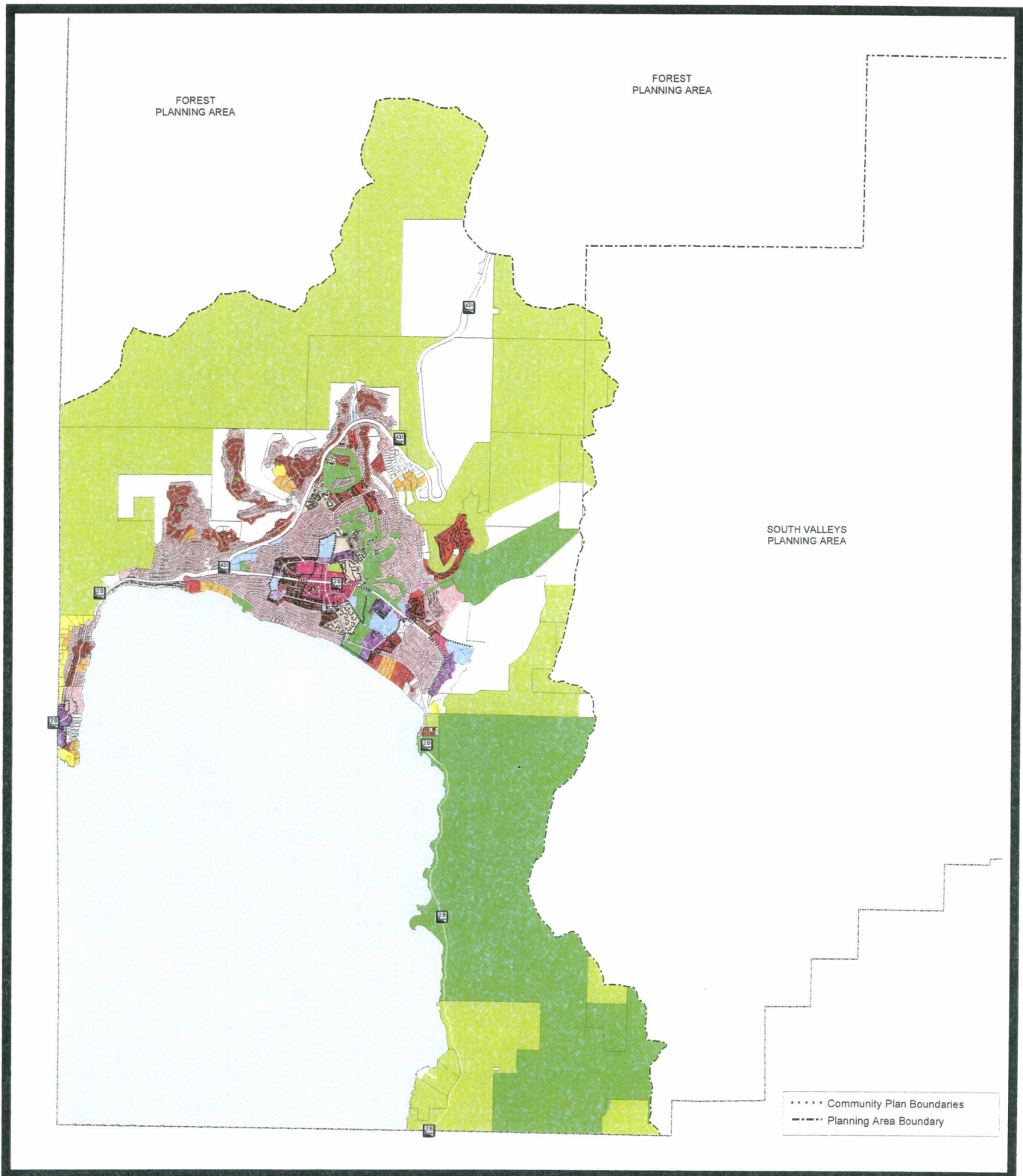
Appeal Process

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

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

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

Action Order xc: .



TAHOE REGULATORY ZONE MAP

- | | | |
|--|--|---|
| <p>LOW DENSITY RURAL</p> <p>MEDIUM DENSITY RURAL</p> <p>HIGH DENSITY RURAL</p> <p>LOW DENSITY SUBURBAN</p> <p>LOW DENSITY SUBURBAN 2</p> <p>MEDIUM DENSITY SUBURBAN</p> <p>MEDIUM DENSITY SUBURBAN 4</p> | <p>HIGH DENSITY SUBURBAN</p> <p>LOW DENSITY URBAN</p> <p>MEDIUM DENSITY URBAN</p> <p>HIGH DENSITY URBAN</p> <p>GENERAL COMMERCIAL</p> <p>NEIGHBORHOOD COMMERCIAL/
OFFICE</p> <p>TOURIST COMMERCIAL</p> | <p>INDUSTRIAL</p> <p>PUBLIC AND SEMI-PUBLIC FACILITIES</p> <p>PARKS AND RECREATION</p> <p>OPEN SPACE</p> <p>GENERAL RURAL</p> <p>GENERAL RURAL AGRICULTURAL</p> <p>DRY LAKE/
WATER BODY</p> |
|--|--|---|

Planning and Development Division

PC Date: December 2, 2014
 SCC Date:
 RPC Date:

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 taRegion_SouthValley2014-000.mxd

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

DATE _____ DIRECTOR _____

**Community Services
Department**

**WASHOE COUNTY
NEVADA**

Post Office Box 11130
 Reno, Nevada 89520

(775) 328-3600



RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

RECOMMENDING ADOPTION OF REGULATORY ZONE AMENDMENT CASE NUMBER RZA14-006 AND THE AMENDED TAHOE REGULATORY ZONE MAP

Resolution Number 14-__

Whereas Regulatory Zone Amendment Case Number RZA14-006, came before the Washoe County Planning Commission for a duly noticed public hearing on December 2, 2014; and

Whereas the Washoe County Planning Commission heard public comment and input from 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 Development Code, 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. Is in substantial compliance with the policies and action programs of the Master Plan and the Regulatory Zone map;
2. Will provide for land use compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare;
3. Responds to changed conditions or further studies that have occurred or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land;
4. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed Regulatory Zone Amendment;
5. Will not adversely affect the implementation of the policies and action programs of the Washoe County Master Plan,
6. 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. 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 RZA14-006, comprised of the map, descriptive matter, administrative changes required to maintain currency of the planning area and other matter intended to constitute the amendment as submitted at public hearing noted above.

ADOPTED on December 2, 2014.

WASHOE COUNTY PLANNING COMMISSION

ATTEST:

Carl R. Webb, Jr., AICP, Secretary

Roger M. Edwards, Chairman

Midkiff
& Associates, Inc.
CONSULTANTS

September 15, 2014

Washoe County
Community Services Department
Planning and Development Division
P.O. Box 11130
Reno, NV 89520-0027

**NEVADA PACIFIC DEVELOPMENT CORPORATION, REGULATORY ZONE AMENDMENT
APPLICATION, 593 AND 601 LAKESHORE BLVD, INCLINE VILLAGE, NEVADA, ASSESSOR'S
PARCEL NUMBERS (APNs) 122-100-23 & 122-100-24**

Dear Washoe County Staff:

The attached Regulatory Zone Amendment application is being submitted for 593 (APN 122-100-23) and 601 (APN 122-100-24) Lakeshore Blvd, Incline Village, Nevada ("subject parcels"). The subject parcels are both owned by the Nevada Pacific Development Corporation ("property owner/applicant"). The application is being submitted on behalf of the property owner by Midkiff and Associates, Inc ("agent").

Project Description

The subject parcels are currently zoned by Washoe County as High Density Suburban (HDS). Per Washoe County Development Code Table 110.406.05.1 and HDS designation has a minimum lot size of 5,000 square feet. Currently, the 593 parcel has an area of 227,190 square feet (6.3 acres) and the 601 parcel has an area of 76,854 square feet (1.8 acres). As is evident, the current HDS zoning does not adhere to Washoe County lot size zoning standards. The proposed Regulatory Zone Amendment and concurrently submitted Master Plan Amendment applications are being submitted to change the zoning to more accurately reflect the zoning established in Table 110.406.05.1.


The property owner is also submitting a Boundary Line Adjustment (BLA) application for the subject parcels. Post-BLA the 593 parcel will have an area of 269,104 square feet (6.178 acres) and the 601 parcel will have an area of 87,120 square feet (2.0 acres). Washoe County Planner, Eva Krause was informed of the proposed concurrent submittal of the Master Plan, Regulatory Zone Amendments and BLA within a July 22, 2014 email. Ms. Krause informed me that these applications could be submitted together.

The applicant is proposing to have the parcels rezoned to High Density Rural (HDR). The proposed HDR zoning for the subject parcels would bring them closer into conformance with the zoning standards set forth in Washoe County Development Code Table 110.406.05.1.

The subject parcels are located in the Tahoe Area Plan. The proposed Regulatory Zone Amendment is permissible within the Tahoe Area Plan. The subject parcels are located in Plan Area Statement (PAS) 037 Lakeview. The proposed Regulatory Zone Amendment is permissible within PAS 037 Lakeview.

I trust the above (and attached) is acceptable. If during your review you require any additional information or have any further questions please do not hesitate to contact me.

Sincerely,



Nicholas D. Exline
Senior Planner, AICP

Cc. Nevada Pacific Development Corporation
P.O. Box 4202
Incline Village, NV 89450

Enc.

1	Submittal Fee (\$2,979)
7	Application w/Signed Notarized Affidavit
7	Proof of Property Tax Payment
7	Labeling Email
7	Title Reports
7	Plan Sheet
1	Digital File

Community Services Department
Planning and Development
**REGULATORY ZONE AMENDMENT
APPLICATION**



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

Telephone: 775.328.3600

Washoe County Development Application

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

Project Information		Staff Assigned Case No.: _____	
Project Name: Nevada Pacific Development Corp Zone Amendment			
Project Description: The applicant is proposing to amend the existing zoning on two (2) parcels in Incline Village. The existing zoning on the subject parcels is incorrect per table 110.406.05.1. Proposed zoning will bring the subject parcels in to conformance with table 110.406.05.1			
Project Address: 593 and 601 Lakeshore Blvd, Incline Village, Nevada			
Project Area (acres or square feet): 593 (276,190 s.f./6.3 acres) 601 (76,854 s.f./1.8 acres)			
Project Location (with point of reference to major cross streets AND area locator): Approximately .32 miles east of the westerly intersection of Lakeshore Blvd and HWY 28.			
Assessor's Parcel No.(s):	Parcel Acreage:	Assessor's Parcel No(s):	Parcel Acreage:
122-100-23	6.3		
122-100-24	1.8		
Section(s)/Township/Range: Sec 17/T16/R18			
Indicate any previous Washoe County approvals associated with this application: Case No.(s).			
Applicant Information (attach additional sheets if necessary)			
Property Owner:		Professional Consultant:	
Name: Nevada Pacific Devel Corp		Name: Midkiff and Associates, Inc.	
Address: P.O. Box 4204		Address: P.O. Box 12427	
Incline Village, NV	Zip: 89450	Zephyr Cove, NV	Zip: 89448
Phone: Contact Consultant	Fax:	Phone: 775-588-1090	Fax: 775-588-1091
Email:		Email: nick@midkiffandassoc.com	
Cell:	Other:	Cell: 775-240-9361	Other:
Contact Person:		Contact Person: Nick Exline	
Applicant/Developer:		Other Persons to be Contacted:	
Name: Same as Property Owner		Name:	
Address:		Address:	
	Zip:		Zip:
Phone:	Fax:	Phone:	Fax:
Email:		Email:	
Cell:	Other:	Cell:	Other:
Contact Person:		Contact Person:	
For Office Use Only			
Date Received:	Initial:	Planning Area:	
County Commission District:		Master Plan Designation(s):	
CAB(s):		Regulatory Zoning(s):	

February 2014

Regulatory Zone Amendment Supplemental Information

(All required information may be separately attached)

Chapter 110 of the Washoe County Code is commonly known as the Development Code. Specific references to Regulatory Zone amendments may be found in Article 821, Amendment of Regulatory Zone.

Please complete this questionnaire 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. Please describe the Regulatory Zone amendment request:

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

2. List the Following information regarding the property subject to the Regulatory Zone Amendment.
- a. What is the location (address, assessor's parcel number or distance and direction from nearest intersection)?

The subject parcels 593 Lakeshore Blvd (APN 122-100-23) and 601 Lakeshore Blvd (APN 122-100-24) are located approximately .32 miles east of the westerly intersection of Lakeshore Blvd and HWY 28 (see vicinity map).

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

APN of Parcel	Master Plan Designation	Current Zoning	Existing Acres	Proposed Zoning	Proposed Acres
122-100-23	Residential	HDS	6.3	HDR	6.178
122-100-24	Residential	NDS	1.8	HDR	2.0

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

	Zoning	Use (residential, vacant, commercial, etc.)
North	MDS	Residential
South	None	Lake Tahoe
East	HDR	Residential
West	HDS	Residential

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

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

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.

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

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

Explanation:

The 593 parcel has both a Stream Environmental Zone (SEZ) and 100/500 year flood plain. The proposed Zoning Amendment will not impact the existing development limitations in these areas.

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

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

Explanation:

The subject parcels have no known archeological, historic or cultural resources located onsite. The subject parcels are littoral parcels and are located on the shores of Lake Tahoe. The proposed project will not have any impact on the existing shorezone resource. If any project is proposed on the subject parcels that project would need to adhere to TRPA Code Subsection 30.16.

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

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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If yes, please identify the following quantities and documentation numbers relative to the water rights:

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

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

IVGID Existing Water for demolished residential units.
--

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

NA

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:	Incline General Improvement District

b. Available:

<input checked="" type="checkbox"/> Now	<input type="checkbox"/> 1-3 years	<input type="checkbox"/> 3-5 years	<input type="checkbox"/> 5+ years
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c. Is this part of a Washoe County Capital Improvements Program project?

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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d. If a public facility is proposed and is currently not listed in the Washoe County Capital Improvements Program and not available, please describe the funding mechanism for ensuring availability of water service:

NA

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:	Incline General Improvement District

b. Available:

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

c. 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 and not available, please describe the funding mechanism for ensuring availability of sewer service. If a private system is proposed, please describe the system and the recommended location(s) for the proposed facility.

NA

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

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

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

Yes No

12. Community Services (provided and nearest facility):

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

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 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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/> No
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Applicant Comments

This page can be used by the applicant to support the regulatory zone amendment request and should address, at a minimum, how one or more of the findings for an amendment are satisfied. (Please refer to Article 821 of the Washoe County Development Code for the list of Findings.)

The property owner/applicant are seeking to have the subject parcels rezoned to adhere to established parcel sizes in Washoe County Development Code Table 110.406.05.1. For additional information please see submittal letter and corresponding attachments.

EXHIBIT E

RE: Public Hearing: RZA14-006

Draft Minutes of the December 2, 2014 Planning Commission Meeting

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

8. Public Hearings

Agenda Item 8B

- A. Regulatory Zone Amendment Case Number RZA14-006** – To amend the Regulatory Zone map within the Tahoe Area Plan, being part of the Washoe County Comprehensive Plan, changing the zoning designation of APN 122-100-23 and APN 122-100-24 (593 and 601 Lakeshore Boulevard) from High Density Suburban (HDS) to High Density Rural (HDR). The proposed regulatory zone amendment will reduce permissible density; increase minimum lot size and setback requirements; and permit one detached accessory dwelling in addition to an allowed primary dwelling unit on each property.

To reflect requested changes and to maintain currency of planning area data, administrative changes are proposed. These administrative changes include a revised map with updated parcel base and other matters properly relating thereto without prejudice to the final dispensation of the proposed amendments.

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

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

- Prepared By: Eva M. Krause. AICP, Planner
Washoe County Community Services Department
Planning and Development

- Phone: 775.328.3796
- E-Mail: ekrause@washoecounty.us

Ms. Krause reviewed her staff report dated November 21, 2014 in the previous item, which also pertained to this item.

Acting Chair Whittemore opened public comment. As there were no requests to provide testimony, Acting Chair Whittemore closed the public hearing.

Commissioner Prough moved that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Planning Commission recommends adoption of the attached Regulatory Zone Map (Exhibit A) and authorize the chair to sign Resolution 14-28 (Exhibit B) amending the regulatory zone map within the Tahoe Area Plan, being part of the Washoe County Comprehensive Plan, changing the zoning designation of APN 122-100-23 and APN 122-100-24 (593 and 601 Lakeshore Boulevard) from High Density Suburban (HDS) to High Density Rural (HDR); and to reflect requested changes and to maintain currency of planning area data, making administrative changes to the Tahoe area plan. These administrative changes include a revised map with updated parcel base and other matters properly relating thereto without prejudice to the final dispensation of the proposed amendment; having made all of the following findings, specifically Finding 1, 2, 3, 4, 5, and 6, in accordance with Washoe County Development Code Section 110.821.15:

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 a military installation.

Commissioner Chvilicek seconded the motion which carried unanimously.

The attached document was submitted to the
Washoe County Board of Commissioners during
the meeting held on 1-27-15.
by Bill Whitney
for Agenda Item No. 18
and included here pursuant to NRS 241.020(7) as
amended by AB65 of the 2013 Legislative Session.



Mail
PO Box 5310
Stateline, NV 89449-5310

Location
128 Market Street
Stateline, NV 89449

Contact
Phone: 775-588-4547
Fax: 775-588-4527
www.trpa.org

Date: January 14, 2015

To: Eva Krause, Planner, Washoe County Community Services

From: Lucia Maloney, Associate Long Range Planner, TRPA

RE: Master Plan and Regulatory Zoning Amendments, APN 122-100-23 and APN 122-100-24

This is to inform you that Tahoe Regional Planning Agency (TRPA) staff has reviewed the proposed Master Plan Amendment and accompanying Regulatory Zoning Amendment applications for 593 and 601 Lakeshore Blvd., Incline Village, Nevada, Assessor's Parcel Numbers (APNs) 122-100-23 and 122-100-24. Washoe County staff requested review of these applications by TRPA staff for consistency with Plan Area Statement (PAS) 037: Lakeview. The subject parcels are currently zoned by Washoe County as High Density Suburban (HDS), and the applicant is proposing to have the parcels rezoned to High Density Rural (HDR).

Thank you for the opportunity to review the applications and provide comment. HDR allowable uses are mainly consistent with the PAS, and the review verified the adjacent and nearby parcels which are currently zoned HDR. However, staff identified a few discrepancies between the proposed HDR zoning and the permissible uses in PAS 037 (e.g. Animal Slaughtering, Agricultural; Crop Production; Animal Production). That said, TRPA will continue to recognize the Permissible Uses within the PAS as superseding any conflicting allowable uses within county-level zoning documents.

Please do not hesitate to contact me at (775)589-5324, or LMaloney@trpa.org, should you have any questions or require any additional information.

CC: Nick Exline, Senior Planner, Midkiff and Associates, Inc.;
Brandy McMahon, Acting Long Range Planning Manager, TRPA

*-BCC 1-27-15 # 18
Bill Whitney*