

WMPA17-0001 (SPANISH SPRINGS AREA PLAN
TEXT AMENDMENT)

Introduction:

The request to change the current master plan for Spanish Springs by adding "Operable Vehicles" to the use category of "NC/O" (neighborhood commercial/office) is a change that dramatically alters the master plan for the area. The master plan was put in place to define what we, as a community, wanted our future to look like, and we listed that concept in the plan. I believe the applicant misinterpreted the verbiage of the plan while requesting the change.

The term "Personal Storage" and "Operable Vehicle" are both defined in the verbiage of the master plan, also defined is where each shall be located - in two definitions :

* 1) "Personal Storage" may be placed in a "NC/O" (Neighborhood Commercial/Office) area and also in a "I" (Industrial) area; whereas "Operable Vehicle" may only be located in a "I" (Industrial) area.

* 2) the master plan also defines, for both uses, what type facility each must be associated with, for safety, architectural guidelines, etc. The facility requirements are only defined once since the facilities for each are so similar - except that an RV awning would not be required in a facility that defined by:

a) Section 110.304.25 Commercial Use Types, (z) Personal Storage "personal effects and household goods within an enclosed storage area having individual access".

b) Where an awning could be needed for: Section 110.304.25 Commercial Use Types. (7) Storage of Operable Vehicles. Storage of operable vehicles refers to storage of operable vehicles, recreational vehicles and boat trailers. Typical uses include storage areas within personal storage facilities and storage yards for commercial vehicles.

Response to the appeal of Master Plan Amendment:

WOOD RODGERS April 19,2017

Applicant's EXHIBIT A

APPEAL OF PLANNING COMMISSION DECISION ON APRIL 4, 2017 WITH REGARD TO MASTER PLAN AMENDMENT FINDINGS 1, 2, 3, AND 5 ASSOCIATED WITH WMPA17-0001 (SPANISH SPRINGS AREA PLAN TEXT AMENDMENT)

On April 4, 2017 the Washoe County Planning Commission was asked to review a text amendment to the Spanish Springs Area Plan to amend Table C-3 to allow "Storage of Operable Vehicles" in the Neighborhood Commercial (NC) regulatory zone with a Board of Adjustment approved Special Use Permit. The Planning Commission Staff Report, dated March 20, 2017, recommended approval based on Staff's ability to make the required Findings for a Master Plan Amendment with the exception of Finding 6 as there are no Military installations associated with the proposed Amendment. Comments received by the public in regards to the amendment were primarily related to specific project elements that are outlined by the Personal Storage Guidelines, and would also be addressed through the Special Use Permit process. Other comments included opposition to storage facilities and commercial uses in general, both of which are allowed in the SSAP NC zones and would not be further impacted by the proposed amendment. Following the public comment, the Planning Commission made a motion for denial without identifying specific findings for denial. Washoe County Staff reminded the Planning Commission that a recommendation of denial would need to be made based on an inability to make the Findings as required by Washoe County Code Section 110.820.15(d), and the specific Finding(s) that could not be made needed to be stated for the record. After several minutes of discussion the Planning Commission broadly indicated that they could not make Findings 1, 2, 3 and 5.

It is the applicant's opinion that the Planning Commission made their decision in error, and did not fully consider the Findings as required in 110.820.15(d) prior to making their decision. Washoe County Staff outlined the Findings and their ability to make those Findings in great detail in their Staff Report to the Planning Commission, recommending approval. The following is an appeal of the Planning Commission decision to deny the Spanish Springs Area Plan Text Amendment (WMPA17-0001) on April 4, 2017 with regard to Findings 1, 2, 3, and 5 specifically.

Master Plan Amendment Finding 1 – Consistency with Master Plan:

The applicant finds the proposed amendment to be in substantial compliance with the policies and action programs of the Master Plan, as did the Planning Commission Staff Report prepared by Washoe County Staff March 20, 2017. The Spanish Springs Area Plan (SSAP) Table C-3 (Appendix C of the SSAP) currently allows "Personal Storage" facilities within Neighborhood Commercial (NC) regulatory zones in Spanish Springs. "Storage of Operable Vehicles" or RV storage is commonly associated with in "Personal Storage" facilities and should not be considered different than the Personal Storage facilities that are currently allowed in the NC zone.

RESPONDANT'S COMMENTS:

The request to change the master plan for Spanish Springs by adding "Operable Vehicles" to the use category of "NC/O" (Neighborhood Commercial/Office) is a change that dramatically alters the master plan for the area. The master plan was put in place to define what we, as a community, wanted our future to look like, and we listed that concept in the plan. I believe the applicant misinterpreted the verbiage of the plan while requesting the change.

The term "Personal Storage" and "operable vehicle" are both defined in the verbiage of the master plan, also defined is where each shall be located - in two senses:

* 1) "Personal Storage" may be placed in a "NC/O" (Neighborhood Commercial/Office) area and also in a "I" (Industrial) area; whereas "Operable Vehicle" may only be located in a "I" (Industrial) area.

* 2) the master plan also defines, for both uses, what type facility each must be associated with, for safety, architectural guidelines, etc. The facility requirements are only defined once since the facilities for each are so similar - except that an RV awning would not be required in a facility that defined by:

a) **Section 110.304.25 Commercial Use Types, (z) Personal Storage "personal effects and household goods within an enclosed storage area having individual access".**

b) **Where an awning could be needed for: Section 110.304.25 Commercial Use Types. (7) Storage of Operable Vehicles. Storage of operable vehicles refers to storage of operable vehicles, recreational vehicles and boat trailers. Typical uses include storage areas within personal storage facilities and storage yards for commercial vehicles.**

With this requested change the applicant wishes to move a Commercial type classified "Operable Vehicle" that was defined by the existing Master plan as being ONLY compatible with Industrial locations to locations closer to residential zones. The "NC/O" location this applicant wants to add "Operable Vehicles" to is located at the corner of Pyramid Highway and La Posada Road, this area has grown into a retail center of Spanish Springs.

The Washoe County Master Plan VOLUME #2

Introduction

The Spanish Springs Area Plan responds to a citizen-based desire to identify, implement and preserve the community character that has evolved in the Spanish Springs Valley over time.

The result of these workshops has been the development of a comprehensive vision for the Spanish Springs community that identifies an existing and desired community character. The Spanish Springs Area Plan implements and preserves this community vision and character.

Vision and Character Management

Land Use

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

Visually the facility described to encompass the category Operable Vehicle does not match the surrounding community that is currently existing at that location.

This is what we call our "Downtown" today, tomorrow we expect it to grow, to develop into a retail hub for our community even more than it is now.:



And this is what the county board is telling us that we must accept in our downtown:



(The above pictured facility is constructed to the existing guidelines for "Operable Vehicle" storage in a industrial zoned area.)

We, as a community, do not want our downtown to be a industrial/residential mix-match. That is the reason for planning. The planning has been done, your job, as the monitor of the land use, is to stick to that plan.

Master Plan Amendment Finding 1 – Consistency with Master Plan: (Continued)

In addition to being an allowed use, the SSAP provides "Personal Storage Guidelines for NC zones" (Appendix A of the SSAP) which includes design guidelines for "storage structures and RV awnings". The Personal Storage Guidelines for NC within the SSAP provide architectural requirements, fencing and wall requirements, lighting requirements, setback requirements, and landscape requirements. These requirements, already provided in the SSAP, will continue to apply with the addition of "Storage of Operable Vehicles" or RV storage. Furthermore, the proposed text amendment to allow "Storage of Operable Vehicles" will require a Board of Adjustment approved Special Use Permit, which ensures "Storage of Operable Vehicles" projects meet the SSAP Personal Storage Guidelines for NC zones and provide an opportunity for the surrounding community to comment on projects.

RESPONDANT'S COMMENTS:

see the comments earlier under **Master Plan Amendment Finding 1 – Consistency with Master Plan** page 2, paragraph 2

• **Master Plan Amendment Finding 2 - Compatible Land Uses:**

The text amendment proposes to allow "Storage of Operable Vehicles" or RV storage with a Board of Adjustment approved Special Use Permit, requiring any future projects to go through a public review process, within NC regulatory zones. As described above in Finding 1, "Personal Storage" facilities are an allowed use in the NC regulatory zones, and can go straight to building permit with no public review process. It is common, and appropriate, to have RV storage or "Storage of Operable Vehicles" included within a "Personal Storage" facility as they are essentially the same use.

RESPONDANT'S COMMENTS:

I agree the facility to house both "Personal Storage" and "Operable Vehicles" are essentially the same use, but because of the visual impact "personal Storage" can go into "NC/O" or "I" zoned location whereas "Operable Vehicles" can only be located in areas zones as "I".

Trying to understand what the character of other "Operable vehicles" storage facilities in the Reno area was/is I looked up several Facilities in the phone book and went to see if I would want them in my back yard (as this will literally be located) below are some pictures of those facilities:



This is not "compatible" with the community location defined as "NC/O" by this applicant.

Master Plan Amendment Finding 2 - Compatible Land Uses: (continued)

In addition to storage uses allowed in NC, there are multiple auto oriented commercial uses allowed in the NC regulatory zone (straight to building permit, no public review process required) within the SSAP. These include, but are not limited to, Auto Repair Stations, Car Washes, and Gasoline Sales and Service Stations. All of these uses would have much more of an impact to the surrounding area compared to "Personal Storage" or "Storage of Operable Vehicles" including taller building heights, increased lighting, much higher traffic generators than a storage facility, architectural standards, less security, etc. Unlike the other allowed uses, "Personal Storage" has its own set of Guidelines. "Storage of Operable Vehicles" or RV storage is currently identified within those Guidelines, and would continue to be included if the proposed text amendment were approved.

RESPONDANT'S COMMENTS:

It would seem logical that the planning board would want to use the existing infrastructure wisely before causing the government to invest in additional changes to roads, sidewalks, lighting etc. The location at Pyramid Highway and La Posada is the intersection of 4 lane both east- west and north - south. Presently there are retail establishments there that take advantage of the infrastructure that is there.

The designation of "NC/O" intended to allow businesses that required higher traffic flourish to be located near roads and transportation. Although a "personal storage" facility is allowed to be constructed there it may be wise for the applicant to explore other uses that would take advantages of the existing infrastructure that he finds in that location.

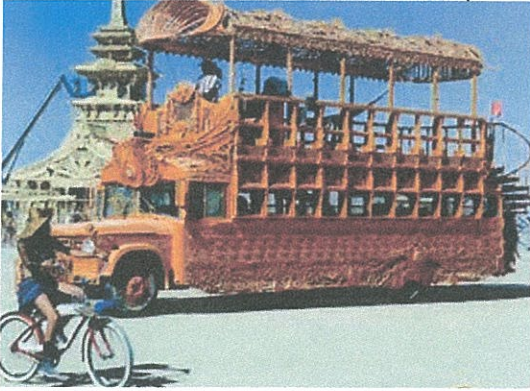
• **Master Plan Amendment Finding 3 – Response to Changed Conditions**

Regional housing trends point to a need for smaller residential lot sizes. Common open space developments and smaller residential lot sizes within the SSAP, and surrounding area, typically do not allow for RV storage within property owner driveways or yard space. Although some residents have the ability to store an RV on their property, others do not and prefer to store them within a secure storage facility. It is common practice for RV storage and mini storage, or "Personal Storage" to occur within the same facility. These facilities exist throughout the Reno-Sparks region, including within Washoe County. As noted previously, Personal Storage facilities located within the SSAP have very strict design criteria, including screening, which makes them an ideal location for including RV storage.

RESPONDANT'S COMMENTS:

Industrial zoned land is available within the area, that is where "Operable Vehicles" are defined to be located for several reason:

Vehicles that are defined as an Operable vehicle: A cute Burner Bus



Large dump trucks:



even a track back hoe:

all the above items are covered under the category of "Operable Vehicles."

Even if only RV's are allowed within the facility difference between the wall height allowed in the **site development guidelines (8 feet high)**

The allowed height of a RV in Nevada: TOTAL LENGTH: 70 FEET; TRAILER AND MOTOR HOME LENGTH: NOT SPECIFIED; WIDTH: 8 FEET 6 INCHES (FOR TRAILERS EXCLUDING LIGHTS OR DEVICES UP TO 6 INCHES, DOOR HANDLES, HINGES, CABLE CINCHERS AND CHAIN BUNDLERS UP TO 3 INCHES; FOR MOTOR HOMES, EXCLUDING MIRRORS, SAFETY EQUIPMENT, AND LIGHTS AND AWNINGS OR HARDWARE UP THE WIDTH OF REAR VIEW MIRRORS); HEIGHT: 14 FEET.

RV Height = 14' Wall Height = 8' This allows 6 feet of RV to extend above the wall.

Response to changing conditions would define this type of land usage: "Operable Vehicles", located in "NC/O" zone not be employed, but options that conforms to the surrounding facilities.

Master Plan Amendment Finding 3 – Response to Changed Conditions (continued)

The proposed text amendment will also remove an inconsistency between Table C-3 and the Personal Storage Guidelines, and will only allow “Storage of Operable Vehicles” with a Board of Adjustment approved Special Use Permit. This will ensure that any proposed project goes through a public review process and is looked at for its ability to meet the design criteria and appropriateness on a project by project basis.

RESPONDANT'S COMMENTS:

There is no inconsistency, "Operable Vehicles" are to be located in industrial zone areas. The master plan defines the obligation of the planning commission office to inform the applicant of the current zoning and the applicant is normally going to conform to that zoning, but he may appeal for a change.

The Washoe County Master Plan Volume # 1

Goal Twenty-five: Development review enforces the goals and policies of the Master Plan.

Policies

LUT.25.1 Ensure that development proposals are in conformance with appropriate Master Plan policies and the relevant Area Plan policies.

LUT.25.2 Early in the application process, staff shall provide applicants with relevant land use and transportation goals and policies.

There is an inherent gamble when a developer purchases land with the intent to change the zoning rules to accommodate his needs over those of the community that he is trying to become a part of.

• **Master Plan Amendment Finding 5 – Desired Pattern of Growth**

Storage facilities are currently an allowed use within the SSAP NC regulatory zone (“Personal Storage”). The proposed text amendment to add “Storage of Operable Vehicles” with a Special Use Permit is consistent with the existing “Personal Storage” use, and would provide additional, secured storage opportunities for the growing Spanish Springs community.

RESPONDANT'S COMMENTS:

The text change may seem small, 4 words, but the impact on the community would be significant. The added text changes the complete character of the personal storage facility:



FROM:

TO:



Master Plan Amendment Finding 5 – Desired Pattern of Growth (continued)

As outlined by Staff in the Planning Commission Staff Report, the SSAP Character Statement reads in part, “A distinct suburban core is, and will continue to be, concentrated along the Pyramid Highway. This suburban core includes a broad mix of non-residential uses together with residential densities of up to three dwelling units per acre.” The proposed text amendment supports the SSAP Character Statement by providing opportunities for current and future Spanish Springs residents, who are unable or unwilling to store RVs within their property, to continue to own and/or purchase recreational vehicles. Washoe County and the State of Nevada are known for and embrace recreation, a rapidly growing industry. The continuing trend of smaller lot sizes creates the need for recreational vehicle owners to find other means for storage. Mini storage or Personal Storage facilities are ideal as they typically offer a range of storage alternatives for RVs including covered areas, garage space, and secure storage. Users of the storage facilities prefer these to be located conveniently near their subdivision for a quick, easy pick up before a recreation outing.

RESPONDANT'S COMMENTS:

The master plan addressed this element of community recreation, the RV- both motor home and fifth wheel, need to be stored in a safe place where the storage facility will have minimum impact on the day to day activities of the community while going about their daily activities. Thus the reason why the "Operable Vehicles" are defined to go within a similar structure as "Personal Storage" and those structures to be located within a Industrial location.

Master Plan Amendment Finding 5 – Desired Pattern of Growth (continued)

The proposed amendment does not change the fact that “Personal Storage” facilities are an allowed use within the SSAP NC regulatory zone. The proposed amendment simply allows “Storage of Operable Vehicles” to occur within the walls of a Personal Storage facility upon an approved Special Use Permit through the Board of Adjustment. The Special Use Permit provides an opportunity for the Spanish Springs Community to provide input on Storage facilities in the NC regulatory zone if they will include RV parking, an opportunity they currently don’t have.

RESPONDANT'S COMMENTS:

If you look at the "NC/O" location at Pyramid Highway and Horizon View Road you will notice the "NC/O" property is located on the east side of the road, a buffer between residential housing and the Industrial zoned property located on the west side of the road. It would only mean a right turn instead of a left turn to meet the existing master plan. The "NC/O" designation is to be a visual buffer between residential zoned property and Industrial property. There is plenty of open land to house RV's, busses, Boats, etc. but it is zoned "I" (Industrial) not "NC/O".

RESPONDANT'S COMMENTS: Summary

- 1) The Existing Master Plan is written correctly: It states that "Personal storage" is to go inside a facility defined by Site Development Guidelines, Personal Storage Guidelines and located in Commercial Use Types (Section 110.304.25) designated as "NC/O" (Neighborhood Commercial / office) or "I" (Industrial). It also defines "Operable Vehicles" as going inside a facility defined by Site Development Guidelines, Personal Storage and located in Commercial Use Types (Section 110.304.25) designated as ONLY "I" (Industrial).
- 2) The visual impact of a facility as defined by Existing Master Plan as "Personal Storage" and versus that of "Operable Vehicles" is dramatic.
 - a) "Personal Storage" is defined by enclosed buildings
 - b) "Operable Vehicles" classification looks "Industrial" and would not fit with adjacent and nearby parcels
- 3) This change affects all land classified as "NC/O" not just the parcel that the current applicant owns, adding the text "Operable Vehicles" to the "NC/O" changes each location; I can't imagine residential citizens appreciating having zoning charged so busses, construction equipment, and object defined as "Operable Vehicle" could be parked in their back yard.
- 4) The current location that this applicant owns is within a federally designated flood plain and must comply with all Washoe county flood hazard reduction ordinances. There has been significant flooding in the area causing roads adjacent to the property to be closed.
- 5) The Washoe County Master Plan Volume #1:

Goal Twenty-one: The design of communities and neighborhoods creates a strong sense of place.

LUT.21.2 Nonresidential development shall be compatible with the nearby neighborhoods, service and facility capacities, and the surrounding environment.

a. Compatible is defined as the proportional relationship of the physical environment to human dimensions, acceptable to the public perception and comprehension in terms of size, height, bulk, and/or massing of buildings or other features of the built environment.

6) Goal Twenty-five: Development review enforces the goals and policies of the Master Plan. Policies.

Existing Master plan does not allow "Operable Vehicles" in a "NC/O" location but only allows it in a industrial designated area.

7) Character Planning and Design

Character Planning:

When evaluating future developments applications, approval of applications should only be granted if the applicant can demonstrate compatibility with the existing character of an area. Existing character of a community does not refer to low density, cul-de-sac sprawled development. Character refers to architectural style, historic and cultural preservation, and maintaining a sense of community.

The adding the storage of "Operable Vehicles" to the center of town in a retail sales area does not "maintain a sense of community."

This change does not maintain the character of the community, we don't want our community to develop in a haphazard way, we have seen how other communities, because of lack of planning, have allowed neighborhood to crumble because of random growth. We want a community that is planned now and for the future.

You, as county officials, are the guardians of our future, you are to reflect the character of the community, you are our monitor of our future. Please stick with the "plan" and secure the future for our community for our kids and grandkids.