AGENDA

Regular Meeting

Reno City Planning Commission

Thursday, June 18, 2015 ● 6:00 PM

Reno City Council Chamber, One East First Street, Reno, NV 89501

<table>
<thead>
<tr>
<th>Commissioners</th>
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<tr>
<td>Jason Woosley, Chair</td>
<td>326-8862</td>
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<td>Kevin Weiske, Vice</td>
<td>326-8859</td>
<td>Paul Olivas</td>
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<td>Doug D. Coffman</td>
<td>326-8864</td>
<td>Charles Reno</td>
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<td>Peter Gower</td>
<td>326-8860</td>
<td>Kathleen Taylor</td>
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<td>326-8858</td>
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**Posting:** This Agenda is posted at Reno City Hall, One East First Street, Washoe County Library Downtown Branch - 350 South Center Street, Evelyn Mount Northeast Community Center, 1301 Valley Road, and McKinley Arts and Culture Center - 925 Riverside Drive, and further, in compliance with NRS 241.020, this agenda has been posted on the official website for the City of Reno - [www.reno.gov](http://www.reno.gov) and per NRS 232.2175 and 241.020 a link to this agenda has been posted to [https://notice.nv.gov/](https://notice.nv.gov/).

**Support Materials:** Support materials are posted on the website [www.reno.gov/meetings](http://www.reno.gov/meetings) when they are provided to the governing body or if provided during a meeting, such materials will be posted on the website within 24 hours after the conclusion of the meeting. Support materials are also available at the City Clerk’s office and at the scheduled meeting. The designated contact to obtain support materials is the City Clerk, located at One East First Street, Second Floor, 334-2030.

**Order of Agenda:** A time listed next to a specific agenda item indicates that the specific item will not be heard before that time – it does not indicate the time schedule of any other items. Items on the agenda may be taken out of order and the public body may combine two or more agenda items for consideration. The Planning Commission may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.

**Public Comment:** Public comment, whether on action items or general public comment, is limited no more than three (3) minutes. The public may comment by submitting a Request to Speak form to the Secretary.

**Accommodation:** We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend meetings. If you should require special arrangements for the meeting, please contact our offices at 334-2576 prior to the date of the meeting.

**Appeal Process:** Any action taken by the Planning Commission on a tentative map, special use permit, variance or skyway is final unless appealed. Any person aggrieved by the decision may file an appeal. Each person/entity must make his/her/its own appeal. Appeals must be filed with the City Clerk within 10 days after the date of filing of notice of the final action, decision or order with the clerk or secretary of the City of Reno Planning Commission accompanied by the required fees. All other matters will be forwarded to the City Council with the Planning Commission recommendation.

**Watch Meetings:** Planning Commission meetings are streamed online when the Commission is in session in Council Chamber at [http://www.reno.gov/meetings](http://www.reno.gov/meetings) and broadcast on Charter Channel 194.
1 Pledge of Allegiance

2 Roll Call

3 Public Comment (This item is for either public comment on any action item or for any general public comment.)

4 City Council Liaison Reports

5 Appreciation and recognition of Doug Coffman for his many years of service on the City of Reno Planning Commission.

6 Public Hearings Any person who has chosen to provide his or her public comment when a Public Hearing is heard will need to so indicate on the Request to Speak form provided to the Secretary. Alternatively, you may provide your comment when Item III, Public Comment, is heard at the beginning of this meeting.

6.1 Staff Report (For Possible Action): Case No. LDC15-00079 (Skyline Boulevard Variance) - A request has been made for a variance to reduce the front yard setback required under residential infill development standards from ±220 feet to ±50 feet. The vacant parcel is located on the south side of Skyline Boulevard, ±50 feet west of its intersection with Sharon Way in the Single Family Residential - 15,000 Square Feet (SF15) zone. The site has a Master Plan land use designation of Single Family Residential. njg [Ward 2]

- Item Postponed

6.2 Staff Report (For Possible Action): Case No. LDC15-00065 (Keystone Canyon Villages 1 & 2) - A request has been made for: 1) a tentative map to develop in three phases a 109 lot single family residential subdivision; and 2) special use permits to allow for cuts of 20 feet or more, fills of 10 feet or more and hillside development. The ±46.97 acre site is located on the north and south sides of Leadership Parkway at its western terminus in the Planned Unit Development (PUD Keystone Canyon) zone. The site has a Master Plan land use designation of Special Planning Area. vak [Ward 5]

6.3 Staff Report (For Possible Action - Recommendation to City Council): Case No. TXT15-00008 (Moratorium Process and Procedure) Ordinance amending the Reno Municipal Code Title 18, Chapter 18.02, to establish a uniform procedure to declare a temporary moratorium on the acceptance and processing of land use planning applications and permits, together with other matters properly relating thereto. [All Wards]
7  Truckee Meadows Regional Planning Liaison Report

8  Staff Announcements
   8.1  Report on status of Planning Division projects.
   8.2  Announcement of upcoming training opportunities.
   8.3  Report on status of responses to staff direction received at previous meetings.
   8.4  Report on actions taken by City Council on previous Planning Commission items.

9  Commissioner's Suggestions for Future Agenda Items  (For Possible Action)

10 Public Comment  (This item is for either public comment on any action item or for any general public comment.)

11  Adjournment (For Possible Action)

IF THE MEETING GOES BEYOND 11:00 PM, THE PLANNING COMMISSION MAY POSTPONE REMAINING ITEMS.
Date: June 18, 2015

To: Reno City Planning Commission

Subject: 6.1. Staff Report (For Possible Action): Case No. LDC15-00079 (Skyline Boulevard Variance) - A request has been made for a variance to reduce the front yard setback required under residential infill development standards from ±220 feet to ±50 feet. The vacant parcel is located on the south side of Skyline Boulevard, ±50 feet west of its intersection with Sharon Way in the Single Family Residential - 15,000 Square Feet (SF15) zone. The site has a Master Plan land use designation of Single Family Residential.

From: Nathan Gilbert, Associate Planner

At the request of the applicant, this item has been postponed and will be renoticed for a later date.
PLANNING COMMISSION

STAFF REPORT

Date: June 18, 2015

To: Reno City Planning Commission

Subject: 6.2. Staff Report (For Possible Action): Case No. LDC15-00065 (Keystone Canyon Villages 1 & 2) - A request has been made for: 1) a tentative map to develop in three phases a 109 lot single family residential subdivision; and 2) special use permits to allow for cuts of 20 feet or more, fills of 10 feet or more and hillside development. The ±46.97 acre site is located on the north and south sides of Leadership Parkway at its western terminus in the Planned Unit Development (PUD Keystone Canyon) zone. The site has a Master Plan land use designation of Special Planning Area.

From: Vern Kloos, Senior Planner

Ward #: 5
Case No.: LDC15-00065 (Keystone Canyon Villages 1 & 2)
Applicant: Keystone Canyon, LLC
APN Number: 082-631-22 & 28
Request: A request has been made for: 1) a tentative map to develop in three phases a 109 lot single family residential subdivision; and 2) special use permits to allow for cuts of 20 feet or more, fills of 10 feet or more and hillside development.

Location: The ±46.97 acre site is located on the north and south sides of Leadership Parkway at its western terminus in the Planned Unit Development (PUD Keystone Canyon) zone. The site has a Master Plan land use designation of Special Planning Area.

Proposed Motion: Based upon compliance with the applicable findings, I move to approve the tentative map and special use permits, subject to conditions.

Recommended Conditions of Approval:

All conditions shall be met to the satisfaction of Community Development Department staff, unless otherwise noted.

1. The project shall comply with all applicable City codes, plans, reports, materials, etc., as submitted. In the event of a conflict between said plans, reports, materials and City codes, City codes in effect at the time the application is submitted, shall prevail.
2. The applicant shall record the final maps in accordance with the time limit contained in state law or this approval shall be null and void.

3. The applicant, developer, builder, property or business owner, as applicable, shall continuously maintain a copy of this approval letter on the project site during the construction and operation of the project/business. The project approval letter shall be posted or readily available upon demand by City staff.

4. All houses in Village 2 located within 200 feet of the south boundary of the site shall be limited to one story with a maximum overall height of 25 feet.

5. Prior to approval of each final map the applicant shall have plans approved to provide front yard landscaping. These plans shall provide 4 different front yard landscaping options, including one for corner lots. Each front yard landscape option shall include at least one tree and 12 shrubs. The trees shall be in addition to the required street tree plantings specified in the development code. Said landscaping shall be installed prior to issuance of a certificate of occupancy for each house.

6. Prior to approval of each final map, a fencing plan shall be submitted showing materials for both solid and open view fencing and its placement. All homes with rear yards abutting open space or the major drainageway shall have open view fencing consistent with the fencing standards in the PUD. In addition, plans for open view perimeter fencing consistent with the fencing standards in the PUD located along the north and west sides of Village 1 shall be provided. Individual lot fencing shall be installed prior to issuance of each certificate of occupancy. The Village 1 perimeter fencing shall be installed prior to issuance of the first certificate of occupancy.

7. Prior to approval of each final map, the applicant shall have plans approved to replace the dead or missing streetscape landscaping (trees/shrubs) and missing decorative light poles adjacent to the site on Leadership Parkway consistent with the approved phasing plan contained in the staff report for LDC15-00065; and install said improvements prior to issuance of any certificate of occupancy for each final map phase.

8. Prior to approval of each final map, the applicant shall have plans approved to place dirt fill in all areas containing rip rap to better blend these created slopes into the area.

9. Prior to approval of each final map, the applicant shall have plans approved demonstrating that all retaining walls have been designed to conform to City of Reno Community Development Management Policy 4003.

10. Prior to approval of each final map, the applicant shall have plans approved demonstrating that the edges of all created slopes will be feathered to provide a proper transition into native undisturbed slopes. All created slopes exceeding 30
feet in height shall provide horizontal and vertical changes to vary the flat-engineered look to these slopes by incorporating a mixture of 2:1, 3:1 and 4:1 slope. Talus slopes, embedded boulders, landscaping, rockery walls or other similar methods can also be used to break up these slopes. All areas disturbed by project grading shall be revegetated with a seed mix consistent with the adjacent undisturbed slopes. A note shall be added to each grading sheet as follows:


11. Prior to approval of each final map as applicable, the applicant shall have final grading and slope restoration plans approved for the offsite export area located on the Mixed Use site to the east within the Keystone Canyon PUD.

12. Prior to approval of each final map, the applicant shall have a trail inventory and phasing plan approved which identifies all existing pedestrian and off road vehicle trails approved consistent with phasing plan contained in the staff report for LDC15-00065 associated with this project. The plan shall identify which trails will be maintained, constructed and/or extended and which trails and associated scaring will be removed and restored with each phase. All trail and restoration improvements shall be bonded if not constructed prior to issuance of any certificate of occupancy for each final map phase.

13. Prior to approval of the first final map for each Village, the applicant shall have plans approved for the two project identification monument signs. The signs shall be consistent with the sign standards contained on pages 3-31 and 3-32 of the PUD to be indirectly illuminated with a maximum height of six feet, a maximum letter height of four feet and a maximum square footage of 75 square feet; and constructed of colors and materials compatible with the architecture of houses for each Village.

14. Prior to approval of the each final map, the applicant shall deed restrict the open space to preclude its future use for anything other than open space or recreational purposes. This restriction cannot be amended without consent of the City Council.

15. Prior to approval of the each final map, the applicant shall demonstrate that maintenance of the open space and common areas will be provided by the project home owners association or equivalent.

16. Prior to the approval of each final map, the applicant shall provide a copy of a disclosure to be provided to each home buyer with their closing documents,
notifying them that students in this project may be assigned to the nearest school(s) with available capacity in the event that the zoned schools cannot accommodate additional students.

**Background:** In December of 2011, City Council approved a zoning text amendment to the Keystone Community Campus PUD (Planned Unit Development). The changes consisted of: (1) eliminating: (a) the ±73,5000 square foot Community Life Center which contained a child care center for up to 250 children, a teen center, church facilities, cafeteria and resource center; (b) the ±60,000 square foot recreation and aquatic center; (c) the ±198,000 square foot worship/performing arts center; and (d) the Memorial Garden (cemetery/funeral home) uses; and (2) (a) increasing the total number of residential units from a maximum of 220 senior units to 745 mixed residential units consisting of multifamily, single family attached, single family detached and senior units with a density of 7 to 18 dwelling units per acre on ±45.12 acres of the site; (b) allowing ±10.9 acres of mixed residential and commercial uses; (c) establishing ±4.02 acres of Village Commercial uses; and (d) providing ±41.6 acres of Open Space. This approval also included a project of Regional Significance as the amended project generated more than 187,500 gallons per day (GPD) of sewage (632,532 gpd estimated); and created more than 625 housing units (745 proposed). The project was also renamed Keystone Canyon.

To date, 288 apartment units on ±14.8 acres have been approved and are under construction within the PUD. This project contains 109 single family lots leaving 348 residential units left of the 745 approved with the PUD amendment in 2011. Provisions in state law require approval of a tentative map to create the proposed single family residential lots. Provisions in the PUD Development Standards Handbook require a site plan review for cuts of 20 feet or more, fills of 10 feet or more and for hillside development. As allowed in code, the site plan review for cuts, fills and hillside development has been converted to a special use to be considered concurrently with the tentative map. As required on page 1-5 of the PUD Handbook, the Master Developer has provided written documentation that he has reviewed and approved the application.

The ±46.97 acre site is currently undeveloped. The ±21 acre portion of the site located south of Leadership Parkway (Village 2) contains export materials from the apartment project which will be used as fill for this project.

Village 1 is designated as Residential in the PUD (maximum 7 units per acre), contains 31 lots on ±13.8 acres and is located north of Leadership Parkway. Lots within Village 1 range from just over 6,000 square feet to 14,231 square feet in size, with an average lot size of ±7,780 square feet. The proposed density of Village 1 is ±2.25 units per acre which is well under the 7 units per acre maximum density allowed within the Residential designation in the PUD.

Village 2 is designated as Mixed Residential in the PUD (maximum 18 units per acre), contains 78 lots on ±33.1 acres and is located south of Leadership Parkway. Lots within Village 2 range from just over 5,800 square feet to 13,990 square feet in size, with an average lot size of ±7,035 square feet. The proposed density of Village 2 is ±2.36 units per acre which is well under the 18 units per acre maximum density allowed within the Mixed Residential designation in the PUD.
As proposed the combined project will contain a total of ±21.48 acres of natural, revegetated and landscaped common open space with trails. Standards within the PUD address all residential components (architecture, landscaping, setbacks, building height, trails, street sections, parking, signs, fencing, open space, dark sky lighting, etc.), which are discussed below in other sections of this report.

Lots in Village 1 will meet the following minimum standards:

<table>
<thead>
<tr>
<th>Minimum Lot Size</th>
<th>6,000 square feet</th>
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<tbody>
<tr>
<td>Minimum Lot Width</td>
<td>60 feet</td>
</tr>
<tr>
<td>Front Yard Setback</td>
<td>10 feet; 5 feet for porches</td>
</tr>
<tr>
<td>Side Yard Setback</td>
<td>5 feet</td>
</tr>
<tr>
<td>Rear Yard Setback</td>
<td>10 feet</td>
</tr>
<tr>
<td>Minimum Driveway Length/Garage Setback</td>
<td>20 feet</td>
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<tr>
<td>Maximum Building Height</td>
<td>35 feet and two stories</td>
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Lots in Village 2 will meet the following minimum standards:

<table>
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<th>Minimum Lot Size</th>
<th>5,500 square feet</th>
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<tr>
<td>Minimum Lot Width</td>
<td>50 feet</td>
</tr>
<tr>
<td>Front Yard Setback</td>
<td>10 feet; 5 feet for porches</td>
</tr>
<tr>
<td>Side Yard Setback</td>
<td>5 feet</td>
</tr>
<tr>
<td>Rear Yard Setback</td>
<td>10 feet</td>
</tr>
<tr>
<td>Minimum Driveway Length/Garage Setback</td>
<td>20 feet</td>
</tr>
<tr>
<td>Maximum Building Height</td>
<td>25 feet/one story for lots located within 200 feet of the south project boundary line; 35 feet/two stories for all other lots.</td>
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<tr>
<td>Minimum lot setback from South property line</td>
<td>110 feet</td>
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Analysis:

**Land Use Compatibility:** Land use surrounding the site consists of vacant public lands to the west and north; a major drainageway designated as open space and apartments under construction to the east in the PUD; and single family residential to the south.

The proposed single family houses will have a minimal impact on adjacent single family residences to the south because they are separated from the homes by distance (minimum ±112 feet away lot line to lot line) and grade (±22 to 46 feet above). The submitted plans conform to the standards in the PUD which require the houses to be set back a minimum 100 feet from the south. The application plans also demonstrate compliance with the site line and screening requirements contained in the PUD by providing landscaping to screen the line of site view from the proposed houses to the existing homes to the south. As proposed, these issues are addressed
by: 1) limiting the houses to one story with a maximum height of 25 feet for the lots (lots 1-3, 24-26, 27-29, 39 & 40) located within 200 feet of the south property line (Condition No.4) ; 2) orienting the lots to face to the south east so the direct views from these lots building are shifted away from the single family houses to the south; and 3) providing landscaping, consisting of a mixture of code size evergreen and deciduous trees; and grading on the intervening slopes (Exhibits 1 and 7) to screen the site lines between the houses on the lots proposed along the south side of the site and the second story rear windows of the houses to the south. All of the other lots in Village 2 are set back such that there would be no direct line of site from the new houses on these lots toward the existing ±16 single family lots located along the south side of the project site. Finally, access to the site is from McCarran Boulevard via Victory Lane and Leadership Parkway which will ensure that traffic generated by this project will not travel through the adjacent single family neighborhood to the south. The PUD also requires installation of an emergency access gate at or near the south end of Leadership Parkway to prevent non emergency traffic access into the single family subdivision to the south (Condition No. 18 of Exhibit B contained in the PUD handbook and attached to this report). These improvements and mitigations provide adequate separation and buffering between Village 2 and the houses to the south. Two project identification monument signs are proposed, one each at the primary entrance to Village 1 and Village 2. These signs are limited by standards in the PUD to be indirectly illuminated with a maximum height of six feet, a maximum letter height of four feet and a maximum square footage of 75 square feet and constructed of colors and materials compatible with the architecture of houses for each Village. Plans for each sign will be reviewed with the final map improvements plans (Condition No. 13).

The project as proposed is compatible with the vacant public lands to the west and north and the open space and major drainageway in the PUD to the east since no development will occur on these properties. The applicant is required to remove the temporary road and restore the major drainageway currently utilized to transport excess material from the apartment site to the east, which will be used as fill for Village 2. A bond to ensure the restoration of the drainageway was required prior to issuance of the permit to construct the apartments to the east (SUP findings a, e, f, g &h).

Urban/Environmental Design: The proposed project consists of two single family residential subdivisions on ±46.97 acres. The setbacks proposed are consistent with the Residential (Village1) and Mixed Residential (Village 2) design standards contained in the PUD as discussed in the background section of this report. In addition to street trees provided at one tree per 30 lineal feet of street frontage, the front yards of each lot will be landscaped prior to occupancy. (Condition No. 5). The subdivision has been designed to be consistent with the PUD height standards and the traditional Italian and Spanish architecture styles required by the PUD. As required in the PUD, the buildings provide visual interest and articulation on all sides. Roofing and exterior building materials are consistent with the materials listed in the PUD handbook (tile roofs, stucco siding, wood/wrought iron railings, wood shutters, enhanced gable vents and stone accent columns) (Exhibit 2).

Both Villages have been designed such that the lots step down from northwest to southeast consistent with the topography of the site. All of the lots in Village 1 contain split level pads and single loaded streets in conjunction with rockery retaining walls to reduce grading and maximize
views. The lots in Village 2 also step down with the topography to enhance views to the southeast but utilize more standard grading and less reliance on retaining walls.

All lots with rear yards abutting common open space or the major drainageway are proposed to have semi open view or open view fencing depending on location. Interior lots will utilize standard solid view screening good neighbor fencing. Prior to approval of the each final map, a fencing plan should be submitted showing materials for both solid and open view fencing and its placement consistent with these fencing types in accordance with the standards for walls and fences contained in the PUD. In addition, plans for open view perimeter fencing should be provided along the north and west perimeters of Village 1 consistent with the standards on page 3-31 of the PUD handbook; and installed prior to issuance of the first certificate of occupancy in Village 1 (Condition No. 6).

The PUD currently contains street landscaping and decorative street lights which were required to be installed with construction of the project streets, which have not been maintained. The applicant is required to replace the dead or missing streetscape landscaping and street lights on Leadership Parkway consistent with the phasing plan for these improvements (Exhibit 3), adjacent to the site with construction of this project (Condition No. 7).

Grading/Cuts and Fills Special Use Permit: Development of the site will require fills of 10 feet or more and cuts of 20 feet or more, which require approval of a special use permit. When the PUD was approved by City Council in December of 2011, plans depicting areas of cuts and fills were conceptually approved for this site. There is one area of cut of 20 feet or more and three areas of fill of 10 feet or more proposed in Village 1; and three large fill areas of 10 feet or more in Village 2. The proposed cut and fill areas are in substantially the same locations and depths as the conceptual grading approved with the PUD in 2011 (Exhibits 4 & 5).

As proposed the application complies with cut/fill standards in code and the PUD. These standards require that graded slopes be revegetated and/or landscaped for aesthetic and stabilization purposes. The development plan shows that the perimeter edge fill slopes located on the east side of Village 2 adjacent to the major drainageway vary from 2:1 to 3.3:1 and will be stabilized with a combination of landscaping, revegetation, and rock rip rap. Rocks used for rip rap and retaining walls are required by standards in the PUD to be consistent with the color of the site. In addition, the PUD requires dirt fill to be placed in the rip rap to better blend the created slopes into the area (Condition No. 8). All retaining walls are required to be designed to conform to City of Reno Community Development Management Policy 4003 (Condition No. 9). All other areas distributed by project grading that are not otherwise landscaped, paved or built upon are required by code to be revegetated with native shrubs and grasses consistent with the adjacent undisturbed slopes. The proposed rip rap, retaining wall, revegetation and landscaping improvements appear to adequately mitigate the visual impact of the cut and fill slopes. The visual impact of the cut area is mitigated as it is located in an area covered by a street, landscaping and rockery walls. The cuts and fills are necessary to provide safe and adequate access to the site. The edges of all created slopes are required to be feathered to provide a proper transition into native undisturbed slopes (Condition No. 10) (SUP cut/fill findings a & b).

Grading proposed will require the transfer of approximately 85,000 cubic yards of material to this site from the Mixed Use site located to east within the PUD. In accordance with the PUD
the applicant is required to provide plans showing the location, extent and depth of the fill transfer; and have approved final grading and slope restoration plans for this area with application for the applicable final improvement plans (Condition No. 11).

Hillside Development Special Use Permit: When the Keystone Canyon PUD was approved in 2011 the project was reviewed for compliance with the hillside development section of code. As approved ±41.6 acres of open space were provided for the entire project which exceeded the code requirement (24.37 acres). All designated open space is required to be left undisturbed and/or enhanced with landscaping or recreational amenities. This project will provide ±21.48 acres of open space (±43 % of the site) including ±8.15 acres located within the utility (overhead power line, underground gas line) easement located along the north side of Village 2.

All disturbed open space will be restored with revegetation and/or enhanced with landscaping. In addition a walking path will be constructed in the utility easement in Village 2 which connects to the sidewalks along the south side of Leadership Parkway and to the north side of street B2 within Village 2. The open space provided includes existing steep or created slopes, a recreational area (trail) and preserves/enhances with landscaping the west side of the existing major drainageway located along the east side of Village 2. Exhibit 6 shows minimal grading disturbance within slopes exceeding 30% proposed with this project. Code requires the applicant to deed restrict the open space to preclude its future use for anything other than open space or recreational purposes. This restriction cannot be amended without consent of the City Council. In addition, maintenance of the open space should be provided by the project home owners association or equivalent (Condition Nos. 14 & 15)

In order to approve the hillside development special use permit, five additional findings must be made. The first finding requires that environmental degradation, including slope failure, erosion sedimentation and storm water run-off be mitigated. The slopes proposed to be created will be stabilized with a combination of landscaping, revegetation, rock rip rap and retaining walls as discussed above (see Exhibits 5 & 7). These improvements are adequate mitigation to prevent slope failure and address erosion, sedimentation and storm water run-off. In addition all areas disturbed by project grading that are not otherwise built upon or landscaped are required by code be revegetated with appropriate native vegetation to prevent erosion and better blend these slopes into the adjacent undisturbed slopes.

The second finding requires grading practices appropriate for hillsides which are designed to minimize unsightly scarring. Should the project be approved, Condition Nos. 8, 9 and 10 in conjunction with the other site improvements appear to address this finding.

As discussed above, open space provided exceeds what is required. Thus, the third finding regarding the provision of open space, based on hillside constraints, can be made.

The fourth finding requires adherence to applicable hillside design and Master Plan provisions. As proposed and with recommended conditions this project complies with applicable Master Plan policies and objectives to support this finding.
The fifth finding requires that the site layout and design features mitigate potential visual impacts. Should the project be approved, recommended Condition Nos. 8, 9 and 10 which require the use of proper grading techniques, slope transitions, landscaping and revegetation properly address the visual impacts of the project.

Sidewalks, Trails and Pathways: As required by the PUD, the approved trail inventory and phasing plan for the entire PUD has been submitted (Exhibit 8) which identifies all existing pedestrian and off road vehicle trails. The phasing plan identifies which trails will be maintained or constructed and which trails will be removed and restored with this phase of the PUD (Condition No. 12). A phasing plan to construct sidewalks as required by the PUD was also provided (Exhibit 8). All sidewalks associated with this phase are required to be constructed prior to issuance of a certificate of occupancy. Although the PUD requires the trails phasing plan to identify the location of trailheads, there are no trailheads associated with this phase of the PUD. The only trail to be constructed as part of this project is located in the utility easement as discussed above in the Hillside Development section of this report. This trail connection will be constructed with this project as part of the approved trail phasing plan (Condition No. 12).

To address current parking deficiencies at the Keystone trailhead the applicant has agreed to consider installing a west central trailhead with supplemental parking. This area also provides pedestrian trail and USFS (United States Forest Service) emergency vehicle access to the USFS lands to the north. This area has been disturbed by unauthorized vehicular access which will be discontinued as part of the perimeter fencing phasing plan previously discussed above. The applicant is continuing to coordinate with USFS, Washoe County and City Park staff to determine if funding to construct a parking lot and associated fencing adjacent to Leadership Parkway can be obtained. In addition, the applicant is working on plans to remove unauthorized trails and vehicle access in this area will be revegetated. The vehicular trail removal/restoration and revegetation improvements for this area have been added to the trails phasing plan and will be constructed as part of any project constructed on the Mixed Use parcel in the phase III (see Exhibit 8).

Public Safety: Comments received from Police Department staff were related to: provision of perimeter fencing for security, proper maintenance of site landscaping in conjunction with provision of site lighting to provide proper visibility within the project at night; provision of trail signs and installation of barriers to prevent motor vehicles from using pedestrian trails; and vehicular access into the site. All of these issues appear to be adequately addressed by standards in the PUD and the recommended conditions of approval (TM findings 4 & 9; SUP finding c).

Comments received from City Fire Department staff indicate that all future development is required to comply with the 2012 Edition of the International Fire Code as amended and adopted by the City of Reno. Such compliance includes, but is not limited to, fire department access, fire sprinkler systems, fire alarm systems and fire hydrant placement (TM findings 4, 9 & 10; SUP finding c).

The proposed development plan locates the nearest residential structures on lots 59-62 of Village 2, ±33 feet from the south edge of a utility easement containing 120kV and 60kV overhead power lines and an underground gas line. Recent changes to the Truckee Meadows Regional
Plan (TMRP) related to Utility Corridors, established a minimum 10 foot structure set back along each side of these easements to preserve existing corridors and prevent new development encroachment into these corridors. The minimum power line separation distance is based on National Electrical Safety Code requirements. The City has adopted this minimum setback as a policy (GI-17) with the discretionary ability to increase the setback, as necessary. Since the nearest residential structures are proposed to be located over three times the minimum setback distance adopted by the TMRP, no additional setback is recommended (TM finding 5, SUP finding b & f).

Public and Private Improvements: The Preliminary Sanitary Sewer report indicates that the onsite sanitary sewer system can be designed to accommodate the development. Offsite sanitary sewer capacities were evaluated with the Villas at Keystone Campus Apartments located within the PUD to demonstrate that sufficient downstream sewer capacity was available. Each final map will also be required to evaluate onsite and offsite capacities. All required onsite and offsite improvements will be required to be completed prior to any certificate of occupancy for the related final map. To comply with the above comment the applicant must demonstrate compliance with Conditions 1, 2 and 10 of Exhibit B Conditions of Approval in the Keystone Canyon PUD, as attached to this report.

The Preliminary Hydrology Study indicates that the onsite storm drain system can be designed to accommodate the development. The hydrology study indicated that the existing downstream regional detention basin is capable of mitigating any increases in storm flows from the development. Although no supporting calculations were provided, any required detention or Post Construction Storm Water Quality Improvements will be addressed with the final map. These onsite and offsite improvements will be required to be completed prior to a certificate of occupancy. To comply with the above comment the applicant must meet conditions 3, 4 and 10 of Exhibit B Conditions of Approval in the Keystone Canyon PUD, as attached to this report.

The tentative map proposes utility improvements in Leadership Parkway. Also, construction traffic must access the site via Leadership Parkway. The applicant should be required to mitigate any damage to Leadership Parkway as a result of the project construction. To comply with the above comment, the applicant must meet conditions 11, 12 & 13 of Exhibit B Conditions of Approval in the Keystone Canyon PUD, as attached to this report (SUP findings d; TM 1, 3 & 8 findings).

Traffic, Access and Circulation: The Traffic Report for the Keystone Canyon PUD proposed significant improvements to the McCarran Boulevard/Keystone Avenue/Leadership Parkway intersection and the McCarran/Victory intersection as the project develops. Included in the recommendations is a traffic signal at the McCarran Boulevard/Keystone Avenue/Leadership Parkway intersection when signal warrants are met. No updated traffic report was provided with this application. Additional development has been constructed as part of the Keystone Canyon PUD since the original traffic report was completed. Additionally, median islands were constructed on McCarran Boulevard at the intersections of Leadership Parkway and Victory Lane to eliminate the left turn movement onto McCarran Boulevard. At the time of each final map is reviewed, the applicant is required to complete a
traffic study to evaluate the McCarran Boulevard/Keystone Avenue/Leadership Parkway intersection and the McCarran Boulevard/Victory Lane intersection Level of Service (LOS) and signal warrants. If signal warrants are met for any development, the applicant will be required to complete the intersection improvements required in the approved traffic study. To comply with the above comments the applicant must demonstrate compliance with Conditions 8 and 15 of Exhibit B Conditions of Approval in the Keystone Canyon PUD, as attached to this report.

The project access roadways onto Leadership Parkway meet access management standards and the onsite circulation meet City of Reno Public Works Design Manual standards. The location of the access roadway into Village 2 is located very close to a horizontal curve. As such, the applicant should be required to demonstrate sufficient site distance is available for the location of the project access. It must be demonstrated with the final map that the landscaping and monument signage does not interfere with required intersection site distance. It appears that the sidewalk proposed on the south side of Leadership Parkway will be on the applicants’ property. Public use easements will be required for any sidewalk. To comply with the above comments the applicant must demonstrate compliance with conditions 5, 6, 7 and 11 of Exhibit B Conditions of Approval in the Keystone Canyon PUD, as attached to this report.

The application identifies two crosswalks on Leadership Parkway. Approval of the crosswalks and the final location will be subject to the approval of the City of Reno Traffic Engineering Division (SUP finding c; TM findings 3, 5 & 7).

Cultural Resources/Human Remains: Condition Nos. 19 and 20 of Exhibit B Conditions of Approval in the Keystone Canyon PUD attached to this report require the applicant to notify the Reno-Sparks Indian Colony (RSIC) 48 hours prior to any ground disturbance activities related to this project; and to contact the RSIC within one hour of the discovery of any human remains or associated funerary objects.

Master Plan: This request is consistent with the Special Planning Area-McQueen Neighborhood Plan Master Plan Land Use designation on the site. As proposed and with recommended conditions, the project is consistent with the following applicable Master Plan policies and objectives: H-9 disperse housing types and sizes throughout the City; H-13 new housing development should provide pedestrian, bicycle and transit access to reduce vehicular use where possible; E-11 disturbed natural drainage courses should be restored to facilitate ground water recharge and wildlife movement; E-24 promote the reduction in energy use by encouraging the use of products and materials that maximize energy efficiency in building construction; GI-7 and 8 require developers to pay the cost of private and public improvements associated with the development; P-1 site access safe, convenient and logical while minimizing impacts on adjacent streets; P-2 access to individual lots from local streets; CD-3 encourage PUD zoning, flexible lot sizes and clustering when open space is provided and sensitive areas are protected; CD-4 encourage cluster development when resulting open space provides a useable link to open space; CD-6 hours of operation and activity levels consistent with surrounding uses especially residential; BD-1 development density, building mass and architectural details should be sensitive to the context and scale of the surrounding area; SD-13 encourage retention of natural features of hillsides by requiring grading to achieve a natural undulating appearance; SD-14 encourage landscaping over other forms to stabilize disturbed slopes; Objective #1: Site Design;
Objective #2: Significant Natural Features; Objective #4: Grading; Objective #5: Percent in Natural Slope; and Objective #6: Cut and Fill Slopes (SUP finding b, TM finding 5).

McQueen Neighborhood Plan: The project as proposed is consistent with the following applicable policy contained in the McQueen Plan: 7) consistency with the Peavine Mountain Roads and Recreation Strategy (SUP finding b, TM finding 5).

General Code Compliance: As proposed and with recommended conditions, the project is consistent with City code (TM finding 5). As discussed throughout this report, the applicant is also required to comply with all applicable Conditions of Exhibit B contained in the PUD, which is attached to this report.

Other Reviewing Bodies:

Washoe County District Health Department (WCDH): The applicant will be required to comply with WCDH regulations regarding: water system design and construction; review and approval of the grading and site improvement plans by Vector Control; approval of a construction and inspection plan for project water supply and community sewerage systems; verification that sewer and water service from the sewer and water purveyors can be provided; verification of project approval from the Nevada Division of Environmental Protection; design and construction of site drainage facilities to utilize low impact development techniques; design and maintenance of project drainage facilities; and use of low impact design in landscape features and rockery wall design (TM findings 1, 2, 3 & 9; SUP finding c).

Washoe County School District: Comments received from the School District (Exhibit 9) indicate that this project is anticipated to generate ±38 K-12 students. This project is located within the attendance zone area of Towles Elementary (20 new students), Billinghurst or Clayton Middle (7 new students) and McQueen High Schools (11 new students). According to School District staff, Towles Elementary is currently at 95% of capacity (509 students). Billinghurst Middle is currently at 100% of capacity (1082 students) while Clayton Middle is at 109% of capacity (831 students). McQueen High is currently at 126% of capacity (1601 students) with four portable classrooms in place. With population forecasts indicating significant growth for the region over the next five years, the District must incorporate strategies that will accommodate as many new students as possible, which may include utilizing schools with available capacity to assist those that are reaching and exceeding over capacity enrollment numbers. Therefore, District staff recommends a condition be attached to this project to require the developer to disclose that students in this subdivision may be assigned to the nearest school(s) with available capacity in the event that the zoned schools cannot accommodate additional students (Condition No. 16) (TM findings 4 & 9; SUP finding c).
### AREA DESCRIPTION

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<th>LAND USE</th>
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<th>ZONING</th>
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**Legal Requirements:**

NRS 278.349(3) Tentative Map  
RMC 18.06.405(e)(1) Special Use Permit  
RMC 18.06.405(e)(2) Special Use Permits for Hillside Development  
RMC 18.06.405(e)(3) Special Use Permits for Cut Slopes of 20 Feet or Greater in Depth or Fill Slopes Ten Feet or Greater in Depth.

**FINDINGS:**

**Tentative Map:** When issuing a decision on a tentative map, the planning commission shall consider the following:

1. Environmental and health laws and regulations concerning water and air pollution, solid waste disposal, water supply facilities, community or public sewage disposal and, where applicable, individual systems for sewage disposal;

2. Availability of water which meets applicable health standards and is sufficient for the reasonably foreseeable needs of the subdivision;

3. Availability and accessibility of utilities;

4. Availability and accessibility of public services such as schools, police and fire protection transportation, recreation and parks;

5. Conformity with the zoning ordinances, master plan, and elements thereof, except that if any existing zoning ordinance is inconsistent with the master plan, the zoning ordinance takes precedence;

6. General conformity with the governing body’s master plan of streets and highways.
(7) Effect of the proposed subdivision on existing public streets and the need for new streets or highways to serve the subdivision;

(8) Physical land characteristics such as flood plain, slope, soil; and

(9) Recommendations and comments of those entities reviewing the tentative map pursuant to NRS 278.330 and 278.348.

(10) Availability and accessibility of fire protection, including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires, including fires in wild lands; and

(11) Submission by the subdivider of an affidavit stating that the subdivider will make provision for payment of the tax imposed by chapter 375 of NRS and for compliance with the disclosure and recording requirements of subsection 5 of NRS 598.0923, if applicable, by the subdivider or any successor in interest.

Special Use Permit: General special use permit findings. Except where specifically noted, all special use permit applications shall require that all of the following general findings be met, as applicable.

a. The proposed use is compatible with existing surrounding land uses and development.

b. The project is in substantial conformance with the master plan.

c. There are or will be adequate services and infrastructure to support the proposed development.

d. The proposal adequately mitigates traffic impacts of the project and provides a safe pedestrian environment.

e. The proposed site location and scale, intensity, density, height, layout, setbacks, and architectural and overall design of the development and the uses proposed, is appropriate to the area in which it is located.

f. The project does not create adverse environmental impacts such as smoke, noise, glare, dust, vibrations, fumes, pollution or odor which would be detrimental to, or constitute a nuisance to area properties.

g. Project signage is in character with project architecture and is compatible with or complementary to surrounding uses.

h. The structure has been designed such that the window placement and height do not adversely affect the privacy of existing residential uses.
Special Use Permit: **Special use permits for hillside development.** In order to approve a special use permit for hillside development according to Article XVI (Hillside Development) of Chapter 18.12, the decision-making body shall make the general special use permit findings and the following additional findings:

a. The proposed project mitigates environmental degradation, including slope failure, erosion, sedimentation, and stormwater run-off;

b. The proposed project utilizes grading practices that are appropriate for hillsides and designed to minimize the visibility of unsightly scarring;

c. The proposed project provides open space based on hillside constraints;

d. The proposed project adheres to applicable hillside development design standards and to master plan provisions related to development in sloped areas; and

e. The proposed project’s site layout and design features adequately mitigate potential visual impacts of development near prominent ridgelines and within other visually prominent areas.

Special Use Permit: **Special use permits for cut slopes of 20 feet or greater in depth or a fill slope ten feet or greater in height.** In addition to the general findings in subsection (1) above, special use permits for cut slopes of 20 feet or greater in depth or a fill slope ten feet or greater in height shall require that one of the following findings be made:

a. The slopes can be treated in a manner which does not create negative visual impacts.

b. The grading is necessary to provide safe and adequate access to the development.

Attachments:

- Display Maps (PDF)
- Exhibit 1 - Cross Sections (PDF)
- Exhibit 2 - Architectural Elevations (PDF)
- Exhibit 3 - Streetscape Lighting Phasing Plan (PDF)
- Exhibit 4 - Cuts & Fills Map (PDF)
- Exhibit 5 - Grading Cuts & Fills (PDF)
- Exhibit 6 - Grading Slope Map (PDF)
- Exhibit 7 - Landscape Plan (PDF)
- Exhibit 8 - Trails Phasing Plan (PDF)
- Exhibit 9 - Comments from WCSD (PDF)
- Exhibit B - Conditions of Approval (PDF)
LDC15-00065
Keystone Canyon Villages 1 and 2

Subject Site
City Limits
SECTION B-B
CROSS SECTIONS
SECTION C-C
SECTION D-D

Attachment: Exhibit 1 - Cross Sections  (5018 : LDC15-00065 (Keystone Canyon Villages 1 & 2))
KEYSTONE CANYON VILLAGES 1 & 2

KEYSTONE VILLAGE 1

Luxury living in Reno, NV

New Construction Single Family Homes
2,757 - 3,208 SF

Figure 10 – Village 1 Architectural Concepts
Figure 11 – Village 1 Architectural Concepts
KEYSTONE CANYON VILLAGES 1 & 2

KEYSTONE VILLAGE 2
Luxury living in Reno, NV

New Construction Single Family Homes
1,752 - 2,376 SF

Figure 12 – Village 2 Architectural Concepts
Figure 13 - Village 2 Architectural Concepts
Figure 2-2: Cuts and Fills Display

LEGEND
- Fills from 10'-20'
- Fills greater than 20'
- Cuts from 20'-30'
- Cuts greater than 30'

village 1

village 2

N

Attachment: Exhibit 4 - Cuts & Fills Map (5018 : LDC15-00065 (Keystone Canyon Villages 1 & 2))
Vern,  

This project is zoned for the following schools:

**Towles ES**

Capacity = 509*

2014-2015 Enrollment = 359

20 new ES students from project

*Towles has 3 classrooms dedicated to special education programs, which reduces the overall capacity of the school. Towles is currently at 95% capacity with these special programs taken into account.

**Billinghurst MS**

Capacity = 1082*

2014-2015 Enrollment = 931

7 new MS students from project

*Billinghurst has 3 classrooms dedicated to special education programs, which reduces the overall capacity of the school. Billinghurst is currently at 100% capacity with these special programs taken into account.

**Clayton MS (possible assigned MS)**

Capacity = 831*

2014-2015 Enrollment = 727

7 new MS students from project

*Clayton has 2 classrooms dedicated to special education programs, which reduces the overall capacity of the school. Clayton is currently at 109% capacity with these special programs taken into account.
McQueen HS

Capacity = 1601*

2014-2015 Enrollment = 1828

11 new HS students from project

*McQueen has 3 classrooms dedicated to special education programs, which reduces the overall capacity of the school. McQueen is currently at 126% capacity with these special programs taken into account.

With population forecasts indicating significant growth for the entire region over the next 5 years, the District must incorporate strategies that will accommodate as many students as possible, which may include utilizing schools with capacity to assist with those that are reaching and exceeding overcapacity enrollment numbers. WCSD offers the following recommendation to the Reno Planning Commission for inclusion in the conditions of approval for Keystone Canyon Villages 1 & 2:

A disclosure shall be made by the developer to each homebuyer on their closing documents that K-12 students in this subdivision may be assigned to the nearest WCSD school(s) with available capacity in the event that the zoned schools cannot accommodate additional students.

Thank you for the opportunity to comment.

Mike Boster
School Planner
14101 Old Virginia Road
Reno NV USA 89521
Washoe County School District Capital Projects
775.789.3810
Exhibit B Conditions of Approval

1. Prior to the approval of each permit or final map, the applicant shall have an approved Sewerage Report in accordance with the Public Works Design Manual. Adequate access shall be provided for all sanitary sewer improvements per the Public Works Design Manual. All required on-site and off-site sanitary sewer improvements necessary to serve the project shall be complete and functional prior to the issuance of any certificate of occupancy.

2. All proposed on-site sewer facilities and improvements shall be privately owned and maintained and shall be designed and constructed, with adequate access, in accordance with the City's minimum standards as set forth in the Public Works Design Manual.

3. Prior to the approval of each permit or final map, the applicant shall have an approved Hydrology Report addressing on-site and off-site storm water flows and facility capacities for the pre-development and post-development site conditions.

4. On-site storm water management facilities and appurtenances will be privately owned and maintained. Adequate maintenance access shall be provided for all storm water management improvements per the Public Works Design Manual.

5. Site circulation design, traffic control devices, and operational characteristics of the site accesses, common use driveways, on-site drive aisles, emergency accesses, fire access lanes, pedestrian routes, sidewalks, and parking areas shall be in accordance with the Public Works Design Manual and shall meet with the approval of the City Fire and Community Development Departments.

6. The applicant shall provide sidewalks and demonstrate accessible and ADA compliant pedestrian routes from all adjacent public rights-of-way to the on-site buildings.

7. Prior to the approval of each permit or final map, the applicant shall demonstrate adequate street lighting exists or shall propose street lighting in accordance with City standards for the project entrances and adjoining properties.

8. Prior to the approval of each permit or final map, the applicant shall have a current City, RTC, and NDOT approved traffic study for the project. This study shall evaluate background and project traffic patterns, site accesses, and pedestrian routes and review of the roadway capacities, intersection levels of service for the roadway network included in the project. Prior to issuance of a certificate of occupancy for each phase, the applicant shall have all recommended roadway or intersection improvements completed.
9. Prior to approval of each permit or final map, the applicant shall provide a written response from RTC defining transit requirements for this project and shall dedicate rights-of-way or grant appropriate easements and construct transit improvement in accordance with RTC's requirements prior to the approval of any certificate of occupancy to the satisfaction of the Community Development Department staff.

10. Prior to approval of each permit or final map, the applicant shall demonstrate all necessary on-site and off-site easement vacations, relocations, and grants are complete or in place. These easements include, but are not limited to; project construction, site access and cross access, utility access, emergency access, maintenance access, sewer lines, surface drainage, storm drains, irrigation ditches, and utility improvements. All required access, sewer, storm drainage, and utility improvements shall be constructed prior to the issuance of any certificates of occupancy.

11. Prior to approval of each permit or final map, the applicant shall have plans approved and shall obtain associated encroachment and excavation permits. Additionally, the applicant shall provide necessary dedications for rights-of-way and/or public use easements for the roadway, sidewalk, and pedestrian ramp improvements proposed along each project frontage.

12. Prior to the approval of each permit, the applicant shall have a preconstruction meeting and an approved Construction Management Plan. This plan shall include provisions for on-site and off-site construction material storage, employee parking and construction activity phasing and staging. The plan shall also depict the proposed construction transportation and delivery routes within the project vicinity. Access to adjacent businesses and properties shall be maintained during construction.

13. Prior to approval of each permit or final map, the applicant shall develop a rehabilitation plan in conjunction with requirements established by engineering staff to determine the extents and nature of upgrades, repairs, renovations, or reconstruction of the pavement structure and surface for the roadways identified as construction transportation and delivery routes within the project vicinity as depicted in the Construction Management Plan and all updates thereto. The rehabilitation plan shall establish milestone traffic generating occupancies for completion of the required roadway rehabilitation. Prior to the issuance of any certificate of occupancy associated with the improvements required by the rehabilitation plan, the applicant shall complete all pavement structure and roadway surface improvements necessary to sustain minimum roadway functional classifications within the project vicinity resulting from construction and project traffic impacts. The applicant shall replace all roadway markings and striping affected or displaced by the pavement improvements.
14. Prior to the approval of each permit or final map, the applicant shall comply with the Quality Assurance Program as set forth in the Public Works Design Manual, Chapter VI, titles "Inspection, Testing and Verification" and "Quality Assurance Program."

15. Prior to performing any work within the McCarran Boulevard ROW, applicant shall obtain NDOT encroachment permit.

16. Prior to approval of each permit or final map, the applicant shall have a site plan review and obtain approval of final grading plans.

**Utility Corridor Setbacks**

17. All building and site improvements proposed adjacent the onsite utility corridors shall be consistent with the utility corridor set backs contained in the Truckee Meadows Regional Plan.

**Emergency Access Gate**

18. Prior to approval of the first site plan review or tentative map as applicable, the applicant shall have plans approved to install an emergency access gate at or near the south end of Leadership Parkway to the satisfaction of City Fire staff and in consultation with US Forest Service staff. The type of gate, its location, ownership, maintenance responsibility and operational characteristics shall also be determined.

**Cultural Resources**

19. At least 48 hours prior to any initial ground disturbance, the project representatives shall notify the Reno-Sparks Indian Colony (RSIC) Cultural Resources Program (775) 785-1363 in order for the Colony to provide a qualified Native American monitor, at the Colony’s expense, to be on site during any and all initial ground disturbance for the purpose identifying any unanticipated discovery of cultural resources.

If any Native American cultural resources are discovered during the initial ground disturbance activity or anytime thereafter, the monitor will be allowed to inspect all cultural resources (along with the qualified project staff and archaeologist) and the site to determine the extent of the discovery.

The RSIC is requesting there be no scientific study or destructive analysis on any cultural items or human remains that are discovered or removed from this proposed project site.

Notwithstanding applicable laws, the RSIC will have the opportunity to remove and secure ownership of any Native American cultural resources for the purpose of preservation and education.
Discovery of Human Remains

20. In the event that Native American human remains and associated funerary objects are discovered, the RSIC Cultural Resource Program (775) 785-1363 will be notified within one (1) hour of discovery.

The RSIC Cultural Resource Program will be a part of the initial and subsequent discussions with any State, County, Federal and local representatives of any unanticipated discovery of human remains and associated funerary objects.

In the event that Native American human remains must be recovered or removed, the RSIC respectfully asks authorization to take care of this in a culturally sensitive manner, abiding by all State, Federal and Tribal laws. This will ensure the RSIC’s spiritual and cultural responsibility and respect to the human remains. This will also address confidentiality of the reburial.
PLANNING COMMISSION
STAFF REPORT

Date: June 18, 2015

To: Reno City Planning Commission

Subject: 6.3. Staff Report (For Possible Action - Recommendation to City Council): Case No. TXT15-00008 (Moratorium Process and Procedure) Ordinance amending the Reno Municipal Code Title 18, Chapter 18.02, to establish a uniform procedure to declare a temporary moratorium on the acceptance and processing of land use planning applications and permits, together with other matters properly relating thereto.

From: Claudia Hanson, Planning Manager

Ward #: All
Case No.: TXT15-00008 (Moratorium Process and Procedure)
Applicant: City of Reno
Request: Ordinance amending the Reno Municipal Code Title 18, Chapter 18.02, to establish a uniform procedure to declare a temporary moratorium on the acceptance and processing of land use planning applications and permits, together with other matters properly relating thereto.

Location: City-wide
Proposed Motion: Based upon compliance with the applicable findings, I move to recommend that City Council approve the text amendment by ordinance.

Background: The intent of this ordinance is to provide a uniform and stream-lined procedure to declare a temporary moratorium on the acceptance and processing of land use planning applications and permits. Adoption of this ordinance will repeal existing moratorium Reno Municipal Code Sections 18.02.112 and 18.02.113.

Discussion: This ordinance outlines the procedure required to initiate and adopt a moratorium resolution under Title 18. Specifically, Section 18.02.115(a) discusses the initiation of a moratorium resolution and who maintains authority to request such initiation; Section 18.02.115(b) outlines the process for city council consideration of the initiation of a moratorium resolution; Section 18.02.115(c) provides the effect of the initiation of a moratorium resolution; Section 18.02.115(d) discusses the review, reporting and consideration of adoption of a moratorium resolution; and Section 18.02.115(e) outlines the effective period of an adopted moratorium resolution.
Legal Requirements:

RMC 18.06.302 Amendments to Text of Title 18

FINDINGS:

Amendments to Text of Title 18: In order to adopt an amendment to the text of Title 18, the planning commission and city council shall find the following:

(1) Text amendments shall be in substantial conformance with the statement of purpose and intent of this Title 18, as set forth in Section 18.02.103.

(2) Text amendments shall be in substantial conformance with the Master Plan.

Section 18.02.103. Purpose and Intent.

It is the intent of the city council that Title 18 serves to:

(a) Promote the public health, safety, morals, convenience, and general welfare;

(b) Promote, preserve, and protect environmental quality as a critical element in Reno's quality of life and encourage the wise use of natural resources;

(c) Conserve and enhance the architecture, history, pedestrian-orientation, mixed use and urban character of the Downtown Reno Regional Center Overlay District, and promote its role as regional government, civic, entertainment, and tourist center;

(d) Conserve and enhance the character of Reno's established residential neighborhoods through mitigation of adverse factors, promotion of a balanced mix of housing types, and through appropriately scaled and planned infill development;

(e) Encourage innovative and quality residential development so that growing demand for housing may be met by greater variety in type, design, and layout of dwellings, and by conservation and more efficient use of open space ancillary to such dwellings;

(f) Encourage quality, nonresidential development that preserves and protects the character of the community, including its natural landscape, and that minimizes objectionable noise, glare, odor, traffic, and other impacts of such development, especially when adjacent to residential uses;
(g) Facilitate adequate provision of transportation, water, sewage, electricity, gas, communications, schools, parks and other public requirements; and

(h) Provide the economic and social advantages gained from a comprehensively planned use of land resources.

Staff: Claudia C. Hanson, AICP
Planning Manager
BILL NO.

ORDINANCE NO.

AN ORDINANCE AMENDING THE RENO MUNICIPAL CODE TITLE 18, CHAPTER 18.02, TO ESTABLISH A UNIFORM PROCEDURE TO DECLARE A TEMPORARY MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF LAND USE PLANNING APPLICATIONS AND PERMITS, TOGETHER WITH OTHER MATTERS PROPERLY RELATING THERETO.

SPONSORED BY:

THE CITY COUNCIL OF THE CITY OF RENO DO ORDAIN:

SECTION 1. Title 18, Chapter 18.02, Sections 18.02.112 to 18.02.113, inclusive, of the Reno Municipal Code are hereby repealed:

[Section 18.02.112. — Moratorium established.]

From and after the effective date of this ordinance, the City shall not file nor accept any applications nor issue use, building, or other permits for restricted gaming other than for a resort hotel as defined in NRS 463.01865 anywhere in the City or its sphere of influence except on properties with a Master Plan designation of Tourist Commercial and zoned Hotel Casino or Hotel Casino Downtown for a period not to exceed ninety (90) days. 

Section 18.02.113. — Moratorium established on the filing and acceptance of applications to establish accessory dwelling units commonly known as "granny flats" in the MF (multi-family) 14 and Single-Family Residential (LLR2.5, LLR1, LLR.5, SF15, SF9, SF6, SF4) zones; exceptions.

Beginning on the effective date and extending a period not to exceed six (6) months from that date, a moratorium is hereby established on the filing and acceptance of applications to establish accessory dwelling units commonly known as "granny flats" in the MF (multi-family).14 and Single-Family Residential (LLR2.5, LLR1, LLR.5, SF15, SF9, SF6, SF4) zones excepting therefrom caretaker quarters and security units located within non-residential projects such as mini-warehouse facilities in the City of Reno and its sphere of influence.]

SECTION 2: Title 18, Chapter 18.02, Section 18.02.115 of the Reno Municipal Code is added to read as follows:
18.02.115 - Moratorium.

The city council may declare a moratorium on the acceptance and processing of planning applications, or permits for a specific type of application or a specific geographical area and for a specified length of time to grant staff, planning commission, the general public, and city council time to review the existing code, hold public hearings and workshops, obtain testimony and evidence, and potentially amend Title 18.

(a) Initiation of a moratorium.

(1) The city manager in conjunction with the city's community development director may request the initiation of a moratorium resolution.

(2) A city councilmember may also request the initiation of a moratorium resolution on their own initiative.

(3) The request shall be placed in writing on the next city council meeting agenda as an item for consideration by city council.

(b) City council consideration of the initiation of a moratorium resolution.

(1) City council shall solicit public comment, make preliminary findings, and accordingly approve or deny the initiation of a proposed moratorium resolution by a simple majority vote of the city council members, if the council finds that a moratorium is necessary to promote the health, safety and welfare of the community.

(2) If approved, the initiation of a moratorium resolution shall be for a period not to exceed thirty (30) calendar days upon the date of approval by city council, unless an extension not exceeding thirty (30) days is ordered pursuant to subsection three (3) below.

(3) The city council on its own motion or otherwise may extend the period of initiation of a moratorium resolution if reasonably necessary and the public interest requires.

(c) Effect of the initiation of a moratorium resolution.

(1) Upon approval by city council of the initiation of a moratorium resolution, there shall be no acceptance and processing of land use planning applications and permits if acceptance would result in the nonconforming or unlawful use should the moratorium resolution, text amendment, or zoning change be finally adopted by the city council.

(d) Moratorium resolution review, report and consideration of adoption.

(1) City council shall direct staff to: (1) provide a report summarizing the need for adopting a moratorium resolution and, (2) prepare a draft moratorium resolution.
(2) Within thirty (30) days of the date of approval of the initiation of a moratorium resolution, city council shall meet at a regular or special meeting and hold a public hearing to consider and review the staff report, the draft moratorium resolution, solicit public feedback, and vote whether to formally adopt the moratorium resolution.

(3) The city clerk shall provide not less than ten (10) days notice by publication in a newspaper of general circulation within the City of Reno that city council will hold a public hearing to consider the formal adoption of a moratorium resolution.

(4) City council shall approve or deny the adoption of a proposed moratorium resolution by a simple majority vote of the city council members.

(5) In the event city council adopts the proposed moratorium resolution, such resolution shall be in substantial conformance with the statement of purpose and intent for this Title 18, as set forth in Section 18.02.103 and the master plan. It shall also require that city council make the following findings prior to adoption:

   (A) The moratorium is necessary to promote the health, safety, and welfare of the area described in the moratorium resolution;

   (B) The moratorium is necessary to grant staff, planning commission, the general public, and city council time to review the existing code, hold public hearings and workshops, obtain testimony and evidence, and potentially amend Title 18; and,

   (C) The moratorium is necessary because continued development during the proposed moratorium period possibly would result in development that may conflict with potential amendments to Title 18.

(6) Should the proposed moratorium resolution not be adopted by city council, any ban on the acceptance of applications noted in Section 18.02.115(c)(1) shall be immediately rescinded upon city council’s failure to adopt the resolution.

(e) Period in Effect.

(1) A moratorium resolution declared by the city council shall be in effect for a period of no less than ninety (90) days and no more than one hundred eighty (180) days from the date of adoption. The city council may only extend the moratorium for an additional sixty (60) day period before holding another public hearing pursuant to the provisions of this section.

SECTION 3: Should any section, clause, or provision of this Ordinance be declared by a court of competent jurisdiction to be unconstitutional or invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part declared to be unconstitutional or invalid.
SECTION 4. This Ordinance shall be in effect from and after its passage, adoption and publication in one issue of a newspaper printed and published in the City of Reno.

SECTION 5. The City Clerk and Clerk of the City Council of the City of Reno is hereby authorized and directed to have this Ordinance published in one issue in a newspaper of general circulation published in the City of Reno.

PASSED AND ADOPTED this ___ day of __________, ___, by the following vote of the Council:

AYES: ____________________________________________
NAYS: ____________________________________________
ABSTAIN: ______________________ ABSENT: ______________________

APPROVED this ____ day of ______________________, ___.

HILLARY SCHIEVE
MAYOR OF THE CITY OF RENO

ATTEST:

ASHLEY D. TURNLEY
CITY CLERK AND CLERK
OF THE CITY
COUNCIL OF THE CITY OF RENO, NEVADA

EFFECTIVE DATE: