WASHOE COUNTY PLANNING COMMISSION
Meeting Minutes

Planning Commission Members
Larry Chesney, Chair
Francine Donshick, Vice Chair
Thomas B. Bruce
Sarah Chvilicek
Kate S. Nelson
Larry Peyton
Pat Phillips
Trevor Lloyd, Secretary

Tuesday, August 4, 2020
6:30 p.m.

Washoe County Commission Chambers
1001 East Ninth Street
Reno, NV

The Washoe County Planning Commission met in a scheduled session on Tuesday, August 4, 2020, in the Washoe County Commission Chambers, 1001 East Ninth Street, Reno, Nevada**.**

No members of the public were allowed in the Commission Chambers due to concerns for public safety resulting from the COVID-19 emergency and pursuant to the Governor of Nevada's Declaration of Emergency Directive 006 Section 1 which suspends the requirement in NRS 241.023(1)(b) that there be a physical location designated for meetings of public bodies where members of the public are permitted to attend and participate. This meeting will be held by teleconference only.

The meeting was televised live and replayed on Washoe Channel at: https://www.washoecounty.us/mgrsoff/Communications/wctv-live.php also on YouTube at: https://www.youtube.com/user/WashoeCountyTV

1. *Determination of Quorum

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

Commissioners present: Larry Chesney, Chair
Francine Donshick, Vice Chair
Thomas B. Bruce
Sarah Chvilicek (Remote via Zoom)
Kate S. Nelson (Remote via Zoom)
Larry Peyton (Remote via Zoom)
Pat Phillips

Staff present: Trevor Lloyd, Secretary, Planning and Building
Eric Young, Senior Planner, Planning and Building (Remote via Zoom)
Roger Pelham, MPA, Senior Planner, Planning and Building (Remote via Zoom)
Chris Bronczyk, Planner, Planning and Building (Remote via Zoom)
Dan Cahalane, Planner, Planning and Building (Remote via Zoom)
Julee Olander, Planner, Planning and Building (Remote via Zoom)
Nathan Edwards, Deputy District Attorney, District Attorney's Office (Remote via Zoom)
Katy Stark, Recording Secretary, Planning and Building

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Donna Fagan, Office Support Specialist, Planning and Building

2. *Pledge of Allegiance

Commissioner Bruce led the pledge to the flag.

3. *Ethics Law Announcement

Deputy District Attorney Edwards provided the ethics procedure for disclosures.

4. *Appeal Procedure

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

5. *General Public Comment and Discussion Thereof

Chair Chesney opened the Public Comment period.

Email from Jack Equine: We were unable to attend the zoom workshop on 7/22/2020. However, my family wishes to express our concerns regarding the proposed amendments. Your choices and approvals determine the future of our home and region. You are quite honestly caving into big developer money and allowing open space to be gobbled up and quite frankly, ruining our environment, vistas, and open spaces with over development, creating more pollution, more traffic and lack of water resources should tell you all you need to know. Verdi, South Reno off Curti/ Veterans/Toll Road developments are hideous and forever gone. Sorry there are no wildlife easements or crossings and barely open space in all these cluster homes. Unsustainable and destroying the ecosystems. Think globally, but not locally. Build up, not out, and create the green open space. Thanks for your time.

Email from Pam Roberts, resident of the Warm Springs Area of unincorporated Washoe County: I believe Agenda Items 9C, 9D, 9E and 9F cannot be heard or acted upon the agenda for Planning Commission as NRS 278.210 (2) provides that BEFORE a public hearing can be held pursuant to subsection 1 of NRS 278.210, the Applicant, in this instance, Washoe County, "must hold a neighborhood meeting to provide an explanation of the proposed amendment." Furthermore, "the notice must be sent by mail at least 10 days before the neighborhood meeting and include the date, time, place and purpose of the neighborhood meeting." The statute does not create an exception that states that the Applicant does not need to hold a neighborhood meeting if it involves all the neighborhoods. It is my understanding that there was a public workshop held on July 22nd. However, as a property owner located within the area to which the proposed amendments pertain, I received no notice regarding the public workshop held on July 22nd. I did learn from our area CAB chairwoman, that she received an email notice of the public workshop on July 21st. I raised my concern about the lack of notice via email to Eric Brown, our County Manager last week and he directed Trevor Lloyd to address my concerns. While Mr. Lloyd has been responsive to my questions about the Land Use and Transportation Element, if I had been noticed about the Public Workshop, I would have had the opportunity to read through all the relevant documents and had a meaningful discussion on July 22nd. However, I was not properly noticed and did not have the benefit of the Applicant/County explaining the proposed amendments. Mr. Lloyd pointed to WCC 110.80.20 to justify the Applicant/County failure to properly notice the Public Workshop held on July 22nd which would have served as the neighborhood meeting required pursuant to NRS 278.210 (2). However, Washoe County Codes cannot create an exception to a state law requirement. Since the County did not comply with the notice requirements of NRS 278.210(2), Agenda Items 9C, 9D, 9E and 9F should not be action items.

Susan Ambrose spoke about the upcoming master plan amendments that are being heard tonight. She said when we questioned planning staff after the workshop about the short notice

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received that this meeting was not an all CAB meeting and the amendments were not site specific to anyone location. Additionally, staff said the notice of the workshop was a courtesy to all of the CAB chairs and was sent out three days prior to the meeting. Myself and other chairs received an email from the CAB secretary at 3:42 PM on July 21st which was 24 hours before the meeting and not enough time to really prepare ahead of time for the workshop or adjust our schedules. Thank you

6. Approval of Agenda

In accordance with the Open Meeting Law, Commissioner Donshick moved to approve the agenda for the August 4, 2020 meeting as written. Commissioner Bruce seconded the motion, which passed unanimously with a vote of seven for, none against.

7. Approval of June 2, 2020 Draft Minutes

Commissioner Chvilicek moved to approve the minutes for the June 2, 2020, Planning Commission meeting as written. Commissioner Donshick seconded the motion, which passed unanimously with a vote of seven for, none against.

8. Planning Items

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

Trevor Lloyd read a resolution expressing appreciation for James Barnes.

Chair Chesney thanked Jim for his years of service and mentoring. He said he appreciated the time and effort of Jim's volunteerism and he will be missed.

Commissioner Chvilicek said she wanted to express her appreciation to Jim Barnes for all of his support and everything Jim did to make sure we were committed and for being such a role model for that.

Commissioner Donshick thanked Jim for mentoring her and thanked him for keeping the high standards.

Commissioner Bruce thanked Jim for being here and showing him how to act, even if he didn't. He said he has been a great boon for the County.

Trevor Lloyd said it's been eight years that he has been on the commission. And prior Jim was Deputy DA for the Planning Commission. He always had the highest level of integrity and was a great steward of Washoe County. He said he will miss his friendship more than anything.

Nate Edwards thanked Jim; he said it's been a pleasure working with him. He said Jim used to be in Nate's roll, and he said he has big shoes to fill. There are great people on the board to make these decisions. Nate said we lost experienced commissioners with Jim Barnes and Phil Horan. Nate said Jim did a great job.

Jim Barnes said he appreciated the kind words. He worked with the Commission in 1990. He said this is the best Commission he has seen in the past 25 years. He wanted to recognize the great work of staff. Trevor has done a fantastic job. He said he wanted to single out Nate. Jim said Nate makes that position look easy, but it's a hard job. He said Nate is one of the best board attorneys. He hopes to keep in touch and work together in the future.

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Commissioner Phillips said she has big shoes to fill after all the kind words that were said tonight.

Commissioner Chesney opened public comment. There were no requests for public comment; he closed the public comment period.

MOTION: Commissioner Donshick moved approve a resolution of Appreciation of Service for James Barnes and to authorize the Chair to sign the resolution on behalf of the Planning Commission. Commissioner Bruce seconded the motion, which passed unanimously with a vote of seven for, none against.

9. Public Hearings

A. Tentative Subdivision Map Case Number WTM20-001 (Ladera Ranch) – For possible action, hearing, and discussion to approve a tentative map for a 294-lot common open space residential subdivision that will serve as Phases 2 through 6 of the existing Ladera Ranch Subdivision, which was originally approved for 356 residential dwelling units under case number TM05-011 in 2005. The final map for Phase 1, which is separate from this proposal, was recorded on June 8, 2007. This proposed subdivision also includes major grading in the following amounts: 384,740 cubic yards of grading, with up to 36,980 cubic yards of import. It also allows reductions in lot sizes and building setbacks. The maximum number of dwelling units allowable on the property that is subject of this proposal is 301. Approximately 225.7 acres of the site is planned to be designated as common open space within the subdivision. The proposed setbacks are 20' to garage, 10' to building; 13' & 0' side setbacks; and 10' rear setback. Lots will range from a minimum of 3,120 square feet, to a maximum lot size of 12,096 square feet.

AND

Variance Case Number WPVAR20-0002 (Ladera Ranch) – For possible action, hearing, and discussion to approve a variance to allow finish grades to exceed more than 10 feet in height difference up to a maximum of 40 feet from existing grade.

- Applicant/Property Owner: Ladera Ranch LLC
- Location: ½ mile west of Sun Valley Boulevard on Seventh Avenue
- Assessor's Parcel Numbers: 502-700-01; 502-700-033; 502-700-06; 502-700-07; 502-250-32
- Parcel Size: 266.07 acres
- Master Plan Categories: Suburban Residential (SR); Open Space (OS)
- Regulatory Zones: High Density Rural (HDR)(1du/2.5acres); Low Density Suburban (LDS)(1du/1acre); Medium Density Suburban (MDS)(3du/1acre)
- Area Plan: Sun Valley
- Citizen Advisory Board: Sun Valley
- Development Code: Authorized in Article 408, *Common Open Space Development*; Article 424, *Hillside Development*; Article 608, *Tentative Subdivision Maps*
- Commission District: 3 – Commissioner Jung
- Prepared by: Chris Bronczyk, Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775.328.3612

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- E-Mail: cbronczyk@washoecounty.us

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

Chris Bronczyk, Washoe County Planner, provided a staff presentation.

Applicant representative, John Krmpotic, experienced technical difficulties. He provided a PowerPoint presentation. Mr. Krmpotic introduced engineers Robert Gelu, Paul Solaegui, and Will Roberts, land acquisition. Mr. Roberts spoke about safety and slopes since Mr. Krmpotic's audio wasn't working.

Chair Chesney opened the public comment period.

Pamela Roberts wondered if staff could clarify conditions of approval. It wasn't specified enough.

Mr. Lloyd noted public comment is an opportunity for the public to speak for 3 minutes; it is not a time for back and forth dialogue.

Pamela Roberts said she has concerns. She said there's a recommendation from staff with approval of conditions, but it's unclear what those approvals are. I'm concerned about the welfare of the people in that subdivision and surrounding area.

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

Commissioner Chvilicek requested review of protected plant species. Mr. Bronczyk noted they aren't an endangered species; rather they are included in the Nevada Sensitive Species handbook. Commissioner Chvilicek asked how they will protect it. Mr. Bronczyk said the primary way of protecting that buckwheat was to remove the approval of variance. If we remove that portion of the variance it requires them to go into all the area where there is buckwheat land that is currently there. Right now, they are impacting a small area of buckwheat. Mr. Bronczyk noted that the Washoe County Park Planner's condition is 2.d. within the exhibit that includes a revegetation plan, restoring these critical areas. It requires the applicant to reach out to Anna Higgins at the Nevada Division of Forestry. There are transplantation efforts associated with areas of buckwheat that will be impacted – it will be Altered Andesite Buckwheat. Commissioner Chvilicek asked what evidence staff has of the transplantation of this species. Mr. Bronczyk said our parks planner consulted with NDF, and another parks planner has experience with transplantation. There are successes in this process.

Commissioner Donshick said a major concern in that area is the traffic. 7th avenue is listed as grade D, but then listed grade F. She noticed there is nothing to address the immediate need to fix this. She asked about the timeline of the project. Mr. Roberts addressed the question of the timeline of land development. He provided background and spoke about the original 105 final map lots of DR Horton in January 2019. There have been less than 50 closings in a year and a half. He said the reason for that is the cost to build the initial 105 lots caused the price of the homes to go up to $450,000. He said they had to go back and rethink how to address the missing middle. If we are successful and get approved, it will be a year to get permits processed to start construction. Probably 18 months out on first phase. It depends on market and demand. It will begin within the next 3-5 years since it's a large project. Commissioner Donshick said there are traffic issues on Golden Valley now. Mr. Bronczyk said he wanted to follow up on Commissioner Donshick's question regarding traffic. He noted, as added within Exhibit A of conditions of approval, NDOT was a reviewing agency of this proposal. The applicant is to provide a traffic study for review and approve. NDOT is looking at this project.

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Commissioner Bruce said he is confused. It's an extremely complex project to understand. The variances are too accumulative. He said he has a hard time thinking this was properly handled. COVID is putting pressure on us, but it's being rammed through the people right there. The Sun Valley CAB is having trouble too. It's hard to accept all the variances. He asked if there could be better communication with the population. Mr. Krmpotic said there is only one variance. The summary of the request in the staff report allows for finish grades to exceed more than 10 feet in height. Commissioner Bruce asked about the setbacks. Mr. Krmpotic noted setbacks are a completely different section of code. With common open space, the code provides an incentive to do density transfer and cluster which is common anywhere you go. It allows for the constraint portion of the area to remain in their natural state. 85% will be open space. Mr. Krmpotic said we have been working on this for over a year. He said we postponed this because we felt it was important to go before the CAB. There were some resignations on the CAB. As far as the variance, he said the original plan called for 558,000 cubic yards of earthwork grading, and we have reduced it down to 380,000 which is 200,000 less grading as a result of the variance. We look at slopes, walls, and plantings. Mr. Krmpotic said it's a very technical variance. A setback is different than grading, cut, and fill. We are providing a better solution to the natural terrain.

Commissioner Phillips said she drove up to the site and notice a cut into the hillside and a floor below the main entrance to accommodate the angle of the slope. She asked if they will do that again. Mr. Krmpotic said we changed our approach. That was done by a different engineering team. We have a better solution for home fitting in the lots and the land with a couple hundred thousand yards less grading. Mr. Roberts said we are working with staff, learning from DR Horton, and learned the original cost of grading was $140,000 per lot is why we scraped that, and started out with an approach to meet the missing middle. We have a more efficient and affordable product. We hope that you feel the same.

MOTION: Tentative Subdivision Map Case Number WTM20-001 (Ladera Ranch)
Commissioner Donshick moved that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission approve Tentative Subdivision Map Case Number WTM20-001 for Ladera Ranch, with the Conditions of Approval included as Exhibit A for this matter, having made all ten findings in accordance with Washoe County Code Section 110.608.25:

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

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8. Access. That the design of the subdivision provides any necessary access to surrounding, adjacent lands and provides appropriate secondary access for emergency vehicles;
9. Dedications. That any land or improvements to be dedicated to the County is consistent with the Master Plan; and
10. Energy. That the design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

AND

MOTION: Variance Case Number WPVAR20-0002 (Ladera Ranch)
Commissioner Donshick moved that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission approve Variance Case Number WPVAR20-0002 for Ladera Ranch, with the Conditions of Approval included as Exhibit A for this matter, having made all five required findings in accordance with Washoe County Development Code Section 110.804.25:

1. Special Circumstances. Because of the special circumstances applicable to the property, including exceptional narrowness, shallowness or shape of the specific piece of property; exceptional topographic conditions; extraordinary and exceptional situation or condition of the property and/or location of surroundings; the strict application of the regulation results in exceptional and undue hardships upon the owner of the property;
2. No Detriment. The relief will not create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted;
3. No Special Privileges. The granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated;
4. Use Authorized. The variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property;
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

Commissioner Peyton seconded the motion to approve Tentative Subdivision Map Case Number WTM20-001 for Ladera Ranch and Variance Case Number WPVAR20-0002 for Ladera Ranch. Commissioner Chvilicek cautioned developers not to play loose with the term “missing middle”. These home prices are still expensive. The motion passed six in favor, one against. Commissioner Bruce opposed.

B. Development Code Amendment Case Number WDCA20-0001 (110.406) – For possible action, hearing and discussion to initiate an amendment to Washoe County Code at Chapter 110 (Development Code), within Article 406, Building Placement Standards, to add a new section addressing industrial uses on properties adjacent to residentially zoned property. New standards shall pertain to any uses within an industrial regulatory zone that is adjacent to residential regulatory zone parcels with specific requirements concerning setback, walls, lighting and loading and service areas; and other matters necessarily connected therewith and pertaining thereto. Proposed changes include but are not limited to an additional 50 foot setback required for any industrial use that is adjacent to residentially zoned property, 8 foot solid walls required along the property lines that are adjacent to residentially zoned property, limits of 25 feet on the height of lighting standards that are more than 100 feet

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from the shared property line of any residentially zoned property, and setback requirements for loading and service areas for parcels of one acre or more when adjacent to residentially zoned properties.

If the proposed amendment is initiated, public hearing and further possible action to deny or recommend approval of the proposed amendment will occur and, if approval is recommended, to authorize the Chair to sign a resolution to that effect.

- Location: County wide
- Development Code: Authorized in Article 818
- Commission District: All Commissioners
- Prepared by: Julee Olander, Planner
  Washoe County Community Services Department
  Planning and Building Division
- Phone: 775.328. 3627
- E-Mail: jolander@washoecounty.us

Chair Chesney opened the public hearing.

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

Commissioner Bruce asked about 8-foot screening element and if there is there a maximum. Mr. Lloyd said a wall or fence maximum is eight feet.

Chair Chesney opened the public comment period.

Tray Abney said we support this item and effort. He thanked staff. He said they worked with the staff on draft language. He thanked staff for their willingness to work with us.

Hearing no further request for public comment, Chair Chesney closed the public comment period.

MOTION: Development Code Amendment Case Number WDCA20-0001 (110.406)

Initiation
Commissioner Donshick moved that, after giving reasoned consideration to the information contained in the staff report and received during the public hearing, the Washoe County Planning Commission initiate the amendment to Washoe County Code Chapter 110 within Article 406, *Building Placement Standards,* as described in the staff report for WDCA20-0001.

Amendment
Commissioner Donshick moved that, after giving reasoned consideration to the information contained in the staff report and received during the public hearing, the Washoe County Planning Commission recommend approval of WDCA20-0001, to amend Washoe County Code Chapter 110 within Article 406, *Building Placement Standards*, as described in the staff report for this matter. She further moved to authorize the Chair to sign the resolution contained in Exhibit A on behalf of the Planning Commission and to direct staff to present a report of this Commission's recommendation to the Washoe County Board of County Commissioners within 60 days of today's date. This recommendation for approval is based on all of the following four findings in accordance with Washoe County Code Section 110.818.15(e):

1. Consistency with Master Plan. The proposed development code amendment is in substantial compliance with the policies and action programs of the Washoe County Master Plan;

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2. Promotes the Purpose of the Development Code. The proposed development code amendment will not adversely impact the public health, safety or welfare, and will promote the original purposes for the development code as expressed in Article 918, Adoption of Development Code;
3. Response to Changed Conditions. The proposed development code amendment responds to changed conditions or further studies that have occurred since the Development Code was adopted by the Board of County Commissioners, and the requested amendment allow for a more desirable utilization of land within the regulatory zones; and,
4. No Adverse Affects. The proposed development code amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Master Plan.

Commissioner Bruce seconded the motion which passed unanimously with a vote of seven for, none against.

C. Master Plan Amendment Case Number WMPA20-0004 (LUTE Amendment) – For possible action, hearing, and discussion to approve updates to the Land Use and Transportation Element (LUTE), a component of the Washoe County Master Plan, in order to comply with the 2019 Truckee Meadows Regional Plan regional conformance requests. The Truckee Meadows Regional Plan had last been updated in 2012, but the newest version was approved in 2019. The updates in this agenda item are designed to ensure that the LUTE and the regional plan do not potentially conflict. State law requires that county master plans be in conformance with any applicable regional plan. Specific updates include the following:

1. Include language identifying how Washoe county will be limiting development outside of the Truckee Meadows Service Area (TMSA) to 2% of the cumulative development; the TMSA is a boundary line that generally circles the more densely developed areas of the county such as Reno and Sparks where municipal services such as water systems and sanitary sewer are available or readily available to support development.
2. Include language describing the limitation of development outside the TMSA to not allow new divisions of land that would create a parcel less than 5 acres in size outside of an approved Rural Development Area (RDA); a Rural Development Area allows the creation of smaller parcel sizes as long as the overall density remains the same and the project received approval from the Truckee Meadows Regional Planning Agency.
3. Include Language acknowledging the Regional Land Designations and Priority Hierarchy for Development. These designations direct growth to tiers within the TMSA as outlined in the 2019 Regional plan.
4. Include language referencing the Regional Land Designations density requirements as each designation allows a different level of density in order to direct growth effectively.

If approved, authorize the chair to sign a resolution to this effect.

- Applicant: Washoe County
- Location: County Wide
- Area Plan: All
- Citizen Advisory Board: Neighborhood Meeting
- Development Code: Authorized in Article 820
- Commission District: All Districts
- Prepared by: Dan Cahalane, Planner and Chris Bronczyk, Planner

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Washoe County Community Services Department
Planning and Building Division

- Phone: 775.328.3628 (Dan) and 775.328.3612 (Chris)
- E-Mail: dcahalane@washoecounty.us and cbronczyk@washoecounty.us

Trevor Lloyd provided an overview of this item and the next few items. He noted these proposals are required amendments identified by the Regional Planning Agency staff during their audit of the master plans.

Chair Chesney opened the public hearing. Chair Chesney asked DDA Edwards if he was comfortable with the noticing of these items. DDA Edwards noted the concern raised during public comment about the neighborhood meeting. He stated the noticing requirement is in chapter 278 and development code. He said the question is if this applies to a specific project that comes in that requires a master plan amendment or any changes to master plan even if initiated by a government entity. He said he can argue that it's project specific. Both provision in chapter 278 and article 820 of the development code, that require a neighborhood meeting, require a 'person' who is seeking a neighborhood meeting and notice. He said Chapter 278, there is no definition of 'person.' He said he could state in general terms, government entity isn't considered a 'person' under the law. Individuals and business entities are considered persons. Nevada Revised Statues are broken into 700 chapters. First chapter is zero chapter which defines a 'person'. Article 9 also doesn't include government entities. It speaks to individuals, firms. He said he is satisfied with the neighborhood meeting requirement, and noticing of individual property owners was not required. This applies to all four of the public hearing items. From a policy standpoint, the noticing for an amendment like this would be noticing hundreds of thousands of parcels. The noticing and postage would be a drastic cost to government and taxpayers.

Commissioner Chvilicek asked for clarification that this is to initiate and recommend approval instead of approving. DDA Edwards stated it's agendized to initiate and approve. Whether it's recommended to approve, it still has to go to the Board of County Commissioners and Regional Planning Agency for conformance review, regardless of what we call it. It acts as a recommendation.

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

Chair Chesney noted Mr. Cahalane addressed all his questions in the presentation.

Mr. Lloyd noted TMRPA staff was available on the line if there were any questions.

Chair Chesney opened the public comment period.

Email from Pam Roberts: I am a resident within the Warm Springs Area of unincorporated Washoe County. Currently, the minimum size parcel in the rural unincorporated area is 40 acres. Reducing the minimum to five acres and even less if clustering is permitted will lead to large numbers of property owners seeking to divide their 40+ acre parcels into five-acre parcels and increasing the density in the rural areas and dramatically changing the character of rural areas such as Warm Springs Valley also known as Palomino Valley. I am not clear how the 2% cap described in LUT 15.2 will alleviate my concerns, but a public workshop may have helped me understand this component. I also have concerns regarding the language on page 10 of the Staff Report under Findings; 4. Availability of Facilities. "There are or <u>are planned to be adequate</u> transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed master plan designation." I underlined the words "are planned to be adequate" because

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this is very open-ended and could lead to a repeat of the Warm Springs Specific Plan Area (SPA) debacle that was approved over 25 years ago. When the SPA was approved, the Applicant had grand plans of building a community water system, a waste treatment facility, a road system including flood control along a Spine Road, a park, golf course and more for the eventual 1700 homes that would be built. None of that happened, except landowners within the SPA now have the right to subdivide their land into smaller parcels without any additional facilities being built. Bottom line, the County currently approves specific plan areas and developments outside the TMSA without including a sunset clause so even if the planned infrastructure is not completed, the requested SPA or development is approved in perpetuity. The Master Plan should incorporate a sunset clause. In addition, the Master Plan should clearly state that no clustering of homes will be allowed until adequate infrastructure is completed.

Email from Susan Ambrose: 1. We are happy to see that GRR is officially codified as GRA. 2. Under Goal 15 If " Rural communities in outlying areas and in Northern Washoe County are strengthened and protected from incompatible development then the allowing of the possibility of RDAs is questionable. Let the area plan dictate what happens out here and enforce it. 3. When considering the creation of a new RDA in more remote RAs: a. A requirement is to determine public benefit by lowering the five-acre parcel size minimum. That conflicts with our area plans. b. Areas on wells and septics the minimum parcel size must meet current regulations by the Washoe County Health Department. The policies need to be updated the same as the antiquated Codes of Washoe County. Serial parceling should be eliminated in the SPA. c. Identification of community services and infrastructure required to serve the RDA and describe initial and on-going costs of service. For example: Paved roads, install and maintain over time. Sheriff Office response times. Fire response times, particularly in canyon areas, with one-way ingress and egress, down slope and up slope erratic winds, and in a high wildfire risk area, such as the proposed Marshall Ranch which currently could be at risk if the North fire advances this way. Five-acre minimums in RA's should stand as just that per the Truckee Meadows Regional Plan.

Gretchen Miller said seeing how this is presented prompted me to say a few words – saying they had a public meeting is a complete misrepresentation. No one was notified of the meeting, so no one could attend. This meeting required a lot of work and review to understand what you're looking at. With so little time to look at it, there is no way you can sit there and give an informed opinion on what's happening. I do believe the spirit of the NRS is that the community has a voice in what you are doing. She said I don't care if NRS says a person, dog, horse, or cat, I think the intent was that the people who are going to suffer the consequences of what you're passing should have a voice on what they think about what's going on. And I think this is a perfect example of how CABs should be used, and they weren't used at all. So, I think we're being misrepresented.

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

MOTION: Master Plan Amendment Case Number WMPA20-0004 (LUTE Amendment)
Commissioner Donshick moved that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission initiate and adopt the resolution contained at Exhibit A of this staff report to amend the Master Plan as set forth in Master Plan Amendment Case Number WMPA20-0004 having made the following six findings in accordance with Washoe County Code Section 110.820.15(d). Commissioner Donshick further moved to certify the resolution and the proposed Master Plan Amendments in WMPA20-0004 as set forth in this staff report for submission to the Washoe County Board of County Commissioners and authorize the chair to sign the resolution on behalf of the Planning Commission.

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan.

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2. Compatible Land Uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare.
3. Response to Change Conditions. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.
4. Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed Master Plan designation.
5. Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.
6. Effect on a Military Installation. The proposed amendment will not affect the location, purpose and mission of the military installation.

Commissioner Bruce seconded the motion which passed unanimously with a vote of seven for, none against.

The Commission took a brief recess at 8:33 p.m. and reconvened at 8:40 p.m.

D. Master Plan Amendment Case Number WMPA20-0005 (Public Services & Facilities Element) – Hearing and discussion for possible action to initiate and to amend the Public Services and Facilities Element a component of the Washoe County Master Plan for the purpose of bringing the Public Services and Facilities Element into conformance with the 2019 Truckee Meadows Regional Plan. The proposed amendments include providing new language referencing the List of Facilities & Services Standards; new language recognizing the promotion of facilities and services in line with the priority hierarchy for development; identifying that water and wastewater infrastructure will not be extended from the TMSA to the RA, except for the management of reclaimed water as a method to effectively manage reclaimed water from wastewater treatment facilities; new language acknowledging use of the Regional Water Management Plan; and addressing the Regional Plan requirements for Regional Utility Corridor and Sites. The TMSA is the area within the county where municipal services such as water and sanitary sewer are available for development to use, thus allowing denser development. The RA, by contrast, as outside of the TMSA and is the area within the county where municipal services such as water and sanitary sewer are not available for development to use, thus allowing less dense development.

- Location: County wide
- Development Code: Authorized in Article 820, Master Plan Amendment
- Commission District: All Commissioners
- Prepared by: Julee Olander, Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775.328. 3627
- E-Mail: jolander@washoecounty.us

Chair Chesney called the meeting back to order and opened the public hearing.

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

Chair Chesney opened the public comment period.

Email from Pam Roberts: I reside in the Warm Springs Area of unincorporated Washoe County. In the Staff Report, it appears that the County is considering transporting reclaimed water from wastewater treatment facilities within the TMSA to the Rural Area (RA). Since residents in the RA utilize well water, what impact will the reclaimed water have on the aquifer that we tap into for their well water? Typically, reclaimed water is used on golf courses, parks, and other places in which the surrounding residences have city water. Is the County planning to use our rural lands as the dumping grounds for its treated sewage that is not clean enough to dump in the Truckee River, but is apparently clean enough for the rural residents who rely upon a clean aquifer. Perhaps if the County had properly noticed the Public Workshop held on July 22nd, my concerns could have been addressed and alleviated. The Staff Report by Julie Olander for the Public Services and Facilities amendments utilizes a different format than the Staff Report for the Land Use and Transportation amendments. Ms. Olander's report incorporated the entire section from the current (yet to be updated) Master Plan, resulting in a Staff Report of 118 pages. It is not clear what was deleted or added, but my best guess is the language printed in bold type under Policies and Action Programs which appears on page 18 of the Staff Report. I noticed two grammatical typos. PSF.0.1.3 should read "…must be acknowledged, promoted, and followed for any master plan amendments and for (insert the work "a") project of regional significance." PSF.0.1.5. should read "…policies for water and wastewater will be reviewed and will not (insert "be") extended from the TMSA to the RA,"

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

Commissioner Bruce said there are so many pages not numbered. It's hard to find anything in here.

MOTION: Master Plan Amendment Case Number WMPA20-0005 (Public Services & Facilities Element)
Commissioner Donshick moved that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission initiate the proposed amendment and adopt the resolution contained at Exhibit A of this staff report to amend the Master Plan as set forth in Master Plan Amendment Case Number WMPA20-0005 having made the following five findings in accordance with Washoe County Code Section 110.820.15(d). Commissioner Donshick further moved to certify the resolution and the proposed Master Plan Amendments in WMPA20-0005 as set forth in this staff report for submission to the Washoe County Board of County Commissioners and authorize the chair to sign the resolution on behalf of the Planning Commission. Commissioner Donshick accepted the grammatical corrections.

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan.
2. Compatible Land Uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare.
3. Response to Change Conditions. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.

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4. Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed Master Plan designation.
5. Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.

Commissioner Bruce seconded the motion with correction which passed unanimously with a vote of seven for, none against.

E. Master Plan Amendment Case Number WMPA20-0006 (Population Element) – For possible action, hearing, and discussion to initiate and approve an amendment to the Washoe County Master Plan, Population Element to conform to the adopted 2019 Truckee Meadows Regional Plan (TMRP) by including language recognizing the use of the most current adopted Washoe County Consensus Forecast, and removing specific data from the previous Washoe County Consensus Forecast, and, if approved, authorize the chair to sign a resolution to this effect.

- Applicant: Washoe County Planning and Building Division
- Citizen Advisory Board: All CAB
- Development Code: Authorized in Article 820, Master Plan Amendments
- Commission District: All Commission Districts
- Prepared by: Roger Pelham, Senior Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775.328.3622
- E-Mail: rpelham@washoecounty.us

Chair Chesney opened the public hearing.

Roger Pelham, Washoe County Senior Planner, provided a staff presentation.

Commissioner Chesney opened the public comment period.

Email from Pam Roberts: I reside within the Warm Springs Area of unincorporated Washoe County. It was much easier to find the proposed amendment language in this Staff Report which utilized the traditional format in which the pertinent language is highlighted in blue with strike through marking on language to be deleted and new language is underlined. The Staff Report also refers the public who will be reading the document to the location that the most current adopted version of the Washoe County Consensus Forecast can be found. This is very user friendly.

Hearing no further requests for public comments, Chair Chesney closed the public comment period.

Chair Chesney noted the Regional Planning Agency is continually updating their population forecast. He said we are removing outdated information in the master plan.

MOTION: Master Plan Amendment Case Number WMPA20-0006 (Population Element)
Commissioner Chvilicek moved that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe

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County Planning Commission initiate and adopt the resolution contained at Exhibit A of this staff report to initiate and amend the Master Plan as set forth in Master Plan Amendment Case Number WMPA20-0006 having made the following six findings in accordance with Washoe County Code Section 110.820.15(d). Commissioner Chvilicek further moved to certify the resolution and the proposed Master Plan Amendments in WMPA20-0006 as set forth in this staff report for submission to the Washoe County Board of County Commissioners and authorize the chair to sign the resolution on behalf of the Planning Commission.

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan.
2. Compatible Land Uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare.
3. Response to Change Conditions. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.
4. Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed Master Plan designation.
5. Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.
6. Effect on a Military Installation. The proposed amendment will not affect the location, purpose and mission of a military installation.

Commissioner Donshick seconded the motion which passed unanimously with a vote of seven for, none against.

F. Washoe County Master Plan Amendment Case WMPA20-0007 (Housing Element) – For possible action, hearing, and discussion to initiate and approve an amendment to the Housing Element, a component of the Washoe County Master Plan, for the purpose of bringing the Housing Element into conformance with the 2019 Truckee Meadows Regional Plan. The proposed amendments include new language referencing the county's support for the Regional Strategy for Housing Affordability, and particularly the roadmap of steps to address affordable housing needs in the community, and, if approved, authorize the chair to sign a resolution to this effect.

- Applicant: Washoe County Planning and Building Division
- Citizen Advisory Board: All CABs
- Development Code: Authorized in Article 820, Master Plan Amendments
- Commission District: All Commission Districts
- Prepared by: Eric Young, Senior Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775.328.3613
- E-Mail: eyoung@washoecounty.us

Chair Chesney opened the public hearing.

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Eric Young, Washoe County Senior Planner, provided a staff presentation.

Email from Pam Roberts: I reside in the Warm Springs Area of unincorporated Washoe County. This Staff Report follows yet a different format from the others. Exhibit A is the portion of the Master Plan relating to the Housing Element. It appears that the proposed amendment language is underlined on page 19, page 24 and page 34. I am concerned that the inconsistent approach or format in identifying the proposed amendment language is difficult for members of the public or the Planning Commission to locate and digest. One of the reasons a neighborhood meeting is required by NRS 278.210(2) is to provide an opportunity for the Applicant, in this case, Washoe County, to provide explanations of the proposed amendments. This simply did not happen.

Hearing no further request for public comment, Chair Chesney closed the public comment period.

Mr. Young stated he appreciated the public comment about staff report format consistency. He said he will develop staff reports consistent with format and approach in our staff reports. Chair Chesney said consistency is important and easier for the public to comprehend.

Commissioner Chvilicek said she spoke with Trevor earlier to emphasize her concern that Washoe County engage and maintain citizen involvement. She said she is now okay with this moving forward. As we move forward with our Area Plans, more people will be engaged.

MOTION: Master Plan Amendment Case Number WMPA20-0007 (Housing Element)
Commissioner Donshick moved that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission initiate the proposed amendment and adopt the resolution contained at Exhibit A of this staff report to amend the Master Plan as set forth in Master Plan Amendment Case Number WMPA20-0007 having made the following five findings in accordance with Washoe County Code Section 110.820.15(d). Commissioner Donshick further moved to certify the resolution and the proposed Master Plan Amendments in WMPA20-0007 as set forth in this staff report for submission to the Washoe County Board of County Commissioners and authorize the chair to sign the resolution on behalf of the Planning Commission.

1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan.
2. Compatible Land Uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare.
3. Response to Change Conditions. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.
4. Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed Master Plan designation.
5. Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.

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Commissioner Bruce seconded the motion which passed unanimously with a vote of seven for, none against.

10. Planning Items

***A. Trevor Lloyd will provide a status and timeline for the update to the Washoe County Master Plan.**

Mr. Lloyd said we have officially begun the master plan update and overhaul of six elements, and 12 area plans and code amendments. We have hired and begun discussions with a consultant group out of Colorado. They have done similar updates in similar sized locations. We are creating a steering committee and are looking for one Planning Commissioner to sit on the steering committee along with a list of stakeholders. We will begin meetings with stakeholders and interest groups. We will provide regular updates of the process. It will be transparent with workshops and community meetings. We will get feedback. He said he understands the concerns with outreach with tonight's items; these were laser focused compliance items. You will all be very involved. Leading this will be Eric Young and Kelly Mullin. The staff will be all hands-on deck along with other staff from other agencies. He said it will be a long process with phasing. Three phased approach. Chair Chesney said it is a process.

11. Chair and Commission Items

***A. For possible action and discussion to elect officers, chair, and vice chair**

There was no discussion by the Commission.

MOTION: Commissioner Chvilicek nominated Larry Chesney as Chair and Francine Donshick as Vice Chair. Commissioner Bruce seconded the motion which passed unanimously, seven in favor, none against.

***B. Future agenda items –** Commissioner Bruce said since the July meeting was cancelled, the election of officers item should have been the first item on the next agenda. Mr. Lloyd agreed.

***C. Requests for information from staff** - None

12. Director's and Legal Counsel's Items

***A. Report on previous Planning Commission items –** Mr. Lloyd reported on July 21st, the Board of County Commissioners heard appeal of WRZA-0003 Christian Fellowship, which was continued to a future date. On July 14, Board of County Commissioners approved appeal for the Highland Village tentative subdivision map with the development agreement that came before this Commission. On June 23rd, The Board of County Commissioners approved RZA-0004 for Lifestyle Homes in Cold Springs.

***B.** Legal information and updates - None

13. *General Public Comment and Discussion Thereof

Pam Roberts said she appreciated the comments by Eric Young regarding consistent reports. It's appreciated when people make public comments and there is a response and recognition of what the public has to offer. She wanted to show appreciation for Commission Chvilicek regarding engaging the public and having a conversation with Mr. Lloyd. She said that was the crux of many of her public comments. If there was notice for July 22, there would have been involvement and discussion. She said she would like to recognize Trevor and Dan for the amendments and being

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responsive to her and Susan and Community Alliance questions. They were really responsive, and she said it was appreciated. In regard to update shared by Mr. Lloyd, she hopes stakeholders, not just developers, but members of the community who have interest in controlled growth to preserve land in Washoe County will be included.

Commissioner Donshick thanked staff for what they went through. She said read the 2019 Regional Plan. She thanked them for their hard work of this first step.

Commissioner Chvilicek echoed that comment. Washoe County had the biggest lift to bring into conformance with Regional Plan. She was involved in the update and understands Washoe County's involvement, and appreciates them jumping right in ahead of the deadlines they set for themselves.

14. Adjournment

With no further business scheduled before the Planning Commission, the meeting adjourned at 9:26 p.m.

Respectfully submitted by Misty Moga, Independent Contractor.

Approved by Commission in session on September 1, 2020

Trevor Lloyd
Secretary to the Planning Commission

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