



# WASHOE COUNTY

Integrity Communication Service

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## STAFF REPORT

BOARD MEETING DATE: April 14, 2026

**DATE:** March 2, 2026

**TO:** Board of County Commissioners

**FROM:** Trevor Lloyd, Planning Manager, Planning & Building, Community Services Department, 328-3617, tlloyd@washoecounty.gov

**THROUGH:** Kelly Mullin, AICP, Division Director, Planning & Building, Community Services Department, 328-3619, kmullin@washoecounty.gov

**SUBJECT:** Recommendation to approve, on the recommendation of the Chair, the reappointments of Kelly Mullin and Chadwick L. Giesinger to serve as hearing examiners pursuant to Washoe County Code Section 110.912.15: Kelly Mullin to fill a term beginning on August 23, 2026, and ending on August 22, 2030; and Chadwick L. Giesinger to fill a term retroactively beginning on April 12, 2026, and ending on April 11, 2030. Hearing examiners are empowered by State Law and County Code to conduct public hearings and make decisions on certain variance, special use permit, and administrative permit applications. (All Commission Districts.)

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### SUMMARY

The Board of County Commissioners (Board) is asked to approve, on the recommendation of the Chair, the reappointments of Kelly Mullin and Chadwick L. Giesinger to serve as hearing examiners. Hearing examiners are empowered by State Law and County Code to conduct public hearings and make decisions on certain variance, special use permit, and administrative permit applications.

If appointed:

- Kelly Mullin's new term will begin on August 23, 2026, and end on August 22, 2030.
- Chadwick L. Giesinger's new term will begin retroactively on April 12, 2026, and end on April 11, 2030.

Washoe County Strategic Objective supported by this item: Fiscal Sustainability;  
Efficient Delivery of Regional Services

### PREVIOUS ACTION

On August 23, 2022, the Board appointed Kelly Mullin to serve as a Hearing Examiner pursuant Section 110.912.15 to fill a term beginning on August 23, 2022, and ending on August 22, 2026.

AGENDA ITEM # \_\_\_\_\_

On May 25, 2022, Kelly Mullin was appointed as the Director of the Planning and Building Division of the Community Services Department.

On April, 12, 2022, the Board reappointed Mojra Hauenstein and Chad Giesinger to serve as Hearing Examiners to fill terms beginning on April 12, 2022, and ending on April 11, 2026.

On January 9, 2018, the Board appointed five Hearing Examiners: Mojra Hauenstein, Carl R. Webb Jr., Chadwick L. Giesinger, Kelly D. Mullin, and Eva M. Krause, to fill terms beginning on January 9, 2018, and ending on January 8, 2022.

## **BACKGROUND**

The Washoe County Development Code (Chapter 110) creates the position of a hearing examiner, as enabled in State Law. The number of Hearing Examiners, terms of appointment, method of appointment, qualifications, removal, powers, compensation, duties and recordkeeping are established within WCC Section 110.912.15, which is set forth below, in relevant part:

### **Section 110.912.15 Hearing Examiner.**

- (a) Creation. The position of hearing examiner is hereby created, pursuant to NRS 278.262, to perform all the duties and functions delegated to a hearing examiner by the Board of County Commissioners pursuant to NRS 278.010 to 278.630, inclusive.
- (b) Number of Hearing Examiners and Term of Appointment.
  - (1) Number of Hearing Examiners.
    - (i) The Chairman of the Board of County Commissioners, subject to the approval of the Board, may appoint as many hearing examiners as deemed necessary to fulfill the responsibilities of that position as enumerated in Subsection (e) (1).
    - (ii) The Chairman of the Board of County Commissioners shall appoint the Director of Community Development to be a hearing examiner to fulfill the responsibilities of that position as enumerated in Subsection (e) (2). If the Director of Community Development is not qualified to serve as a hearing examiner pursuant to Subsection (c) (3), the Director shall appoint a member of the Department of Community Development who does meet the qualifications to serve as a hearing examiner.
  - (2) A hearing examiner appointed to fulfill the responsibilities of that position as enumerated in Subsection (e) (1) shall have a term of four (4) years and may be re-appointed to successive four (4) year terms.
- (c) Appointment and Qualifications.
  - (1) The Chairman of the Board of County Commissioners shall appoint, subject to the approval of the Board, hearing examiners.

- (2) A hearing examiner shall hold no other public office, except as provided in Subsection (b) (1) (ii).
- (3) A hearing examiner shall be one of the following:
  - (i) Licensed architect.
  - (ii) Licensed attorney.
  - (iii) Registered engineer.
  - (iv) Member of the American Institute of Certified Planners.
- (d) Removal. A hearing examiner may be removed, following a public hearing, by a majority vote of the Board of County Commissioners for inefficiency, neglect of duty, or malfeasance.
- (e) Powers of Hearing Examiner.
  - (1) Variations and Special Use Permits. A hearing examiner appointed pursuant to Subsection (b) (1) (i) is empowered to conduct a public hearing and make a decision on a variance application submitted in accordance with the provisions of Article 804, Variations, and on a special use permit application submitted in accordance with the provisions of Article 810, Special Use Permit.
  - (2) Administrative Permits. A hearing examiner appointed pursuant to Subsection (b) (1) (ii) is empowered to conduct a public hearing and make a decision on an administrative permit application submitted in accordance with the provisions of Article 808, Administrative Permit.

WCC 110.912.15(b)(1)(ii) directs the Chair of the Board to appoint the Director of Community Development (now the Planning and Building Division) as a hearing examiner. WCC 110.912.15(b)(1)(i) enables the Chair of the Board, with the approval of the Board, to appoint as many hearing examiners as needed to fulfill the required responsibilities. Finally, WCC 110.915.15(c)(3) establishes the qualifications for a hearing examiner, who must be either a licensed architect, licensed attorney, registered engineer and/or member of the American Institute of Certified Planners. Hearing examiners serve a four-year term and may be reappointed to additional four-year terms.

Staff is asking the Board to reappoint Kelly Mullin in accordance with WCC 110.912.15(b)(1)(ii) to serve as a Hearing Examiner. Ms. Mullin meets the required qualifications as a member of the American Institute of Certified Planners (AICP). Ms. Mullin recommends that the Board also reappoint Chadwick L. Giesinger, Planning Manager, AICP, as a hearing examiner, to allow additional Division staff to provide depth and coverage for hearing examiner duties.

### **FISCAL IMPACT**

No fiscal impact.

### **RECOMMENDATION**

It is recommended that the Board approve, on the recommendation of the Chair:

1. The reappointment of Kelly Mullin to serve as a hearing examiner pursuant to Washoe County Code Section 110.912.15 to fill a term beginning on August 23, 2026, and ending on August 22, 2030; and
2. The reappointment of Chadwick L. Giesinger to serve as a hearing examiner pursuant to Washoe County Code Section 110.912.15 to fill a term retroactively beginning on April 12, 2026, and ending on April 11, 2030.

**POSSIBLE MOTION**

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

“Move to approve, on the recommendation of the Chair, the appointment of Kelly Mullin to serve as a hearing examiner pursuant to Washoe County Code Section 110.912.15

1. Kelly Mullin to fill a term beginning on August 23, 2026 and ending on August 22, 2030; and
2. Chadwick L. Giesinger to fill a term retroactively beginning on April 12, 2026, and ending on April 11, 2030.

Hearing examiners are empowered by State Law and County Code to conduct public hearings and make decisions on certain variance, special use permit, and administrative permit applications.”