



WASHOE COUNTY PLANNING COMMISSION Meeting Minutes

Planning Commission Members

Francine Donshick
R. Michael Flick
Linda Kennedy
Daniel Lazzareschi, Vice Chair
Kate S. Nelson
Patricia Phillips
Rob Pierce, Chair
Secretary
Trevor Lloyd

Tuesday, June 4, 2024
6:00 p.m.

Washoe County Administrative Complex
Commission Chambers
1001 E 9th Street, Building A
Reno, Nevada 89512

and available via
Zoom Webinar

The Washoe County Planning Commission met in a scheduled session on Tuesday, June 4, 2024, in the Washoe County Commission Chambers, 1001 East Ninth Street, Reno, Nevada and via Zoom teleconference.

The meeting will be televised live and replayed on the 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 Pierce called the meeting to order at 6:00 p.m. The following Commissioners and staff were present:

Commissioners present: Francine Donshick
Daniel Lazzareschi, Vice Chair
Kate S. Nelson
Rob Pierce, Chair

Commissioners absent: R. Michael Flick, Pat Phillips, Linda Kennedy

Staff present: Trevor Lloyd, Secretary, Planning and Building
Courtney Weiche, Senior Planner, Planning and Building
Julee Olander, Planner, Planning and Building
Jennifer Gustafson, Deputy District Attorney, District Attorney's Office
Adriana Albarran, Office Support Specialist, Planning and Building
Brandon Roman, Recording Secretary, Planning and Building

2. Pledge of Allegiance

Commissioner Nelson led the pledge to the flag.

3. Ethics Law Announcement

Deputy District Attorney Jennifer Gustafson provided the ethics procedure for disclosures.

4. Appeal Procedure

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

5. General Public Comment and Discussion Thereof

Chair Pierce opened the Public Comment period.

Public Comment:

Ms. Alexis Motarex, representing the Nevada Associated General Contractors, expressed concern about Agenda Item 9.C., specifically major grading permit thresholds and the definition of rock crushing, which she felt did not contemplate materials other than rock. The lack of specificity could cause unexpected consequences, and she believed requiring a major grading permit for crushing rock was onerous and cost prohibitive. She contested this would not make it more consistent with neighboring jurisdictions. She offered to work with staff to identify issues and reach a mutually agreeable solution.

Via Zoom, Mr. T.C. Twitchell expressed disagreement with the proposed rockery wall amendments, saying the committee responsible for the amendments did not consult with local industry engineers or contractors. He did not feel the amendments should be approved as written, adding the Federal Highway Administration already had existing amendments regarding this. He suggested a panel of local engineers and contractors needed to be consulted before adopted of any amendments.

6. Approval of June 4, 2024, Agenda

Commissioner Donshick moved to approve the agenda for the June 4, 2024, meeting as written. Commissioner Nelson seconded the motion, which passed with a vote of four for, none against, with Commissioners Flick, Kennedy, and Phillips absent.

7. Approval of May 7, 2024, Draft Minutes

Commissioner Donshick moved to approve the minutes for the May 7, 2024, Planning Commission meeting as written. Vice Chair Lazzareschi seconded the motion.

Commissioner Nelson stated she would abstain because she was not present at the May meeting.

Deputy District Attorney Jennifer Gustafson stated there was no requirement to abstain due to absence, and the Commissioners had a duty to vote on items.

The motion passed with a vote of four for, none against, with Commissioners Flick, Kennedy, and Phillips absent.

8. Consent Item

A. Extension of Time Request for Tentative Subdivision Map Case Number WTM16-002 (Golden Mesa North) – For hearing, discussion, and possible action to approve an extension of time for the approval of the subdivision, for two years, from May 20, 2024, until May 20, 2026. The subdivision was originally approved by the Planning Commission on March 7, 2017. The Planning Commission may grant an extension of not more than 2 years for the presentation of any final map after the 2-year period for presenting a successive final map has expired, in accordance with NRS 278.360(1)(c).

- Applicant/Property Owner: JC Golden Mesa Ltd.

- Location: North of Golden Valley Road and East of Estates Drive
- APN: 552-050-01
- Parcel Size: 99.5 acres
- Master Plan: Suburban Residential (SR)
- Regulatory Zone: ±9 acres Public Semi Public (PSP), ±95.5 acres Low Density Suburban (LDS) & ±2.98 acres General Rural (GR)
- Area Plan: North Valleys
- Development Code: Authorized in Article 608 Tentative Subdivision Maps
- Commission District: 5 – Commissioner Herman
- Staff: Julee Olander, Planner
- Phone: Washoe County Community Services Department
- E-mail: Planning and Building

Commissioner Donshick disclosed she was the current president of the Golden Valley Property Owners Association, but she did not feel that would impact her vote.

Public Comment:

There was no public comment on this item.

Discussion by Commission:

MOTION: Commissioner Nelson moved that the two-year Extension of Time Request until May 20, 2026, be approved for Tentative Subdivision Map Case Number WTM16-002 (Golden Mesa North), subject to the conditions of approval, having determined that the final map for TM16005 has progressed in accordance with NRS 278.360, that the original findings remain valid, and that the circumstances have not appreciably changed since the original approval.

Vice Chair Lazzareschi seconded the motion, which passed with a vote of four for, zero against, with Commissioners Flick, Kennedy, and Phillips absent.

9. Public Hearings [For possible action]

A. Abandonment Case Number WAB24-0002 (LC Highland 2 LLC) For hearing, discussion, and possible action to approve an abandonment of Washoe County’s interest in a construction easement (approximately 2.57 acres of land) located along the west side of Highland Ranch Parkway to LC Highland 2 LLC. APNs 508-020-44 (3.33 acres) and 508-020-42 (10.14 acres).

- Applicant/Property Owner: LC Highland 2 LLC
- Location: 0 Highland Ranch Parkway
- APN & Parcel Size: 508-020-44 (3.33 acres) and 508-020-42 (10.14 acres)
- Master Plan: Rural and Suburban Residential
- Regulatory Zone: 508-020-42: High Density Suburban (HDS) 96% and General Rural (GR) 4%
508-020-44: High Density Suburban (HDS) 5% and General Rural (GR) 95%
- Area Plan: Sun Valley

- Development Code: Authorized in Article 806, Vacations and Abandonments of Easements or Streets
- Commission District: 5 – Commissioner Herman
- Staff: Courtney Weiche, Senior Planner
Washoe County Community Services
Department
Planning and Building
- Phone: 775.328.3508
- E-mail: cweiche@washoecounty.gov

Senior Planner Courtney Weiche conducted a PowerPoint presentation and reviewed slides with the following titles or descriptions: Request; Background; parcel map; Evaluation; Noticing; Reviewing Agencies & Findings; and Possible Motion.

Chair Pierce asked whether the County was the applicant.

Ms. Weiche responded the applicant was Highland Ranch 2, LLC.

Mr. Ken Krater with Krater Consulting Group, representing the applicant, stated they supported Staff's recommendation. He noted the final map was submitted and a letter of approval was received from the Sun Valley General Improvement District. He hoped to receive approval from the County shortly. The final map would then be filed in the fall and construction would begin next spring. He indicated much public outreach had taken place and among other things they addressed a school's concerns about children going near the abandoned trailers.

Public Comment:

There was no public comment on this item.

Discussion by Commission:

MOTION: Commissioner Donshick moved that Abandonment Case Number WAB24-0002 for LC Highland 2 LLC be approved with the conditions included as Exhibit A to this matter, having made all three findings in accordance with Washoe County Code Section 110.806.20.

Vice Chair Lazzareschi seconded the motion, which passed with a vote of four for, zero against, with Commissioners Flick, Kennedy, and Phillips absent.

B. Abandonment Case Number WAB24-0003 (Ascente) [For possible action] – For hearing, discussion, and possible action to approve an abandonment of the offer of dedication and Washoe County's interest in 46,445 SF of right of way to include Sierra Pass Trail & Ascente Crest Trail (APN: 045-742-02) and Palisade Peak Lane (APN: 045-753-05) as well as the offer of dedication and Washoe County's interest in a 4,208 SF utility parcel at 15410 Palisade Peak Lane (APN: 045-753-04).

- Applicant/Property Owner: DRP NV 2, LLC
- Location: Sierra Pass Trail, 15410 Palisade Peak Lane,
Palisade Peak Lane & Ascente Crest Trail
- APN: 045-742-02, 045-753-04, & 045-753-05
- Parcel Size: 31,869, 4,225, & 14,576 SF
- Master Plan: Suburban Residential (SR)

- Regulatory Zone: Medium Density Suburban (MDS)
- Area Plan: Forest
- Development Code: Authorized in Article 806, Vacations and Abandonments of Easements or Streets
- Commission District: 2 – Commissioner Clark
- Staff: Julee Olander, Planner
Washoe County Community Services
Department
Planning and Building
- Phone: 775.328.3627
- E-mail: jolander@washoecounty.gov

Planner Julee Olander conducted a PowerPoint presentation and reviewed slides with the following titles: Request; Background; Parcel Number Correction; Site Plan (2 slides); Evaluation; Noticing; Reviewing Agencies & Findings; and Possible Motion.

Via Zoom, Gabe Wittler of Odyssey Engineering summarized the final map that had just been recorded including the entire subdivision, and there was a minor adjustment in the alignment of the roadway. To clean this up, the original offer for dedication needed to be abandoned. He pointed out no improvements were completed with the original offer, so there was no acceptance of the improvements or the sewer lift station parcel. He explained the private pump system was later chosen due to the availability of infrastructure and the design constraints. He added that the parcel with the once-proposed sewer lift station had become common area.

Public Comment:

There was no public comment on this item.

Discussion by Commission:

MOTION: Vice Chair Lazzareschi moved that Abandonment Case Number WAB24-0003 for DRP NV 2, LLC be approved with the conditions included as Exhibit A to this matter, having made all three findings in accordance with Washoe County Code Section 110.806.20.

Commissioner Donshick seconded the motion, which passed with a vote of four for, zero against, with Commissioners Flick, Kennedy, and Phillips absent.

C. Development Code Amendment Case Number WDCA24-0001 (Articles 438, 810, & 902) [For possible action] - For hearing, discussion, and possible action to initiate an amendment to Washoe County Code Chapter 110 (Development Code) in Article 438 Grading Standards, Article 810 Special Use Permits, and Article 902 Definitions to update provisions related to grading. The amendments include: deleting sections in Article 438 related to Grading Fees, Definitions, Grading of Slopes, Cuts, Fills, and Phasing and Stabilization of Grading; revising existing sections in Article 438 related to Scope, Required Permits, Exempted Work,, Major Grading Permit Thresholds, Major Grading Permit Application Requirements, Minor Grading Permit Thresholds, Minor Grading Permit Application Requirements, Financial Security for Grading, Unpermitted Grading, Stop Activity Orders, Notice of Violations and Enforcement, Penalties and Procedures, Grading & Retaining Walls within Setbacks, Drainage and Terracing, Erosion Control, Grading Inspections, Notification of Completion of Work, Grading Within Floodplains, Drainage Ways and Closed Hydrologic Basins; and adding sections in Article 438 related to Grading Standards and Rockery Walls; adding a section to Article 810 related to

Determinations of Substantial Conformance for Major Grading; and revising an existing section in Article 902 to add and/or revise various Definitions; and all matters necessarily connected therewith and pertaining thereto.

If the proposed amendments are initiated, the Planning Commission may recommend approval of the ordinance as submitted, recommend approval with modifications based on input and discussion at the public hearing, or recommend denial. If approval is recommended, the Planning Commission is asked to authorize the Chair to sign a resolution to that effect.

- Development Code: Authorized in Article 818, Amendment of Development Code
- Commission District: All Districts
- Staff: Julee Olander, Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3627
- E-mail: jolander@washoecounty.gov

Planner Julee Olander conducted a PowerPoint presentation and reviewed slides with the following titles: Request; Purpose for Amendment Update; Background (2 slides); Proposed Amendments (Art. 438) (2 slides); Proposed Amendments (Art. 810); Community Meeting; Amended Ordinance Changes; Findings; and Possible Motion. She thanked the Engineering Department for their work on the amendments.

Deputy District Attorney Jennifer Gustafson reiterated that there were recent updates made to the ordinance and all Commissioners should have received printed copies with those updates. A printed copy was also available in the back of Chambers and she had an additional copy for any members of the public who wanted to view it.

Secretary Trevor Lloyd commented staff members from the Engineering Department were available to answer any technical questions.

Public Comment:

Mr. Dave Snelgrove, a local land use consultant, said it would not be uncommon to see a smaller project that would hit three or four grading thresholds; larger projects could hit seven to nine thresholds. He stated the proposal was long overdue, opining that going through the special use permit process was not always necessary on projects where only small portions exceeded the 30 percent grading thresholds. He felt these amendments could go further, but this was an improvement over how things had operated during the last 15 years. He expressed concern about the six-acre grading limit, especially on larger parcels.

Mr. Dan Morgan, on behalf of the Builders Association of Northern Nevada, thanked staff for tabling the rock crushing portion of the ordinance; he hoped to work with staff to find a solution that made sense for all types of development. He noted a letter was sent to the Commission by the Builder's Association and welcomed any questions the Commissioners might have.

Mr. Ed Thomas stated he and his colleague were honored to be on the team working to amend Section 438, noting compromises were made throughout the process. He was most interested in the effects of the changes on small developments since the new process, he believed, would not be onerous to small developers. He noted changes were sometimes made between the preliminary schematic phase and the final design, and through this process those changes could be discussed with staff before approval.

Mr. Steve Strickland with Wood Rogers thanked staff for the project's inclusiveness of the development community. He recognized the issues with the current code and stated the

revisions made the code better. The new code allowed for more flexibility to make projects work, particularly regarding the topography of the area, and he thought this would help make projects more efficient and cost-effective. He urged the Commission to approve the item.

Mr. Ken Krater, speaking on behalf of the legislative committee for the National Association of Industrial and Office Properties, noted he worked with the County for decades, and despite having disagreements, they always managed to reach a consensus. He cited a project approved earlier in the meeting as an example of allowing a variance to be given to address certain slope challenges, which resulted in the inclusion of a public access easement and a trail in the project. He remarked the topic of blasting needed further discussion, though he explained some of the benefits of it. He wished to see additional discussion on rockery walls, referencing the relevant impacts on rockery walls caused by an earthquake in Seattle.

Discussion by Commission:

Commissioner Donshick thanked staff for their work on this intense project.

Commissioner Nelson echoed the Commissioner's gratitude, agreeing that the process could be onerous. She appreciated that the rock crushing element was removed from this item and would return for a more in-depth discussion.

Vice Chair Lazzareschi asked for more clarification about the rockery wall issues which prompted the proposed changes.

Senior Engineer Janelle Thomas responded there was an existing amendment to the International Building Code (IBC), which prompted challenges to some of the specifications currently in place. As part of the subcommittee for the IBC code update, she noted the amendment language was part of the regional code update. The language in the code was indicative of the work done to make the code more understandable and robust.

Ms. Thomas indicated many of the instances surrounding this issue dealt with the loads imparted on the backs of rockery walls. A key component of the existing code was there would be no surcharge on the backs of those walls. She explained the technical aspects of the code, saying its purpose was to increase stability and ensuring public safety.

In response to Vice Chair Lazzareschi's query about causation, Ms. Thomas pointed out there had been some rockery wall failures in the area, which were caused by a number of issues including the constructability of the walls and the integrity of the boulders used.

Chair Pierce thanked staff for their hard work.

Vice Chair Lazzareschi moved that WDCA24-0001 be approved, amending Washoe County Chapter 110 (Development Code) within Article 438, Grading, Article 810, Special Use Permits, and Article 902 Definitions, as reflected in the proposed ordinance contained in Attachment A-1. He further moved that the Chair be authorized to sign the resolution contained in Amended Exhibit A on behalf of the Washoe County Planning Commission and staff be directed 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 initiation and recommendation for approval is based on all of the four findings in accordance with Washoe County Code Section 110.818.15(e).

Commissioner Nelson seconded the motion, which passed with a vote of four for, zero against, with Commissioners Flick, Kennedy, and Phillips absent.

Secretary Trevor Lloyd praised Ms. Olander, Ms. Thomas, and the development community for their work and input in this cooperative effort.

10. Chair and Commission Items

A. Future agenda items

Chair Pierce requested an item thanking Commissioners Donshick and Phillips for their years of service, saying it was an honor to work with them.

Commissioner Donshick stated that, though she would not be on the Planning Commission anymore, she had requested a presentation about plans that were approved but not built.

Secretary Trevor Lloyd said that item would be presented at the next meeting.

B. Requests for information from staff

Vice Chair Lazzareschi lauded staff's efforts on the code updates resulting from the Master Plan update, adding he wished to see a written list of which updates were currently in process.

Mr. Lloyd thought that was a great idea since there were many projects in the pipeline.

11. Director's and Legal Counsel's Items

A. Report on previous Planning Commission items

Secretary Trevor Lloyd stated the Board of County Commissioners approved two code amendments at its May 16, 2024, meeting: the Sutcliffe and Village Green amendments.

B. Legal information and updates

There were no updates.

12. *General Public Comment and Discussion Thereof

There was no response to the call for public comment.

13. Adjournment

With no further business scheduled before the Planning Commission, the meeting adjourned at 6:53 p.m.

Respectfully submitted by Derek Sonderfan, Independent Contractor.

Approved by Commission in session on June 4, 2024

Trevor Lloyd

Trevor Lloyd

Secretary to the Planning Commission