



WASHOE COUNTY PLANNING COMMISSION Meeting Minutes

Planning Commission Members

Larry Chesney
Sarah Chvilicek, Vice Chair
Francine Donshick, Chair
R. Michael Flick
Kate S. Nelson
Larry Peyton
Patricia Phillips

Secretary

Trevor Lloyd

Tuesday, January 4, 2022
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, January 4, 2022, 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 Donshick called the meeting to order at 6:00 p.m. The following Commissioners and staff were present:

Commissioners present: Larry Chesney (via Zoom)
Sarah Chvilicek, Vice Chair (via Zoom)
Francine Donshick, Chair
R. Michael Flick
Kate S. Nelson (via Zoom)
Larry Peyton (via Zoom)

Commissioners absent: Pat Phillips

Staff present: Trevor Lloyd, Secretary, Planning and Building
Julee Olander, Planner, Planning and Building
Katy Stark, Planner, Planning and Building
Sophia Kirschenman, Planning & Building
Jennifer Gustafson, Deputy District Attorney, District Attorney's Office
Lacey Kerfoot, Recording Secretary, Planning and Building
Donna Fagan, Office Support Specialist, Planning and Building

2. Pledge of Allegiance

Commissioner Flick led the pledge to the flag.

3. Ethics Law Announcement

Deputy District Attorney Gustafson 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 Donshick opened the public comment period.

Public Comment:

Charles Withrow (via Zoom) reiterated something that was brought up at the last meeting; there is a situation at the Sun Ridge Subdivision that could use the help of the Commission. He spoke about utilities to the subdivision off of Highway 431. In terms of sewer, water, and roads, the Planning Commission could assist residents by helping with a feasibility study and helping to bring the infrastructure up to today's standards.

There was no further response to the request for public comment.

6. Approval of January 4, 2022 Agenda

Commissioner Flick moved to approve the agenda for the January 4, 2022 meeting as written. Commissioner Nelson seconded the motion, which passed unanimously with a vote of six for, none against; one absent – Commissioner Phillips.

7. Approval of December 7, 2021 Draft Minutes

Commissioner Chvilicek moved to approve the minutes for the December 7, 2021 Planning Commission meeting as written. Commissioner Nelson seconded the motion, which passed unanimously with a vote of six for, none against; one absent – Commissioner Phillips.

8. Public Hearings

A. [Abandonment Case Number WAB21-0008 \(Ormsby Ln\)](#) [For possible action] – For hearing, discussion and possible action to approve an abandonment of Washoe County's interest in approximately 12,600 square feet of public right-of-way at the eastern terminus of Ormsby Lane beyond its intersection with Churchill Drive. If approved, the right-of-way will be abandoned to the abutting property owner at 3990 Churchill Drive (APN: 050-486-01). The request to abandon this right-of-way is pursuant to NRS 278.480 and related provisions in Washoe County Development Code. The conditions of approval for this abandonment include relocating existing vehicle and pedestrian access to Nevada State Parks land and adding parking for day use vehicles. The project would also relocate existing fencing and add new fencing along the State Park boundary adjacent to the abandonment proposal.

- Applicant: Robert and Debra Paterson
- Property Owner: Washoe County
- Location: 3990 Churchill Drive
- APN: 050-486-01
- Parcel Size: 1.37 acres
- Master Plan: Suburban Residential
- Regulatory Zone: Low Density Suburban (LDS)
- Area Plan: South Valleys

- Development Code: Authorized in Article 806, Vacations and Abandonments of Streets and Easements
- Commission District: 2 – Commissioner Lucey
- Staff: Katy Stark, Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3618
- E-mail: krstark@washoecounty.gov

Planner Katy Stark provided a presentation. Thomas Gallagher, the consultant with Summit Engineering Corporation, stated that he had planned to give a presentation, but Ms. Stark did an excellent job. Mr. Gallagher stated that he, Mr. and Mrs. Patterson (owners), and Chris Pingree (neighbor) are available for questions.

Public Comment:

Sandra Limerick (via Zoom) stated she has general questions that she didn't see answers to during her research. She asked how much trash, abandoned, and illegal camping has gone on in the past few years. She asked if the County had assisted in removing the trash. She asked who would maintain the new parking lot. There will be a cost for the parking lot and trash removal. She asked if the new parking lot requires a NV State Parks Pass. She said she supports the pass. She said many people park on Ormsby who don't want to pay the State Park fee. She asked if this would cause more people to park on the side of the road. The road is narrow. She asked about pedestrian access. She said she understands some equestrian users need a wider path to get through.

Recording Secretary Adriana Albarran stated that Sandra Limerick had emailed a public comment. The comment was emailed to the Commissioners before the meeting and was posted to the Washoe County website.

There was no further response to the request for public comment.

Discussion by Commission:

Commissioner Chvilicek asked why the applicant would pay for improvements to the State Park. She asked if the applicant was responsible for the maintenance or does it revert to the State Park. Ms. Stark stated that the applicant is covering the costs, because the applicant requested the abandonment of the right-of-way. The abandonment of that right-of-way would remove parking and access to the park for the public; Washoe County's right-of-way would become part of the applicant's property. Ms. Stark further clarified that in order to meet the no-detriment finding and maintain access to the public, the applicant would need to cover the cost. Ms. Stark added she believes the State Park would do the maintenance, as the park is their property.

Motion: Commissioner Chesney 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 Abandonment Case Number WAB21-0008 for Robert and Debra Patterson, 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:

- (a) **Master Plan.** The abandonment or vacation is consistent with the policies, action programs, standards and maps of the Master Plan and the South Valleys Area Plan; and

(b) **No Detriment.** The abandonment or vacation does not result in a material injury to the public; and

(c) **Existing Easements.** Existing public utility easements in the area to be abandoned or vacated can be reasonably relocated to provide similar or enhanced service.

Commissioner Flick seconded the motion, which passed unanimously with a vote of six for, none against; Commissioner Phillips – absent.

B. Abandonment Case Number WAB21-0012 (Caughlin Parkway) [For possible action]

– For hearing, discussion, and possible action to approve an abandonment of ±17,061sf of County-owned property (street) to the abutting property owners at APNs 220-060-10, 220-060-09, and 220-060-08, respectively. The abandonment request is made pursuant to NRS 278.480 and related provisions in the Washoe County Development Code.

- Applicant: Aaron and Rebecca Jennings, Timothy Owen Tucker, and Eric Lannes
- Property Owner: Washoe County
- Location: North of Promontory Pointe and Caughlin Pkwy
- APN: 220-011-15
- Parcel Size: 4.789 acres
- Master Plan: Rural
- Regulatory Zone: General Rural
- Area Plan: Southwest Truckee Meadows
- Development Code: Authorized in Article 806, Vacations and Abandonments of Streets and Easements
- Commission District: 1 – Commissioner Hill
- Staff: Trevor Lloyd, Planning Manager and Sophia Kirschenman, Park Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3617; 775.328.3623
- E-mail: tlloyd@washoecounty.gov;
skirschenman@washoecounty.gov

Park Planner Sophia Kirschenman provided a presentation. The applicants, Aaron and Rebecca Jennings were present in Chambers and available for questions but did not have a presentation.

Public Comment:

Charlie Burcham, an attorney representing Caughlin Ranch HOA, stated there is a civil lawsuit over the spur road. It was brought about through title insurance. The Jennings are the plaintiffs, and there are several defendants, including the association, Eagles Nest, and Washoe County. Mr. Burcham believes the abandonment can work toward resolving the case. As the presentation indicated, the issue goes back to 1987; there has been an on-going dispute regarding whether the spur road is a trail or something else that the public would use consistently. Mr. Burcham stated that it doesn't look like a trail and it doesn't have sidewalks. The association's interest is in the first condition. The association has an obligation under the 1987 agreements to maintain the paved walking trail behind the properties. Mr. Burcham explained that any large construction activities would require access to the spur road, that access is in the associations' interest. The association has other interests in the road, which deal with CCR compliance. The only way to check to see if the other three properties are in

compliance with the CCRs is to investigate alleged violations of the CCRs by using the spur road.

Lisa Nunley, General Manager for Caughlin Ranch HOA, on behalf of the Board of Directors of Caughlin Ranch HOA, requested that the Planning Commission consideration include access to spur road for the HOA staff to perform regular compliance inspections. Without this access, the HOA is not complying with its governing documents. It would not comply with NRS 116.310.31, which requires the HOA to obtain photo documentation of any non-compliance issues. Ms. Nunley explained that the inspections do not encroach on the properties; it's simply a brief drive-by of properties. Ms. Nunley also pointed out that if access is not permitted, it's considered preferential treatment to the six HOA members whose properties are adjacent to Spur Road.

Walter Gerken (via Zoom) stated that he had a comment on the Master Plan item. Chair Donshick advised that he have time to speak during the public comment period on that item.

There was no further response to the request for public comment.

There was no discussion by the Commission.

Motion: Commissioner Chesney 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 Abandonment Case Number WAB21-0012 for Aaron and Rebecca Jennings, with the amended conditions included as Exhibit A to this matter, having made all three findings in accordance with Washoe County Code Section 110.806.20.

- (a) **Master Plan.** The abandonment or vacation is consistent with the policies, action programs, standards and maps of the Master Plan and the Southwest Truckee Meadows Area Plan; and
- (b) **No Detriment.** The abandonment or vacation does not result in a material injury to the public; and
- (c) **Existing Easements.** Existing public utility easements in the area to be abandoned or vacated can be reasonably relocated to provide similar or enhanced service.

Commissioner Flick seconded the motion, which passed unanimously with a vote of six for, none against; Commissioner Phillips – absent.

C. Master Plan Amendment Case Number WMPA21-0011 and Regulatory Zone Amendment Case Number WRZA21-0007 (Reno SOI-Mae Anne Avenue) [For possible action] – For hearing, discussion, and possible action:

- (1) To approve a resolution initiating and adopting an amendment to the Washoe County Master Plan for the purpose of adopting the Washoe County master plan land use designation of Suburban Residential (SR) on 28 parcels that have been removed from the City of Reno's Sphere of Influence (SOI) and returned to Washoe County's jurisdiction. The subject properties are currently designated by the City of Reno as Large Lot Neighborhood. The 28 parcels include: (APN: 039-131-03, 17, 18, 19, 20, 21, 26, 28, 29, 31, 32, 33, 039-133-11, 21, 23, 24, 25, 26, 27, 28, 039-136-02, 04, 05, 06, 07, 08, 212-121-01 & 02) totaling 33.6 acres;
- (2) To add 26 parcels to the Verdi Area Plan, a component of the Washoe County Master Plan (APN: 039-131-03, 17, 18, 19, 20, 21, 26, 28, 29, 31, 32, 33, 039-133-11, 21, 23, 24, 25, 26, 27, 28, 039-136-02, 04, 05, 06, 07, & 08); and
- (3) Subject to final approval of the associated Master Plan Amendment and a finding of conformance with the Truckee Meadows Regional Plan, to approve a Regulatory Zone

Amendment from City of Reno's designation of Large Lot Rural-one acre (LLR1) to the Washoe County Regulatory Zone of Low Density Suburban/2 (LDS/2) for 3 parcels (APNs: 039-131-03, 7, & 8); and Low Density Suburban (LDS) for 25 parcels (APNs: 039-131-17, 19, 20, 21, 28, 29, 31, 32, 33, 039-133-11, 21, 23, 24, 25, 26, 27, 28, 039-136-02, 04, 05, 06, 212-121-01 , & 02, 039-131-18 & 26); and, if approved, authorize the chair to sign resolutions to this effect.

- Applicant: Washoe County Planning and Building Division
- Property Owners: Numerous
- Location: South of La Salle Heights, east of Burks Blvd., east and west of Mae Anne Ave. and north of I-80.
- APN(s): 039-131-03, 039-131-17, 039-131-18, 039-131-19, 039-131-20, 039-131-21, 039-131-26, 039-131-28, 039-131-29, 039-131-31, 039-131-32, 039-131-33, 039-133-11, 039-133-21, 039-133-23, 039-133-24, 039-133-25, 039-133-26, 039-133-27, 039-133-28, 039-136-02, 039-136-04, 039-136-05, 039-136-06, 039-136-07, 039-136-08, 212-121-01 & 212-121-02
- Parcel Size: Totaling ±33.6 acres
- Master Plan: Large Lot Neighborhood (City of Reno)
- Regulatory Zone: Large Lot Rural-one acre (LLR1) (City of Reno)
- Area Plan: Verdi
- Development Code: Authorized in Article 820 & 821
- Commission District: 1 – Commissioner Hill
- Staff: Julee Olander, Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3627
- E-mail: jolander@washoecounty.gov

Planner Julee Olander provided a presentation.

Public Comment:

Walter Gerken (via Zoom) stated the rumor in his neighborhood was that our property is to be put into the Reno Sphere of Influence, but now it sounds like it's a misunderstanding. Chair Donshick clarified and stated it would take the properties out of Reno Sphere of Influence.

There was no further response to the request for public comment.

Discussion by Commission:

Commissioner Flick asked about the two properties that don't fit into the guidelines. Ms. Olander explained that the two properties could be classified as High Density Rural because they are 2.5 acres. However, to maintain consistency with the master plan in that neighborhood, County staff decided to go with Suburban Residential, which doesn't allow High Density Rural as a regulatory zoning classification within. The two parcels would be classified as Low Density Suburban.

Ms. Olander explained the two parcels are outside of the Verdi area plan. She provided background information - there was a Northwest Truckee area plan that got absorbed up by the City of Reno. Some of the parcels don't qualify to be in the area plan because they aren't within the area plan boundary; they are still in the master plan with Washoe County designation but aren't within an area plan. It's not an issue for them. Ms. Olander did point

out that Washoe County is currently reviewing the master plan, so the area plan boundaries may change. She also explained that there are other places throughout the County with pockets that are not in an area plan.

Commissioner Chvilicek complimented staff as this was a complicated process; she appreciated staff's hard work on this.

Motion: Commissioner Peyton 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 adopt the resolution contained at Exhibit A of this staff report to initiate and adopt an amendment to the Master Plan, as set forth in Master Plan Amendment Case Number WMPA21-0011, having made at least three of the following five findings in accordance with Washoe County Code Section 110.820.15(d).

Commissioner Peyton further moved to certify the resolution and the proposed Master Plan Amendments in WMPA21-0011 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.**

Chair Donshick asked whether Commissioner Peyton planned to make a motion for both the Master Plan Amendment and the Regulatory Zone Amendment. Commissioner Peyton replied that he would make a motion for both.

Commissioner Peyton moved that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Planning Commission adopt the resolution included as Exhibit B, to initiate and recommend adoption of Regulatory Zone Amendment Case Number WRZA21-0007, having made all of the following findings in accordance with Washoe County Code Section 110.821.15.

Commissioner Peyton further moved to certify the resolution and the proposed Regulatory Zone Amendment in WRZA21-0007 as set forth in this staff report for submission to the Washoe County Board of Commissioners and authorize the chair to sign the resolution on behalf of the Washoe County Planning Commission.

- 1. Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan and the Regulatory Zone Map.**

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 Changed Conditions, more desirable use.** 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 amendment.
5. **No Adverse Effects.** The proposed amendment will not adversely affect the implementation of the policies and action programs of the Washoe County Master Plan.
6. **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.
7. **Effect on a Military Installation when a Military Installation is required to be noticed.** The proposed amendment will not affect the location, purpose and mission of the military installation.

Commissioner Chesney seconded the motion, which passed unanimously with a vote of six for, none against; Commissioner Phillips – absent.

9. Chair and Commission Items

- A. Future agenda items - None
- B. Requests for information from staff - None

10. Director's and Legal Counsel's Items

- A. Report on previous Planning Commission items

Secretary Trevor Lloyd stated that a number of items went before the Washoe County Board of County Commissioners (BCC) in December. The BCC approved the appeal of Amendment of Conditions Case Number WAC21-0005 for the Truckee Meadows Water Authority. The BCC also heard the second reading of Development Code Amendment Case Number WDCA21-0004 for Article 406, which was approved. Final approval was also given for Master Plan Amendment Case Number WMPA21-0002 for Village Green Commerce Center. Mr. Lloyd announced that Washoe County Planner Mr. Cahalane has taken a new job back East.

- B. Legal information and updates - None

11. General Public Comment and Discussion Thereof

There was no response to the request for public comment.

12. Adjournment

With no further business scheduled before the Planning Commission, the meeting adjourned at 7:03 p.m.

Respectfully submitted by Misty Moga, Independent Contractor.

Approved by Commission in session on February 1, 2022.

Trevor Lloyd
Secretary to the Planning Commission