



# WASHOE COUNTY PLANNING COMMISSION Meeting Minutes

## Planning Commission Members

Sarah Chvilicek, Chair  
Larry Chesney, Vice Chair  
James Barnes  
Thomas B. Bruce  
Francine Donshick  
Philip Horan  
Michael W. Lawson  
Carl R. Webb, Jr., AICP, Secretary

Tuesday, November 7, 2017  
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, November 7, 2017, in the Washoe County Commission Chambers, 1001 East Ninth Street, Reno, Nevada.

### 1. \*Determination of Quorum

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

Commissioners present: Sarah Chvilicek, Chair  
Larry Chesney, Vice Chair  
James Barnes  
Thomas B. Bruce  
Francine Donshick  
Philip Horan  
Michael W. Lawson

Staff present: Carl R. Webb, Jr., AICP, Secretary  
Julee Olander, Planner, Planning and Building  
Chris Bronczyk, Planner, Planning and Building  
Trevor Lloyd, Planning Manager, Planning and Building  
Nathan Edwards, Deputy District Attorney, District Attorney's Office  
Katy Stark, Recording Secretary, Planning and Building  
Kathy Emerson, Administrative Secretary Supervisor, Planning and Building

### 2. \*Pledge of Allegiance

Commissioner Barnes led the pledge to the flag.

### 3. \*Ethics Law Announcement

Deputy District Attorney Edwards provided the ethics procedure for disclosures.

### 4. \*Appeal Procedure

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

Mr. Webb introduced Chris Bronczyk, Planner, who just joined Washoe County.

## 5. \*Public Comment

Chair Chvilicek opened the public comment period. There was no response to the call for public comment.

## 6. Approval of Agenda

Commissioner Donshick moved to approve the agenda for the November 7, 2017 meeting. Vice Chair Chesney seconded the motion, which carried unanimously.

## 7. Approval of October 3, 2017 Draft Minutes

Vice Chair Chesney moved to approve the minutes for the October 3, 2017, Planning Commission meeting as written. Commissioner Donshick seconded the motion, which passed unanimously.

## 8. Public Hearings

**A. Abandonment Case Number WAB17-0004 (Old Mount Rose Highway)** – For possible action, hearing, and discussion by the Washoe County Planning Commission to approve an abandonment of Washoe County's interest in ±25,451 square feet of right-of-way along Old Mount Rose Highway that is primarily used for private access.

- Applicant: David M. Otto
- Property Owners: Martha Ann Cepress, Jimmy Y Chung, David M. Otto
- Location: 20600 & 20610 Old Mount Rose Highway
- Assessor's Parcel Numbers: 048-091-01, 048-091-14, & 048-091-29
- Parcel Size: ±1.27 acres
- Master Plan Categories: Suburban Residential (SR) and Rural (R)
- Regulatory Zones: Medium Density Suburban (MDS) & General Rural (GR)
  
- Area Plan: Forest
- Citizen Advisory Board: South Truckee Meadows/Washoe Valley
- Development Code: Authorized in Article 806, Vacations and Abandonments of Easements or Streets
  
- Commission District: 2 – Commissioner Lucey
- Section/Township/Range: Section 17, T17N, R19E, MD, Washoe County, NV
- Prepared by: Roger Pelham, MPA, Senior Planner and Julee Olander, Planner  
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Planning and Building Division
  
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Mr. Webb read the item into the record. Chair Chvilicek called for any disclosures from the Commission. Hearing none, she opened the public hearing and called staff forward. Julee Olander, Planner, explained there had been some new information provided to staff within the last hour and she informed the Commission the Applicant would be requesting to continue the item.

Dave Snelgrove, Planning Manager with CFA, stated he had been working with the US Forest Service for a couple of months to see if there was an existing right-of-way. He said he told them if there was an existing right-of-way grant they would perpetuate it with an access easement. They came back and said there was not an existing right-of-way grant, but they did not want to have any area where they would block off access to public lands. He told them that was fine and they would be happy to grant an easement for people to cross. He explained there was some concern with the access easement and Code requirements for the setbacks and width of the access easement that needed to be worked out, which could potentially affect their residential plan and building permit after the abandonment went through. He requested a 30-day continuance because they did not know how wide the access would need to be from the US Forest Service. They felt they could not go forward until they had more certainty from the US Forest Service and if there would any impact in terms of their future development plan.

Chair Chvilicek asked legal counsel about the process. DDA Edwards stated the Commission could take no action and announce the item was being continued based on the request by the Applicant's representative. He said the rules stated the Commission "may" vote to move an item, and the agenda stated the item may be delayed to a later time.

Commissioner Horan asked for clarification as to where the abandonment would be. Ms. Olander showed a map of the area. Commissioner Horan stated he drove around the area and asked if all of it would be abandoned. Ms. Olander stated "no" and explained there was a sharp left turn off Mt. Rose and it was just the section at the end of the Old Mt. Rose Highway that terminated into the US Forest Service. Commissioner Horan stated there also seemed to be an access off of Mt. Rose as well. He wondered if that was a legitimate driveway.

Mr. Snelgrove stated that was the segment of this road, which used to be part of the Old Mt. Rose Highway and it had been reconfigured a number of times. He said it really served as a primary access to two lots. He explained the one lot at the very end was a road that basically stopped and went into the US Forest Service property and they were asking for an abandonment of part of that at the very top.

Chair Chvilicek stated this item would be continued to December 5, 2017. Mr. Webb stated no public comment would be taken at this time, but would be called at the December 5, 2017 meeting.

## **9. Chair and Commission Items**

**A.** For possible action, discussion and adoption, pursuant to NRS 278.050(2), of the proposed revised Rules, Policies and Procedures (RPPs) for the Planning Commission regarding the conduct of meetings, hearings, and appeals to the Board of County Commissioners, and governance matters such as quorum, voting, appointments to subcommittees and other bodies, record keeping, and the duties, responsibilities, and ethical rules for Planning Commission members, including amendments resulting in a full overhaul of the RPPs in order to streamline them and shorten them to substantially coincide with the structure of the RPP amendments adopted by the Board of Adjustment in 2016.

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Mr. Webb read the item into the record. Chair Chvilicek called for any disclosures. Hearing none, she called staff forward. Julee Olander, Planner, presented the Staff Report. She said Policy 5.06 addressed Planning Commission committees, to which they added some language. She said it originally addressed only the Design Review Committee and they recognized the Commission was also responsible for the Parcel Map Review Committee and the Regional Road Impact Technical Advisory Committee.

Chair Chvilicek opened up questions to the Commission. Mr. Webb stated there needed to be a coordination between the RPPs and the Agenda. He said Attachment C, Page 6, Item 3.04 regarding continued items. He said that the rule reads if the Commission determined to continue an item, the Chair should first ask if anyone in the audience wished to testify. He testified that previously, based on legal counsel, it was more prudent if the Planning Commission did not take public comment on a continued item. Consequently, that provision is now embedded in the agenda. He offered for consideration, the Planning Commission amend RPP 3.04 to remove that sentence and replace it with the sentence from the agenda.

Commissioner Bruce asked how they would know that the Commission had decided to continue an item if the Commission did not vote. Chair Chvilicek stated because it was a matter of public record and a matter of minutes and as legal counsel suggested, the word "may" was permissive and we demonstrated the item would be continued. Mr. Webb stated the Commission could clarify in the rule that "if the Chair or the Commission decided to continue an item", which might make it clear. Commissioner Bruce agreed with Mr. Webb's suggestion.

Commissioner Donshick asked for clarification from Mr. Webb regarding the suggested change. Mr. Webb suggested to change section 3.04 to read: The Commission may vote to grant a continuance on an agenda item upon request of a Commissioner, the Applicant or the Applicant's representative. If the Chair or Commission decides to continue an item, then public comment would not be heard for that item until the date of the continued hearing."

Commissioner Donshick said the Commission thought before that it would not hurt to have people speak because they may not be able to make the continued meeting. Mr. Webb said at a recent Planning Commission meeting an item was continued and a very long session of public comment ensued and there was nothing the Planning Commission could do. He thought it jeopardized the stance of the Commission to hear all the public comment and testimony before they could take action on the item and discuss it. He reiterated that if a person could not attend a meeting, there were other avenues for them to take to make sure their voice was heard.

DDA Edwards stated if someone could not make a meeting, there were two safeguards for the public. He said if people made comments at the first meeting and did not speak at the meeting where action would be taken, they may believe their comments would be taken into account, which might not happen because it could be continued a couple of months before action could be taken. He reminded the Commission people could also submit written comments. He noted if the Commission decided to leave it in, the agenda would be changed so the RPPs would match the agenda.

Commissioner Horan stated he agreed that it would put the Commission in jeopardy the way it was, but he did not think the language needed to be changed. If the Chair determined to continue an item, she could point out to the audience they would have an opportunity at the end of the meeting or could submit written comments for the continued meeting.

Chair Chvilicek called for a motion.

Vice Chair Chesney moved to adopt the Planning Commission's revised Rules, Policies and Procedures (RPPs) as shown in Amendment C with the noted change to 3.04 adding in the Chair or Commission could decide to continue an item and no public comment at the meeting. Commissioner Donschick seconded the motion, which carried unanimously.

**B.** For possible discussion and possible action by the Chair to solicit volunteers from the Planning Commissioners to serve on the Parcel Map Review Committee (PMRC), and to appoint one member to serve for the Planning Commission seat and one member to serve as the alternate to the PMRC. The PMRC is a subcommittee of the Planning Commission, as authorized in Washoe County Code Section 110.916.05, *Parcel Map Review Committee*.

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Mr. Webb read the item into the record. He said this would allow the Chair to solicit volunteers from the Planning Commission to serve on the Parcel Map Review Committee. He said there would be no action other than the Chair making the decision.

Chair Chvilicek said she was seeking volunteers as a member and an alternate to the Parcel Map Review Committee. She reported to the Commission that if there was not a quorum present at a PMRC meeting, that would constitute an automatic approval potentially without conditions. She described the rules and board responsibilities.

Vice Chair Chesney and Commissioner Lawson volunteered. Chair Chvilicek stated she would talk with the Commissioners and make her decision and let the Committee know.

**\*C. Future agenda items**

Chair Chvilicek stated she asked last month about the consideration of either a joint meeting or an informational only presentation regarding StoneGate. She would like staff to coordinate an informational presentation after the first of the year.

Vice Chair Chesney stated that StoneGate is under the influence of the City of Reno and he wondered what benefit this Commission would receive from an informational presentation. Chair Chvilicek stated she asked for it because of the impact to Washoe County residents.

Mr. Webb clarified that if scheduled, the presentation will be for information only, for questions by the Commission with no discussion and no action.

**\*D. Requests for information from staff.**

There were no requests.

**10. Director's and Legal Counsel's Items**

**\*A. Report on previous Planning Commission items**

Mr. Webb stated that Abandonment Case Number WAB17-0004 was in the new Staff Report template. He said if the Commission had any comments on the new Staff Report to let him or staff know. He stated WDCA17-0004, Care of the Infirm, would be heard by the Board of County

Commissioners (BCC) on November 14, 2017 with a second reading and possible adoption on December 12, 2017. He said WDCA17-0006, Minor Deviations, and WDCA17-0005, Administrative Permits, would be heard by the BCC on November 14, 2017 with the second reading and possible adoption on November 28, 2017. He said WDCA17-0002, Water Rights, would be heard by the BCC on November 14, 2017, with the second reading and possible adoption on December 12, 2017. He stated WDCA17-0003, Outdoor Entertainment, was being heard in a workshop setting that night, and those comments would be gathered and brought back to the Planning Commission on December 5, 2017.

Vice Chair Chesney stated he just read that NDOT had completed the engineering and planned to start construction on a traffic signal at the intersection at Calle de la Plata in the spring and complete it by the fall of 2018. He thought pressure from the Planning Commission had a lot to do with getting that done and he commended the Commissioners.

**\*B** Legal information and updates

DDA Edwards stated he had nothing to report.

**11. \*General Public Comment**

There was no response to the call for public comment.

**12. Adjournment**

**7:01pm** Commissioner Donshick moved to adjourn the meeting. Commissioner Horan seconded the motion, which carried unanimously.

Respectfully submitted,

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Katy Stark, Recording Secretary

Approved by Commission in session on December 5, 2017.

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Carl R. Webb, Jr., AICP  
Secretary to the Planning Commission