



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
Trevor Lloyd, Secretary

Tuesday, January 2, 2018
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, January 2, 2018, in the Washoe County Commission Chambers, 1001 East Ninth Street, Reno, Nevada.

1. *Determination of Quorum

Chair Chvilicek called the meeting to order at 6:31 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

Commissioners absent: None

Staff present: Trevor Lloyd, Secretary, Planning and Building
Roger D. Pelham, MPA, Senior Planner, Planning and Building
Eric Young, Senior Planner, 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 Donshick 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. *Public Comment

Chair Chvilicek opened Public Comment. Roger Edwards, 3405 War Paint Circle, stated his concerns regarding the City putting a fence across the highway and US 395 and no one could go down the road. He suggested that building 10,000 homes in Cold Springs and dumping those people onto US 395 was the same thing as building a fence across the highway. He said there were people from Golden Valley on the Regional Transportation Commission (RTC) boards, but that was not nearly the kind of voice this County should have. If they were going to put 10,000 new homes in Cold Springs the impact on US 395 North could not be described. He recommended the County have a voice on every project that was dumped onto a major arterial.

Chair Chvilicek closed public comment.

6. Approval of Agenda

In accordance with the Open Meeting Law, Commissioner Donshick moved to approve the agenda for the January 2, 2018, meeting as written. Vice Chair Chesney seconded the motion, which passed unanimously with a vote of seven for, none against.

7. Approval of December 5, 2017 Draft Minutes

Vice Chair Chesney moved to approve the minutes for the December 5, 2017, 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. Presentation on the StoneGate Master Plan and Zoning Map Amendment project located in the City of Reno (LDC17-00008 & LDC17-00009). A request has been made to establish a Planned Unit Development (PUD) on a site that is ±1,737.9 acres in size that includes ±5,000 residential units, associated public facilities, open space and nonresidential development. This request includes: 1) a Master Plan Amendment from ±1,034.93 acres of Industrial, ±238.19 acres of Unincorporated Transition, ±412.34 acres of Single Family Residential and ±52.44 acres of Urban Residential/Commercial to ±41.2 acres of Industrial, ±658.2 acres of Mixed Residential, ±215.2 acres of Urban Residential/Commercial, ±338.1 acres of Single Family Residential and ±485.2 acres of Parks/Recreation/Open Space; 2) a zoning map amendment from ±1,034.93 acres of Industrial Commercial (IC), ±118.59 acres of Unincorporated Transition-40 Acres (UT40), ±412.34 acres of Large Lot Residential - 1 acre (LLR1), ±52.44 acres of Arterial Commercial (AC), and ±119.6 acres of Open Space (OS) to Planned Unit Development (PUD); and 3) tentative approval of the associated PUD Handbook. Four parcels totaling ±1,378 acres in size are located southwest of the US-395/White Lake Parkway interchange, south of the US-395/Frontage Road and east of Sto Lat Lane. Two parcels totaling ±359.90 acres in size are located on the northwest side of the intersection of US-395 and White Lake Parkway. This request is considered a Project of Regional Significance for: (a) housing (exceeds 625 units), (b) traffic (exceeds 6,250 average daily trips), (c) water use (exceeds 625 acre feet per year), (d) sewage (exceeds 187,500 gallons per day), (e) student population (exceeds 325 students) and (f) employment (exceeds 938 employees). Angela Fuss, AICP, Planning Group Manager, Lumos & Associates. ***THIS IS AN INFORMATION ITEM ONLY.***

Secretary Lloyd read the item into the record.

Angela Fuss, Planning Group Manager with Lumos & Associates, provided an information-only presentation on the StoneGate project in the City of Reno. She went through her PowerPoint presentation and highlighted areas of interest including traffic, utilities, schools, open space, commercial and residential use and public services. She stated she would be happy to go in more detail with any of the Commissioners at a later date.

Chair Chvilicek asked if any of the Commissioners had any questions. Commissioner Lawson asked if there was a traffic report available for public review. Ms. Fuss stated there was and it was part of their submittal. Commissioner Lawson wondered if the traffic volume was predicated on a full buildout. He also wondered if they used the travel demand model and modified the TAZ with trip generations based on the development. Ms. Fuss said when they looked at existing zoning versus proposed, part of it was commercial and some was residential. She said they made some assumptions they could put similar sized buildings on the acreage they had, but that was in comparison to how much they set aside for parking, landscaping and drive aisles. Based on that, that gave them the square footage of the buildings then they converted that into how many vehicle miles traveled (VMT) for average daily trips (ADT) or peak hour trips. Commissioner Lawson said it sounded as if they used ITE trip generation tables rather than the TAZ model. Ms. Fuss stated she could not go into which version they used, but she would get him a copy of the traffic report. Commissioner Lawson said congestion close to the spaghetti bowl was sufficient to warrant improvements; however, those improvements would bring that level of service back up to barely operational. He found it hard to believe that the improvements existing in the Plan would accommodate 5,000 homes in the North Valleys. Ms. Fuss said when RTC looked at developments they did so on their most recent update, which was the 2040 RTP Plan. If someone came forward with a zone change or a tentative map, they would include that as part of their model moving forward and that helped set the parameters. When they told RTC they were coming forward with this Master Plan zone change they gave them the ultimate build-out for the next 20 years. She said to keep in mind most of this was internal, which meant US 395 was an NDOT road, so those models were different than RTC.

There was no action taken on this item.

9. Public Hearings

A. 1. Master Plan Amendment Case Number WMPA18-000X (Sun Valley Area Plan) – For possible action, hearing and discussion to initiate an amendment to the Washoe County Master Plan, Volume 2, Sun Valley Area Plan, at Policy SUN.1.2 to remove the sentence, “New single family detached residential, including mobile homes, will not be allowed within the DCMA.” If approved this amendment would allow new single family detached residential uses, including mobile homes, within the Downtown Character Management Area (DCMA) as identified on the Sun Valley Character Management Plan map.

AND

A.2. Development Code Amendment Case Number WDCA18-000X (Sun Valley Area Plan Modifiers) – For possible action, hearing, and discussion to initiate an amendment to Chapter 110 of the Washoe County Code (WCC) at 110.218.35(a) to remove “Neighborhood Commercial / Office” zoning from the areas in which mobile homes and manufactured homes are prohibited to be placed.

If the proposed amendments are initiated, to authorize the Chair to sign resolutions to that effect.

- Prepared by: Roger D. Pelham, MPA, Senior Planner

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Trevor Lloyd, Secretary, read the item into the record. Chair Chvilicek called for any disclosures. Hearing none she opened the public hearing. Roger Pelham, Senior Planner, presented the Staff Report.

Chair Chvilicek opened questions to the Commission. Vice Chair Chesney asked how many parcels were they talking about. Mr. Pelham responded there may be a couple hundred parcels. Vice Chair Chesney asked if those folks would be allowed to put in a single-family dwelling or a mobile home on Sun Valley Boulevard. Mr. Pelham stated all of the Downtown Character Management Area either fronted Sun Valley Boulevard or was one or two parcels back on either side.

Commissioner Horan said if the Planning Commission allowed this would it be like giving up. Mr. Pelham said they could only be approved with a Special Use Permit and that would allow staff to place conditions on the Permit, which could still bring up the visual aspect of Sun Valley Boulevard. Commissioner Horan asked what the conditions would be if they would allow a mobile home on the Boulevard. Mr. Pelham stated he would speculate things like screening and landscaping that would be similar to new commercial uses.

Commissioner Donshick said a lot of those lots had modular or single-family homes and for some reason the home was taken off and now they could not put a home there because of the regulations. Mr. Pelham stated that was correct.

Commissioner Horan wondered if these were people who bought the lot when it was empty and thought they could put something on it and then found out they could not. Mr. Pelham stated he recalled that exact situation in at least one case. He suspected that in other cases the person owned the underlying property for quite a long time and often would bring in their own manufactured home and then move it off to somewhere else. He explained often someone would own the land and someone else would own the dwelling on it.

Mr. Lloyd stated they also had situations where they could not take off the smaller unit and bring in a bigger one because of the non-conformance issue. They were limited to a 10 percent one-time expansion and this amendment would alleviate that concern.

Commissioner Donshick asked if the average size was a third of an acre. Mr. Pelham stated many of the parcels were a third of an acre because they used to be zoned Medium Density Suburban, which allowed three dwellings to an acre. Commissioner Donshick stated the thought was if someone wanted to do something commercial, they would have to buy several lots to build.

Commissioner Horan asked what the driving force was behind this requested change. Mr. Pelham stated the driving force was the number of people they had who had been unable to utilize their land in the way they would like to. He said there was enough that it had been identified as a problem. Mr. Lloyd said it may be a hard number to quantify, but most of the Planners had been in contact with someone who had this issue.

Chair Chvilicek called for public comment. Ron Bell, 109 Grumpy Lane, said he bought the property not knowing it was Neighborhood Commercial. At that time there was a double-wide mobile home there and he was told he could only put a single-wide on the property, then after a

year he was told he could not build. He was paying taxes like everyone else and was surrounded by manufactured homes and no one could improve their property. His lot sits empty and he paid just as much taxes as the owner next to him.

Chair Chvilicek closed public comment and brought questions back to the Commission. There were no questions. Chair Chvilicek called for a motion.

Vice Chair Chesney moved that after giving reasoned consideration to the information contained in the staff report, the Washoe County Planning Commission initiate the amendments to the Washoe County Master Plan, Volume 2, Sun Valley Area Plan, at Policy SUN.1.2 to remove the sentence, "New single family detached residential, including mobile homes, will not be allowed within the DCMA." And also initiate an amendment to the Washoe County Code (WCC) at 110.218.35(a) to remove "Neighborhood Commercial / Office" zoning from the areas in which mobile homes and manufactured homes are prohibited to be placed, as described in the staff report. He further moved to authorize the Chair to sign the attached resolutions. Commissioner Donshick seconded the motion, which carried unanimously with a vote of seven for, none against.

B. Development Code Amendment Case Number WDCA17-0003 (Outdoor Entertainment) – For possible action, hearing, and discussion:

(1) To amend Washoe County Code Chapter 110 (Development Code) within Article 302, *Allowed Uses*, to establish the regulatory zones wherein the Outdoor Entertainment and Livestock Events use types are permitted by right or by discretionary action; within Article 304, *Use Classification System*, to redefine the outdoor entertainment use type and to create and define the commercial recreation livestock events use type; and within Article 310, *Temporary Uses*, to ensure the description of temporary outdoor entertainment uses is consistent with Article 338, *Outdoor Entertainment*, and

(2) To create a new Article, Article 338 *Outdoor Entertainment*, to establish the processes, regulations and standards specific to establishing both temporary and permanent outdoor entertainment uses by expanding the definition of Outdoor Entertainment to include facilities and events for the assembly of 100 or more spectators and participants for any purpose in any outdoor location; to identify a wider range of typical outdoor entertainment activities; to establish permit application and review processes for minor, major, and temporary outdoor entertainment permits, to establish the thresholds to distinguish each permit type; to provide for certain exemptions for establishing the use type on Federal land; and to effect other items necessarily connected therewith and pertaining thereto; and, if approval is recommended, to authorize the Chair to sign a resolution that effect.

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Trevor Lloyd, Secretary, read the item into the record. Chair Chvilicek called for any disclosures. Commissioner Bruce stated he contacted Mr. Young after the first presentation to discuss this item. Commissioner Lawson said he had numerous discussions with the people he represented in District 2. DDA Edwards asked if Commissioner Lawson had made a commitment in a private capacity with members in the area he represented to vote one way or another. Commissioner Lawson stated he did not, he had only listened to their concerns. DDA Edwards questioned if

his discussions with those he represented would have any affect on his ability to be impartial. Commissioner Lawson stated it would not.

Eric Young, Senior Planner, presented the Staff Report. Chair Chvilicek opened up questions to the Commission. Vice Chair Chesney asked if this would affect a person who had a five-acre parcel with some grapes and wanted to hold a wine tasting on a weekend. Mr. Young said one of the questions regarding the outdoor entertainment use type was how private activities on private land occurred, such as weddings, reunions and parties. He clarified that if someone was inviting members of the public, then they would be subjected to this Code, which meant their zoning and size of the parcel became relevant. He said if they were just inviting friends and family, this Code would not apply.

Commissioner Lawson said he was impressed with the public workshop that was held. He said the people that attended commented to him how much they appreciated the opportunity to provide input. He knew this was a difficult process and he commended Mr. Young on the work he did, especially with respect to the fourth part of the review. He thought that was an excellent compromise.

Chair Chvilicek opened public comment. Chris Hoff, 1 E First Street, Executive Director Reno-Tahoe Open Foundation, said he was in support of the changes. He said he was present in 1999 when they did their very first outdoor festival application and as he looked at the process they had to go through almost 20 years later, by changing the Code and revising it to a Special Use or Administrative Use Permit would streamline the process, not only from the applicant's side but also from the staff's side. The success of his event relied on them following the conditions that were put in place by the different agencies and they hung their hat on a lot of the relationships they had with the County agencies. He said it was because of them that his event had seen so much success.

Terry Donshick, 9355 Wigwam Way, asked how this would affect the events that came to the Livestock Events Center. He wondered if it would put an extra cost on them. Mr. Young said this Code specifically exempted properties that were developed for the purpose for holding an event, plus the Livestock Event Center was located in the City of Reno and the Code only involved the unincorporated areas. Typically, the livestock events he spoke about were equestrian events for parcels in rural Washoe Valley, Warm Springs and Palomino Valley and were small in numbers. He said if an event was held at a Parks and Recreation facility or a facility that was already developed for a specific purpose then that group would not have to get a permit to do what they were developed to do.

Chair Chvilicek closed public comment and brought discussion back to the Commission. Commissioner Bruce said he had a problem with there being an option for no review. He felt a five-year required review process would eliminate public review and he thought there should be a requirement to step up and face the questions on a regular basis. He said he could not support this without there being some kind of a regular review on a periodic basis.

Commissioner Horan said he agreed; however, he thought it was important that as the Permits were granted they understood it was subject to review for a variety of reasons and it was not that they were entitled forever to hold their event. He said there should be some language in the Code that made that clear.

Commissioner Donshick asked if there would be something in the paperwork that would notify them what the triggers would be to cause a review. Mr. Young showed the Commission the new language that was inserted in to the Code and he read the language into the record. Commissioner Donshick stated that language did not hold any specifics. Mr. Young stated they

did not have specific thresholds or standards for required periodic review. He explained the specific purpose was to allow the Board of Adjustment or the BCC or the Director to look at each application individually and determine any action on a case-by-case basis. There may be times when a review would be minimal and there may be times when a review would be significant. He said staff's proposal and concept was that they got to make that decision each and every time.

Vice Chair Chesney said as he saw it, it could be complaint-driven as some events may be too noisy and someone could call and that could trigger a review. Mr. Young stated that was how it worked now and they anticipated that was how it would work in the future. He reminded the Commission of previous events and complaint-driven reviews and staff said if an event was not working they would hear about it.

Chair Chvilicek called for a motion.

Vice Chair 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 recommend approval of WDCA17-0003, to amend Washoe County Chapter 110 (Development Code) within Article 302, *Allowed Uses*; Article 304, *Use Classification System*; Article 310, *Temporary Uses*; and, Article 338, *Outdoor Entertainment*. He further moved to authorize the Chair to sign the resolution contained in Attachment A on behalf of the Washoe County 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). Commissioner Horan seconded the motion, which carried unanimously with Commissioner Bruce voting nay.

- 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;
- 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.

10. Chair and Commission Items

***A. Future agenda items.**

There were no future agenda items requested.

***B. Requests for information from staff.**

Vice Chair Chesney stated two years ago the BCC rejected a modification for the cargo container article and sent direction back to staff with four specific items. He asked for an update on the status of the cargo container Development Code amendment.

Commissioner Donshick requested development plans (approved but not yet built) for Sparks and the City of Reno. Mr. Lloyd said that Regional staff was working on a similar map or spreadsheet and he would see what was available.

11. Director's and Legal Counsel's Items

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

Mr. Lloyd said the WDCA17-0002, Water Rights, and WDCA17-004, Care of the Infirm, were adopted by the Board of County Commissioners (BCC) at their December 12, 2017, meeting. He noted staff brought to the Commission a possible time for the Reno-Stead Corridor Joint meeting with the Reno Planning Commission in February; however, that had been cancelled. The tentative date had not yet been rescheduled. He said the joint CAB-NAB scheduled for January 16, 2018, was still a go.

***B Legal information and updates**

DDA Edwards commended the Planning Commission for making a solid effort to stick to the agenda.

12. *General Public Comment

Chair Chvilicek opened public comment. Roger Edwards, 3405 War Paint Circle, said he was on the Planning Commission in 2010 when all of the Master Plans and Neighborhood Character Management Plans were being held. He said Sun Valley was described as the eye sore for Washoe County and regulations were placed after a lot of discussion. He said they wanted the houses and the lots right next to Sun Valley Boulevard to go to commercial because they did not have a lot of Neighborhood Commercial property in the County. He was amazed the Planning Commission did not point out to the earlier speaker what happened to his lot that he could not build on. He noted it had been put into a commercial lot and was now worth more than what it was when he bought it. He said the idea was to get a commercial face along that whole strip and there was really less than a couple dozen single mobile home lots that ended up right on Sun Valley Boulevard. He said the Planning Commission could have conditioned to have sound walls or landscaping to mitigate the impact. He said they tried to get the strip to be all commercial because of the development of Highland Park above the back of Sun Valley and they planned to turn those lots into non-mobile home lots. He said he was upset that after all the hard work the previous Planning Commission did, it was now changed. He thought this Planning Commission needed more background information as to why it was originally changed.

13. Adjournment

With no further business scheduled before the Planning Commission, the meeting adjourned at 8:14 p.m.

Respectfully submitted,

Katy Stark, Recording Secretary

Approved by Commission in session on February 6, 2018.

Trevor Lloyd
Secretary to the Planning Commission