



WASHOE COUNTY PLANNING COMMISSION Meeting Minutes

Planning Commission Members

Sarah Chvilicek, Vice Chair

Francine Donshick, Chair

R. Michael Flick

Daniel Lazzareschi

Kate S. Nelson

Rob Pierce

Patricia Phillips

Secretary

Trevor Lloyd

Monday, October 16, 2023

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 Monday, October 16, 2023, 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
R. Michael Flick
Daniel Lazzareschi – Vice Chair
Kate S. Nelson
Pat Phillips
Rob Pierce – Chair

Commissioners absent: Linda Kennedy

Staff present: Trevor Lloyd, Secretary, Planning and Building
Katherine Oakley, Planner, Planning and Building
Tim Evans, Planner, Planning and Building
Eric Young, Senior 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

Chair Pierce led the pledge to the flag.

3. Ethics Law Announcement

Deputy District Attorney Jennifer Gustafson provided the ethics procedure for disclosures and Zoom procedures for a hybrid meeting.

4. Appeal Procedure

Secretary 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:

Mr. Cliff Low asked that, should the Planning Commission (PC) approve the proposed amendments to the Development Code, they make a condition that the Planning Department complete more public outreach. While he felt the outreach for the Master Plan was reasonably good, he voiced concern about the engagement for the development plan. His understanding was the Development Code could still be changed with the approval of the PC and the Board of County Commissioners (BCC). He wanted any PC approval to include gathering feedback from committee members and citizen advisory boards before going to the BCC for approval.

Mr. Rich Bissett spoke about the Envision Washoe 2040's transportation chapter regarding electric vehicle (EV) chargers. He mentioned federal grant programs which were available for EV chargers and read from an article about the Biden administration's new EV program. More than \$2.5 billion would be made available to cities, counties, local governments, and tribes over the next five years with the goal of expanding EV infrastructure to underserved areas. He said everyone should have access to convenient and affordable electric driving.

Mr. William Naylor noted the Master Plan and the Development Code, though separate documents, would both create a new management plan for the County. Both would need to be implemented together, he said, to have a good, working master plan.

Via Zoom, Mr. Chris Bell of the Sierra Club praised the County for initiating Envision Washoe 2040, and he thanked the PC for allowing him to make public comment from overseas. He stressed the importance of implementing policies which could reduce carbon consumption, including greater utilization of clean energy. He encouraged the County to offer incentives for use of solar photovoltaic collection on warehouse rooftops in the County.

6. Approval of October 16, 2023, Agenda

Commissioner Donshick moved to approve the agenda for the October 16, 2023, meeting as written. Vice Chair Lazzareschi seconded the motion, **which passed with a vote of 6 for, 0 against, with Commissioner Kennedy absent.**

7. Approval of September 5, 2023, Draft Minutes

Vice Chair Lazzareschi moved to approve the minutes for the September 5, 2023, Planning Commission meeting as written. Commissioner Donshick seconded the motion, **which passed with a vote of 6 for, 0 against, with Commissioner Kennedy absent.**

8. Public Hearings

A. Master Plan Amendment Case Number WMPA23-0007 (Envision Washoe 2040) [For possible action] – For hearing, discussion, and possible action to adopt Envision Washoe 2040, a comprehensive update to the Washoe County Master Plan. If adopted, this plan would replace the existing Washoe County Master Plan—excluding the Tahoe Area Plan—and provide a contemporary vision for growth and development in Washoe County for the next 10-20 years. And, if approved, authorize the chair to sign a resolution to this effect. Any approval by the Planning Commission is subject to adoption by the Washoe County Board of County Commissioners and a finding of conformance with the Truckee Meadows Regional Plan by the regional planning authorities.

- Development Code: Authorized in Article 820, Amendment of Master Plan
- Commission District: All Districts
- Staff: Eric Young, Senior Planner; Kat Oakley, Planner
- Phone: Washoe County Community Services Department
- E-mail: Planning and Building

Senior Planner Eric Young stated the project had been ongoing for three years, and the decision was made then because the approach of incorporating 18 documents and 13 area plans was no longer efficient, accessible, or supported by a broad range of stakeholders. The Truckee Meadows Water Authority, along with other agencies, did not exist when the current Master Plan was adopted, so a change was needed.

Mr. Young remarked that the people he encountered during this process were passionate and bright, and they helped lay the groundwork for the proposal. He thanked everyone who engaged in the process, including earlier public commenters and other stakeholders. Their feedback provided insight into their concerns with growth. He acknowledged the critique that staff did not go far enough in their outreach, but he believed the proposal laid the groundwork for important work, such as future regional coordination. Many parties needed to work together to succeed, and the plan recognized the importance of a regional network of partners.

Mr. Young expressed excitement that the Sierra Club was present, and he emphasized that the plan incorporated more climate elements than were simply required. The plan included an element dedicated to the resiliency and adaptation, and the plan would provide a base from which the County could identify issues and create action plans to address them.

Mr. Young expressed pride at the amount of outreach staff engaged in, noting they used social media, email, and in-person engagement at existing events. He hoped they could participate in even more robust outreach in the future, as this process made staff reevaluate how they engaged with the public, not just for master plans, but also for special use permits or regulatory zone changes. He stated this outreach campaign was more comprehensive than anything staff had done before, and he anticipated building on that.

Melissa Ruth with Logan Simpson conducted a PowerPoint presentation and reviewed slides with the following titles: Agenda; Plan Structure; Plan Overview; Plan Jurisdiction; Plan Structure; Chapter 1 | Foundation; Plan Structure; Planning Areas; Chapter 2 | Vision (4 slides); and Chapter 3 | Implementation (2 slides); Plan Process + Public Engagement; Alignment with NRS...; and Public Engagement Process.

Ms. Ruth indicated the plan would set the stage for moving forward as a community over the next 20 years. She noted chapter 2 was the longest because it contained all the policies and

information regarding the planning areas. The five appendices, she continued, consisted of acronyms, a glossary, the plan audit, stakeholder interviews, and technical documents. She stated the code language was all moved into the proposed Development Code, allowing the area plans to focus on what was unique and important to each area.

Ms. Ruth said the process began by identifying current and past issues faced by the County, which enabled them to devise goals. Among the plans linked in chapter 2 were regional plans, agency plans, tribal plans, and regional transportation plans. She explained each planning area's information was distilled down to four to six pages, and the history and existing conditions sections for each focused on what affected growth, development, and land use patterns. The principles and policies sections were a little different for every area to reflect the uniqueness of each. She commented that the maps in the plan were simplified, but interactive maps could be accessed through the Washoe regional mapping system. She highlighted the emphasis placed in the plan on intergovernmental coordination.

Regarding the public engagement process, Ms. Ruth noted the steering committee was made up of internal agencies, such as Air Quality, the Regional Transportation Commission, and Regional Planning. The Technical Advisory Committee concentrated more on sustainability and engineering, while the Community Advisory Committee, which consisted of one member from each planning area, provided input on what impacted their communities.

Planner Kat Oakley continued the presentation by reviewing the Public Engagement – by the Numbers and Washoe County Public Engagement slides. She commented staff tried to engage with the community in ways they had never tried before, such as Spanish public outreach and attending community events. She believed the Master Plan was meant to articulate the vision of the whole community, both people who regularly engaged as well as those who rarely participated. She opined a plan not based on feedback from the community would be unstable.

Citing the number of meetings held over the previous two years, Ms. Ruth commented that staff had been available to receive the public's input, and the questionnaire devised to gather feedback was both important and unique.

Ms. Oakley concluded the presentation by reviewing the following slides: Guiding Principles & Fundamental Goals; Agency Collaboration; Draft Plan Outreach Series (2 slides); Upcoming Public Outreach & Next Steps; and Next Steps & Upcoming Events. She noted meetings were held with partner agencies not only to ensure the County's plan aligned with each of their goals, but to build relationships with them. She reviewed the upcoming schedule that would be followed if the Planning Commission (PC) approved the plan today.

Public Comment:

Ms. Pat Davison expressed her interest in increasing the supply of affordable housing for residents, and she felt more emphasis should be placed on actions associated with housing. She suggested that an annual master plan housing progress report be presented to the PC and the Board of County Commissioners beginning in the fall of 2024. This would send a stronger message about the County's commitment to develop a no-net-loss policy, incentivizing accessory dwelling units, and finding funding for workforce housing.

Ms. Bari Levinson, representing the Sierra Club, expressed appreciation for the inclusion of several sections in the plan, including one which provided landscaping standards to mitigate air pollution. She suggested moving away from gas-powered landscape equipment, which was an occupational hazard and a source of noise pollution. Another section of the plan that the club valued addressed alternative agriculture techniques. She expressed disappointment

at the lack of support for the electrification of all new buildings, further explaining the environmental impacts caused by building operations. She added that moving toward electric infrastructure would result in lower construction costs.

Mr. Robert Lissner, representing Lifestyle Homes, said they had built 3,600 affordable homes in Washoe County. He addressed criticism of the plan by arguing that the plan would not drive up the cost to build affordable housing. Additionally, it did not forbid the construction of homes, so he was generally pleased with the plan. He conceded he had not read it in its entirety, but he described the plan as efficient and clear, and he urged the PC to support it. He hoped there would be no significant changes before it was implemented, and he hoped he would be considered as someone with standing.

Mr. Rich Bissett was called but opted not to speak.

Mr. Cliff Low stated he had no issues with the changes made to conform to statutory requirements or other agency plans, but he questioned whether any changes of substance had been made to the area plans.

Community Services Director Dave Solaro thanked Mr. Young, Ms. Oakley, and Ms. Ruth for their work on this plan. He further expressed his gratitude to members from all the committees established for this project, as well as members of the public who participated. He believed the planning process showed how staff could engage with the community.

Mr. Art O'Connor displayed a copy of the current South Valleys Area Plan, expressing confusion that the current Master Plan contained a 10-page version of the area plan versus the full 60-page version. He said the new plan, at 90 pages, contained graphics, and he opined it was simpler and better organized than the old plan. He expressed support for the plan.

Ms. Rose Wolterbeek expressed support for the new plan, saying she appreciated the co-governance involved with its creation. She noted the process involved staff, community members, and parents. She expressed appreciation that factors such as open space, parks, and signage were considered, and she urged the PC to approve it as is, adding it could be updated in the future.

Via Zoom, Mr. Dave Snelgrove, representing Mt. Rose – Ski Tahoe, explained his participation in the process. He noted many of the policies which impacted the Mt. Rose Resort Scenic Area had been transferred to the Development Code, though he expressed support for the changes that had been made. He remarked that an email was sent to staff pointing out minor reference changes which needed changing. He appreciated the hard work of staff.

Ms. Pamela Roberts expressed appreciation on Zoom for Mr. Young's extensive engagement efforts in the Warm Springs area. She expressed concern about the removal of the special plan area's comprehensive development plan guidelines, which she understood would be replaced by Development Code Amendments. She felt there had not been adequate public outreach about this.

Discussion by Commission:

Commissioner Donshick congratulated staff on the job they did and for their outreach.

Commissioner Phillips echoed those congratulations.

Chair Pierce thanked staff for the time spent on the plan, adding they should be rewarded for

their public engagement process. He read a section in the report aloud, specifying he believed focus should be placed on the long-term preservation of the character of each area. He clarified the Master Plan was not intended to act as a law; it was a guide for strategic planning.

Commissioner Flick added his congratulations, noting that some of the community's desires – affordable housing and tree canopies, for example – were contradictory, so a balancing act was needed. He expressed relief that the Master Plan was not a law, as there were not sufficient power plants to power all the electric needs. He pointed out the plan did not detail how it would be funded, and he stated that growth had to be balanced with the infrastructure needed to handle that growth.

Commissioner Donshick remarked this was a living document that would be open to updates.

MOTION: Commissioner Donshick moved that the resolution contained at Attachment A to the staff report to initiate and adopt an amendment to the Master Plan as set forth in Master Plan Amendment Case Number WMPA23-0007 be adopted, having made at least three of the five findings set forth in Washoe County Code Section 110.820.15(d) and the sixth finding related to military installations. She further moved that the resolution and the proposed Master Plan Amendments in WMPA23-0007 be certified as set forth in the staff report for submission to the Washoe County Board of County Commissioners, and that the Chair be authorized to sign the resolution on behalf of the Planning Commission.

Commissioner Flick seconded the motion, which passed with a vote of 6 for, 0 against, with Commissioner Kennedy absent.

- B. Development Code Amendment Case Number WDCA23-0002 (Envision Washoe 2040) [For possible action]** – For hearing, discussion and possible action to initiate an amendment and approve a resolution to amend: Washoe County Code Chapter 110 (Development Code) by adding various sections and maps to multiple articles within Divisions two, three, four and eight, in order to transfer existing regulatory language found in the 2010 Washoe County Master Plan to the development code as part of a comprehensive update to the master plan (Envision Washoe 2040). The following articles have been amended by adding new sections thereto: Article 204 Forest Area to add sections related to Matera Ridge Community Modifiers, Mt. Rose Scenic Highway Commercial Modifiers, Mt. Rose Resort Services Area, and Specific Plans; article 206 High Desert area to add sections related to temporary residential development, Squaw Valley Reservoir Community Modifiers, Downtown Gerlach Community Modifiers, and Specific Plans; Article 208 North Valleys area to add sections related to Avigation Easements, Golden Valley Community Modifiers, Lemmon Valley Community Modifiers, and Specific Plans; Article 210 South Valleys area to add sections related to Old Washoe City Community Modifiers, development standards and allowed uses, and Steamboat Valley Community Modifiers, development standards and allowed uses; Article 212 Southeast Truckee Meadows area to add a section related to public access easements in the Virginia range; Article 216 Spanish Springs area to add sections related to western theme design standards, business park design standards, Specific Plans, the Spanish Springs Airport, and allowable uses in the Spanish Springs planning area; Article 218 Sun Valley area to add sections related to Downtown Sun Valley Design and Development Standards, and specific plans; Article 226 Warm Springs area to add sections related to export of native water resources and Palomino Valley Community Modifiers; Article 302 allowed uses to add a section related to diesel power generation; Article 340 Industrial Performance Standards to add sections related to building design and air quality; Article 406 Building Placement Standards to add a section related to common open space

fences; Article 820 Amendment of Master Plan to add a section related to administrative amendments; and Articles 204, 206, 208, 210, 216, 218 and 226 for the addition of planning area community maps; and all matters necessarily connected therewith and pertaining thereto.

If the proposed amendments are initiated, the Planning Commission may recommend approval of the proposed 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: Eric Young, Senior Planner; Kat Oakley, Planner
Washoe County Community Services Department
Planning and Building
- Phone: Eric: 775.328.3613; Kat: 775.328.3628
- E-mail: eyoung@washoecounty.gov;
koakley@washoecounty.gov

Senior Planner Eric Young conducted a PowerPoint presentation and reviewed slides with the following titles: Proposed Amendments; Modifiers; Regulation of Uses; Building Placement Standards; Administrative Amendments; Findings of Fact; and Possible Motion.

Mr. Young noted this item was a companion piece to the Master Plan Amendment that was just approved. The purpose of this amendment was to remove the code language currently contained in the Master Plan and properly locate it in the Development Code; updating the Master Plan could not be done without this. He noted much of the public comment was directed at the Development Code Amendments because they were viewed by the public as their protections. He indicated there was a division dedicated to modifying the development regulations in each planning area to better fit each one's unique situation. Many of these modifiers, he continued, should have been included in the Development Code from the beginning rather than in the area plans.

Mr. Young indicated the consulting team reviewed the entire Master Plan, identifying all portions of it that contained language which belonged in the code. Some things they found belonged not just to an individual area but should be applied to everyone in the County. Staff then reviewed the audit to confirm whether that language was being implemented as code language. He provided examples of area plan standards which pertained specifically to individual areas, saying they moved all universally applied conditions to the Development Code. He explained the numbering system used in updating the code.

Mr. Young stated staff attempted to cut and paste as much language as possible rather than changing the rules, despite there being many requests to do so. Changing the rules, he remarked, would require a specific community review, and that was not part of this process. He said fonts were changed and some introductory language was modified to include only code language, but no substantive changes that would require community feedback were made. He indicated some existing area plan policies were transferred to the code, including building design and air quality standards which appeared in many different area plans.

The addition of hyperlinks to the plan, Mr. Young went on, required additional language that

outlined when the plan would need to be modified in the future and when it would not; staff worked with the District Attorney's office on language to that effect. While only one finding needed to be made to approve the item, he believed all four findings could be made. He acknowledged criticism from the public about not demonstrating to the community that staff made no changes, though he stressed it had been communicated from the beginning that that would not be part of the process. He respected the members of the public who believed they should have been included at the end of the revisions. He said staff fulfilled their promise not to make any changes, and all the protections that had existed in the area plans still existed in the Development Code.

Public Comment:

Mr. Art O'Connor was called but opted not to speak.

Mr. Bob Lissner stated he was on the Technical Advisory Committee for Envision Washoe 2040, and his company Lifestyle Homes was a stakeholder. He expressed surprise about the Development Code Amendment, but he had no issues if nothing was changed. However, he brought up the regulation about fencing in common areas, saying he felt that needed to be reviewed if it was a change. His main concern was the ability to build affordable homes.

Via Zoom, Ms. Pamela Roberts spoke about the Warm Springs Specific Plan Area, noting that nobody had found it to be financially feasible to develop that land. She recalled that Washoe County removed the financing plan from the Warm Springs Specific Plan Development Standards Handbook Framework, a document which provided protections for the people who lived there. She hoped a Commissioner would ask Mr. Young to confirm that the handbook framework had not been removed, because she believed the Development Code alone did not adequately address some of the residents' concerns.

Mr. Dave Snelgrove appreciated that the Master Plan was described as a guiding document, and that much of the development language was transferred to the code. He referenced an email he sent to staff, hoping the correction to the overall area of the Mt. Rose Resort Service Area that he suggested would be reflected. He supported moving the development standards.

Discussion by Commission:

Vice Chair Lazzareschi thanked Mr. Young for clarifying that staff did not make any changes to the language.

In response to a previous commenter's remarks, Chair Pierce asked whether any alterations had been made to the Warm Springs Area Plan.

Mr. Young said staff had met with the Warm Springs community to determine what they liked about the design standards, and he was somewhat surprised to discover they relied on that document when purchasing property there. While the specific plan was being dissolved, all the design standards were being transferred to the Development Code to be adopted as code, not merely guidelines.

Commissioner Phillips asked staff to address the concerns of certain members of the public about what could be done once this was approved.

Mr. Young agreed the Development Code was the area where community members had concerns because it was the law. He noted the code was also easier to amend, and through this process staff discovered the need for certain amendments to the Development Code. He encouraged anyone with development amendment ideas to apply for them, which would be a

better process for managing both the Master Plan and the Development Code.

MOTION: Vice Chair Lazzareschi moved that WDCA23-0002, amending Washoe County Chapter 110 (Development Code) within Articles 204, 206, 208, 210, 212, 216, 218, 226, 302, 340, 406, and 820 be approved, as reflected in the proposed ordinance contained in Exhibit A-1. He further moved that the Chair be authorized to sign the resolution contained in 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 recommendation for approval is based on all of the four findings within Washoe County Code Section 110.818.15(e).

Commissioner Donshick seconded the motion, which passed with a vote of 6 for, 0 against with Commissioner Kennedy absent.

7:51 p.m. The Commission recessed.

8:01 p.m. The Commission reconvened with Commissioner Kennedy absent.

C. Abandonment Case Number WAB23-0005 and Abandonment Case Number WAB23-0006 (Sierra Vista Roadway and Slope & Drainage Abandonment) [For possible action] – For hearing, discussion, and possible action to approve: (1) an abandonment of Washoe County’s interest in a 60 ft. roadway, public utility and cable television easement through APN 080-635-01 and a 30 foot wide portion of a roadway, public utility and cable television easement through APN 552-210-07; and (2) an abandonment of Washoe County’s interest in a ±4.37 acre drainage and slope easement located within portions of APN 080-635-01, 552-210-07 and 080-730-21 recorded July 10, 1980. Both abandonment requests are located within the boundaries of the Sierra Vista Tentative Subdivision Map (WTM18-001).

- Applicant: KDH Builders
- Property Owner: JC Sierra Vista LLC
- Location: Southern terminus of E. Patrician Drive, ± 60 ft. south of Nicia Street
- APN: 080-635-01, 552-210-07 & 080-730-21
- Parcel Size: 13.59 & 43.01
- Master Plan: Suburban Residential/Rural
- Regulatory Zone: Medium Density Suburban/General Rural
- Area Plan: North Valleys
- Development Code: Authorized in Article 806, Vacations and Abandonments of Easements or Streets
- Commission District: 5 – Commissioner Herman
- Staff: Trevor Lloyd, Planning Manager
- Phone: Washoe County Community Services Department
- E-mail: Planning and Building

Planning Manager Trevor Lloyd conducted a PowerPoint presentation and reviewed slides with the following titles: Vicinity Map; Request; Evaluation for Roadway Abandonment; Site Plan; Temporary Access Easement Site Plan; Evaluation for Slope and Drainage Abandonment; Site Plan of Proposed Drainage...; Reviewing Agencies; Public Notice; Findings; Motion for WAB23-0005; and Motion for WAB23-0006.

Mr. Lloyd explained the easement must be abandoned before construction of the approved lots can begin. He reminded the Commission that their purview was to consider the merits of the proposed abandonment, not to relitigate the existing approved tentative map.

Karen Downs with Manhard Consulting conducted a PowerPoint presentation and reviewed slides with the following titles: Project Location; Background; Land Use; Application – Request; Area of Abandonment; Application Request; and Area of Abandonment.

Ms. Downs noted both requested abandonments fell within the tentative map area. She confirmed the applicant provided a temporary access plan to the County to ensure access would be provided throughout construction, and the conditions of approval ensured that access would be in place with the final map. Regarding the second abandonment request, it was part of a previous design that was never constructed, and it was for construction, maintenance, and repair of drainage facilities that did not exist.

Commissioner Flick inquired about how much their design exceeded the minimum requirements for drainage.

Ms. Downs replied she was unsure of how much, but she knew it exceeded the standards for a 100-year flood event.

Public Comment:

Ms. Dana Bain expressed concern about the lack of communication for this project, her ability to access her home since her driveway is on that easement, and drainage. Additionally, while she had the means to maintain her driveway, she did not know where she would be able to put any snow that would need to be removed. She noted the Truckee Meadows Water Authority (TMWA) would need to be able to access their water tank on her property.

Mr. Darin Nelson stated Patrician Drive was the access road to cell towers and a water tank. He displayed a map, expressing confusion about how he would be able to access his property, and he indicated TMWA employees and cell tower workers needed to access their equipment. He wondered whether a traffic study had been conducted. He brought up the steep slopes surrounding the easement which resulted in the road becoming impassable during heavy rains. He requested a traffic light at Patrician Drive and Lemmon Drive, as well as a solution for the drainage issue.

Mr. Steven LeCam echoed the prior concerns about traffic on Patrician Drive and taking that road out of service could compromise Lemmon Valley's infrastructure, particularly if there were an accident on U.S. 395. He disagreed with the comments made during the presentation about existing infrastructure for drainage and said a second retention pond would be needed or Palace Road would flood. He added he was a retired employee of the Washoe County Building Department.

Mr. Mike Johnson felt there would be problems if traffic was not allowed to flow through the area. He did not believe a traffic study had been performed and opined that approving this item would be a mistake.

Ms. Chantel Magill noted the easement was alongside her property. She expressed concern about the construction already taking place which did not allow utility companies to access a utility pole without jumping over a curb. Internet issues resulting from this construction were already a problem, which were directly impacting her ability to be a nurse. Without Patrician Drive, she continued, there was no egress from Lemmon Valley in the event of an accident

on the highway. She urged the Board to consider these issues.

Mr. Bob Wosick displayed a map, explaining that four parcel owners in the area maintained the dirt road several times in the winter, and additional drainage would be problematic. He expressed concern about property values if people did not have access to Lemmon Valley, impacts to his business, and the indirect route by which children in the area would have to take to attend school. He felt the proposed drainage would be ineffective, and he said he received no notice of this project.

Ms. Mary Johnson agreed removing access to Patrician Drive would be problematic, and Kess Way was a dead end. She spoke about taking Patrician Drive when accidents made Lemmon Drive impassable. She concurred that people in the area were not notified of this, and one woman had left three messages for the County but received no response. She stated Patrician Drive encountered significant traffic even though it was a dirt road, and she hoped the Commission would consider the safety impacts of closing off Patrician Drive.

Ms. Meghan Wosick expressed concern about ingress and egress to her neighborhood by a small access road. She emphasized concerns about traffic and snow removal. She urged the Commission to deny the proposal so she would be able to get out of her house, which she said she sold everything they had to build it.

Discussion by Commission:

Regarding the no adverse effect finding, Commissioner Phillips stated this easement was essential for residents' ingress and egress.

Commissioner Flick asked whether these residents were landlocked.

Mr. Lloyd referred to the presentation and showed where the temporary access would be constructed, which would need to be recorded and built before the current easement could be constructed. He was unaware of the duration for the temporary easement.

Commissioner Flick questioned what would happen after construction of the new easement.

Mr. Lloyd confirmed the new easement would need to be constructed before the temporary easement was removed, and the roadway would be improved to County standards before approval.

Commissioner Flick asked about the ultimate location of the final easement.

Mr. Lloyd displayed a graphic from the presentation and said the developer would be required to ensure that access was perpetuated through the property to Lemmon Drive. No residents would be landlocked, though he conceded they could be inconvenienced at times.

Commissioner Flick asked Mr. Lloyd to address drainage concerns.

Mr. Lloyd pointed out this item was about the abandonment of an easement, though he anticipated plans that would significantly improve drainage at the site with the completion of the tentative map. That drainage would be based on a 100-year flood.

Commissioner Flick requested more information about whether the final easement would be on top of existing drainage structures.

Ms. Downs indicated the basic site plan demonstrated the major hydrological features, and the hydrology reports had been reviewed and were ready to be approved by staff. She

reviewed the drainage plans for water to flow from a system of ponds, through another pond, then out to the north. She anticipated some water would be conveyed to curb-and-gutter system on the streets. The system was designed to handle more than the water currently generated. She reiterated that access to the cul-de-sac would not be cut off.

A discussion ensued where Ms. Downs clarified both proposed changes to the existing easement, the improvements made to the same, and the drainage plan.

Chair Pierce queried Ms. Downs about whether Patrician Drive would ever be inaccessible to homeowners.

Ms. Downs confirmed it would never be inaccessible because the temporary access road would be available during construction, and that would only be removed once the final easement was completed.

Chair Pierce encouraged Ms. Downs to reach out to individual homeowners who had expressed concerns about access to their property.

Commissioner Nelson inquired about curb-and-gutter drainage at the cul-de-sac.

Ms. Downs affirmed there would be drainage, but she did not have the plans in front of her.

Acknowledging that it was not part of this item, Commissioner Donshick sought confirmation that all roads would be brought up to County standards.

Ms. Downs provided that confirmation, adding that traffic impacts were analyzed with the project approval.

In response to Vice Chair Lazzareschi's query, Mr. Lloyd replied he did not include a grey portion of road as part of the abandonment in the presentation, but it should have been as it would be a publicly recorded private access easement.

Commissioner Donshick pointed out the issue at hand was the abandonment only, not the final map or many of the issues raised during this item.

MOTION: Commissioner Donshick moved that Abandonment Case Number WAB23-0005 for JC Sierra Vista 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. She further moved that Abandonment Case Number WAB23-0006 for JC Sierra Vista 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 Nelson seconded the motion, which passed with a vote of 6 for, 0 against with Commissioner Kennedy absent.

- D. Amendment of Conditions Case Number WAC23-0012 (Apple) – [For possible action]** – For hearing, discussion, and possible action to approve an amendment of conditions for Special Use Permit Case Number WSUP18-0010 to remove the 3-year time limit for the issuance of building permits for the first phase of construction of the Sunol Substation and instead provide a 10-year time limit for the issuance of building permits for all phases of construction. The approved project consists of a 300 MW substation, switching station, transmission lines, and associated equipment.

- Applicant: Apple, Inc.
- Location: 21505 Reno Technology Park West, Reno, NV 89434
- APN: 084-110-20; 084-110-29; and 084-191-07
- Parcel Size: 120 acres, 345.23 acres, and 147.28 acres
- Master Plan: Rural, Industrial, Commercial
- Regulatory Zone: Industrial (I), General Rural (GR), and General Commercial (GC)
- Area Plan: Truckee Canyon
- Development Code: Authorized in Article 810, Special Use Permit
- Commission District: 4 – Commissioner Andriola
- Staff: Tim Evans, Planner
- Phone: Washoe County Community Services Department
- E-mail: Planning and Building

Planner Tim Evans conducted a PowerPoint presentation and reviewed slides with the following titles: Background; Request; Reviewing Agencies; Public Notice; Findings; and Possible Motion. He noted the applicant was available on Zoom to answer any questions.

Commissioner Flick asked who came up with the 10-year time limit.

Mr. Evans explained the time limit had been included in the special use permit years ago. The three-year time limit was originally for the first phase for the substation, but the entire project had a 10-year time limit.

Commissioner Nelson asked what would trigger the start of the 10-year limit.

Mr. Evans explained it was 10 years from the original date of approval, which was in 2018.

Public Comment:

There was no response to the call for public comment.

Discussion by Commission:

Vice Chair Lazzareschi noted other developers built through the COVID-19 pandemic, and he felt it was disingenuous that the pandemic was the only reason given for this applicant to not follow the three-year condition.

MOTION: Vice Chair Lazzareschi moved that Amendment of Conditions Case Number WAC23-0012 for Apple, Inc. be approved with the amended Conditions of Approval included as Exhibit A to this matter, having made all five findings in accordance with Washoe County Code Section 110.810.30.

Commissioner Donshick seconded the motion, which passed with a vote of 6 for, 0 against with Commissioner Kennedy absent.

9. Chair and Commission Items

A. Future agenda items

There were no agenda items.

B. Requests for information from staff

There were no requests for information.

10. Director's and Legal Counsel's Items

A. Report on previous Planning Commission items

Secretary Trevor Lloyd noted the Learner-Lemmon Master Plan and Regulatory Zone Amendment item was approved at the October 10, 2023, Board of County Commissioners' meeting, and the applicant submitted an application which should come before the Planning Commission in December or January.

B. Legal information and updates

There were no legal updates.

11. *General Public Comment and Discussion Thereof

There was no response to the call for public comment.

12. Adjournment

With no further business scheduled before the Planning Commission, the meeting adjourned at 8:58 p.m.

Respectfully submitted by Derek Sonderfan, Independent Contractor.

Approved by Commission in session on November 7, 2023

Trevor Lloyd

Trevor Lloyd

Secretary to the Planning Commission