



Community Development

"Dedicated to Excellence in Public Service"

Adrian P. Freund, FAICP, Community Development Director
Nathan Edwards, Legal Counsel



Washoe County Planning Commission
Dian A. VanderWell, Chair
Neal Cobb, Vice Chair
Roger M. Edwards

Vaughn Hartung
Roy H. Hibdon
William Weber

AGENDA

MEETING OF

WASHOE COUNTY PLANNING COMMISSION

Washoe County Commission Chambers

1001 East Ninth Street, Reno, Nevada

Tuesday, October 6, 2009

THE FOLLOWING TIME LIMITS ARE TO BE OBSERVED:

15 minutes for staff presentation

15 minutes for applicant presentation

3 minutes for individual testimony

5 minutes for testimony from a representative of a group

At the discretion of the Chair, additional time may be provided to any party if the request is made at least 24 hours in advance of the meeting start time.

**** Please be prepared to provide a copy of exhibits displayed. ****

6:30 p.m. **DETERMINATION OF QUORUM**

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF MINUTES

September 1, 2009

PUBLIC COMMENT (Limited to items not on this agenda; three-minute time limit, however the Commission reserves the right to reduce this three-minute time limit, as well as limit the total time for public comment. The same applies to public testimony on each agenda item.)

Agendas and staff reports are posted to the Washoe County website at www.washoecounty.us/comdev/, on Friday, four days prior to the meeting. To access the agenda and staff reports, choose **Boards and Commissions**, click on the **Planning Commission**, then **Agendas, Staff Reports, Minutes and Roster**.

Notes: Items on the agenda without a time designation may not necessarily be considered in the order in which they appear. The Commission may take action on any of the items listed.

Facilities in which this meeting is being held are accessible to the disabled. Persons with disabilities who require special accommodations or assistance (e.g. sign language interpreters or assisted listening devices) at the meeting should notify the Washoe County Department of Community Development, at 328-3600, 24 hours prior to the meeting.

In accordance with NRS 241.020, this agenda closes three (3) days prior to the meeting date. Only items of interest and not requiring Commission action may be added to the agenda within the three-day period. This agenda has been posted at the following locations: Washoe County Administration Building (1001 E. 9th Street), Washoe County Clerk's Office-Courthouse (Court and Virginia Streets), Washoe County Library (301 South Center Street), and Sparks Justice Court (630 Greenbrae Drive).

Post Office Box 11130, Reno, NV 89520-0027 – 1001 E. Ninth St., Reno, NV 89512

Telephone: 775.328.3600 – Fax: 775.328.6133

www.washoecounty.us/comdev/

"Your Community Development Department"

**CONSIDER AND ADOPT A RESOLUTION COMMENDING MICHAEL A. HARPER,
FAICP, FOR HIS SERVICE TO WASHOE COUNTY**

CONSENT ITEMS

A. RESOLUTION INITIATING A DEVELOPMENT CODE AMENDMENT (ARTICLE 302, ALLOWED USES, AND ARTICLE 304, USE CLASSIFICATION SYSTEM)

– Resolution to initiate a Development Code Amendment to update various sections within Article 302 (Allowed Uses) and Article 304 (Use Classification System) of the Development Code, to address shortcomings that have been identified including: Table 302.05.1 to allow attached accessory dwellings in the General Rural regulatory zone; Table 302.05.3 to require special use permits instead of administrative permits to approve commercial stables in the Low, Medium and High Density Rural, Tourist Commercial, Parks and Recreation, and General Rural regulatory zones; Table 302.05.3 and Section 304.25 to create a new use for senior continuum of care facilities; Table 302.05.5 to allow Agricultural Sales subject to a special use permit in the Medium and High Density Rural and the Low Density Suburban regulatory zones; Section 304.35(c) to add “aquaculture” to the definition of “Animal Production”; Section 304.25(d)(5) and 304.30(d)(3) and 304.30(f) to add storage of manufactured homes to the typical uses of “Equipment Repair and Sales,” “General Industrial – Heavy” and “Inoperable Vehicle Storage”; Section 304.20(k) to add “private not for profit” ownership to the definition of “Parks and Recreation” use type; Section 304.35(c) to include a reference to the North American Industry Classification System when a use type is not clearly identified in Code; Section 304.25(d)(7) to remove “car and truck rental lots” from the typical uses specified for Automotive and Equipment, Storage of Operable Vehicles” use type; Section 304.25 to require all permanent commercial uses to construct a commercial structure; and other beneficial changes as may be identified during the public in-put process and properly related to the efficient administration of Articles 302 and 304 of the Development Code.

Staff Representative: Roger Pelham, MPA, Senior Planner, 775.328.3622

B. RESOLUTION INITIATING A DEVELOPMENT CODE AMENDMENT (ARTICLE 324, COMMUNICATION FACILITIES)

– Resolution to initiate a Development Code Amendment to various sections within Article 324 (Communication Facilities) of the Development Code. The amendment shall include the modification of Sections 324.60(b), Administrative Review of Application; and 324.60(c), Public Notice Required, and other beneficial changes as may be identified during the public input process and properly related to the efficient administration of Article 324 of the Development Code.

Staff Representative: Trevor Lloyd, Senior Planner, 775.328.3620

PLANNING ITEMS

PROJECT REVIEW ITEMS

OTHER ITEMS

CHAIR AND COMMISSION ITEMS (Unless otherwise listed with a topic description, this portion of the agenda is limited to announcements, discussion of items proposed for action at future meetings, and reports on planning issues and/or activities of organizations in which individual members may be involved.)

- a. Report on Previous Planning Commission Items
- b. Rules, Policies and Procedures – Review and possibly adopt revised Planning Commission Rules, Policies and Procedures.
- c. Washoe County Department of Community Development overview.
- d. Planning Commission e-mail address update.

DIRECTOR'S ITEMS (Unless otherwise listed with a topic description, this portion of the agenda is limited to announcements, discussion of items proposed for action at future meetings, and reports on planning issues and/or activities of organizations in which individual members may be involved.)

ADJOURNMENT



Community Development

"Dedicated to Excellence in Public Service"

Adrian P. Freund, FAICP, Community Development Director
Nathan Edwards, Legal Counsel



Washoe County Planning Commission
Dian A. VanderWell, Chair
Neal Cobb, Vice Chair
Vaughn Hartung

Roger M. Edwards
Roy H. Hibdon
Keith Lockard
William Weber

WASHOE COUNTY PLANNING COMMISSION MINUTES

September 1, 2009

The Washoe County Planning Commission met in regular session on Tuesday, September 1, 2009, in the Washoe County Commission Chambers, 1001 East Ninth Street, Reno, Nevada.

DETERMINATION OF QUORUM

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

Commissioners present: Dian A. VanderWell, Chair
Neal Cobb, Vice Chair
Roger M. Edwards
Roy Hibdon
Vaughn Hartung
William Weber

Commissioners absent: Keith Lockard

Staff present: Kimberly H. Robinson, Planning Manager, Community Development
Roger Pelham, Senior Planner, Community Development
Eva Krause, Planner, Community Development
Nathan Edwards, Deputy District Attorney (arrived at 6:35 p.m.)
Dawn Spinola, Recording Secretary, Community Development

PLEDGE OF ALLEGIANCE

Commissioner Hibdon led the pledge to the flag.

APPROVAL OF AGENDA

In accordance with the Open Meeting Law, Commissioner Hartung moved to approve the agenda for the September 1, 2009, meeting. Commissioner Cobb seconded the motion, which passed unanimously.

APPROVAL OF MINUTES

Commissioner Hibdon moved to approve the minutes of July 7, 2009, as written. Commissioner Cobb seconded the motion which carried unanimously.

Commissioner Hibdon moved to approve the minutes of August 4, 2009, as written. Commissioner Cobb seconded the motion which passed by a vote of 5 to 0, Commissioner Hartung abstaining.

PUBLIC COMMENTS

Jeff Church discussed alleged potential construction and zoning irregularities of improvements located at 15100 Fawn Lane and requested an investigation. He provided copies of his comments to the secretary for distribution to the Commissioners. Mr. Church showed photographs via the overhead camera but did not provide copies to the Commissioners. He closed by noting the property belonged to Commissioner Weber.

Chair VanderWell requested Mr. Church provide a copy of his presentation for public record and Ms. Robinson clarified it was a requirement. Mr. Church stated he would provide copies within the next day or two and Deputy District Attorney (DDA) Edwards accepted this as a compromise. (Mr. Church provided copies of photographs to the secretary the next morning.)

CONSENT ITEMS

- A. EXTENSION OF TIME REQUEST FOR TENTATIVE SUBDIVISION MAP CASE NO. TM02-004 FOR DONOVAN RANCH (SHADOW RIDGE) - To extend for two (2) years, until October 5, 2011, the approval of the remaining 306 lots of the original Tentative Subdivision Map for Donovan Ranch, now known as Shadow Ridge. The original request was to develop a 390-lot single-family subdivision with common open space as authorized in Article 608, Tentative Subdivision Maps, and Article 408 Common Open Space Development of the Washoe County Development Code. The project has approximately ±206.32 acres of common open space, and ±31.61 acres of street area and lot sizes will range from 13,000 square feet to 61,000 square feet, with an average lot size of 16,990 square feet. The project is located approximately one-half (½) mile north of the intersection of Calle de La Plata and Pyramid Highway (SR 445), on the east side of Pyramid Hwy, just to the south and across from the Rocky Ridge intersection. The subject parcel is designated Specific Plan (SP) on the Spanish Springs Area Plan Map, with ±544 acres having a land use of General Rural (GR) until development occurs, at which time the parcels being developed will be designated Low Density Suburban (LDS) and Open Space (OS) under the SSSP. The project site is situated in portions of Sections 24 & 19, T21N, R21E, MDM, Washoe County, Nevada. The property is located in the Spanish Springs Citizen Advisory Board boundary and Washoe County Commission District No. 5. (Original APNs 076-401-26, 27, 28, 30, 35 and portions of 32, 33, 34, and 36; Current APNs 534-450-05, 534-450-06, 534-450-09, 534-450-10, 534-450-12, and 534-450-13)

Commissioner Hibdon moved to approve the Consent Item. The motion was seconded by Commissioner Hartung and passed unanimously.

Chair VanderWell opened the floor for public comment. Receiving no requests, she closed the public hearing.

PROJECT REVIEW ITEMS:

Chair VanderWell polled the Committee members and asked DDA Edwards if abbreviated presentations were acceptable for the three abandonments on the project review portion of the agenda. DDA Edwards stated that was acceptable, as was a block vote, as long as the public was offered the opportunity to speak on an item if they wished to do so. Commissioners Weber and Hartung moved to approve and DDA Edwards explained a procedural motion was not necessary. Chair VanderWell opened the public hearing for all three items.

AGENDA ITEM 1

PUBLIC HEARING: ABANDONMENT CASE NO. AB09-005 (SAMANTHA HALL) - To abandon approximately 7 square feet of a 15-foot walkway and utility easement as authorized in Section 110.806 of the Washoe County Development Code. The abandonment of a portion of the easement is required to finalize a boundary line adjustment between the Tyrolian Village Association and Samantha Hall. The project is located in Tyrolian Village approximately 400 feet north of the intersection of Tirol Drive and Styria Way, at 1322 Tirol Drive, Incline Village. The ±15.8-acre parcel is part of the Tyrolian Village common open space and is designated as High Density Suburban (HDS) in the Tahoe Area Plan, and is situated in a portion of Section 14, T16N, R18E, MDM, Washoe County, Nevada. The property is located in the Incline Village/Crystal Bay Citizen Advisory Board boundary and Washoe County Commission District No. 1. (APN 126-420-12)

Ms. Krause reviewed the staff report dated August 17, 2009.

AGENDA ITEM 2

PUBLIC HEARING: ABANDONMENT CASE NO. AB09-006 (FRITZ, MILEGICH, & FILIPOWICZ) - To abandon a 33-foot wide government access and utility easement encumbering three contiguous parcels along the west, north and east sides of the parcels, as shown on Parcels A, B, and C of recorded Parcel Map 4493, as authorized by Article 806 of the Washoe County Development Code. The subject parcels are located at 105, 155, and 205 Desatoya Court, on the south side of Arrowcreek Parkway. The subject parcels are designated Low Density Suburban (LDS) in the Southwest Truckee Meadows Area Plan, and are situated in a portion of Section 30, T18N, R20E, MDM, Washoe County, Nevada. The property is located in the Southwest Truckee Meadows Citizen Advisory Board boundary and Washoe County Commission District No. 2. (APN 142-250-11, 142-250-10, and 142-250-12)

Mr. Pelham reviewed the staff report dated August 20, 2009.

AGENDA ITEM 3

PUBLIC HEARING: ABANDONMENT CASE NO. AB09-007 (ALDRICH EVANS LIVING TRUST) – To abandon a portion of a 30-foot access easement on along the eastern property line of assessors parcel number 041-051-56 as authorized in Article 806 of the Washoe County Development Code. The project is located at 4245 Woodchuck Circle, approximately 500 feet west of its intersection with Bear Mountain Place. The ±3.24-acre parcel is designated Low Density Suburban (LDS) and Public and Semi-Public Facilities (PSP) in the Southwest Truckee Meadows Area Plan, and is situated in a portion of Section 19, T19N, R19E, MDM, Washoe

County, Nevada. The property is located in the Verdi Township/West Truckee Meadows Citizen Advisory Board boundary and Washoe County Commission District No. 1. (APN 041-051-56)

Mr. Pelham reviewed the staff report dated August 20, 2009.

Chair VanderWell closed the public hearing.

Commissioner Hartung moved to approve Abandonment Case No. AB09-005. The motion was seconded by Commissioner Weber and passed unanimously.

The motion was based on the following findings:

1. Comprehensive Plan. That the abandonment or vacation is consistent with the policies, action programs, standards and maps of the Comprehensive Plan and the applicable area plans;
2. No Detriment. The existing walkway and stairs will not be impacted by the proposed reduction of easement width that the abandonment or vacation does not result in a material injury to the public;
3. Existing Easements. That existing public utility easements in the area shall remain and continue to provide needed service; and
4. Reasoned Consideration. That the Planning Commissioners gave reasoned consideration to the information contained within the staff report and information received during the meeting.

Commissioner Weber moved to approve Abandonment Case No. AB09-006. The motion was seconded by Commissioner Hartung and passed unanimously.

The motion was based on the following findings:

1. Comprehensive Plan. That the abandonment or vacation is consistent with the policies, action programs, standards and maps of the Comprehensive Plan and the Southwest Truckee Meadows Area Plan;
2. No Detriment. That the abandonment or vacation does not result in a material injury to the public;
3. Existing Easements. That existing public utility easements in the area to be abandoned or vacated can be reasonably relocated to provide similar or enhanced service; and
4. Reasoned Consideration. That the Planning Commissioners gave reasoned consideration to the information contained within the staff report and information received during the meeting.

Commissioner Cobb moved to approve Abandonment Case No. AB09-007. The motion was seconded by Commissioner Edwards and passed unanimously.

The motion was based on the following findings:

1. Comprehensive Plan. That the abandonment or vacation is consistent with the policies, action programs, standards and maps of the Comprehensive Plan and the Southwest Truckee Meadows area plan;
2. No Detriment. That the abandonment or vacation does not result in a material injury to the public;
3. Existing Easements. That existing public utility easements in the area shall remain and continue to provide needed service; and
4. Reasoned Consideration. That the Planning Commissioners gave reasoned consideration to the information contained within the staff report and information received during the meeting.

OTHER ITEMS

None

CHAIR AND COMMISSION ITEMS

Ms. Robinson stated the Truckee Meadows Regional Planning Governing Board approved two amendments to the Reno-Stead Corridor Joint Plan on August 12, 2009. Further discussion at that meeting established the necessity for Reno and Washoe County planning staffs to review the plan and discuss any amendments the plan may require. One meeting had occurred so far.

DIRECTOR'S ITEMS

Ms. Robinson reported staff is working with Washoe County Technology Services to see if county e-mail addresses can be obtained for the Commissioners and should have an answer by the October meeting.

She then noted the Rules, Policies and Procedures manual will be on the October agenda for approval and that the commissioner's identification badges were finished.

Ms. Robinson verified Commissioner Lockard had resigned from the Planning Commission. As a result, the Regional Transportation Commission (RTC) had requested a replacement volunteer for the Regional Road Impact Fees Technical Advisory Committee. Commissioner Hartung volunteered; Commissioner Weber volunteered to act as a backup.

Her final item for the Commissioners was that it is now departmental policy that private property owner requests will no longer be included in area plan updates.

Commissioner Cobb requested status information regarding the one-map, two-map system. Ms. Robinson explained a joint meeting would be scheduled for the Planning Commission and the Board of County Commissioners to show the progress of the project as well as to provide additional information regarding the private property owner's requests as a new policy for the department.

DDA Edwards explained, at the close of Mr. Church's remarks, when he was instructed to provide his presentation for the public record, it appeared he was not willing to release the original. He felt the speaker's agreement to provide copies was acceptable as the discussion was at an impasse. He pointed out for the record the pictures shown by the speaker were not handed out to, or individually provided to, the commissioners, only shown on the overhead. He reiterated for the record the speaker had agreed to provide copies in the next day or two.

Commissioner Weber noted Mr. Church had indicated he had measured the improvements located at 15100 Fawn Lane. He asked Counsel how these measurements would be obtained as they were located on private property and perhaps he had obtained a search warrant. DDA Edwards noted a search warrant would be for a search by a government entity only and he did not know how Mr. Church had obtained the information.

ADJOURNMENT

Since there was no further business to come before the Planning Commission, the meeting adjourned at 6:55 p.m.

Respectfully submitted,

Dawn Spinola, Recording Secretary

Approved by Commission in session on _____, 2009.

Adrian P. Freund, FAICP
Secretary to the Planning Commission



RESOLUTION
IN APPRECIATION OF SERVICE
MICHAEL A. HARPER, FAICP

WHEREAS, Michael A. Harper, FAICP, retired from Washoe County on May 8, 2009, with over 29 years of continuous service to Washoe County in a variety of positions within Community Development; and

WHEREAS, Michael started his career with Washoe County on February 25, 1980 as a Planner II with the Washoe County Department of Regional Planning; and

WHEREAS, Michael quickly advanced to Planner III; and then to Assistant Director with the transformation of the department from the Department of Regional Planning to the Department of Comprehensive Planning in 1981; and

WHEREAS, Michael took on the challenge of Director of the Department of Development Review in 1990; subsequently meeting the call for his talents as Special Projects Manager and then Planning Manager for the Advanced Planning Program, with an interim role as Planning Manager for the Current Planning Program, with the now named Department of Community Development; and

WHEREAS, Michael received his certification as a member of the American Institute of Certified Planners in 1988, with further renowned recognition as a Fellow in 2004; and

WHEREAS, Michael was a dedicated educator of his peers, appointed officials and elected officials for the better understanding of Nevada Revised Statutes pertaining to land use planning in our state ; and

WHEREAS, Michael was a steadfast promoter of the importance of the planning profession in Nevada and nationwide; and

WHEREAS, Michael managed to survive, with his dignity in-tact, the hideous office fashions of the 80s; and

WHEREAS, Michael should be wary of any alleyway race challenges; and

WHEREAS, Michael led by example, encouraging staff to think for themselves, discuss issues with one another, and envision creative and intelligent solutions; and

WHEREAS, Michael was a reliable source of guidance and support for staff facing difficult situations; and

WHEREAS, Michael was a strong supporter of continuing education and made a concerted effort to provide a budget for staff to participate in training and conference opportunities to better themselves and the department; and

WHEREAS, Michael realized the importance of self and family, always encouraging staff to keep themselves and their family as a priority in life over work; and

WHEREAS, Michael was compassionate and genuine; and encouraged everyone to give his or her best in all aspects of life; and

WHEREAS, Michael felt a responsibility to support staff and recognized that even when that meant providing constructive criticism, it was done in a private, respectful and tactful way; and

WHEREAS, Michael has been an inspiration to other planners, consistently exhibiting the very highest level of professionalism and work ethic; and

WHEREAS, Michael has left his mark on Washoe County through achievements that are too many to completely list, and he will be sorely missed as a colleague and as a friend; and

THEREFORE, BE IT RESOLVED, that the Washoe County Board of County Commissioners, the Planning Commission and the Board of Adjustment acknowledge **Michael A. Harper's** contributions to Washoe County in his over 29 years of service with the County and his over 32 years as a planning professional; and

BE IT FURTHER RESOLVED, that the County Commission, the Planning Commission and the Board of Adjustment sincerely wish him all the best in his retirement and any future endeavors he may pursue.

ADOPTED this ____ of _____, 2009, by the Washoe County Board of County Commissioners, this ____ day of _____, 2009 by the Washoe County Planning Commission, and this ____ day of _____, 2009 by the Washoe County Board of Adjustment.

Chair, Washoe County Board of County
Commissioners

ATTEST: _____
Washoe County Clerk

Chair, Washoe County Planning Commission

Chair, Washoe County Board of Adjustment

ATTEST: _____
Director of Community Development



Community Development

"Dedicated to Excellence in Public Service"

Adrian P. Freund, FAICP, Community Development Director



Agenda Item No: **A (10/6/2009)**

Staff Recommendation: **ADOPT A RESOLUTION**

**WASHOE COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT
STAFF REPORT**

To: Washoe County Planning Commission

Re: Resolution to initiate a Development Code Amendment to update various sections within Article 302 (Allowed Uses) and Article 304 (Use Classification System) of the Development Code, to address shortcomings that have been identified including: Table 302.05.1 to allow attached accessory dwellings in the General Rural regulatory zone; Table 302.05.3 to require special use permits instead of administrative permits to approve commercial stables in the Low, Medium and High Density Rural, Tourist Commercial, Parks and Recreation, and General Rural regulatory zones; Table 302.05.3 and Section 304.25 to create a new use for senior continuum of care facilities; Table 302.05.5 to allow Agricultural Sales subject to a special use permit in the Medium and High Density Rural and the Low Density Suburban regulatory zones; Section 304.35(c) to add "aquaculture" to the definition of "Animal Production"; Section 304.25(d)(5) and 304.30(d)(3) and 304.30(f) to add storage of manufactured homes to the typical uses of "Equipment Repair and Sales," "General Industrial – Heavy" and "Inoperable Vehicle Storage"; Section 304.20(k) to add "private not for profit" ownership to the definition of "Parks and Recreation" use type; Section 304.35(c) to include a reference to the North American Industry Classification System when a use type is not clearly identified in Code; Section 304.25(d)(7) to remove "car and truck rental lots" from the typical uses specified for Automotive and Equipment, Storage of Operable Vehicles" use type; Section 304.25 to require all permanent commercial uses to construct a commercial structure; and other beneficial changes as may be identified during the public in-put process and properly related to the efficient administration of Articles 302 and 304 of the Development Code.

Date: September 15, 2009

Prepared By: Roger D. Pelham, MPA, Senior Planner

GENERAL INFORMATION SUMMARY

Applicant: Washoe County Department of Community Development

Request: To adopt a Resolution to initiate a Development Code Amendment to update various sections within Article 302 (Allowed Uses) and Article 304 (Use Classification System) of the Development Code, to address

shortcomings that have been identified including: Table 302.05.1 to allow attached accessory dwellings in the General Rural regulatory zone; Table 302.05.3 to require special use permits instead of administrative permits to approve commercial stables in the Low, Medium and High Density Rural, Tourist Commercial, Parks and Recreation, and General Rural regulatory zones; Table 302.05.3 and Section 304.25 to create a new use for senior continuum of care facilities; Table 302.05.5 to allow Agricultural Sales subject to a special use permit in the Medium and High Density Rural and the Low Density Suburban regulatory zones; Section 304.35(c) to add "aquaculture" to the definition of "Animal Production"; Section 304.25(d)(5) and 304.30(d)(3) and 304.30(f) to add storage of manufactured homes to the typical uses of "Equipment Repair and Sales," "General Industrial – Heavy" and "Inoperable Vehicle Storage"; Section 304.20(k) to add "private not for profit" ownership to the definition of "Parks and Recreation" use type; Section 304.35(c) to include a reference to the North American Industry Classification System when a use type is not clearly identified in Code; Section 304.25(d)(7) to remove "car and truck rental lots" from the typical uses specified for Automotive and Equipment, Storage of Operable Vehicles" use type; Section 304.25 to require all permanent commercial uses to construct a commercial structure; and other beneficial changes as may be identified during the public in-put process and properly related to the efficient administration of Articles 302 and 304 of the Development Code.

ISSUES

- The Director of the Department of Community Development has made many interpretations on use that have been utilized as addendum to the Development Code since its adoption. Interpretations, by themselves, do not carry the force of law and, therefore, must eventually be either incorporated into the Development Code or removed as interpretations. This amendment would seek to incorporate those interpretations, as relevant, in Articles 302 and 304;
- Many uses have been brought to staff for a determination of use classification which were not anticipated uses when the Development Code was written. Examples include such uses as "continuum of care facilities," "aquaculture," "not-for-profit private recreational facilities" and others;
- Some uses that are typically very benign, such as Detached Accessory Dwellings require special use permits, while other more potentially onerous uses, such as commercial stables, require only administrative permits. This amendment will align discretionary approvals with the intensity of the uses, for specific use types; and
- Staff believes a comprehensive review of Articles 302 and 304 is timely, based on the length of time since the adoption of the Development Code in 1992 and the lack of a major review of these Articles since the Code was adopted.

RECOMMENDATION/FINDINGS

Staff recommends adoption of the attached Resolution. The following motion is offered for the Planning Commission's consideration:

"I move to adopt the attached Initiating Resolution relating to Article 302, Allowed Uses; and Article 304, Use Classification System, based upon the information presented in the staff report, written testimony and the testimony received during this meeting. I further move to authorize the Chair to sign the resolution on behalf of the Commission."

ANALYSIS

Community Development staff believes that focused amendments to the Development Code Articles governing Allowed Uses and Use Classification is appropriate at this time. Staff cannot, however, independently initiate amendments to the Development Code. This power rests with the Planning Commission or the Washoe County Commission. Washoe County Code (WCC) section 110.818.05(a) requires the Planning Commission to initiate such amendments through resolution.

Should the Planning Commission decide to initiate the amendment, then staff will follow the process outlined within Article 818, Amendment of Development Code. This process includes notice to all County Citizen Advisory Boards, review by appropriate County agencies, and a return to the Planning Commission at a future meeting for a public hearing. At the scheduled public hearing, the Planning Commission may either recommend approval of the proposed amendments through resolution or deny the request. A recommendation for approval will result in staff scheduling a first and second reading of the amendments before the Washoe County Commission.

AUTHORITY

Nevada Revised Statutes, Chapter 278; Washoe County Development Code, Article 818

Encl.: Resolution

XC: David Childs, Assistant County Manager; Kimberly H. Robinson, Planning Manager, Community Planning Services; Bob Webb, Planning Manager, Community Support Services; Chairs of the Citizen Advisory Boards



RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

**INITIATING AN AMENDMENT TO THE WASHOE COUNTY DEVELOPMENT CODE
AT ARTICLES 302 AND 304**

Resolution Number 09-__

Whereas the Washoe County Development Code requires that amendments to the Code be initiated by resolution of the Washoe County Planning Commission; and

Whereas the Washoe County Planning Commission received a report on October 6, 2009, concerning potential amendments to Article 302, *Allowed Uses*, and Article 304, *Use Classification System*; and

Whereas such amendments would focus on incorporating previous Director Interpretations and aligning discretionary approvals with the intensity of the uses, for specific use types;

Now, therefore, be it resolved that pursuant to Washoe County Code Chapter 110.818.05(a) that an amendment is initiated to the Washoe County Development Code involving Articles 302 and 304 as set forth in the agenda for the October 6, 2009 meeting of the Washoe County Planning Commission, that a public hearing with this Planning Commission on the amendment shall be held within 125 days of this resolution's adoption date, and that this amendment is initiated without prejudice to its final disposition.

ADOPTED on October 6, 2009.

WASHOE COUNTY PLANNING COMMISSION

ATTEST:

Adrian P. Freund, FAICP, Secretary

Dian A. VanderWell, Chairman

RECOMMENDATION/FINDINGS

Staff recommends adopting the attached Resolution. The following motion is offered for the Planning Commission's consideration:

"I move to adopt the attached Initiating Resolution relating to Article 324, Communication Facilities, based upon the information presented in the staff report, written testimony and the testimony received during this meeting. I further move to authorize the Chair to sign the resolution on behalf of the Commission."

ANALYSIS

Community Development staff believes that focused amendments to the Development Code Articles governing Allowed Uses and Use Classification is appropriate at this time. Staff cannot, however, independently initiate amendments to the Development Code. This power rests with the Planning Commission or the Washoe County Commission. Washoe County Code (WCC) section 110.818.05(a) requires the Planning Commission to initiate such amendments through resolution.

Should the Planning Commission decide to initiate the amendment, then staff will follow the process outlined within Article 818, Amendment of Development Code. This process includes notice to all County Citizen Advisory Boards, review by appropriate County agencies, and a return to the Planning Commission at a future meeting for a public hearing. At the scheduled public hearing, the Planning Commission may either recommend approval of the proposed amendments through resolution or deny the request. A recommendation for approval will result in staff scheduling a first and second reading of the amendments before the Washoe County Commission.

AUTHORITY

Nevada Revised Statutes, Chapter 278; Washoe County Development Code, Article 818

Encl.: Resolution

XC: David Childs, Assistant County Manager; Kimberly H. Robinson, Planning Manager, Community Planning Services; Bob Webb, Planning Manager, Community Support Services; Chairs of the Citizen Advisory Boards



RESOLUTION OF THE WASHOE COUNTY PLANNING COMMISSION

**INITIATING AN AMENDMENT TO THE WASHOE COUNTY DEVELOPMENT CODE
AT ARTICLE 324**

Resolution Number 09-__

Whereas the Washoe County Development Code requires that amendments to the Code be initiated by resolution of the Washoe County Planning Commission; and

Whereas the Washoe County Planning Commission received a report on October 6, 2009, concerning potential amendments to Article 324, *Communication Facilities*; and

Whereas such amendments would improve the efficiency of processing wireless communication facility permits and reduce administrative costs;

Now, therefore, be it resolved that pursuant to Washoe County Code Chapter 110.818.05(a) that an amendment is initiated to the Washoe County Development Code involving Article 324 as set forth in the agenda for the October 6, 2009 meeting of the Washoe County Planning Commission, that a public hearing with this Planning Commission on the amendment shall be held within 125 days of this resolution's adoption date, and that this amendment is initiated without prejudice to its final disposition.

ADOPTED on October 6, 2009.

WASHOE COUNTY PLANNING COMMISSION

ATTEST:

Adrian P. Freund, FAICP, Secretary

Dian A. VanderWell, Chairman

Washoe County Planning Commission

RULES, POLICIES AND PROCEDURES

September 25, 2009

GENERAL POLICIES

Commission Determines Rules, Policies and Procedures

The Washoe County Planning Commission, under State statute and by Washoe County code, has the responsibility for adopting long-range plans; recommending development code amendments; and approving, when authorized, development applications for the unincorporated portions of the County. In the furtherance of these responsibilities, the Planning Commission adopts the following rules, policies and procedures and from time to time may amend said rules, policies and procedures.

Duties and Responsibilities

POLICY

- Members of the Commission shall keep themselves informed on planning laws, policies, procedures and trends in planning practice.
- The seven Commission members shall represent the best interests of unincorporated Washoe County.
- Commissioners shall endeavor to provide questions on agenda items to the Planning Managers of the Department of Community Development a minimum of 24 hours prior to the meeting on which the agenda item is scheduled.

RULE

- Members shall be prompt and diligent in attendance.
- Failure of a member to attend 3 successive regular meetings, or miss more than 25% of scheduled meetings annually, will be reported to the Board of County Commissioners and said absences may be considered justifiable cause for replacement.

Prejudicial Actions - Commissioners

POLICY

- Members shall be discreet in the discussion of pending matters outside noticed meetings of the Commission, and shall make no commitments or prejudicial comments in advance of official action. A pending matter may be an item to be reviewed and acted upon by the Commission, or may be a matter that, in the opinion of the Commissioner, may result in being considered by the Commission in the near future.
- Commissioners are urged to refer potential applicant's inquiries to the staff of the Department of Community Development.
- Members shall endeavor to be as completely informed as possible on each matter to be considered by the Commission. Inspections by Commission members to acquaint themselves with the site and nature of the application and unplanned contact with the

applicant or interested parties to the application may constitute ex parte contact (contact outside a noticed meeting). Commission members should, when feasible, follow the procedures enumerated below when unplanned ex parte contact occurs.

- Members shall endeavor to avoid ex parte contact with interested parties on matters pending before the Commission, unless such contact can be arranged for the Commission as a whole.
- When ex parte contact is initiated by an interested party to an application before the Commission, the contacted Commissioner shall recommend that the interested party not proceed with the conversation, but rather present any information to the full Commission by either attending and testifying at the meeting or by providing written comments to the staff for distribution to the full Commission.

RULE

- Ex parte contact shall not automatically result in the disqualification of a contacted Commissioner from discussion and voting on an item under consideration by the Commission.
- Commissioners shall notify the staff/commission of said contact, shall declare that contact occurred and the nature of the contact at the meeting when the matter is being discussed by the Commission, and shall offer the other members of the Commission the opportunity to comment on the information provided during the ex parte contact.
- Any member who has a financial interest in any matter under discussion by the Commission shall abstain from any deliberation or vote on the matter and shall excuse him/herself from the meeting room until the matter has been dispensed with by the Commission. A financial interest means any ownership interest, either directly, through a household member, or through a relative by blood or marriage of the third degree, in a specific parcel of property under consideration for a comprehensive plan amendment that would result in a change of land use, division of land, special exception, or other similar matter. A financial interest shall also include any business relationship with an applicant for one of the above whereby any income of a member is received.
- Any member who is a noticed property owner in any matter under discussion by the Commission, or who cannot clearly discuss, deliberate and vote on a particular matter without bias, shall abstain from any discussion of the subject and from voting thereon as a member of the Commission.
- None of the above shall preclude any member from discussing or voting on any master plan or amendment that only involves policy unless that participation and vote would result in a financial gain or loss for the member. The above also does not preclude any member from being considered as part of the quorum necessary for taking action in any matter.
- In the event that a Commissioner is an applicant in any matter, such member can excuse him/herself from the Commission and join the audience to state his case. After the hearing is closed, the Commissioner, who is also the applicant and has stated his/her own case, shall leave the room during Commission discussion, deliberation and vote on the matter in which he/she has an interest.

Ethical Principles for Planning

POLICY

- The Commission has adopted the American Planning Association's Ethical Principles in Planning (appended to the Rules, Policies and Procedures) as the guiding principles for the conduct of Commission members.

Expectations of the Planning Commission and of the Public

POLICY

- The Commission has adopted a set of expectation that enumerate what the public should expect of the Commission members and what the Commission members expect of the public. These expectations are included with these Rules, Policies and Procedures and shall be displayed at each noticed meeting of the Commission.

QUORUM AND VOTING

Number of Commissioners Required to Conduct Business

1. For general matters of business a quorum of the Commission shall be four members.
2. For a matter requiring a two-thirds vote as required by state statute, not less than two-thirds of the membership of the Commission (5 members) must be present.
3. Unless otherwise prohibited by law, in the case of a vacancy on the Commission, the number of members required pursuant to the above shall be reduced accordingly based on the number of vacancies on the Commission.

Voting

1. For the purpose of adopting a master plan or an amendment, not less than 5 Commissioners must be in attendance and vote to take action on said motion. In the event that the 5 minimum required members of the Commission are not present, the item shall be scheduled for the next appropriate regular meeting. Actions requiring a minimum two-thirds vote for approval as specified in the Washoe County Development Code shall mean 5 votes of the 7 potential votes. Unless otherwise prohibited by law, a reduction will be allowed if vacancies exist on the Planning Commission.
2. An affirmative vote by a majority of the Commissioners present is required to approve all other matters unless otherwise provided by law.
3. The Chair shall be a voting member.
4. The Chair may call for, or a Commissioner may request, a roll call vote on any issue.
5. A tie vote on a matter shall mean that the motion has failed. If an affirmative vote for approval cannot be obtained, the tie vote shall constitute a denial of the agenda item. In the event of a tie vote, the applicant shall be given the opportunity to request a continuance of the matter to a next scheduled meeting, or accept the tie vote as a vote for denial.
6. In the absence of a legally recognized conflict of interest as provided by law, particularly NRS chapter 281A, a vote to abstain shall be considered a vote in favor of the prevailing motion made and passed by the planning commission.

MEETINGS

General

1. Except in an emergency, written notice of all meetings will be given at least 3 working days prior to the meeting excluding the day of the meeting in accordance with Nevada Revised Statutes. The written notice of the meeting will consist of an agenda that shall include date, time, and location of the meeting; the items to be considered for action and no action; and an offer to accommodate persons with special needs as prescribed in Nevada Revised Statutes.
 - a. A copy of the agenda will be posted at the Department of Community Development Office and in at least 3 other separate prominent places within the County readily available to the public.
 - b. The agenda will include the following statements: "In accordance with NRS 241.020, this agenda closes three (3) days prior to the meeting date. Facilities in which this meeting is being held are accessible to the disabled. Persons with disabilities who require special accommodations or assistance (e.g., sign language interpreters or assisted listening devices) at the meeting should notify the Washoe County Department of Community Development, at 328-3600, 24 hours prior to the meeting. Ten copies must be provided of any written or graphic material submitted as an exhibit to an agenda item; and any written or graphic material, including e-mails, more than 1 page in length as an exhibit to an agenda item and submitted 6 days or less prior to the Planning Commission meeting on which the agenda item is to be acted on may not be considered by the Commissioners in their deliberations on the scheduled item. "
 - c. A person requesting agendas of the Commission's meetings will be advised that the request will lapse after 6 months unless continuance is requested in writing.
2. Regular and called meetings of the Commission shall be open to the public.
3. Commission meeting information should be mailed with the U.S. Postal Service or digitally provided to each Commissioner at least 7 calendar days in advance of the meeting date, or hand-delivered at least 5 calendar days in advance of the meeting date.
4. All meetings of the Commission will be held in accordance with the Open Meeting Law of the State of Nevada.
5. Robert's Rules of Order, as amended, shall be used for guidance for Commission meeting procedures when a question or controversy arises.

Caucus Meetings

The Commission shall only hold a caucus meeting prior to any regularly scheduled, or special, Commission meeting at the call of the Chair.

The caucus meeting and agenda shall be limited to questions by the Commission on agenda items, any new information that affects an agenda item and direction to staff to present new or alternative policy or condition language for an agenda item at the meeting at which action may be taken. Public comment on agenda and non-agenda items shall be accepted at a caucus meeting.

Regular Meetings

The first Tuesday of each month is the regular meeting day. Generally, each even numbered month meeting should be reserved for purposes of reviewing and acting on planning policy, comprehensive plan amendments that are not applications for parcel specific land use changes, development code amendments, and conducting planning workshops. Generally, each odd numbered month meeting should be reserved for purposes of reviewing and acting on development applications (including comprehensive plan amendments for parcel specific land use changes). Should the first Tuesday of the month fall on a holiday, or interfere with a special event using the facilities of the county complex, the meeting shall be held on an alternate date as determined by the Commission.

Special Meetings

Special meetings may be held, as required, upon call of the Chair or Acting Chair, or upon the call of not less than 3 Commission members.

Emergencies

1. An emergency meeting may be called or an emergency item may be added to any regular or special meeting when unforeseen circumstances require action and include, but are not limited to:
 - a. Disasters caused by fire, flood, earthquake, or other natural causes; or
 - b. Any impairment of the health and safety of the public.
2. Before proceeding with any emergency meeting or considering any emergency item, the Commission must, by the affirmative vote of a majority of the Commissioners present, find that an emergency exists and specify the reasons after receiving advice from the Commission's counsel.

Continued Items

1. It shall be at the sole discretion of the Commission to grant a continuance on an agenda item. If the Commission decides to continue an item, the Chair shall first ask if anyone in the audience wishes to testify on the matter even though it may be continued to another date, time and location certain.
2. Should an item appearing on an agenda be continued to another specified place, date and time, and a Commission member is absent from the first meeting but present for the next meeting for which the item is scheduled, the absent Commission member shall make himself/herself knowledgeable with the minutes and tapes of the first meeting, and shall declare at the next meeting that he/she is familiar with the minutes and tapes and is prepared to discuss, deliberate and vote on the matter.

Order of Business – Regular Meeting

1. Call to Order
2. Roll Call and Determination of Quorum
3. Pledge of Allegiance
4. Approval of Agenda
5. Approval of Minutes

6. Public Comment
7. Consent Items
8. Project Review Items
9. Planning Items
10. Other Items
11. Chairman and Commissioners' Items
12. Director's Items
13. Adjournment

Order of Business – Caucus Meeting

1. Call to Order
2. Roll Call and Determination of Quorum
3. Approval of Agenda
4. Public Comment
5. Project Review Items
6. Planning Items
7. Other Items
8. Adjournment

Procedures for Project Review, Planning and Other Items

1. General

- a. Chair, or Director or his/her representative upon request of the Chair, shall introduce agenda items and call upon staff for a presentation.
- b. All speakers, excluding staff, wishing to testify before the Commission shall sign the Request to Speak log located at the recording clerk's station.
- c. Speakers representing a group; staff; and applicants or their representative shall limit their presentations to no more than 15 minutes. Those persons speaking as an individual shall limit their presentations to no more than 3 minutes. No speaker may transfer his/her time to another speaker for the purposes of allowing a speaker to exceed the time limits listed above. Speakers will, further, be encouraged to direct their comments to
 - factual errors in the staff report,
 - disagreements with the recommendation submitted by the staff, and
 - recommended conditions of approval and/or alternative policy language.

The applicant will also be encouraged to limit his/her comments regarding the background of the application. Those persons who are part of a group will be encouraged to provide their name and address and their agreement with the group's spokesperson, rather than repeating the points that the spokesperson or previous speaker(s) has made. When speakers have exceeded the allotted time, the Chair will endeavor to remind them that they have gone past the recommended time limits and may rule the speaker out-of-order should the speaker not obey the Chair's admonition.

Alterations to the above time limits may be permitted by the Chair if:

- (1) The Chair establishes prior to allowing testimony on an agenda item a different speaking time limit that must be adhered to by the applicant and speakers from the audience;
 - (2) The applicant or his/her representative, a person representing a group, or an individual notifies the Chair 24 hours prior to the start of a noticed meeting at which action may be taken that a longer time is requested to make a presentation. When making the notification, an approximate amount of time needed to make the presentation must be provided. The Chair has the discretion to grant, modify, or deny such a request at the beginning of the agenda item; or
 - (3) The staff requests additional time of the Chair for a presentation on an agenda item prior to the time that the agenda item is scheduled to be heard.
- d. The hearing procedures shall be posted at each regular and special meeting of the Commission.
 - e. Staff may include on the agenda under consent items any items not requiring a public hearing. A Commissioner may request that a consent agenda item be removed from the consent agenda for separate discussion and action by the Commission.
 - f. The Chair may call recesses, as necessary. In general, they should be at least every two (2) hours.
 - g. The Planning Commission requires at least 10 copies of any written material that is to be provided for an agenda item. Any written material, including e-mail messages, over 1 page in length submitted 6 days or less prior to a scheduled Commission meeting does not require consideration by the Commission due to the possibility that the staff may not have had sufficient time to provide the material to the Commissioners in a timely manner and because Commissioners may not have had time to fully comprehend the material.
 - h. Exhibits used for presentation in support of testimony are encouraged to be in a digital format that can be displayed on a screen for viewing by the Commission and the audience. If mounted exhibits are to be used, 2 of each exhibit should be displayed, 1 for viewing by the Commission, 1 for viewing by the audience.
 - i. Tape recorded testimony and/or phone messages shall not be considered as public testimony.
 - j. All graphics, photos and materials used as part of the public testimony shall be delivered to the recording clerk of the Commission and retained as part of the public record subject to the provisions of Nevada Revised Statutes. Exhibits shall be relevant to items on the agenda and shall be delivered in person.
2. Procedures for the Conduct of a Public Hearing (supplemental to General Procedures)
- a. Chair advises audience of general hearing procedures.
 - b. Chair may request a show of hands of those in attendance for the agenda item under consideration.
 - c. Chair opens the public hearing for the presentation of testimony.

- d. Staff makes presentation. Presentation should focus on:
 - (1) Brief summary of the agenda item.
 - (2) Changes in the agenda item that has occurred since the publication of the staff report including changed policies or conditions of approval.
 - (3) Staff recommendation.
- e. Applicant makes presentation. Presentations should focus on:
 - (1) Agenda item features with emphasis on conformance with the Washoe County Comprehensive Plan and the Washoe County Development Code.
 - (2) New information not contained in staff report or presentation.
 - (3) Factual errors in staff report or presentation.
 - (4) Response to staff proposed policies, or conditions of approval and/or recommendation
 - (5) Request for clarification of items in staff report or presentation.
- f. Commissioners may ask questions of staff and/or applicant.
- g. Speakers will be called to testify in the order that they signed the Request to Speak log book.
 - (1) Initial speakers speaking on an agenda item will be requested to identify themselves and their position on or questions concerning the agenda item.
 - (2) Subsequent speakers will be requested to identify themselves and any new pertinent information not covered by previous speakers, or may ask questions.
 - (3) Questions from the audience or from the applicant shall be directed to the Chair.
- h. After all speakers have testified on the agenda item Commissioners may ask questions of staff, applicant, or members of the audience. At the discretion of the Chair, the applicant, a member of the public who previously testified, or staff may be asked to comment on any factual errors presented during the public hearing. No time for rebuttal by any person testifying shall be granted by the Chair.
- i. Chair closes the public hearing to the presentation of testimony.
- j. Chair may call for discussion or a motion or may recognize a member for the purpose of making a motion. A motion is not accepted, nor can it be debated, until it has been seconded. If a motion is not seconded, it is considered moot and the Chair may call for further discussion or a new motion. The Chair may only make a motion if no other Commissioner offers to make a motion. The Chair is permitted to second any motion. If a motion is accepted, it shall be:
 - (1) In accordance with the staff's recommendation, proposed policy language, or conditions of approval and findings, said findings to be verbally articulated to be placed on the record by the maker of the motion; or
 - (2) An addition to the staff's recommendation or proposed policy language, or conditions of approval or findings, said changes to be noted in the motion and said findings to be verbally articulated to be placed on the record by the maker of the motion; or
 - (3) Different from the staff's recommendation, proposed policy language, or conditions of approval and findings, said motion to state the new recommendation, any new proposed policy language, or conditions of approval and new findings, said findings to be verbally articulated to be placed on the record by the maker of the motion.

The Chair will note by name the Commissioners making and seconding the motion.

- k. Chair shall call for a vote on any amendments to the motion, then on the motion, in that order.

3. Procedures for Consent Items (supplemental to General Procedures)

- a. Chair shall ask if any Commissioner wishes to have a consent item removed from this portion of the agenda.
- b. If an item is removed from the consent portion of the agenda, the Chair shall conduct a hearing in accordance with the provisions of "Procedures for Other Business Items" (below) at a time later in the meeting.
- c. Prior to asking for a motion on the consent agenda, the Chair shall inquire of the recording secretary if any person has requested to speak on a consent agenda item. If an audience member has so noted his/her desire to speak, the Chair shall allow that person to address the Commission, limiting that presentation to no more than 3 minutes. After audience members have spoken on consent items, a Commissioner may exercise his/her right under b. above for any consent item.
- d. Chair shall call for one motion addressing the consent items.

4. Procedures for Other Business Items (supplemental to General Procedures)

- a. Chair shall follow the procedures as listed in "Procedures for the Conduct of a Public Hearing," Items 2a, 2e through g and 2i and 2l (above).
- b. In addition, the Chair may choose to follow any combination of other procedures listed in "Procedures for the Conduct of a Public Hearing."

SPECIAL CIRCUMSTANCES

Request to Withdraw a Development Application

POLICY

- An applicant has the ability to withdraw a development application submitted for consideration by the Commission at any point prior to a motion for action being made by a Commissioner.

RULE

- A request for withdrawal of the application shall be stated by either the authorized agent with power of attorney to represent all of the interests of the property owners of record party to the application, or by all of the property owners of record who submitted the development application as attested by the signed and notarized affidavits accompanying the original application.
- After a motion has been made by a Commissioner, followed by a second on the motion and deliberation, the application cannot be withdrawn.
- If the motion is not seconded, the applicant can request the application be withdrawn prior to any new motions.
- The request for withdrawal of the application shall be clearly entered into the record, and cannot be construed as a request for deferral or continuation of the application until a future meeting.
- The withdrawal of an application shall terminate any further deliberation, analysis, or consideration of the originally submitted request.

- A withdrawn application is not a denied application, and therefore is not subject to the "one year wait on denials" provisions of the Washoe County Development Code for submitting a new development application request.

Motion and Action to Allow a Denied Development Application to be Resubmitted Prior to the Expiration of a Required Waiting Period (“Denial Without Prejudice”)

RULE

- A motion (denial without prejudice) to allow a denied application to be resubmitted prior to the expiration of a required waiting period as defined in the Washoe County Development Code can be offered by a Commissioner if the following special circumstances are supported by the public record:
 1. All the necessary findings for approval of the development application cannot be fully met or supported by the information presented at the time of the Planning Commission action;
 2. There is sufficient information to demonstrate that all the necessary findings could potentially be met within a one-year period if federal, state or local regulatory programs are changed, or physical conditions on or near the development site change, or that infrastructure availability and capital improvement programs change to allow development as requested in the original application; and
 3. There is sufficient information to demonstrate that the requested development application would clearly support implementation of one or more goals and policies of the Washoe County Comprehensive Plan if the findings for approval could have been made at the time of the Planning Commission's action to deny the application.

A motion to allow a denied development application to resubmit an application prior to the expiration of a required waiting period ("one year wait on denials" provisions of the Washoe County Development Code for submitting a new development application request) may be approved by the Commission providing the new application is substantially the same as the original application and a finding that one or more of the circumstances enumerated above has or will occur.

OFFICERS OF THE COMMISSION

Titles

The officers of the Commission shall be:

1. Chair, who shall preside at all meetings, maintain order, call special meetings as they are needed, appoint committees, and generally represent the Commission.
2. Vice Chair, who will serve in the absence of the Chair and is responsible for coordinating workshops for the Commission.
3. Secretary (non-voting), who shall be the Director of the Washoe County Department of Community Development or his/her representative, and who shall maintain the Commission records; Rules, Policies and Procedures; and attachments.

Election of Officers

The first Commission meeting in July shall include on the agenda the election of officers, and the election shall be the first order of business under Chair and Commissioners' Items. All officers shall take office at the next regular meeting of the Commission.

Terms of Office

Each officer of the Commission shall be elected by the Commission and shall serve for 1 year or until his successor is elected and takes office. Each officer shall be limited to 1 successive term. However, in the case the Chair does not complete his/her term of office, the Vice Chair who succeeds him/her may serve as Chair for two full terms.

Authority to Sign

The Secretary may sign such documents as may require certification on behalf of the Commission. Transmittals of Commission action or intent to the Board of County Commissioners will generally be the responsibility of the Secretary. The Chair shall sign such documents as required by Nevada Revised Statutes.

Delegation of Authority

The Chair may designate one or more members, or the Secretary, to act for the Commission in the conduct of hearings or the performance of its duties. The Commission may delegate to such members, when appropriate, such authority as may be necessary.

Committees

1. The Chair may establish committees as he/she deems necessary.
2. All meetings of a Commission committee are subject to the provisions of the Nevada Open Meeting Law.

RECORDS AND DOCUMENTS

Office Files

All records and documents pertaining to the work of the Commission shall be kept in safe, orderly files maintained under the supervision of the Director of the Department of Community Development. Said records shall be accessible to the members of the Commission and to the public.

Minutes and Audio/Video Tapes

1. Any written minutes, audio or video taping of each Commission meeting will be kept and are public record. They will be made available as required by Nevada Revised Statutes and Washoe County's Public Records' Request Policy.
2. The Secretary shall provide a Recording Secretary for each meeting who shall be responsible for preparing a written record of the meeting. Said minutes will bear the name of the Recording Secretary.
3. Copies of unapproved minutes of the past regular meeting, or meetings, shall be furnished to the Commission members in advance of a regular meeting. Upon correction and/or approval, the Secretary shall sign a master copy to be a permanent record, noting either:
 - a. Approved by Commission in session on _____, or;
date
 - b. Amended and approved by Commission in session on _____.
date

Other Documents

Resolutions adopted by the Commission shall carry the signatures of the Chair and the Secretary. Other documents relating to matters upon which the Commission has taken formal action shall be signed by the Commission's Secretary, except where the Director of the Department of Community Development's signature is required.

GENERAL EXPECTATIONS OF THE CONDUCT OF COMMISSIONERS DURING MEETINGS

The following identifies the expected conduct of Planning Commissioners during meetings of the Commission:

- All members of the Public will be treated with Respect before, during and after the meeting; the chair will rule out of order any person that makes derogatory or disrespectful comments about participants.
- Planning Commissioners will give their Undivided Attention to speakers.
- Planning Commissioners will endeavor to Address Questions of audience members through the Chair.
- Planning Commissioners will be Neutral in their response to speaker's opinions through their questions, comments and body language, and will not express an opinion on the agenda item before all public testimony has been provided.
- Planning Commissioners will identify the Findings that support a vote on an agenda item.
- The chair will strive to provide an Equitable Amount of Time to all speakers on an item.
- Planning Commissioners will be Prepared on each item that is listed on the agenda.
- The Planning Commission will make every effort to conclude its business on or before 11:00 p.m. on a scheduled meeting date. If possible, an applicant whose item may be considered after 11:00 p.m. shall be asked to have that item continued to the next regularly scheduled meeting.
- Commissioners are expected to be attentive to the proceedings in which they are involved and to refrain from private conversations amongst themselves, performing tasks not associated with the meeting, or displaying obvious boredom.
- Commissioners are urged to address audience members and staff by their last names preceded by the appropriate title: Mr., Mrs., Ms., Dr., etc.; this is a measure of respect for each participant.

GENERAL EXPECTATIONS BY THE COMMISSION OF AUDIENCE MEMBERS DURING MEETINGS

The following are expectations of audience members during Commission meetings:

- The audience attending the meeting will respect all Planning Commissioners and participants before, during and after the meeting; the chair will rule out of order any person that makes derogatory or disrespectful comments about the commissioners, staff and participants.
- Speakers will focus their comments on the item before the Planning Commission.

- Speakers will address questions to the Chair and not to individual commissioners or audience members.
- Audience members are encouraged to support a previous speaker's comments and not repeat the same point, in order that the meeting may be efficiently conducted.
- Audience members are encouraged not to visibly display support or opposition (such as clapping, whistling, etc.) to speaker's points or the Planning Commission's actions.
- Speakers are encouraged to limit the time for comments to the following for each item – 3 minutes for an individual's testimony, 10-15 minutes for representatives of a group, applicants and staff.

GENERAL GUIDELINES FOR SITE VISITS

The following are recommended guidelines for Commissioners to follow when visiting a site that is identified in an agenda item proposed for Commission action.

- Advise all persons with whom a Commissioner may come in contact with during a visit to a site that the purpose of the site visit is to gather information, only.
- Avoid expressing any opinions during a site visit.
- Avoid conducting a site visit with proponents or opponents of an item scheduled for action by the Commission.
- Advise all persons with whom a Commissioner may come in contact with during a visit to a site that the Commission reserves judgment on an item until all testimony has been provided to the Commission.
- Forward any written information received during a site visit to the Community Development Department staff.
- If feasible, request a Community Development Department staff member to accompany a Commissioner or Commissioners on a site visit.
- At the Commission meeting and prior to any staff report or testimony being provided, a Commissioner shall disclose when and where a site visit may have been conducted and with whom a Commissioner may have met.

REGIONAL PLANNING COMMISSION

Nevada Revised Statutes requires three members of the Washoe County Planning Commission to be appointed by the Washoe County Board of County Commissioners as representatives to the Truckee Meadows Regional Planning Commission. The Board of County Commissioners allows the Planning Commission to select the remaining Planning Commissioners not specifically appointed to the Regional Planning Commission to serve as alternates to the appointed Commission members to the Regional Planning Commission.

RULE

- When vacancies on the Regional Planning Commission are filled by the Board of County Commissioners a survey shall be conducted amongst those Commissioners who are not appointed to the Regional Planning Commission to determine which of those Commissioners are interested in serving as the first, second, third and fourth alternate to the appointed Regional Planning Commission members.
- When an appointed Commissioner to the Regional Planning Commission is unable to attend a meeting, the first alternate shall be requested to serve in his/her place, and if

that alternate is unable to attend, then the second alternate will be requested to serve and so forth.

- The Secretary to the Planning Commission, or his/her designee, shall transmit the names of the alternates to the Executive Director of the Truckee Meadows Regional Planning Agency.

AMENDMENT OF RULES, POLICIES AND PROCEDURES

The Rules, Policies and Procedures may be amended or added to by a notice of intent to amend or add, said intent to amend or add to be approved by a majority vote of the Commissioners present. The proposed amendment or addition would then be placed on the agenda for the following Commission meeting, and would become effective at the next Commission meeting upon a majority affirmative vote of the full Commission.

1st Revision: *March 3, 1992*

2nd Revision: *March 7, 1995*

3rd Revision: *May 24, 1996*

4th Revision: *January 21, 1997*

5th Revision: *June 15, 1999*

6th Revision: *July 16, 2002*

7th Revision: *May 20, 2003*

8th Revision: *June 17, 2009*

APPENDIX

Ethical Principles in Planning

(As Adopted May 1992)

This statement is a guide to ethical conduct for all who participate in the process of planning as advisors, advocates, and decision makers. It presents a set of principles to be held in common by certified planners, other practicing planners, appointed and elected officials, and others who participate in the process of planning.

The planning process exists to serve the public interest. While the public interest is a question of continuous debate, both in its general principles and in its case-by-case applications, it requires a conscientiously held view of the policies and actions that best serve the entire community. Section A presents what we hold to be necessary elements in such a view.

Planning issues commonly involve a conflict of values and, often, there are large private interests at stake. These accentuate the necessity for the highest standards of fairness and honesty among all participants. Section B presents specific standards.

Those who practice planning need to adhere to a special set of ethical requirements that must guide all who aspire to professionalism. These are presented in Section C.

Section D is the translation of the principles above into the AICP Code of Ethics and Professional Conduct. The Code is formally subscribed to by each certified planner. It includes an enforcement procedure that is administered by AICP. The Code, however, provides for more than the minimum threshold of enforceable acceptability. It also sets aspirational standards that require conscious striving to attain.

The ethical principles derive both from the general values of society and from the planner's special responsibility to serve the public interest. As the basic values of society are often in competition with each other, so do these principles sometimes compete. For example, the need to provide full public information may compete with the need to respect confidences. Plans and programs often result from a balancing among divergent interests. An ethical judgment often also requires a conscientious balancing, based on the facts and context of a particular situation and on the entire set of ethical principles.

This statement also aims to inform the public generally. It is also the basis for continuing systematic discussion of the application of its principles that is itself essential behavior to give them daily meaning.

A. The planning process must continuously pursue and faithfully serve the public interest.

Planning Process Participants should:

1. Recognize the rights of citizens to participate in planning decisions;
2. Strive to give citizens (including those who lack formal organization or influence) full, clear and accurate information on planning issues and the opportunity to have a meaningful role in the development of plans and programs;
3. Strive to expand choice and opportunity for all persons, recognizing a special responsibility to plan for the needs of disadvantaged groups and persons;
4. Assist in the clarification of community goals, objectives and policies in plan-making;

5. Ensure that reports, records and any other non-confidential information which is, or will be, available to decision makers is made available to the public in a convenient format and sufficiently in advance of any decision;
6. Strive to protect the integrity of the natural environment and the heritage of the built environment;
7. Pay special attention to the interrelatedness of decisions and the long-range consequences of present actions.

B. Planning process participants continuously strive to achieve high standards of integrity and proficiency so that public respect for the planning process will be maintained.

Planning Process Participants should:

1. Exercise fair, honest and independent judgment in their roles as decision makers and advisors;
2. Make public disclosure of all "personal interests" they may have regarding any decision to be made in the planning process in which they serve, or are requested to serve, as advisor or decision maker (see also Advisory Ruling Number 2, "Conflicts of Interest When a Public Planner Has a Stake in Private Development," under Section D);
3. Define "personal interest" broadly to include any actual or potential benefits or advantages that they, a spouse, family member or person living in their household might directly or indirectly obtain from a planning decision;
4. Abstain completely from direct or indirect participation as an advisor or decision maker in any matter in which they have a personal interest, and leave any chamber in which such a matter is under deliberation, unless their personal interest has been made a matter of public record; their employer, if any, has given approval; and the public official, public agency or court with jurisdiction to rule on ethics matters has expressly authorized their participation;
5. Seek no gifts or favors, nor offer any, under circumstances in which it might reasonably be inferred that the gifts or favors were intended or expected to influence a participant's objectivity as an advisor or decision maker in the planning process;
6. Not participate as an advisor or decision maker on any plan or project in which they have previously participated as an advocate;
7. Serve as advocates only when the client's objectives are legal and consistent with the public interest;
8. Not participate as an advocate on any aspect of a plan or program on which they have previously served as advisor or decision maker unless their role as advocate is authorized by applicable law, agency regulation, or ruling of an ethics officer or agency; such participation as an advocate should be allowed only after prior disclosure to, and approval by, their affected client or employer; under no circumstance should such participation commence earlier than one year following termination of the role as advisor or decision maker;
9. Not use confidential information acquired in the course of their duties to further a personal interest;
10. Not disclose confidential information acquired in the course of their duties except when required by law, to prevent a clear violation of law or to prevent substantial injury to third persons; provided that disclosure in the latter two situations may not be made until after

verification of the facts and issues involved and consultation with other planning process participants to obtain their separate opinions;

11. Not misrepresent facts or distort information for the purpose of achieving a desired outcome (see also Advisory Ruling Number 4: "Honesty in the Use of Information" under Section D);
12. Not participate in any matter unless adequately prepared and sufficiently capacitated to render thorough and diligent service;
13. Respect the rights of all persons and not improperly discriminate against or harass others based on characteristics which are protected under civil rights laws and regulations (see also Advisory Ruling Number 1: "Sexual Harassment").

C. APA members who are practicing planners continuously pursue improvement in their planning competence as well as in the development of peers and aspiring planners. They recognize that enhancement of planning as a profession leads to greater public respect for the planning process and thus serves the public interest.

APA Members who are practicing planners:

1. Strive to achieve high standards of professionalism, including certification, integrity, knowledge, and professional development consistent with the AICP Code of Ethics;
2. Do not commit a deliberately wrongful act which reflects adversely on planning as a profession or seek business by stating or implying that they are prepared, willing or able to influence decisions by improper means;
3. Participate in continuing professional education;
4. Contribute time and effort to groups lacking adequate planning resources and to voluntary professional activities;
5. Accurately represent their qualifications to practice planning as well as their education and affiliations;
6. Accurately represent the qualifications, views, and findings of colleagues;
7. Treat fairly and comment responsibly on the professional views of colleagues and members of other professions;
8. Share the results of experience and research which contribute to the body of planning knowledge;
9. Examine the applicability of planning theories, methods and standards to the facts and analysis of each particular situation and do not accept the applicability of a customary solution without first establishing its appropriateness to the situation;
10. Contribute time and information to the development of students, interns, beginning practitioners and other colleagues;
11. Strive to increase the opportunities for women and members of recognized minorities to become professional planners;
12. Systematically and critically analyze ethical issues in the practice of planning (see also Advisory Ruling Number 3: "Outside Employment or Moonlighting").