



Community Development

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



Washoe County Planning Commission

Christy Magers, Chair
Dian A. VanderWell, Vice Chair
Neal Cobb

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

WASHOE COUNTY PLANNING COMMISSION MINUTES

May 5, 2009

The Washoe County Planning Commission met in regular session on Tuesday, May 5, 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: Christy Magers, Chair (arrived at 6:39 p.m.)
Dian A. VanderWell, Vice Chair
Neal Cobb
Roger M. Edwards
Roy Hibdon
Keith Lockard
William Weber

Commissioners absent: None

Staff present: Kimberly H. Robinson, Planning Manager, Community Development
Roger Pelham, Senior Planner, Community Development
Grace Sannazzaro, Planner, Community Development
Nathan Edwards, Deputy District Attorney
Dawn Spinola, Recording Secretary, Community Development
Cathi Moldenhauer, Recording Secretary, Community Development

PLEDGE OF ALLEGIANCE

Commissioner Lockard led the pledge to the flag.

APPROVAL OF AGENDA

In accordance with the Open Meeting Law, Commissioner Hibdon moved to approve the agenda for the May 5, 2009, meeting. Commissioner Cobb seconded the motion, which passed unanimously.

APPROVAL OF MINUTES

Deputy District Attorney Edwards requested that, under his recommendation to reconsider and clarify findings on page 6, Item Four be changed to read Item Three. Commissioner Lockard moved to approve the minutes, as amended, of April 7, 2009. The motion was seconded by Commissioner Edwards and passed unanimously.

PUBLIC COMMENTS

None

CONSENT ITEMS

None

PROJECT REVIEW ITEMS:

None

PLANNING ITEMS**AGENDA ITEM 1**

PUBLIC HEARING: COMPREHENSIVE PLAN AMENDMENT CASE NO. CP09-002 (WARC) --
To consider amending the Sun Valley Area Plan being a part of the Washoe County Comprehensive Plan. The amendment request would redesignate one ±9.99-acre parcel from the land use category of Medium Density Suburban (MDS) to Public Semi-Public Facilities (PSP). The change proposed would affect the Sun Valley Area Plan and would include a revised map series with an updated parcel base. The subject parcel's address is 5100 West 1st Avenue. It is located approximately 657 feet west of Sun Valley Boulevard on the north side of West 1st Avenue, between Slope Drive and McGuffey Road. The subject parcel is within the Truckee Meadows Service Area (TMSA) and Reno and Sparks Areas of Interest as identified on Map 7 of the 2007 Truckee Meadows Regional Plan. The subject parcel is located within Section 19, T20N, R20E, MDM, Washoe County, Nevada and is within the Sun Valley Suburban Character Management Area, the Sun Valley Citizen Advisory Board boundary and Washoe County Commission District 5. (APN: 085-820-31)

Acting Chair VanderWell opened the public hearing.

Grace Sannazzaro reviewed the staff report dated April 17, 2009. Staff recommended approval of the Comprehensive Plan Amendment.

Commissioner Hibdon asked about screening and buffering of the property. Ms. Sannazzaro replied that issue would be addressed during the building permit process.

Commissioner Hibdon noted that the Regional Transportation Commission (RTC) letter of February 23, 2009 requested a covered waiting area where patrons could observe approaching vehicles. Ms. Sannazzaro commented that the applicant volunteered to provide a sidewalk leading to the bus stop located on Sun Valley Boulevard and First Avenue, but no

mention had been made of a covered waiting area as yet. She indicated this was only a recommendation by the RTC.

John Krmptotic, KLS Planning Group, representing the applicant, stated that the Sun Valley Citizen Advisory Board suggested that a sidewalk be added along First Avenue to benefit the children who walked to school along that street and the WARC employees. The applicant volunteered to extend the sidewalk beyond its property from the east side of Slope Drive to Sun Valley Boulevard along First Avenue as a concession to the community. Traffic generation would only be confined to employees of WARC. A bus shelter would be unnecessary, as the clients would be loaded and unloaded onto the RTC Access busses directly from the new building. The use of the facility would be of low intensity, primarily from 8:00 a.m. to 5:00 p.m. Buffering between the facility and the residential properties would be provided at the north and east sides of the property.

Russ Fields, 12590 Broili Drive, Acting Executive Director of WARC, the applicant, stated the purpose of the new facility would be to provide training at several levels to persons with developmental disabilities ranging from very basic life skills to nearing the ability to join the competitive employment community.

Acting Chair VanderWell closed the public hearing.

Commissioner Hibdon asked if the Planning Commission could add conditions to the Comprehensive Plan Amendment. Deputy District Attorney Edwards advised that no conditions could be imposed on a Comprehensive Plan Amendment. In response to Commission Hibdon's concerns regarding the RTC's letter, Ms. Robinson stated those comments were advisory in nature only. She suggested Commissioner Hibdon encourage the applicant to work with the RTC.

Mr. Krmptotic reiterated the applicant's willingness to provide the offsite sidewalk and stated the applicant would also be willing to designate five boarding spaces for RTC Access vehicles. He did not feel it was appropriate to commit to a covered bus shelter on the street, because the clients would access the bus from the building.

Commissioner Magers moved to approve Comprehensive Plan Amendment Case No. CP09-002, including the five designated loading and unloading spaces as indicated by Commissioner Hibdon. The motion was seconded by Commissioner Weber and passed unanimously.

The motion was based on the following findings:

1. The proposed amendment to the Sun Valley Area Plan is in substantial compliance with the policies and action programs of the Washoe County Comprehensive Plan.
2. The proposed amendment to the Sun Valley Area Plan will provide for land uses compatible with existing adjacent land uses and will not adversely impact the public health, safety or welfare.
3. The proposed amendment to the Sun Valley Area Plan responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County

Commissioners, and the requested amendment represents a more desirable utilization of land.

4. The proposed amendment to the Sun Valley Area Plan will not adversely affect the implementation of the policies and action programs of the Conservation Element, the Population Element and/or the Housing Element of the Washoe County Comprehensive Plan.
5. The proposed amendment to the Sun Valley Area Plan will promote the desired pattern for the physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.
6. The proposed amendment is the first amendment to the Sun Valley Area Plan in 2009, and therefore does not exceed the four permitted amendments as specified in Section 110.820.05 of the Washoe County Development Code.
7. The Washoe County Planning Commission gave reasoned consideration to information contained within the staff report and information received during the public hearing.
8. The amendment will further implement and preserve the Vision and Character Statement. (Policy SUN 13.1)
9. The amendment conforms to all applicable policies of the Sun Valley Area Plan and the Washoe County Comprehensive Plan. (Policy SUN13.1)
10. The amendment will not conflict with the public's health, safety or welfare. (Policy SUN13.1)

AGENDA ITEM 2

PUBLIC HEARING: DEVELOPMENT CODE AMENDMENT CASE NO. DC06-005 – To amend Washoe County Code Chapter 110, Development Code, Article 306 and Article 310, to provide standards for the temporary and permanent use of cargo containers as detached accessory structures.

Acting Chair VanderWell opened the public hearing.

Roger Pelham reviewed the staff report dated May 5, 2009. The purpose of this amendment is to create code to mitigate some of the visual impacts created by cargo containers. Some of the highlights of the standards proposed to apply to permanent use of those containers include meeting standard building setbacks, a limit of one container a maximum of 24 feet long on parcels less than five acres, requiring screening in more urban areas, not allowing plumbing fixtures in the containers, not allowing advertising, not placing the container in front of the house on parcels less than 40 acres, and separating this type of structure and other structures on the parcel by at least 10 feet. Standards for temporary use include having the container on the parcel for a maximum of 60 days and placing the container on the side or rear of the house. Contractors or owner/builders may use these containers for secure storage of tools and equipment by obtaining a site permit. The containers may be used

for the duration of the project and must be removed within 30 days after completion of the project. All containers must be in good condition.

Meetings were held with all Citizen Advisory Boards. Comments received generally pertained to parcels less than five acres.

No specific standards for cargo containers are applied in either the City of Reno or the City of Sparks. The containers are treated the same as any other detached accessory structure.

Staff recommended approval of the Development Code Amendment.

Melissa Lindell, 575 Double Eagle Court, representing Quick Space, stated agreement with most of the provisions of the code amendment. However, she requested that Paragraph (f)(2) be amended to change the maximum length of the container from 24 feet to 40 feet in the commercial and industrial zoning areas.

Acting Chair VanderWell closed the public hearing.

In response to Commissioner Edwards, Mr. Pelham stated these amendments would apply to both residential and commercial areas. Commissioner Edwards was concerned about the requirement for obtaining a permit from the Department of Building and Safety, as the applicant may not have information regarding the structural integrity of the container. Mr. Pelham stated there was no structural engineering required; the containers would be treated the same as a mobile home. Required tie-downs would be overseen by the Department of Building and Safety.

Commissioner Lockard asked if there were neighborhood issues with these containers at the present time. Mr. Pelham replied that cargo containers were generally accepted when the numbers are limited and were among the more popular forms of detached accessory structures in the County. However, friction has occurred among neighbors when a property owner has attempted to place several on his lot. Multiple containers may be appropriate on large lots, but only one would be allowed on a lot of five acres or smaller.

Commissioner Magers asked if Quick Space was temporary or permanent storage. Mr. Pelham replied they provided both types.

Commissioner Weber agreed that the length should be 40 feet. He asked if existing containers would be grandfathered in. Mr. Pelham stated they would be.

Commissioner Weber suggested that these amendments be incorporated into a nuisance abatement document prohibiting unregistered vehicles and other unsightly items.

Commissioner Hibdon recommended that the word "may" be replaced with "shall" in Paragraph (o). He also recommended that the term allowed for temporary on-site rental storage containers be increased from 60 days to two years. Mr. Pelham stated that one of the purposes of this amendment was to increase the compatibility among neighbors by limiting the duration of temporary storage.

Commissioner Cobb also agreed that the length should be 40 feet. He clarified that the containers could not be trailers that could be pulled on the road, but cargo containers. He noted that refrigeration equipment would remain with the containers.

Commissioner Weber noted that plumbing was excluded and asked if electricity was also excluded. Mr. Pelham replied that power was allowed; it must, however, be permitted.

Commissioner Lockard asked about the distance required between containers. Mr. Pelham stated that 10 feet was required between containers, and that was to increase compatibility with the neighbors.

Acting Chair VanderWell asked if this amendment would be used in the nuisance ordinance. Ms. Robinson stated the nuisance ordinance would come before the Board of County Commissioners very soon. Deputy District Attorney Edwards was not aware of the language in the nuisance ordinance and could not comment on its applicability to this amendment.

Commissioner Weber moved to approve Development Code Amendment Case No. DC06-005, amending the requirement that only one container be permitted on a parcel less than five acres to allow the container to be a maximum of 40 feet in length rather than 24 feet. The motion was seconded by Commissioner Cobb.

Commissioner Hibdon requested the motion be amended to include that Section 110.310.15, Paragraph (o) be changed to allow one year rather than 60 days for temporary outdoor storage and the words "may" be changed to "shall." Neither the maker of the motion nor the maker of the seconded supported Commissioner Hibdon's amendment.

Upon vote, the motion passed by a vote of six to one (Commissioner Hibdon opposed).

The motion was based on the following findings:

1. The amendments are in substantial compliance with the policies and action programs of the Washoe County Comprehensive Plan,
2. The amendments will not adversely impact the public health, safety, or welfare, and will promote the original purposes for the Development Code as expressed in Article 818, Adoption of Development Code,
3. The amendments respond to conditions that were not foreseen at the time that the Development Code was adopted, and
4. The amendments will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Comprehensive Plan.
5. This recommendation is based upon due and careful consideration of the information provided in the staff report, other written testimony received and the testimony presented at the public hearing.

OTHER ITEMS

None

CHAIR AND COMMISSION ITEMS

a. Report on Previous Planning Commission Items

Ms. Robinson requested comments on the Draft Rules, Policies, and Procedures be presented to her, and the subject would be brought forward at the next meeting.

At the last meeting, Commissioner Lockard requested an update on the 2040 Regional Transportation plan. That subject will be presented by the Regional Transportation Commission at the June or July meeting.

Commissioner Edwards noted the short length of this meeting and suggested it would have been fiscally prudent to consolidate the items presented with those at another meeting, thereby saving the cost to the County. Commissioner Weber stated the Planning Commission was required to meet once a month.

DIRECTOR'S ITEMS

Ms. Robinson reminded the Commissioners there would be a joint meeting of the Washoe County and the City of Reno Planning Commissions at 6:00 p.m., May 5, 2009, in the Reno Council Chambers.

ADJOURNMENT

Since there was no further business to come before the Planning Commission, the meeting adjourned at 7:38 p.m.

Respectfully submitted,

Cathi Moldenhauer, Recording Secretary

Approved by Commission in session on June 2, 2009.

Adrian P. Freund, FAICP
Secretary to the Planning Commission