



# 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  
D.J. Whittemore

**~ ~ PLEASE NOTE CHANGE OF DATE AND LOCATION ~ ~**

## AGENDA

### MEETING OF

**WASHOE COUNTY PLANNING COMMISSION**  
**Washoe County Health Department - Building B**  
**1001 East Ninth Street, Reno, Nevada**  
**Wednesday, February 3, 2010**

**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 provide one copy of displayed exhibits to the recording secretary. \*\***

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

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

**APPEAL PROCEDURE**

Agendas and staff reports are posted to the Washoe County website at [www.washoecounty.us/comdev/](http://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 emergency items or items otherwise specifically excepted from the three day requirement by law 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).

Any member of the public wishing to submit written or graphic material as an exhibit to an agenda item is required to provide ten (10) copies. Any written or graphic material (including e-mails) longer than one (1) page in length, submitted within six (6) days of the Planning Commission meeting may not be considered by the Commission in their deliberations.

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***"Your Community Development Department"***

**APPROVAL OF MINUTES**

January 5, 2010

**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.)

**CONSENT ITEMS**

**A. AMENDMENT OF CONDITIONS CASE NUMBER AC10-001 (TRUCKEE MEADOWS WATER AUTHORITY)** – To amend condition number 2 of Special Use Permit Case No. SW07-017 and condition number 1 of Variance Case No. VA07-021. The original request was to construct a booster pumping facility to convey potable water through the Mogul area, as authorized by Table 110.302.05.2 of the Washoe County Development Code. The grading for the project will include approximately 540 cubic yards of excavation, 400 cubic yards of exported material and a retaining wall ranging from 3 feet to 8 feet in height.

**AND**

To vary the grading standards within Washoe County Development Code Sections 110.438.45(b)(1) and (2), allowing for 2:1 slopes instead of 3:1 slopes, and allowing fills higher than 48 inches within fifty (50) feet of a shared property line; and to vary the front yard setback standards of Section 110.406.50(b), allowing a retaining wall of up to 8 feet in height approximately 8 feet from the front property line.

**The subject parcel is located at 10020 Timberwolf Drive, approximately 300 feet west of its intersection with Cliff View Drive. The booster pumping facility is located at the rear of the property and will be accessed off West 4<sup>th</sup> Street.** The ±0.793-acre parcel is designated Medium Density Suburban (MDS) in the Verdi Area Plan, and is situated in a portion of Section 14, T19N, R18E, MDM, Washoe County, Nevada. The property is located in the Verdi Township Citizen Advisory Board boundary and Washoe County Commission District No. 5. (APN 038-461-06)

**B. RESOLUTION ACCEPTING STREETS (SUN VALLEY DRIVE)** – To consider and possibly adopt NRS 278.390 resolution accepting streets or roads previously offered for dedication to the County in connection with the final map known as Parcel Map #3497 (Sun Valley Drive), Document No. 2322621 recorded on March 30, 1999. The project provides for approximately 4,447 square feet of right-of-way to be added to the Washoe County street system near the intersection of Sun Valley Drive and Eighth Avenue (Section 18, R20E, T20N).

6:30 p.m. **PROJECT REVIEW ITEMS**

**PLANNING ITEMS**

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*Most decisions rendered by the Planning Commission are appealable to the Board of County Commissioners. If you disagree with the decision of the Planning Commission and you want to appeal its action, call the Planning staff immediately, at 328-6100. You will be informed of the appeal procedure, application fee, and the time in which you must act. Appeal periods vary from seven (7) to fifteen (15) days, depending on the type of application.*

**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. Legal Information and Updates.  
Deputy District Attorney Nathan Edwards, Esq.
- c. Clarify Language in Rules, Policies and Procedures Regarding Presentation Time Limits
- d. Regional Planning Commission Alternates

**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**



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## Washoe County Planning Commission

Dian A. VanderWell, Chair  
Neal Cobb, Vice Chair  
William Weber

Roger M. Edwards  
Roy H. Hibdon  
Vaughn Hartung  
D.J. Whittemore

## WASHOE COUNTY PLANNING COMMISSION MINUTES

January 5, 2010

The Washoe County Planning Commission met in regular session on Tuesday, January 5, 2010, in the Washoe County Commission Chambers, 1001 East Ninth Street, Reno, Nevada.

### DETERMINATION OF QUORUM

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  
William Weber  
Vaughn Hartung  
D.J. Whittemore

Commissioners absent: None

Staff present: Adrian P. Freund, Director, Community Development  
Sandra Monsalvè, Senior Planner, Community Development  
Roger Pelham, Senior Planner, Community Development  
Trevor Lloyd, Senior Planner, Community Development  
Nathan Edwards, Deputy District Attorney  
Dawn Spinola, Recording Secretary, Community Development

### PLEDGE OF ALLEGIANCE

Commissioner Hibdon led the pledge to the flag.

### APPROVAL OF AGENDA

Chair VanderWell announced that Mr. Lloyd had requested Item 4 be moved up to the top of the agenda.

Mr. Freund stated Chair and Commission Item d, regarding speaker time limits, would be continued to the February 2010 meeting.

In accordance with the Open Meeting Law, Commissioner Hartung moved to approve the amended agenda for the January 5, 2010, meeting. Commissioner Cobb seconded the motion, which passed unanimously.

**APPEAL LANGUAGE**

Mr. Freund recited the appeal procedure for items heard before the Planning Commission.

**APPROVAL OF MINUTES**

Commissioner Cobb moved to approve the minutes for the December 1, 2009 Planning Commission meeting as written. Commissioner Hibdon seconded the motion which carried unanimously

**PUBLIC COMMENTS**

None

**CONSENT ITEMS**

None

**PLANNING ITEMS**

**AGENDA ITEM 4**

PUBLIC HEARING: DEVELOPMENT CODE AMENDMENT CASE NUMBER DCA08-009 - To amend Washoe County Code Chapter 110, Development Code, Article 302, Allowed Uses, Article 304, Use Classification System, and Article 326, Wind Machines. The amendments will include the revision to the table of allowed uses to include the addition of new renewable energy use types and the amendments to the standards for wind machines. The proposed amendments would revise all aspects of Article 326 (Wind Machines) including but not limited to setbacks, noise, electromagnetic interference, wildlife impacts, meteorological towers, repair and removal of wind machines and submittal requirements for commercial wind machines.

Mr. Lloyd requested a two-month continuance for the purpose of engaging in further conversation with members of the public regarding the proposed changes.

Deputy District Attorney (DDA) Edwards reminded the Commissioners that Open Meeting Law (OML) applies whenever a quorum exists. He then brought up that they needed to watch out for serial communications. This is defined as communication between a total of four or more of the seven contacting one another outside of an agendized meeting for the purpose of deliberating or discussing an item. This is a violation of OML.

Chair VanderWell opened the public hearing.

There was no response to the call for public testimony; Chair VanderWell closed the public hearing.

Mr. Freund acknowledged the extensive and excellent work done by the staff regarding this project. He noted they had reviewed ordinances from all over the country regarding the criteria associated with wind machines. He reiterated the importance of the continuance for the purpose of obtaining more public input and involvement prior to presentation of the item to the Commission.

Commissioner Edwards expressed he wished to be notified when the public meetings were to occur.

## **PROJECT REVIEW ITEMS:**

### **AGENDA ITEM 1**

**PUBLIC HEARING: SPECIAL USE PERMIT CASE NO. SW09-002 (FISH SPRINGS RANCH PV-1 SOLAR PROJECT)** – To review the development of a 100 MW Photovoltaic Solar Array on 23 separate properties. Phase 1 of the project will consist of the construction and operation of 20 MW (of the 100 MW Photovoltaic Solar Array) on one (1) 160 acre parcel, and will include: power facilities (2-5 new power poles) to connect to the Nevada Energy Ft. Sage Substation, a new control building, and all associated appurtenances for the purposes of supplying renewable sources of energy production to NV Energy as authorized in Section 110.810.00 of the Washoe County Development Code. The project encompasses twenty-three (23) separate parcels totaling approximately 2,670 acres, located approximately 45 miles north of Reno, in the southeastern Honey Lake Valley in Fish Springs. All the subject properties are zoned General Rural (GR) and are located in the Gerlach/Empire Citizen Advisory Board boundary and Washoe County Commission District No. 5. (APNs: 074-040-15, 074-040-23, 074-040-24, 074-040-56, 074-040-57, 074-040-58, 074-040-61, 074-070-16, 074-070-28, 074-070-72, 074-070-73, 074—070-74, 074-111-05, 074-122-10, 074-122-55, 074-412-18, 074-412-19, 074-412-45, 074-720-07, 074-420-11, 074-420-14, 074-420-15, and 074-420-16)

Chair VanderWell called for disclosures. Mr. Weber noted he had received a call from the applicant but there had been no discussion of the project. Chair VanderWell stated she had spoken to the applicant's representative. None of the other Commissioners had anything to report.

Ms. Monsalvè reviewed the staff report dated December 24, 2009. Staff was recommending approval of the project. Approval would be for the entire project and it would be constructed in phases. She noted it was a Project of Regional Significance (PRS) so would need to be heard and approved by the Regional Planning Commission.

Ms. Monsalvè went on to note there were no residences located adjacent to parcels slated for Phases One or Two. The project is conditioned so that each phase is reviewed with Community Development staff and the Citizen Advisory Board (CAB) to determine if any buffering is required between future phases and any affected residences. Although the CAB had not met, they had been provided the opportunity to review and comment. The Vice Chair had attended the agency review meeting but had been there more in the capacity of a private citizen than a CAB representative.

Ms. Monsalvè stated there were two conditions that had been revised since the staff report had gone out. A copy of the changes had been provided to each Commissioner and the applicant at the beginning of the meeting. Condition 1i requires the applicant to obtain a

business license and provide evidence of a Power Purchase Agreement between the applicant and the utility company. It was determined that the evidence of the Agreement was a business decision and not within the jurisdiction of Community Development to condition. Condition 1j required a decommissioning plan for each phase and was altered to eliminate the requirement for financial assurances for the reclamation of the site. She reiterated the applicant is required to meet with staff prior to the development of each phase of the project.

Applicant Donald Pattalock explained the ownership and development of the project. He pointed out there would not be any mass grading, although there will be brush removal. They are working with the Health Department regarding dust control. He stated they were not planning to modify any of the drainage on site. He complimented staff's professionalism, stating they had gone through the permitting process in other locations and this one had been a joy to work with.

Commissioner Weber expressed concern over companies outside Nevada coming in to develop the project and wanted to know how much local labor would be used. Mr. Pattalock stated they would be going out to obtain construction bids and several local companies had already expressed interest. He noted they were residents and heavily vested in the community, so they would like to see a local company get the contract.

Commissioner Cobb asked if demultiplexing converts the power from DC to AC. Mr. Pattalock explained that occurred at the inverters. The demultiplexing station is required in order to normalize voltage coming off the system to maintain a constant supply.

Commissioner Hartung noted the solar structures were not to exceed 10 feet in height but would be allowed to reach a 65-foot height requirement. Ms. Monsalvè replied the applicant had indicated the structures would not exceed 10 feet. However, an industrial use type on the General Rural (GR) zoning of the property allowed structures up to 65 feet.

Commissioner Hartung asked if it was possible to leave the existing alfalfa fields in place, both to control dust and to provide wildlife habitat. Mr. Pattalock clarified there were a variety of properties in the application. Some were alfalfa fields. When the associated water rights were converted to a municipal use, the alfalfa was replaced by native pasture rotation. Phases One and Two are on open rangeland, so no alfalfa farming is currently taking place. Mr. Pattalock noted some fire concerns and stated, that because of the dust and some other issues, they want to keep the site as natural as possible.

Commissioner Hartung asked if they had any intention of changing the type of material they intended to use for the panels. Mr. Pattalock reiterated they are heavily vested in that valley and the panels are silicone, so they are not dealing with another product that may leach chemical by-products into the system and cause damage.

Commissioner Hibdon asked how they intended to keep the panels clean and if they were to use water, how much would be required? Mr. Pattalock replied that, because the technology uses indirect light, dust does not minimize the effectiveness of the panels to the extent that they must be cleaned. The manufacturer claims that normal rain should be enough to clean them. He stated that if they found efficiency was being compromised by the dust, then they would need to alter their plan to include washing the panels.

Commissioner Hibdon noted other facilities had used the same technology but had been operational for a maximum of a year, so there would be no history of what would be required. Mr. Pattalock pointed out the entire industry was young, although solar panels had been around since the 1960s and 1970s. The industry is only now breaking ground in utilizing the technology on a utility scale.

Chair VanderWell opened the public hearing.

Mark Murphy stated he owned property adjacent to the project and was in favor of it.

Chair VanderWell closed the public hearing.

Commissioner Hartung moved to approve Special Use Permit Case No. SW09-002. The motion was seconded by Commissioner Weber and passed unanimously.

The motion was based on the following findings:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Comprehensive Plan and the High Desert Area Plan;
2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;
3. Site Suitability. That the site is physically suitable for a Photovoltaic Solar Array project and for the intensity of such a development;
4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;
5. Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

***The following additional findings must also be made in regard to Development of Natural Resources:***

6. That the proposed development is not unduly detrimental to surrounding properties, land uses and the environment in general;
7. That the proposed development will not unduly block scenic views or degrade any surrounding scenic resources; and
8. That the proposed development will reclaim the site and all affected areas at the conclusion of the operation.

**AGENDA ITEM 2**

**PUBLIC HEARING: COMPREHENSIVE PLAN AMENDMENT CASE NUMBER CP09-007 (KESHMIRI PROPERTY)** - To consider a request to amend the Southwest Truckee Meadows Area Plan, being a part of the Washoe County Comprehensive Plan. The amendment request would re-designate a portion of Assessor's Parcel Number 041-051-31 ( $\pm 8.40$  acres) from the land use category of General Rural (GR) to High Density Rural (HDR), approximately  $\pm 6.31$  acres. The subject property is located at 4900 Neeser Lane, just south of Plateau and northwest of Caughlin Parkway. The subject parcel is within the unincorporated portion of the Washoe County Truckee Meadows Services Area (TMSA) and within the City of Reno's Area of Interest, as identified on Map 7 of the 2007 Truckee Meadows Regional Plan. The subject parcel is located within Section 20, T19N, R19E, MDM, Washoe County, Nevada. The property is within Washoe County Commission District 1 and within the Verdi Township/West Truckee Meadows Citizen Advisory Board boundary. To reflect changes requested within this application and to maintain currency of general area plan data, administrative changes to the area plan are proposed. These administrative changes include: a revised map series with updated parcel base.

Ms. Monsalvè reviewed the staff report dated December 23, 2009, placing emphasis on the different types of land use designations surrounding the parcel and their allowed uses. She showed graphics designating steep topography in the area and on the subject property, emphasizing that substantial portions of the lot were too steep for development.

Ms. Monsalvè went on to list the various policies and plans the land use change must adhere to, and stated it had met all required criteria. She pointed out the parcel was adjacent to a Low Density Suburban (LDS) parcel and a GR parcel that belongs to Washoe County and is common area for the Caughlin Ranch subdivision.

Ms. Monsalvè noted that a Comprehensive Plan Amendment (CPA) is simply to change the land use of a property and cannot be conditioned because it is not project-related. The review and imposition of conditions would happen at a future time if the applicant were to submit an application for a project such as a Tentative Map. The conditions may include, but not be limited to, requirements regarding amount of water, sewer connection, access improvement and fire safety plans.

She went on to note the item had been heard at two Verdi Township/West Truckee Meadows CAB meetings, one on October 14 and the other on December 9, 2009. Staff attended the second meeting to answer questions. The CAB unanimously recommended approval. She noted she had received both positive and negative input from the community and that all noticing had been completed according to the Nevada Revised Statutes (NRS) requirements for the Comprehensive Plan.

Ms. Monsalvè stated staff had been able to make all required findings, one was required for approval. She pointed out approval required a two-thirds majority vote from the Commission.

Applicant's Representative Britta Tryggvi stressed that of the 8.4-acre parcel, they would be re-designating 6.3 acres to HDR, which would allow one additional dwelling.

Chair VanderWell called for disclosures. None had any to report.

Chair VanderWell opened the public hearing.

Michael Ginder submitted a packet of evidence to the Commissioners and staff. He clarified he was speaking for his wife and himself and neighbors Bill Pearce, Marjorie Uhalde and John Lopez. He expressed concerns regarding amount of notice and engagement, the apparent conflict of land use with the Southwest Truckee Meadows (SWTM) Area Plan vision and character goals and policies and some misstatements by the applicant.

Mildred Burke introduced herself as the Interim President of Caughlin Ranch Homeowners Association (HOA). They felt they had not been provided adequate notice so that they could have sufficient time to comply with the laws governing the HOA. She stated they wished to request a continuance of the item so that they might agendaize and discuss the issue with the homeowners.

John Hara provided an overhead photo of the location of his property near the subject parcel. He expressed concerns regarding visual impact, setting of precedence, continuing to minimize development on steep hillsides and respect for surrounding character and zoning of the existing neighborhood.

Chair VanderWell closed the public hearing and asked Ms. Monsalvè to explain noticing and clarify the CPA process. Ms. Monsalvè stated requirements included property owners within a 750-foot radius and to include no less than 30. She verified noticing went out to 32 property owners and displayed the noticing map. She also pointed out that Community Development sends out a Courtesy Notice regarding the CAB meeting, which is not required by NRS, in addition to the legally required notice. The legal notice went out 10 days prior to the meeting. She noted she was told some property owners did not receive the notice, but she pointed out they were on the mailing list. Caughlin Ranch HOA and Eagle's Nest HOA were both sent notices. Budget restrictions do not allow the use of registered, return-receipt notices and Community Development does not post noticing at the site.

Ms. Monsalvè explained that, for a CPA, staff is required to look at the policies within the area plan, policies within the Truckee Meadows Regional Plan and the findings in the Development Code under Article 820. The request must conform and meet those policies. The Area Plan is a guiding document that does not set regulations. It sets the vision of an area. The SWTM Area Plan was recently updated and during her review she located several policies that showed the request was in conformance. She reiterated that staff could not recommend the CPA if it did not meet at least one of the five required findings and she found that the project had been able to meet those findings during her analysis. Additionally the project complies with the 2007 Regional Plan.

Ms. Monsalvè went on to note they could not condition the CPA because there was not an associated project and it was just to change the zoning. If the applicant wished to build another home on the property, they would be required to submit an application for a Tentative Parcel Map. At that time, other agencies will review the project and Community Development would apply conditions to the property. The Department of Water Resources will issue conditions relating to water. Community Development also has a Hillside Ordinance that allows them to limit development on slopes. Community Development can add a condition to the Parcel Map requiring the building envelope be delimited on the map.

Chair VanderWell called for disclosures. Commissioner Cobb recused himself from the vote, citing a personal friendship with Mr. Hara and the fact Mr. Hara was directly affected. DDA Edwards asked Commissioner Cobb if he felt there were any pecuniary interests, if he had been influenced by a gift or loan or had a commitment in a private capacity to the interests of others. Commissioner Cobb stated none of the listed items had occurred or were occurring. DDA Edwards noted Commissioner Cobb needed to decide if the relationship would materially impair his ability to remain impartial. Commissioner Cobb replied it would not; he was basing his decision on being very uncomfortable having been surprised by the appearance and testimony of Mr. Hara and not wanting to overstep his bounds.

DDA Edwards stated the recusal of Commissioner Cobb did not reduce the quorum required for the two-thirds majority vote for the item. He advised Commissioner Cobb leave the meeting for the duration of the hearing and vote on the item and Commissioner Cobb did so.

Ms. Monsalvè noted she had contacted the Nevada Department of Conservation and Natural Resources, who are responsible for issues regarding wildlife and historic preservation. She had received no response from them. She stated it would be necessary to add Finding 8, which would state: "The specific findings required by the Southwest Truckee Meadows (SWTM) Area Plan, including Policy SW 20.1 have been met."

Chair VanderWell closed the public hearing.

Commissioner Hartung asked if viewsheds would be taken into consideration if a project should come forward. Ms. Monsalvè replied there were no view easements in the county, but ridgeline protection is a consideration. The Hillside Ordinance restricts building on slopes greater than 30%. Tahoe Regional Planning Agency (TRPA) does have viewshed protection in the lake basin. Mr. Freund reiterated the restrictions imposed by the Hillside Ordinance but stated there was nothing in code that would require, or give the department the ability to enforce, scenic viewshed protection or ridgeline protection. The Area Plan Vision and Character statements, as well as the Goals and Policies are to be considered broad guidelines.

Commissioner Hibdon noted he had lived in the area for 27 years approximately one mile east of the project. He stated he had championed an organization of 1,600 property owners in the area to remove the properties from the City of Reno Sphere of Influence and they had been successful. Mr. Hibdon saw no problems with the application.

DDA Edwards asked Commissioner Hibdon if he believed his proximity to the property in question would materially affect his independence of judgment in this matter, if he had received any gift or loan in connection with the project, if he had any commitments in a private capacity to the interests of others or any pecuniary interests. For each item, Commissioner Hibdon replied negatively. DDA Edwards stated it was Commissioner Hibdon's decision to determine whether or not his independence of judgment would be materially affected and if not, he could proceed.

Commissioner Hibdon moved to approve, with the addition of Finding 8, Comprehensive Amendment Case No. CP09-007. The motion was seconded by Commissioner Weber and passed by a vote of six-zero-one. (Commissioner Cobb having recused himself from the item.)

The motion was based on the following findings:

1. The proposed amendment is in substantial compliance with the policies and action programs of the Washoe County Comprehensive Plan.
2. The proposed amendment will provide for land uses compatible with existing and planned adjacent land uses and will not adversely impact the public health, safety or welfare.
3. The proposed amendment 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 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. The proposed amendment will promote the desired pattern for the orderly 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 will not affect the location, purpose and mission of the military installation; and,
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 specific findings required by the Southwest Truckee Meadows Area Plan, including Policy SW 20.1, have been met.

Commissioner Cobb returned to the meeting.

Commissioner Hibdon complimented Mr. Freund and staff for a job well done.

## **PLANNING ITEMS**

### **AGENDA ITEM 3**

**PUBLIC HEARING: PUBLIC HEARING: DEVELOPMENT CODE AMENDMENT CASE NUMBER DCA09-002 – To amend Washoe County Code Chapter 110, Development Code, Article 302, Article 304 and Article 410: 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, Low Density Suburban, 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**

304.05(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; Section 304.25 to include convention facilities and wedding chapels as typical uses under the Convention and Meeting Facilities use type; Table 302.05.5 and Section 304.35 to create a new use type Commercial Animal Slaughtering, Mobile; and Section 304.35 to allow small scale Produce Sales, for a maximum duration of 30 days in any one calendar year in all regulatory zones; Table 302.05.2 to change Public Service Yards from a special use permit reviewed by the Planning Commission to one reviewed by the Board of Adjustment; Table 302.05.5 to change Commercial Animal Slaughtering from a special use permit reviewed by the Planning Commission to one reviewed by the Board of Adjustment; Table 410.10.3 to add parking standards for senior continuum of care facilities; Table 410.10.5 to add parking standards for Commercial Animal Slaughtering, Mobile.

Mr. Pelham reviewed the staff report dated December 18, 2009, emphasizing the changes being requested to the code were simply meant to help it be cleaner. Also, some uses had come into existence since the creation of the code and needed to be added. A citizen workshop had been held, offering the public an opportunity to submit their input.

Chair VanderWell opened the public hearing.

There was no response to the call for public testimony; Chair VanderWell closed the public hearing.

Discussion ensued regarding the requirement for all permanent commercial uses to construct a commercial structure. Mr. Pelham explained it was primarily to provide public facilities at a permanent commercial establishment.

Commissioner Hartung moved to recommend approval of Development Code Amendment Case No. DCA09-002 and for the Planning Commission to authorize the Chair to sign the Resolution recommending approval on behalf of the Commission. The motion was seconded by Commissioner Edwards.

DDA Edwards noted Commissioner Hartung's motion had referenced the changes recommended in the description for Articles 302 and 304 but not Article 410. Commissioner Hartung amended the motion to include Article 410. Commissioner Edwards confirmed he concurred as the second. The motion passed unanimously.

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 changed conditions or further studies that have occurred since the Development Code was adopted by the Washoe County

Commission, and the requested amendment will allow for a more desirable utilization of land within the regulatory zones; 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**

Neither Mr. Freund nor DDA Edwards had updates for the Commissioners.

Mr. Freund asked the Commissioners if they wished to change the meeting date of March 3, 2010 back to the original hearing date of March 2, 2010, to be held in the Washoe County Commission Chambers. Commissioner Hartung moved to change the meeting date to March 2, 2010 in the Chambers. The motion was seconded by Commissioner Weber and passed unanimously.

#### **DIRECTOR'S ITEMS**

Mr. Freund explained to the Commissioners the Board of County Commissioners had named the One-Map Two-Map System conversion as potentially one of their new strategic priorities.

Mr. Freund then requested Item 4 be reopened in order to obtain a clear motion and approval of the continuance of the item to the March meeting.

Commissioner VanderWell reopened the public hearing.

There was no response to the call for public testimony; Chair VanderWell closed the public hearing.

Commissioner Cobb moved to continue Development Code Amendment Case No. DCA08-009 to March 2, 2010. The motion was seconded by Commissioner Hartung and passed unanimously.

#### **ADJOURNMENT**

Since there was no further business to come before the Planning Commission, the meeting adjourned at 8:25 p.m.

Respectfully submitted,

---

Dawn Spinola, Recording Secretary

Approved by Commission in session on \_\_\_\_\_, 2010.

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Adrian P. Freund, FAICP  
Secretary to the Planning Commission

DRAFT



# Community Development

*"Dedicated to Excellence in Public Service"*

Adrian P. Freund, FAICP, Community Development Director



(February 3, 2010)

Consent Item A

Staff Recommendation: **CONDITIONAL APPROVAL**

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

**To:** Washoe County Planning Commission

**Re:** Amendment of Conditions Case Number AC10-001 (Amendment of Special Use Permit Case No. SW07-017 and Variance Case No. VA07-021 TMWA – Mogul Booster Pumping Facility)

**Date:** January 21, 2010

**Prepared By:** Sandra Monsalvè, AICP, Senior Planner

**GENERAL INFORMATION SUMMARY**

**Applicant:** Truckee Meadows Water Authority (TMWA)

**Requested Action:**

**(Truckee Meadows Water Authority, Amendment of Conditions Case Number AC10-001)** To amend condition number 2 of Special Use Permit Case No. SW07-017 and condition number 1 of Variance Case No. VA07-021. The original request was to construct a booster pumping facility to convey potable water through the Mogul area, as authorized by Table 110.302.05.2 of the Washoe County Development Code. The grading for the project will include approximately 540 cubic yards of excavation, 400 cubic yards of exported material and a retaining wall ranging from 3 feet to 8 feet in height.

**AND**

To vary the grading standards within Washoe County Development Code Sections 110.438.45(b)(1) and (2), allowing for 2:1 slopes instead of 3:1 slopes, and allowing fills higher than 48 inches within fifty (50) feet of a shared property line; and to vary the front yard setback standards of Section 110.406.50(b), allowing a retaining wall of up to 8 feet in height approximately 8 feet from the front property line.

**The subject parcel is located at 10020 Timberwolf Drive, approximately 300 feet west of its intersection with Cliff View Drive. The booster pumping facility is located at the rear of the property and will be accessed off West 4<sup>th</sup> Street.** The ±0.793-acre parcel is designated Medium Density Suburban (MDS) in the Verdi Area Plan, and is situated in a portion of Section 14, T19N, R18E, MDM, Washoe County, Nevada. The property is located in the Verdi Township Citizen Advisory Board boundary and Washoe County Commission District No. 5. (APN 038-461-06)

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<b>RECOMMENDATION/FINDINGS</b>
--------------------------------

Based upon the staff analysis, comments received, and the site inspection, staff recommends approval of the request with conditions and offers the following motion for your consideration:

I move that the Washoe County Planning Commission approve with conditions Amendment of Conditions Case Number AC10-001 for Truckee Meadows Water Authority (TMWA) having made the following findings in accordance with Washoe County Development Code Section 110.810.30 :

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Comprehensive Plan and the Verdi Area Plan;
2. Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven;
3. Site Suitability. That the site is physically suitable for the type of development and for the intensity of the development;
4. Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;
5. Reasoned Consideration. That the Planning Commissioners gave reasoned consideration to the information contained within the staff report and information received during the meeting.

AND

I move that the Washoe County Planning Commission approve with conditions Variance Case No. VA07-021 for the Truckee Meadows Water Authority having made the following findings in accordance with Washoe County Development Code Section 110.804.25:

1. Special Circumstances. That because of the special circumstances applicable to the property, including the narrowness of the property and exceptional topographic conditions, the strict application of the regulation results in exceptional and undue hardships upon the applicant and the community;

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2. No Detriment. That the relief will not create a substantial detriment to the public good, substantially impair affected natural resources or impair the intent and purpose of the Development Code or applicable policies under which the variance is granted;
3. No Special Privileges. That the granting of the variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the identical regulatory zone in which the property is situated;
4. Use Authorized. That the variance will not authorize a use or activity which is not otherwise expressly authorized by the regulation governing the parcel of property; and
5. Reasoned Consideration. That the Planning Commissioners gave reasoned consideration to the information contained within the staff report and information received during the meeting.

<b>ANALYSIS</b>
-----------------

**Background:**

On December 4, 2007 the Washoe County Planning Commission approved a special use permit request for the construction and operation of a booster pump station, and a variance for the excess associated grading. This Amendment of Conditions request is for an amendment to condition number two (2) of the approved special use permit (SW07-017) and condition number one (1) of the approved variance (VA07-021).

Condition number 2 of the General Conditions of SW07-017, requires the applicant to apply for building permits for all structures within two (2) years from the date of approval by Washoe County. Additionally, condition number one (1) of the General Conditions for VA07-021 also stipulates that the applicant apply for building permits within two (2) years of the date of approval from Washoe County.

On October 14, 2009 the Washoe County Department of Community Development received a letter (Attached) from the applicant requesting a time extension. Specifically, the applicant is requesting an indefinite period of time extension for both approved discretionary permits for building permit issuance. The reasons stated by the applicant are the dramatic downturn in the economy, affecting the building industry which has subsequently affected the required necessary funding to construct a booster pump station all associated appurtenances.

Although this is a very significant reason for the time extension request, staff has concerns about an indefinite period of time. There could be a plethora of unforeseen

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circumstances that could arise over such a long period. Therefore, staff has recommended, with approval from the Planning Commission, a five (5) year time extension related to building permit issuance for both permits. Staff believes five (5) years is a reasonable time extension, thereby giving new expiration dates of December 4, 2014 for both SW07-017 and VA07-021. All other aspects of the original conditions will remain as previously approved for both SW07-017 and VA07-021.

<b>APPLICABLE REGULATIONS</b>
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Nevada Revised Statutes Chapter 278; Washoe County Code Chapter 110.

Attachments: Letter from the Applicant dated, October 14, 2009.

xc: Applicant: Truckee Meadows Water Authority (TMWA), Attn: Juan Esparza,  
P.O. Box 30013, Reno, NV 89520-3013.

Property Owner: Michael & Carrie Farquhar, 10020 Timberwolf Drive, Reno, NV  
89439.

Agencies: Verdi Township Citizen Advisory Board, Chair.

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**CONDITIONS FOR  
AMENDMENT OF CONDITIONS CASE NUMBER AC10-001**

(Amendment of Special Use Permit Case No. SW07-017 and Variance Case No. VA07-021 for the Mogul Booster Pumping Facility)

(As recommended by Department of Community Development and attached to Staff Report dated January 21, 2010)

**\*\*\*IMPORTANT—PLEASE READ\*\*\***

**UNLESS OTHERWISE SPECIFIED, ALL CONDITIONS MUST BE MET OR FINANCIAL ASSURANCES MUST BE PROVIDED TO SATISFY THE CONDITIONS PRIOR TO SUBMITTAL FOR A BUILDING PERMIT. THE AGENCY RESPONSIBLE FOR DETERMINING COMPLIANCE WITH A SPECIFIC CONDITION SHALL DETERMINE WHETHER THE CONDITION MUST BE FULLY COMPLETED OR WHETHER THE APPLICANT SHALL BE OFFERED THE OPTION OF PROVIDING FINANCIAL ASSURANCES. ALL AGREEMENTS, EASEMENTS, OR OTHER DOCUMENTATION REQUIRED BY THESE CONDITIONS SHALL HAVE A COPY FILED WITH THE COUNTY ENGINEER AND THE DEPARTMENT OF COMMUNITY DEVELOPMENT.**

**COMPLIANCE WITH THE CONDITIONS OF THIS AMENDMENT OF CONDITIONS IS THE RESPONSIBILITY OF THE APPLICANT, ITS SUCCESSOR IN INTEREST, AND ALL OWNERS, ASSIGNEES, AND OCCUPANTS OF THE PROPERTY AND THEIR SUCCESSORS IN INTEREST. FAILURE TO COMPLY WITH ANY CONDITIONS IMPOSED IN THE ISSUANCE OF THE SPECIAL USE PERMIT MAY RESULT IN THE INSTITUTION OF REVOCATION PROCEDURES.**

**WASHOE COUNTY RESERVES THE RIGHT TO REVIEW AND REVISE THE CONDITIONS OF THIS APPROVAL SHOULD IT DETERMINE THAT A SUBSEQUENT LICENSE OR PERMIT ISSUED BY WASHOE COUNTY VIOLATES THE INTENT OF THIS APPROVAL.**

**FOR THE PURPOSES OF CONDITIONS IMPOSED BY WASHOE COUNTY, “MAY” IS PERMISSIVE AND “SHALL” OR “MUST” IS MANDATORY.**

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### **GENERAL CONDITIONS**

1. The applicant shall demonstrate conformance to the plans approved as part of this special use permit. The Department of Community Development shall determine compliance with this condition.
2. The applicant shall apply for building permits for all structures used to further the operation within ~~two~~ **seven (7)** years from the **original** date of approval (**December 4, 2007**) by Washoe County. The Department of Community Development shall determine compliance with this condition.
3. This special use permit shall remain in effect until or unless it is revoked or is inactive for one year.
4. Failure to comply with the conditions of approval shall render this approval null and void. Compliance with this condition shall be determined by the Department of Community Development.
5. A copy of the Final Order stating conditional approval of this special use permit shall be attached to all applications for administrative permits, including building and grading permits issued by Washoe County.
6. The applicant and any successors shall direct any potential purchaser/operator of the special use permit to meet with the Department of Community Development to review conditions of approval prior to the final sale of the special use permit. The subsequent purchaser/operator of the special use permit shall notify the Department of Community Development of the name, address, telephone number, and contact person of the new purchaser/operator within 30 days of the final sale.
7. A note shall be placed on all construction drawings and grading plans stating:

#### NOTE

Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted at the specific site and the State Historic Preservation Office of the Department of Museums, Library and Arts, shall be notified to record and photograph the site. The period of temporary delay shall be limited to a maximum of two (2) working days from the date of notification.

8. Construction hours shall be limited to 7 a.m. to 6 p.m., Monday through Saturday only. Allowable construction hours shall be extended to 7 p.m., May 1 through November 30 only. Machinery and construction vehicles shall not be started, or arrive on the site, prior to 7 a.m. Compliance with this condition shall be determined by the Department of Community Development.

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### **LANDSCAPING AND DESIGN CONDITIONS**

9. The following conditions are requirements of the Department of Community Development and it shall be responsible for determining compliance with these conditions:
- a. Prior to any ground disturbing activity, the applicant shall submit a landscaping/architectural design plan to the Department of Community Development. Said plan shall address, but not be limited to: type and color of building materials, general architectural design, parking, parking lot circulation and striping, signage, exterior lighting, fencing, trash enclosures, landscaping material (if plant material: type, size at time of planting, maturation size at full growth, period of time between planting and full growth), landscaping location, landscaping irrigation system, and financial assurances that landscaping will be planted and maintained.
  - b. A certification letter or series of letters by a landscape architect registered in the State of Nevada shall be submitted to the Department of Community Development. The letter(s) shall certify that all applicable landscaping provisions of Articles 410 and 412 of the Development Code have been met. Any landscaping plans and the letter shall be wet-stamped. The letter shall indicate any provisions of the Code that the Director of Community Development has waived.
  - c. All landscaping shall be maintained in accordance with the provisions found in Section 110.412.75, Maintenance. A three-year maintenance plan shall be submitted by a licensed landscape architect registered in the State of Nevada to the Department of Community Development, prior to a Certificate of Occupancy. The plan shall be wet-stamped.
  - d. Prior to the issuance of any building or grading permit, all landscaping information indicated in Condition 9(a) shall be submitted to the Department of Community Development for review and approval by the Design Review Committee. Landscaping material shall also be reviewed for its resistance to fire.
  - e. Prior to the issuance of any building or grading permit, the landscaping plan approved by the Design Review Committee shall be deemed acceptable by the Washoe County Fire Services Coordinator.
  - f. Prior to being issued a Certificate of Occupancy or Final Inspection, the applicant shall revegetate all disturbed areas on the subject site, including cut and fill slopes, with native vegetation, except those areas permanently stabilized by a structure, pavement or ornamental landscaping that provides 50% or greater coverage by living plant material. Temporary irrigation shall be provided to all disturbed areas for a time period of not less than three years.

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- g. The architectural design, color palette, and roofing materials of the proposed structure shall complement existing residential structures in the immediate vicinity. All exterior materials and colors shall be non-reflective.
- h. Any chain-link fencing surrounding the facility shall be of non-reflective, vinyl-coated chain link. The color of the chain link shall be a tan or dark brown to blend with surrounding environment.
- i. All proposed lighting at this facility shall be down-shielded to prevent spillover onto adjacent properties.
- j. Retaining walls shall be treated with "Permeon" simulated desert varnish or an equivalent product to ensure that the walls match the color of the surrounding hillside as closely as practicable. Final construction drawings shall include a note indicating compliance with this condition.

### **SOUND CONDITIONS**

10. The following conditions are requirements of the Department of Community Development and it shall be responsible for determining compliance with these conditions:
- a. Sound emissions, as measured from the closest property line external to the project, from any source or operations on the property shall not exceed any of the following noise levels. Noise levels shall be measured as A-weighted sound pressure levels, using fast response setting on a Type 1 or a Type 2 sound level meter:
    - i. 65 dB  $L_{eq(10)}$  during the hours of 7:00 a.m. to 7:00 p.m.
    - ii. 55 dB  $L_{eq(10)}$  during the hours of 7:01 p.m. to 6:59 a.m.
    - iii. 85 dB instantaneous maximum noise levels, measured at least three (3) times over any 10-minute period.
    - iv. 75 dB instantaneous maximum noise levels, measured at least three (3) times over any 10-minute period, during the hours of 10:01 p.m. to 6:59 a.m.
    - v. 120 dB instantaneous peak measures at any time.
  - b. Construction noise and on-going operational noise associated with the project shall meet all noise standards of the Development Code and those listed in Condition 10(a). Upon verifiable unresolved complaint from surrounding property owner(s) of excessive noise, Washoe County may secure the services of a qualified noise consultant. The applicant shall be responsible for reimbursing the County for all costs incurred to complete two 24-hour monitorings of the operation to assure compliance with noise standards. Failure to compensate the County within 30 days of presentation of the

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contract fee shall render the special use permit null and void. Should the noise monitoring report substantiate non-compliance with noise standards, within one (1) week, the applicant shall secure the services of a qualified noise consultant to promptly prepare a noise attenuation plan for submittal to the Department of Community Development. Upon approval of the submittal by Department of Community Development staff, the plan shall be immediately implemented and continuing monitoring shall be established. All cost incurred shall be funded by the applicant to ensure compliance with noise standards.

### **ENGINEERING CONDITIONS**

11. The following conditions are requirements of the County Engineer and it shall be responsible for determining compliance with these conditions:
  - a. A complete set of construction improvement drawings, including an on-site grading plan shall be submitted when applying for a building/grading permit. Grading shall comply with best management practices (BMPs) and shall include detailed plans for grading, site drainage, erosion control (including BMP locations and installation details), slope stabilization, and mosquito abatement. Placement or removal of any excavated materials shall be indicated on the grading plan. Silts shall be controlled on-site by BMPs.
  - b. An approved occupancy permit shall be obtained from the Nevada Department of Transportation (NDOT), for access to, from, or under roads and highways maintained by NDOT and a copy of said permit sent to the Engineering Division.

**AND**

### **SPECIFIC CONDITIONS FOR VARIANCE CASE NO. VA07-021**

1. The applicant shall apply for building permits for all structures used to further the operation within ~~two~~ **seven (7)** years from the **original** date of approval (**December 4, 2007**) by Washoe County.. The Department of Community Development shall determine compliance with this condition.
2. The applicant shall demonstrate conformance with the plans approved as part of this variance. Modification to the site plan may require amendment to and reprocessing of the variance. The Department of Community Development shall determine compliance with this condition.
3. A copy of the Final Order and approved site plan for the variance shall be attached to all building permit applications issued by Washoe County. Building plans will not be reviewed unless the Final Order and site plan are attached. The

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Department of Community Development shall determine compliance with this condition.

4. A note shall be placed on all construction drawings and grading plans stating:

NOTE

Should any prehistoric or historic remains/artifacts be discovered during site development, work shall temporarily be halted at the specific site and the State Historic Preservation Office of the Department of Museums, Library and Arts, shall be notified to record and photograph the site. The period of temporary delay shall be limited to a maximum of two (2) working days from the date of notification.

5. Construction hours shall be limited to 7 a.m. to 6 p.m., Monday through Saturday only. Allowable construction hours shall be extended to 7 p.m., May 1 through November 30 only. Machinery and construction vehicles shall not be started, or arrive on the site, prior to 7 a.m. Compliance with this condition shall be determined by the Department of Community Development.

**LANDSCAPING AND DESIGN CONDITIONS**

6. The following conditions are requirements of the Department of Community Development and it shall be responsible for determining compliance with these conditions:
  - a. Prior to any ground disturbing activity, the applicant shall submit a landscaping/architectural design plan to the Department of Community Development. Said plan shall address, but not be limited to: type and color of building materials, general architectural design, parking, parking lot circulation and striping, signage, exterior lighting, fencing, trash enclosures, landscaping material (if plant material: type, size at time of planting, maturation size at full growth, period of time between planting and full growth), landscaping location, landscaping irrigation system, and financial assurances that landscaping will be planted and maintained.
  - b. A certification letter or series of letters by a landscape architect registered in the State of Nevada shall be submitted to the Department of Community Development. The letter(s) shall certify that all applicable landscaping provisions of Articles 410 and 412 of the Development Code have been met. Any landscaping plans and the letter shall be wet-stamped. The letter shall indicate any provisions of the Code that the Director of Community Development has waived.
  - c. All landscaping shall be maintained in accordance with the provisions found in Section 110.412.75, Maintenance. A three-year maintenance plan shall be submitted by a licensed landscape architect registered in the State of Nevada

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to the Department of Community Development, prior to a Certificate of Occupancy. The plan shall be wet-stamped.

- d. Prior to the issuance of any building or grading permit, all landscaping information indicated in Condition 6(a) shall be submitted to the Department of Community Development for review and approval by the Design Review Committee. Landscaping material shall also be reviewed for its resistance to fire.
- e. Prior to the issuance of any building or grading permit, the landscaping plan approved by the Design Review Committee shall be deemed acceptable by the Washoe County Fire Services Coordinator.
- f. Prior to being issued a Certificate of Occupancy or Final Inspection, the applicant shall revegetate all disturbed areas on the subject site, including cut and fill slopes, with native vegetation, except those areas permanently stabilized by a structure, pavement or ornamental landscaping that provides 50% or greater coverage by living plant material. Temporary irrigation shall be provided to all disturbed areas for a time period of not less than three years.
- g. Retaining walls shall be treated with "Permeon" simulated desert varnish or an equivalent product to ensure that the walls match the color of the surrounding hillside as closely as practicable. Final construction drawings shall include a note indicating compliance with this condition.

**\*\*\* END OF CONDITIONS \*\*\***

14 October 2009

Mr. Paul Kelly  
Washoe County Community Development  
P.O. Box 11130  
Reno, NV 89520-0037

Re: Request for Extension for Special Use Permit SW07-017 and Variance VA07-021

Dear Mr. Kelly,

The Truckee Meadows Water Authority (TMWA) would like to request an indefinite extension of the above-referenced Special Use Permit and Variance. When TMWA made application for the project, it was anticipated that the pump station facility would be constructed within the timeframes called for in the permits. The dramatic downturn in commercial and residential development that occurred shortly thereafter resulted in a lack of funding to construct the facility. As economic conditions have not changed substantially during the past two years, TWMA has been unable to move forward with the project and cannot anticipate when the pump station will be required.

TMWA committed to the project and acquired the property, at a cost of approximately \$80,000, based upon issuance of the SUP and variance. Having to go through the permitting process again would add costs for a project that was not controversial for the neighborhood.

Thank you very much for your consideration.

Sincerely,



Juan C. Esparza, P.E.  
Truckee Meadows Water Authority

/je



# WASHOE COUNTY

## Department of Public Works

*"Dedicated to Excellence in Public Service"*

DAN ST. JOHN, P.E., Public Works Director

1001 East 9<sup>th</sup> Street PO Box 11130 Reno, Nevada 89520 Telephone: (775) 328-2040 Fax: (775) 328-3699

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### PLANNING COMMISSION AGENDA ITEMS

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DATE: January 19, 2010

TO: Washoe County Planning Commission

FROM: Norman T. Lindeman, Engineering Division

SUBJECT: Sun Valley Drive, Parcel Map #3497 – Acceptance of a Portion of Sun Valley Drive that was Previously Rejected on Parcel Map #3497

cc: Dawn Spinola, Department of Community Development

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#### **Recommendation:**

It is recommended that the Planning Commission accept the attached "Resolution Accepting Streets" and return it to Engineering for recordation.

#### **Background:**

Parcel Map #3497 (Sun Valley Drive) was approved by Community Development on March 29, 1999 and recorded on March 30, 1999. Street Right-of-Way is necessary for County improvements and pedestrian path.

#### **Comments:**

Approximately 4,447 square feet of Right-of-Way will be added to the Washoe County street system by this action.

The project is located near the intersection of Sun Valley Drive and Eighth Avenue.

*Attachment*

*NL/ke*

APN: 85-383-18, 85-383-19

*When recorded return to:  
Washoe County Engineering Division  
PO Box 11130  
Reno, NV 89520*

## **RESOLUTION ACCEPTING STREETS**

Philip J. Hosking – Parcel Map 3497, Section 18, Range 20 East, Township 20 North (Sun Valley Drive) (See Attached Exhibit A Parcel Map 3497)

DOCUMENT #2322621 RECORDED March 30, 1999.

WHEREAS, it is a function of the County of Washoe to operate and maintain public streets; and

WHEREAS, certain streets, or portions thereof, were offered for dedication by Parcel Map No.3497, Document No. 2322621 recorded on March 30, 1999; and

WHEREAS, said offer of dedication was rejected by the Community Development Director; and

WHEREAS, NRS 278.390 specifically provides that if at the time a final map is approved any streets are rejected, but the offer of dedication shall be deemed to remain open and the governing body or planning commission may by resolution at any later date, and without further action by the subdivider, rescind its action and accept and open the streets for public use; and

WHEREAS, portions of said streets are necessary for County improvements; and

WHEREAS, said street is necessary for public access; and

WHEREAS, the Planning Commission finds that it is in the best interest of the public to accept said street.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the County of Washoe, pursuant to NRS 278.390, that the street shown on Parcel Map #3497 is hereby accepted.

BE IT FURTHER RESOLVED, and hereby ordered, that the Washoe County Engineer shall record this resolution in the Office of the Washoe County Recorder.

**PLANNING COMMISSION OF WASHOE COUNTY, NEVADA**

\_\_\_\_\_  
DIAN VANDERWELL, CHAIR

\_\_\_\_\_, 2010

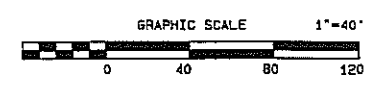
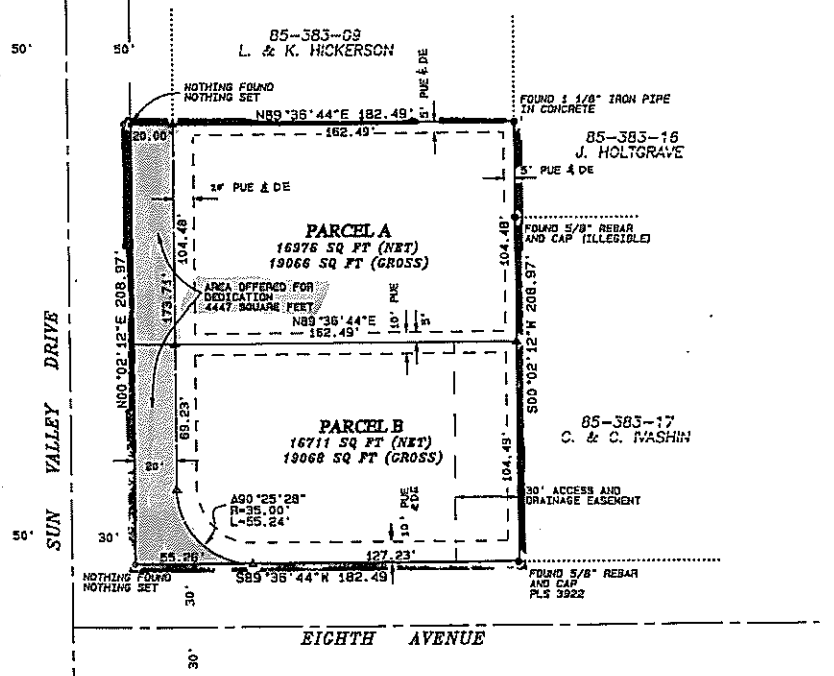
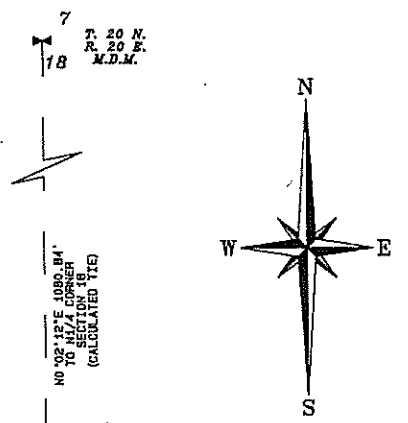
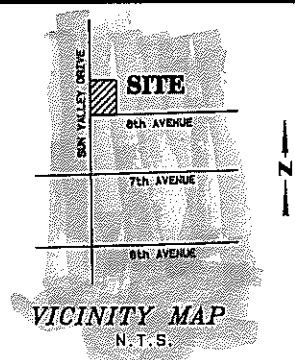
ATTEST:

\_\_\_\_\_  
ADRIAN P. FREUND, FAICP  
Director of Community Development

L64E

LEGEND

- PUE PUBLIC UTILITIES EASEMENT
- DE PRIVATE DRAINAGE EASEMENT
- FOUND MONUMENT AS INDICATED
- ▲ SET 5/8" REBAR AND CAP PLS 12991



CUMULATIVE INDEXES SHOULD BE EXAMINED FOR ANY SUBSEQUENT CHANGES TO THIS MAP

2322621

TITLE COMPANY CERTIFICATE

The undersigned hereby certifies that this plat has been examined and the subdivider offering this plat is the last title holder of record for all the lands delineated hereon and the lands are free from recorded liens or encumbrances, with the exception of Deed of Trust, Doc # 2840791 as of Dec 15-2-12 1999: 1998 1999

Title Company: Western Title Company, Inc.  
 BY: Ray J. J. Date: 1-11-99 3:20 PM  
 Title of Officer: Assistant Secretary

OWNER'S CERTIFICATE

This is to certify that the undersigned, PHILIP J. HOSKING, TRUSTEE OF THE HOSKING FAMILY TRUST is the owner of the tract of land represented on this plat and has consented to the preparation and recordation of this plat and that the same is executed in compliance with and subject to the provisions of NRS Chapter 278.

The easements as shown hereon are hereby granted.  
 A portion of Sun Valley Drive is offered for dedication as shown hereon.

By: Philip J. Hosking Date: 1-11-99  
 Philip J. Hosking  
 Trustee of the Hosking Family Trust

UTILITY COMPANIES' CERTIFICATE

The utility easements shown on this plat have been checked, accepted and approved by the undersigned utility companies.

Cecilia Casicio Date: 1/11/99  
 Sierra Pacific Power Company

Harold Wickham Date: 1/11/99  
 Nevada Bell

John M. Ward Date: 1/11/99  
 Cox Cablevision of Nevada

State of Nevada ) ss  
 County of Washoe )

On this 11 day of January 1999, personally appeared before me, a notary public in said county and state, Philip J. Hosking, Trustee of the Hosking Family Trust, who acknowledged to me that he executed the above instrument, in witness whereof, I hereunto set my hand and affix my Official Seal on the date and year first above written.

Rae Ann Loving  
 Notary Public

RAE ANN LOVING  
 Notary Public - State of Nevada  
 Appointment Recorded in Washoe County  
 No. 30 06112 - EXPIRES APR. 21, 2001

TAX CERTIFICATE 85-383-08

The undersigned hereby certifies that all property taxes on this land for the fiscal year have been paid and that the full amount of any deferred property taxes for the conversion of the property from agricultural use has been paid pursuant to NRS 361A.265.

WASHOE COUNTY TREASURER  
 BY: Duffey Anderson Date: 1-27-99  
 Duffey

SURVEYOR'S CERTIFICATE

I, Charles Ken Iwamura, a Professional Land Surveyor licensed in the State of Nevada, certify that:

- This plat represents the results of a survey conducted under my direct supervision at the instance of Phillip J. Hosking, Trustee of the Hosking Family Trust.
- The lands surveyed lie within the North West 1/4 of the North East 1/4 of Section 18, Township 20 North, Range 20 East, M.D.M. and the survey was completed on December 30, 1998.
- This plat complies with applicable statutes of this state and any local ordinances in effect on the date that the governing body gave its final approval.
- The monuments depicted on the plat are of the character shown and occupy the positions indicated and are of sufficient number and durability.

Charles Ken Iwamura  
 Charles Ken Iwamura  
 Professional Land Surveyor No. 12991

Professional Land Surveyor State of Nevada  
 CHARLES KEN IWAMURA  
 License No. 12991  
 12-30-98

BASIS OF BEARINGS

Identical to Parcel Map No. 190, File No. 378265 in the Official Records of Washoe County, Nevada, and was determined from the monuments shown as found.

REFERENCES

- Parcel Map No. 2314, File No. 127110 in the Official Records of Washoe County, Nevada.
- Parcel Map No. 190, File No. 378265 in the Official Records of Washoe County, Nevada.

NOTES

- A utility easement is also hereby granted within each parcel for the exclusive purpose of installing and maintaining utility service facilities to that parcel and the right to exit that parcel with said utility facilities for the purpose of serving adjacent parcels at locations mutually agreed upon by the owners of record at that time, and the utility company.
- The utility easements shown on this plat include use for the installation and maintenance of Cable Television facilities.
- There is no direct access from Sun Valley Boulevard, direct access is from Eighth Avenue.
- Natural drainage will not be impeded.

COMMUNITY DEVELOPMENT CERTIFICATE

This final map is in substantial compliance with the tentative map, PH3-29-98 and all conditions of approval have been met. Therefore, this parcel map is approved on this 22 day of March 1999.

The offer of dedication of Sun Valley Drive as shown hereon is rejected at this time, but will remain open in accordance with NRS 278.

Robert W. Williams  
 Director of Community Development

WATER RIGHT DEDICATION CERTIFICATE

The Water and Sewer requirements set forth in Article 422 of the Washoe County Development Code, related to the dedication of water resources, have been satisfied.

John D. Anderson Date: 1/27/99  
 Washoe County Utility Division

TOTAL AREA: 38,134 SQUARE FEET (0.875 ACRES)

<p>PARCEL MAP FOR PHILIP J. HOSKING</p> <p>LYING WITHIN A PORTION OF THE NW 1/4 OF THE NE 1/4 SECTION 18, TOWNSHIP 20 NORTH, RANGE 20 EAST, M.D.M.</p> <p>WASHOE COUNTY NEVADA</p>		<p>FILE NO. <u>2322621</u></p> <p>FILED FOR RECORD AT THE REQUEST OF <u>Iki State</u></p> <p>ON THIS <u>30</u> DAY OF <u>March</u> 1999 AT <u>44</u> MIN. PAST <u>4</u> O'CLOCK, P.M.</p> <p>OFFICIAL RECORDS OF <u>Washoe</u> COUNTY, NEVADA.</p> <p><u>Kathryn L. Burke</u>        COUNTY RECORDER</p>
<p>TRI STATE SURVEYING, LTD.</p> <p>1925 E. PRATER WAY        SPARKS, NEVADA 89434        (702) 358-9491 • FAX # 358-3684</p>	<p>Job No. 98194.01</p> <p>SHEET <u>1</u> OF <u>1</u></p>	<p>BY: <u>C. Bartley</u>        DEPUTY RECORDER</p> <p>DATE: <u>1-27-99</u></p>

Parcel Map 3497

(Exhibit A)

3497  
CUMULATIVE INDEXES SHOULD BE EXAMINED FOR ANY SUBSEQUENT CHANGES TO THIS MAP