



# 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  
William Weber

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

## WASHOE COUNTY PLANNING COMMISSION

### MINUTES

May 4, 2010

The Washoe County Planning Commission met in regular session on Tuesday, May 4, 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  
Kimberly H. Robinson, Planning Manager, Community Development  
Roger Pelham, Senior Planner, Community Development  
Sandra Monsalvè, Senior Planner, Community Development  
Don Morehouse, Planner, Community Development  
Nathan Edwards, Deputy District Attorney  
Dawn Spinola, Recording Secretary, Community Development

### PLEDGE OF ALLEGIANCE

Commissioner Whittemore 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 4, 2010, meeting. Commissioner Weber seconded the motion, which passed unanimously.

**APPEAL LANGUAGE**

Ms. Robinson recited the appeal procedure for items heard before the Planning Commission.

**APPROVAL OF MINUTES**

None

**PUBLIC COMMENTS**

Chair Vanderwell recited the public comment procedure for items heard before the Planning Commission.

Garth Elliott and Gary Schmidt spoke regarding the state of the county and offered suggestions for improvement.

Chair VanderWell stated she had been asked to read the following disclosure statement into the record: "Reminder to each of the Planning Commissioners about conflict of interest disclosures. At the time of each item on the agenda is called, you must disclose conflicts of interest if you have any, including a pecuniary interest in the matter, receipt of a gift or loan in connection with the matter or a commitment in a private capacity to the interests of others in the matter. If you make a disclosure you will next need to state on the record if your independence of judgment would be materially affected by the conflict. If so, you must recuse yourself and not participate in the item."

**CONSENT ITEMS**

- A. EXTENSION OF TIME REQUEST FOR THE TENTATIVE SUBDIVISION MAP CASE NO. TM03-004 (WOODLAND VILLAGE) - To extend for two years, until April 30, 2013, the approval of 515 remaining lots of a single-family, common open space subdivision. The approved subdivision allows the development of 2,028 residential lots. The project is located at the north end of Cold Springs Valley. The property is designated Medium Density Suburban (MDS), Low Density Suburban (LDS), General Rural (GR), and Neighborhood Commercial (NC) in the North Valleys Area Plan, and is situated in a portion of Sections 9, 15 and 16, T21, R18, MDM, Washoe County, Nevada. The property is located in the Cold Springs Citizen Advisory Board boundary and Washoe County Commission District No. 5. (APN: 556-290-14; 556-290-18; 556-390-18; 556-390-21; 556-490-03; and 556-490-05)
- B. TO CONSIDER AND ADOPT RESOLUTIONS INITATING AMENDMENTS TO THE WASHOE COUNTY DEVELOPMENT CODE Article 310, Temporary Uses and Structures, to consolidate and create one set of standards for Fire Wood

Sales, Christmas Tree Sales, and Pumpkin Patches into one category of Seasonal Sales; to add Agricultural and Produce Sale to Seasonal Sales; and to incorporate other beneficial changes as may be identified during the public input process and properly related to the efficient administration of Article 310 of the Development Code.

- C. TO CONSIDER AND ADOPT RESOLUTIONS INITIATING AMENDMENTS TO THE WASHOE COUNTY DEVELOPMENT CODE Article 310, Temporary Uses and Structures, to clarify when Mobile Homes, Manufactured Homes, Travel Trailers, Commercial Coaches and Recreational Vehicles can be used as temporary structures and incorporate other beneficial changes as may be identified during the public input process and properly related to the efficient administration of Article 310 of the Development Code.

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

#### **PROJECT REVIEW ITEMS:**

##### **AGENDA ITEM 1**

PUBLIC HEARING: ABANDONMENT CASE NUMBER AB10-001 (STEVENS/COTE' RESIDENCES) (Continued from April 6, 2010 agenda) – To abandon segments of Winters Creek Lane, Casey Ranch Road and associated public access as authorized in Article 806 of the Washoe County Development Code (Washoe County Code Chapter 110). The project is located at 100 Winters Creek/1453 Casey Ranch Road Lane near the Highway 395 Bowers Mansion off ramp in the West Washoe Valley. The two 5-acre parcels are designated Medium Density Rural (MDR) in the South Valleys Area Plan, and are situated in a portion of Section 27, T17N, R19E, MDM, Washoe County, Nevada. The properties are located in the West Washoe Valley Citizen Advisory Board boundary and Washoe County Commission District No. 2. (APN 046-051-42 and APN 046-051-37)

Chair VanderWell opened the public hearing and called for disclosures.

Commissioner Weber stated he had a disclosure related to a Consent item. He had participated in the purchase of property in Woodland Village and had profited monetarily. He felt comfortable that it had been long enough ago that it was not an issue.

Regarding Agenda Item 1, Chair VanderWell disclosed she had met with the applicant and also with adjacent property owner Ms. Hannah, as well as Ms. Hannah's associate Mr. Paszek. Commissioner Weber stated he had also completed a site visit and met with the same individuals.

Mr. Morehouse reviewed the staff report dated March 23, 2010. He noted there had been some confusion regarding whether or not the Hannah property was involved in the abandonment and provided displays of the property lines. The displays showed that the Hannah property was not part of the abandonment request.

Chair VanderWell closed the public hearing.

Commissioner Hibdon asked Mr. Morehouse to show where the fire department turnaround was located. Mr. Morehouse pointed out the location on the display.

Commissioner Edwards asked Mr. Morehouse if the county would be abandoning the access to the owners and Mr. Morehouse confirmed that was correct. Commissioner Edwards asked why the county would do that. Mr. Morehouse explained these were access easements that were no longer in use and other easements existed to serve the properties. He pointed them out on the displays. Commissioner Edwards asked if the easements in question had other uses. Mr. Morehouse reiterated they were not being used and in fact no longer contained a roadbed. Commissioner Edwards pointed out there were lots of easements not being used but that did not mean the county should give them away. He stated he was attempting to understand the benefit to the county by granting the abandonment request. He noted easements were in place for future expansion and it cannot be predicted what will happen in the future. Commissioner Edwards reiterated he saw no benefit to the county.

Commissioner Weber pointed out the land was owned by the property owner, not the county and had granted the easement to the county. He stated he and Commissioner VanderWell had visited the property with concerns of fire safety and there is not only a hammerhead turnaround, but also a secondary street that can be used for fire access that is not associated with the easement.

Ms. Robinson noted it would also remove the county's liability for the easement, and that Community Development and Public Works staff had ascertained this was not an easement that the county had identified as having a need for in the future.

Commissioner Hartung moved to approve Abandonment Case No. AB10-001. The motion was seconded by Commissioner Weber and passed by a vote of 6 to 1. (Commissioner Edwards opposed.)

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 South Valleys 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.

## **AGENDA ITEM 2**

**PUBLIC HEARING: COMPREHENSIVE PLAN AMENDMENT CASE NUMBER CP10-001 (SPRINGWOOD RANCH) - To consider a request to amend the Warm Springs Specific Plan (WSSP), a part of the Warm Springs Area Plan, being a part of the**

Washoe County Comprehensive Plan. The amendment request involves the redesignation of ±11.0 acres of a ±38.78 acre parcel from Neighborhood Commercial (NC) to General Rural (GR). The subject parcel (±38.78 acres) is currently made up of three (3) regulatory zones, Neighborhood Commercial (NC - ±16.64 acres), General Rural (GR - ±20.51 acres) and Medium Density Rural (MDR - ±1.21 acres) respectively. The subject property is located at 5600 Whiskey Springs Road, at the intersection of Whiskey Springs Road and Ironwood Road, approximately 900 feet east of Pyramid Highway (SR445). The subject parcel is located within the unincorporated portion of the Truckee Meadows Services Area (TMSA) as identified on Map 7 of the 2007 Truckee Meadows Regional Plan. The subject parcel is located within Section 6, T22N, R21E, MDM, Washoe County, Nevada. The property is within Washoe County Commission District 4 and within the Warm Springs Citizen Advisory Board boundary. (APN: 076-242-05)

To reflect changes requested within this application and to maintain currency of general area plan data, administrative changes to the Warm Springs Area Plan and the Warm Springs Specific Plan are proposed. These administrative changes include: a revised map series with updated parcel base, and updated applicable text.

Ms. Monsalvè reviewed the staff report dated April 26, 2010. She noted the 100-year floodplain ran through the center of the property and the additional requested General Rural zoning would allow the applicant to apply for a permit to open a commercial stable. The Warm Springs Citizen Advisory Board (CAB) voted three in favor and one opposed to the land use change.

Chair VanderWell opened the public hearing.

Mr. Schmidt spoke in favor of the project. He stated the opposing CAB vote had been from a member who was concerned that any change in zoning potentially set a precedent for increases in density in the area.

Chair VanderWell closed the public hearing.

Commissioner Edwards moved to adopt Comprehensive Plan Amendment Case No. CP10-001 and authorize the Chair to sign the Resolution having made one or more of the following findings in accordance with Washoe County Development Code Section 110.820.15. The motion was seconded by Commissioner Cobb and passed unanimously.

The motion was based on the following findings:

1. The proposed amendment to the Warm Springs Specific Plan (WSSP), a part of the Warm Springs Area Plan is in substantial compliance with the policies and action programs of the Washoe County Comprehensive Plan;
2. The proposed amendments to the Warm Springs Specific Plan (WSSP), a part of the Warm Springs Area Plan 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 amendments will further implement and preserve the Vision and Character Statement of the Warm Springs Specific Plan (WSSP), a part of the Warm Springs Area Plan Area Plan;
4. The proposed amendment to the Warm Springs Specific Plan (WSSP), a part of the Warm Springs 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 amendments to Warm Springs Specific Plan (WSSP), a part of the Warm Springs 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 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.

### **AGENDA ITEM 3**

**PUBLIC HEARING: SPECIAL USE PERMIT CASE NO. SW10-001 (RUBY PIPELINE WATER TRUCK FILL STATIONS AND GRAVEL PIT) –** To develop seven temporary water truck fill sites (Utility Services Use Type) and one temporary aggregate pit (Aggregate Facilities Use Type) as authorized in Section 110.302 of the Washoe County Development Code, for dust control, pressure testing and roadway maintenance in support of the Ruby Pipeline Project. The projects are proposed to be located in the northern portion of Washoe County, in the general vicinity of the historic Vya town-site, generally south and west of the Sheldon National Wildlife Refuge generally along the proposed Ruby Pipeline route which is proposed to traverse approximately 56 miles of Washoe County. The projects are proposed to be located upon eight individual parcels. All subject parcels are designated General Rural (GR) in the High Desert Area Plan, and are situated in portions of Section 10 T44N R23E; Section 3, T41N R19E; Section 12 T35N R23E; Section 4 & 20 T43N R19E; Section 4 T42N R22E; Section 33 T45N R19E; Section 13 T46N R18E, MDM, Washoe County, Nevada. The project is located in the Gerlach/Empire Citizen Advisory Board boundary and Washoe County Commission District No. 5. (APNs: 61-171-16, 61-241-02, 61-110-18, 66-050-51, 61-050-32, 61-030-02, 66-250-25, 66-030-56)

Chair VanderWell opened the public hearing.

Mr. Pelham reviewed the staff report dated April 19, 2010. He noted there were facilities proposed for eight parcels. The applicant had provided an incorrect Assessor's Parcel Number (APN) for one of the parcels; therefore the correct parcel had not been notified of the hearing. The Commissioners were asked to review the other seven parcels at this time and the eighth will be heard at the June 1, 2010 Planning Commission meeting. He pointed out the facilities

were temporary, in support of the construction of the Ruby Pipeline. Conditions of approval include reclamation of the sites.

Mr. Pelham noted the Washoe County Development Code (Code) requires that temporary uses are subject to the same development standards as any permanent use. In this case each project location would typically be required to install commercial landscaping, pavement, lighting and signage as would be required of any other commercial development. Mr. Pelham indicated the applicant, on many occasions, had expressed their reluctance to install those types of improvements. They will seek a Director's Modification of Standards, and those improvements that would have been required at the project locations would be installed in a county park within Park District 2B, which encompasses all of the subject sites. This action mitigates whatever impacts there may be by mitigating a location off site as a permanent benefit to the citizens of Washoe County.

Mr. Pelham explained that Condition 1d had been modified for clarity, and reads as follows: "The applicant shall demonstrate substantial conformance to the plans (including the "Special Review Considerations for Ruby Pipeline Water wells and Gravel Pit" dated April 7, 2010) approved as part of this special use permit."

Applicant's Representative Dan Gredvig thanked the Commissioners for their time and briefly outlined the steps that are in progress to comply with the required conditions.

Mr. Schmidt spoke in favor of the project. He suggested the application of the mitigation projects should be well vetted by the Gerlach CAB, the General Improvement District and the citizens of that area, not members of the staff located at the 9<sup>th</sup> Street Washoe County Administrative complex.

Chair VanderWell closed the public hearing.

Commissioner Cobb complemented the idea of altering the mitigation requirements to directly benefit citizens instead of being installed out in the desert where they would be out of place. He asked what the process would be to make sure the improvements were installed in a timely fashion and how that process would work.

Mr. Pelham replied the applicant would provide plans showing how much landscaping would have been required to the Department of Parks and Open Space (Parks), who would make the determination where the improvements will be installed. The agreement between the developer and Parks will have to be signed and in place prior to approval of building permits.

Commissioner Weber expressed his objection to required landscaping around utilities. He felt it was unfair for Ruby Pipeline to have to plant a tree in someone else's park in order to build a pipeline.

Commissioner Hibdon asked if there were conditions of approval requiring the temporary wells to be abandoned when the project was completed. Mr. Pelham replied that there were not. Several of the wells currently exist, and the owners of the parcels where the wells are being drilled want to keep them. He emphasized the improvements would be removed. After the project is over, the existing wells will go back to their current agricultural uses. Commissioner Hibdon then clarified with Mr. Pelham that the wells were not temporary and

there was no intention to abandon any of them. Mr. Pelham replied that was correct and noted the use was temporary.

Chair VanderWell asked why the item was not continued so they could vote on a complete application, and was the eighth parcel contiguous to the other parcels. Mr. Pelham replied there were three reasons why they went ahead with the hearing for the seven parcels at this meeting. The first was the fact that if it was continued, then all the property owners in the vicinity of all eight parcels would have to be re-noticed. This way only the property owners surrounding one parcel would need to be re-noticed. The second reason was so the applicant could proceed with the improvements on seven of the eight parcels. The third was the desire to accommodate any citizens that had planned to attend this hearing. He displayed a map that showed the Commissioners the eighth parcel was not contiguous.

Commissioner Hartung moved to approve Special Use Permit Case No. SW10-001, the motion having been read aloud by the recording secretary. The motion was seconded by Commissioner Whittemore.

Commissioner Weber asked if the maker of the motion would consider lifting the landscape mitigation condition. He felt the pipeline was a benefit to the states it crossed. If it were a private company creating a subdivision he would feel differently. Mr. Pelham pointed out that if the condition were lifted the applicant would still be required to install landscaping at each location, as it is required by Code.

Commissioner Weber suggested they make a motion to ask the Director to lift that condition. He did not feel this applicant should have to plant trees in Washoe County parks in order to put the pipeline through the county.

Director Freund stated he was going to make the same comment as Mr. Pelham had, regarding the requirements to install paving, landscaping and other facilities in clearly inappropriate locations. He noted this particular corporation had stepped up to the plate, in these pressing times, to try to make a contribution to the community as part of this effort. He pointed out it was not dissimilar to the condition for the pipeline itself, which avoided replanting trees along the route. Mr. Freund stated he did have the authority to waive or modify some of the requirements but felt Mr. Pelham's response was appropriate.

Commissioner Hibdon noted he appreciated Commissioner Weber's concern but did not think the meeting was the appropriate time or place to discuss the issue. He felt if it were to be changed it should be changed permanently and not on a case-by-case basis.

Commissioner Weber stated he was attempting to set a precedent. He did not want to see irrigated, non-native screening around a public utility. Commissioner Hibdon reiterated the Code could not be changed during the meeting and the Code requires the condition. Commissioner Weber stated again the Director has the authority to modify or waive that.

Director Freund pointed out the applicant has agreed to request a Director's Modification. That opens the door to the process of waiving the inappropriate landscaping and paving requirements and applying them to the benefit of the community. He noted the requirements were typically waived in the High Desert Planning Area. He expressed his support of the plan in place.

Commissioner Cobb reiterated his support of the idea. He pointed out the applicant seemed to be comfortable with it, and in these economic times, he appreciated it.

Commissioner Whittemore stated he had once been put in a similar situation as the applicant, being required to artificially landscape and irrigate a project, at great cost with little benefit. He pointed out the applicant's position was slightly different, due to the immense size of the project. He opined the landscaping costs were a small drop in the bucket and therefore not a difficulty to the applicant. He felt the county should not turn down their generosity by asking the Code provisions be waived.

Commissioner Hartung stated his motion stood. Commissioner Weber asked if that meant the motion stood with the elimination of the mitigation and Commissioner Hartung replied it stood as was read by the recording secretary.

The motion 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 high-pressure natural gas pipeline, 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;
6. No Significant Degradation of Air Quality. That no significant degradation of air quality will occur as a result of the permit;
7. Community Character Conserved. Community character as described in the High Desert Area Plan Character Statement can be adequately conserved through mitigation of any identified potential negative impacts; and;
8. Special Review Considerations. All special review considerations as enumerated in Section 110.332.20 of the Development Code have been adequately addressed on the record.

**PLANNING ITEMS**

None

**OTHER ITEMS**

None

**CHAIR AND COMMISSION ITEMS**

- a. DISCUSSION AND POSSIBLE ACTION TO AMEND AND CLARIFY THE PLANNING COMMISSION'S RULES, POLICIES AND PROCEDURES REGARDING SPEAKER TIME LIMITS. Members of the Planning Commission will discuss the existing Rules, Policies and Procedures of the Planning Commission regarding speaker time limits. Action may be taken to modify the Rules, Policies and Procedures and/or to provide direction to staff.

Chair VanderWell opened the public hearing.

Ms. Robinson clarified it was not a public hearing item. She went on to explain that in the Planning Commission Rules, Policies and Procedures, representatives of a group were given 15 minutes for their presentation, while the agenda stated they were entitled to 5. She asked the Commissioners to discuss and decide which they would prefer, and to vote on the item.

Mr. Elliott requested the public comment period remain a minimum of three minutes.

Ms. Robinson clarified the item being discussed was 5 minutes or 15 for the representative of a group, not the three minutes for individual testimony.

Mr. Schmidt pointed out errors on the agenda regarding public comment. He reviewed some history of the current time limit imposed by the County Commission and opined the public comment period should be extended to five minutes.

Commissioner Cobb noted that five minutes for a representative of a group had worked well in the past, as one person is summarizing what three or four others might have to say in their own three-minute time period. He noted he did like to give each speaker under public comment at least three minutes unless there were a large group of people wishing to speak. He pointed out the Chair had the option of cutting the time to two minutes and felt they should have that leeway. He opined all the literature regarding policy should be consistent.

Commissioner Weber pointed out the Commission was subservient to the Board of County Commissioners (BCC) and State Law and they should adopt the same policies that the BCC does. Commissioner Hibdon agreed.

Commissioner Edwards supported Commissioner Cobb's statement and stated he felt they needed to add five minutes to Item C. He stated he was there to hear the public, and if it required one minute more one way or the other, it did not matter to him.

Ms. Robinson asked for clarification from Commissioner Edwards and reiterated that the discussion was about whether the representative of a group would receive 5 minutes or 15 to speak. Commissioner Edwards replied he would like them to have 15 minutes but opined that 5 was working well for now.

Commissioner VanderWell pointed out to Commissioner Edwards that the agenda stated the speaker could be allowed additional time if the request is made 24 hours in advance. She noted she was contacted in advance for the last meeting and had allowed both sides 15 minutes. She stated that for consistency's sake, she agreed with Commissioner Weber that whatever the BCC does but would like to keep the time limit at five minutes, since they had the discretion to increase it.

Ms. Robinson stated that once the Commission had made their decision they should make a motion and vote.

Commissioner Cobb pointed out the BCC hears a much larger agenda than the Planning Commission (PC). He stated they had the time to be courteous to the people who take time out of their schedules to be there. He stated he would also like to keep the 5-minute minimum but he didn't feel the option of requesting additional time 24 hours in advance was advertised enough to be widely known.

Commissioner Weber stated he was prepared to make a motion.

Commissioner Hibdon stated he could not recall an instance when the PC was ever discourteous to anyone. Commissioner Cobb clarified that was not his implication.

Commissioner Edwards explained that when he was a speaker before the PC several years ago, he and his group were cut short by the Chair several times.

Commissioner Weber noted, having been Chair twice, he could not remember any time except once that the Commission had been discourteous to the public. In the spirit of consistency, he reiterated he felt they should match their guidelines to those of the BCC.

Chair VanderWell asked Ms. Robinson what the BCC guidelines were, and Ms. Robinson replied she did not have that information.

Commissioner Weber stated he had formed a motion which would allow them to automatically change their guidelines if there were any changes to the BCC time limits. He asked for a motion for consistency throughout the county, a policy that matches. Commissioner Hibdon asked if that was a motion and Commissioner Weber replied that it was. Commissioner Hibdon seconded the motion.

Commissioner Hartung pointed out that, under Commissioner Weber's motion, if the BCC reduced their time limits they would be bound to reduce theirs as well. She suggested that would limit them and the public would not be allowed adequate time to comment.

Ms. Robinson reminded the Commissioners that they had been using the time limit of five minutes for the representative of a group for years. She stated neither she nor the District Attorney were clear about the wording of the motion. She recommended that if that was the

direction the Commissioners wished to go, mirroring the BCC, she would prefer to have the hard numbers in hand, which she would bring to the next scheduled meeting.

Commissioner Weber clarified his motion, stating "The time limits exercised by the Chair at the Planning Commission mimic those of the Board of County Commissioners." Commissioner Hibdon seconded the motion.

Commissioner VanderWell clarified they could not really vote without knowing the hard numbers. Ms. Robinson cautioned them as a commission that it might be best to wait until they had the hard numbers. She suggested that while they had had a robust conversation about the subject, the numbers should be available before they continued it.

Commissioner Weber opined it was an important decision that should be made by elected officials, not appointed ones.

Commissioner Cobb pointed out they would be voting blind without the numbers.

The motion failed, Commissioners Weber and Hibdon voting in favor and Commissioners Edwards, Hartung, Cobb, Whittemore and VanderWell voting against.

Ms. Robinson noted the original item was still on the table.

Commissioner Hartung moved to retain five minutes as the allotted amount of time for the representative of a group. The motion was seconded by Commissioner Cobb. Commissioner Hibdon asked if that mimicked the BCC. Ms. Robinson reiterated that information was not available.

Commissioner Weber stated the same issue applied, that if they did not have the numbers they could not make an educated determination. Commissioner Edwards clarified they were voting on the continuation of the existing policy, which was shown on the agenda. Ms. Robinson and Chair VanderWell verified that was correct.

The motion passed, Commissioners Weber and Hibdon voting against and Commissioners Edwards, Hartung, Cobb, Whittemore and VanderWell voting in favor.

Ms. Robinson noted the Rules, Policies and Procedures would be updated to reflect the decision.

b. Report on Previous Planning Commission Items

Ms. Robinson reported the Ruby Pipeline project had been approved by the BCC on April 27, 2010.

c. Legal Information and Updates.  
Deputy District Attorney Nathan Edwards, Esq.

DDA Edwards stated there were none.

Commissioner Weber requested the motions be placed on the back of the staff report.

Commissioner Cobb stated he appreciated the disclosure requirements being read at the beginning of the meeting and suggested it should further emphasize the Commissioner's responsibility to disclose, if it were appropriate.

Commissioner Hartung congratulated Ruby Pipeline and publicly thanked them for coming to the community and endeavoring a project of this magnitude.

Chair VanderWell reminded the Commissioners of the county e-mail addresses they were assigned and asked they be used.

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

Ms. Robinson reminded the Commissioners of the special meeting to be held on May 20, 2010 regarding the One-Map, Two-Map project.

#### **ADJOURNMENT**

Since there was no further business to come before the Planning Commission, the meeting adjourned at 7:59 p.m.

Respectfully submitted,

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Dawn Spinola, Recording Secretary

Approved by Commission in session on June 1, 2010.

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Adrian P. Freund, FAICP  
Secretary to the Planning Commission