



WASHOE COUNTY PARCEL MAP REVIEW COMMITTEE DRAFT Meeting Minutes

Parcel Map Review Committee Members

Thursday, July 11, 2019
2:00 p.m.

Larry Chesney, Planning Commission
James English, Health District
Tim Simpson, Environmental Engineer
Wayne Handrock, Engineering
Charles Moore, Truckee Meadows Fire Protection District
Eric Young, Planning and Building

Washoe County Administration Complex
Building A, Room 265
Mt. Rose Conference Room
1001 East Ninth Street
Reno, NV

The Washoe County Parcel Map Review Committee met in regular session on Thursday, July 11, 2019, at 2:00 p.m., in the Washoe County Mt. Rose Conference Room, 1001 East Ninth Street, Reno, Nevada.

1. *Determination of Quorum

Eric Young called the meeting to order at 2:04 p.m. The following members and staff were present:

Departments represented: Community Services Department (CSD)
Wayne Handrock, Engineering
Tim Simpson, Environmental Engineer
Eric Young, Planning and Building
Health District
James English
Planning Commission
Larry Chesney

Members Absent: Truckee Meadows Fire Protection District
Charles Moore

Staff present: Chris Bronczyk, Planner, Planning and Building
Julee Olander, Planner, Planning and Building
Donna Fagan, Recording Secretary
Nathan Edwards, Deputy District Attorney, District Attorney's Office

2. *Ethics Law Announcement

Deputy District Attorney Nathan Edwards recited the Ethics Law standards.

3. *Appeal Procedure

Mr. Young recited the appeal procedure for items heard before the Parcel Map Review Committee.

4. *General Public Comment

With no response to the call for public comment, the period was closed.

5. Possible action to approve Agenda

In accordance with the Open Meeting Law, Larry Chesney moved to approve the agenda of July 11, 2019, as written. The motion, seconded by Wayne Handrock, passed unanimously.

6. Possible action to approve June 13, 2019 Draft Minutes

James English moved to approve the June 13, 2019 draft minutes, as written. The motion was seconded by Larry Chesney and passed unanimously.

7. Project Review Items

A. Tentative Parcel Map Case Number WTPM19-0007 (1st Valley Holdings) – For possible action, hearing, and discussion to approve a tentative parcel map dividing a 0.96 acre parcel into 2 parcels, of ±0.664 acres and ±0.291 acres.

- Applicant/Property Owner: First Valley Holdings LLC
- Location: Southwest block of Leon Drive and Peridot Way
- APN: 085-780-31
- Parcel Size: 0.96 acres
- Master Plan: Suburban Residential (SR)
- Regulatory Zone: Medium Density Suburban (MDS)
- Max Density: 3 dwelling units per acre
- Area Plan: Sun Valley Area Plan
- Citizen Advisory Board: Sun Valley Citizen Advisory Board
- Development Code: Authorized in Article 606, Parcel Maps
- Commission District: 3 – Commissioner Jung
- Staff: Jacob Parker, Planner
Washoe County Community Services
Department
Planning and Building Division

- Phone: 775-328-3628
- Email: jparker@washoecounty.us

Eric Young opened the public hearing. Chris Bronczyk reviewed the staff report dated June 19, 2019 in Jacob Parker's absence. Mr. Bronczyk noted there are two dwellings on the property that is being proposed for parceling. He also noted, in the conditions of approval on page 3, under the Engineering heading are the Sun Valley GID comments and no Engineering comments were noted. Engineering supplied comments at the meeting and both agencies comments will be correctly labeled in the conditions. Roger Pelham, senior planner, suggested changes to the conditions be recorded at the time a motion is made. Mr. Pelham also noted an additional comment from Planning, "prior to recordation of a final map the applicant shall provide documentation acceptable to the Director of Planning and Building that there is only one dwelling unit on the subject site."

Wayne Handrock read the Engineering comments he handed out. He noted there are a few additional requirements along with the standard comments usually submitted by Engineering.

DDA Nate Edwards asked if any of the changes alter the action that is specified in the agenda. Mr. Handrock said everything remains the same. DDA Edwards asked if the changes to the conditions had been supplied to the applicant or do they know about these changes. Have they had a chance to comment on them or do they have any objections to them. Mr. Handrock said he didn't realize the Engineering conditions hadn't been included until about 20 minutes ago. DDA Edwards said, going forward today, he doesn't see the applicant in attendance and he believes they know

today is the date of the public meeting for their application and they have chosen not to be here. That could be for a couple of different reasons; they saw the conditions and liked what they saw and didn't feel they needed to be here so they didn't come down and now new conditions are being potentially put on the table. Another reason is; they figure it's likely they are going to get their parcel map approved, the conditions as long as they aren't outrageous are going to be livable and they will work with them. That is what he expects will be the case but he doesn't really know if they would take that tact. He did say, by not showing up, there is always a chance new conditions could be added to a tentative parcel map, there is no requirement the conditions that were contemplated prior to the meeting are the only conditions that could possibly be put on a map and therefore, nothing else new can be added at the table unless it is given out beforehand. That is not true. So in that sense, DDA Edwards is satisfied that the applicant not showing up included, at least implicitly, the notion they knew there was the potential for additional conditions or other conditions and yet they decided not to show up to possibly contest those. The legal issue for the PMRC, today, is the applicant doesn't like one of the conditions, they challenge it or say no we are not doing that and we end up in court and they say this was dropped on them as a surprise, they didn't have a chance to respond to it. DDA Edwards' response to that, if having to defend it, is they fully had a chance to respond but they chose not to take advantage of it by not showing up to the meeting. No one told them they didn't have to be here or couldn't be here. He feels the county's position would be defensible, in that regard. DDA Edwards noted it is the PMRC to take all these things into account and decide they want to move ahead and act on it today, if they want to move it to the next PMRC meeting and have it come back with all the conditions being provided to the applicant beforehand or if the PMRC feels there is enough of a basis to move forward today.

Mr. Young asked Mr. Handrock which is the most onerous of the conditions. Mr. Handrock opined it would be the second dwelling unit. Mr. Young said that is not something the applicant can argue about, they can't get an approved parcel map without it. Mr. Young asked if there was a condition that would require a high cost/a lot of money to comply with. Mr. Handrock said in his experience, nothing that is not included in the standard conditions. Mr. Young said he doesn't see a condition that the county would not insist upon to improve the parcel map. DDA Edwards asked if the two houses would be a non-conforming condition. Mr. Bronczyk said it would be illegal now because in the past two dwelling units hadn't been approved. The other issue is the applicant isn't showing the second dwelling on the map. They are showing one house and a quasit hut. There are some mistruths to the tentative parcel map application they submitted.

Mr. Young asked if there was the ability to continue the item and ask the applicant to show up next month. DDA Edwards said without the applicants okay, he would say the PMRC should act today or run the scenario where it getting deemed approved because of the timeline. DDA Edwards offered another condition, "if the applicant wishes to lodge objections to any of the new conditions added today, they have the option to bring it back and have it reheard at the next or future PMRC meeting."

Tim Simpson asked, if the PMRC approves this item with the conditions as outlined, would the conditions bring both parcels into conformance. Mr. Young said yes they would. Mr. Simpson believes approving the item with the current conditions seem to be the best course of action to allow the applicant to bring the parcel into compliance and get his parcel map approved. Mr. Young agreed and said an appeal to the Board of County Commissioners would be his option.

With no response to the call for public comment, the public comment period was closed.

Tim Simpson moved that, after giving reasoned consideration to the information contained within the staff report and the information received during the public meeting, that the Washoe County Parcel Map Review Committee approve Parcel Map Case Number WTPM19-0007 for First Valley Holdings LLC, subject to the conditions of approval included as Exhibit A with the staff report, the Engineering memo dated June 7, 2019 along with relabeling the Engineering and Sun Valley GID conditions, the additional condition from Planning regarding the legalization of the second dwelling unit, and make the determination that the following criteria is or will be adequately provided for

pursuant to Washoe County Code, Section 110.606.30. Larry Chesney seconded the motion which carried unanimously.

The motion carried and considered the following criteria:

- 1) General improvement considerations for all parcel maps including, but not limited to:
 - a) Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal;
 - b) The availability of water which meets applicable health standards and is sufficient for the reasonably foreseeable needs of the subdivision;
 - c) The availability and accessibility of utilities;
 - d) The availability and accessibility of public services such as schools, police and fire protection, transportation, recreation and parks;
 - e) Conformity with the zoning ordinances and master plan;
 - f) General conformity with the governing body's master plan of streets and highways;
 - g) The effect of the proposed subdivision on existing public streets and the need for new streets or highways to serve the subdivision;
 - h) Physical characteristics of the land such as floodplain, slope and soil;
 - i) The recommendations and comments of those entities reviewing the tentative parcel map pursuant to NRS 278.330 and 278.348, inclusive;
 - j) The availability and accessibility of fire protection including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires including fires in wild lands;
 - k) Community antenna television (CATV) conduit and pull wire; and
 - l) Recreation and trail easements.

B. Tentative Parcel Map Case Number WTPM19-0008 (Frost/Nelson) – For possible action, hearing, and discussion to approve a parcel map dividing a 10.69 parcel (to be created by the merging together of three existing parcels that are 3.3 acres, 3.76 acres, & 3.63 acres) into two new parcels that will be 5.36 & 5.33 acres on Lake Vista Road.

- Applicant: John "Randy" Meyer
- Property Owner: Paul & Lisa Frost and Jeffrey & Lauren Nelson
- Location: 18200 & 18250 Lake Vista Road
- APN: 055-081-85, 83 & 84
- Parcel Size
(existing parcels being merged for purposes of this parcel map application): 3.3 acres, 3.76 acres, & 3.63 acres
- Master Plan: Rural (R) & Rural Residential (RR)
- Regulatory Zone: High Density Rural (HDR) & General Rural (GR)
- Area Plan: South Valleys
- Citizen Advisory Board: South Truckee Meadows/Washoe Valley
- Development Code: Authorized in Article 606, Parcel Maps
- Commission District: 2 – Commissioner Lucey
- Staff: Julee Olander, Planner
Washoe county Community Services Department
Planning and Building Division

- Phone: 775.328.3627
- Email: jolander@washoecounty.us

Eric Young opened the public hearing. Julee Olander reviewed her staff report dated June 18, 2019.

Mr. Simpson asked if this item was a reversion. Mr. Handrock said you can't do a reversion if you're moving a property line you have to do it as a merge and re-subdivision map. Reversions can only get rid of lines. To make the lake parcel into two parcels you have to draw a new line so in order to do that you have to do a merge and re-subdivision. Mr. Simpson asked if the common area is in the lake are there other common area type lake parcels in this area or is this the only one. Ms. Olander said this is the only remaining one. There was never a functioning HOA in this area and is not being maintained by anyone so now it's being incorporated into the properties that are adjacent to it. Mr. Handrock noted there is an easement going around a majority of the lake allowing private access for the homeowners. Ms. Olander said there is one parcel that does not have that. Mr. Simpson asked when a parcel says 50' access, is that private access. What does that mean? Mr. Handrock said in general, the way the state law works, unless it's specifically noted "private" or indicates it's a "public road", NRS state it's considered to be "public access" however, this map references back to a previous land map. This is not granting the access it's merely noting it is per that land map. To the best of his recollection it is private access to the homeowners. The frontage road, Lake Vista Road, he believes is also private access. Ms. Olander said yes it's a private development. The public can't get access onto the property. Mr. Simpson asked if that should be clarified on this map, that this is private access and who is entitled to that access so it is clear. Mr. Handrock said they could have the surveyor add the proper designation to who has access to it. DDA Edwards said he thought it was a good question because of the rule about roads on maps that aren't delineated "private" are generally regarded as public. Does this count as a road? It looks like more like it's an area where water is going to drain into the lake. But, he doesn't see any harm in specifying that it's "private". DDA Edwards suggest "perpetuate the character of the existing access". Mr. Handrock added a condition, "the land surveyor shall specify, on the map, the character of the access both on Lake Vista Road and the other 50' access drainage and PUE approximately 2/3 of the way easterly onto the parcel."

With no response to the call for public comment, the public comment period was closed.

Tim Simpson moved that, after giving reasoned consideration to the information contained within the staff report and the information received during the public meeting, that the Washoe County Parcel Map Review Committee approve Parcel Map Case Number WTPM19-0008 for Paul & Lisa Frost, subject to the conditions of approval included as Exhibit A with the staff report and the additional condition to clarify the access as discussed, and make the determination that the following criteria is or will be adequately provided for pursuant to Washoe County Code, Section 110.606.30. Larry Chesney seconded the motion which carried unanimously.

The motion carried and considered the following criteria:

- 1) General improvement considerations for all parcel maps including, but not limited to:
 - a) Environmental and health laws and regulations concerning water and air pollution, the disposal of solid waste, facilities to supply water, community or public sewage disposal and, where applicable, individual systems for sewage disposal;
 - b) The availability of water which meets applicable health standards and is sufficient for the reasonably foreseeable needs of the subdivision;
 - c) The availability and accessibility of utilities;
 - d) The availability and accessibility of public services such as schools, police and fire protection, transportation, recreation and parks;

- e) Conformity with the zoning ordinances and master plan;
- f) General conformity with the governing body's master plan of streets and highways;
- g) The effect of the proposed subdivision on existing public streets and the need for new streets or highways to serve the subdivision;
- h) Physical characteristics of the land such as floodplain, slope and soil;
- i) The recommendations and comments of those entities reviewing the tentative parcel map pursuant to NRS 278.330 and 278.348, inclusive;
- j) The availability and accessibility of fire protection including, but not limited to, the availability and accessibility of water and services for the prevention and containment of fires including fires in wild lands;
- k) Community antenna television (CATV) conduit and pull wire; and
- l) Recreation and trail easements.

8. *Reports and Future Agenda Items

A. *Legal Information and Updates

None

9. *General Public Comment

As there was no response to the call for public comment, the comment period was closed.

10. Adjournment

Eric Young made the motion to adjourn at 2:40 p.m.

Respectfully submitted,

Donna Fagan, Recording Secretary

Approved by Committee in session on August 8, 2019

Eric Young, Chair
Senior Planner