



Incline Village Crystal Bay Citizens Advisory Board

DRAFT: Approval of these draft minutes, or any changes to the draft minutes, will be reflected in writing in the next meeting minutes and/or in the minutes of any future meeting where changes to these minutes are approved by the CAB.

Minutes of the Incline Village Crystal Bay Citizens Advisory Board meeting held at Incline Village General Improvement District, 893 Southwood Blvd, Incline Village, NV 89451 on March 4, 2019, 5:30 P.M.

1. *CALL TO ORDER/ PLEDGE OF ALLEGIANCE – Pete Todoroff called the meeting to order at 5:30 P.M.

2. *ROLL CALL/DETERMINATION OF A QUORUM - Pete Todoroff, Tom Cardinale, Gerry Eick, Gene Brockman, Kevin Lyons, Mike Sullivan, Judy Miller (arrived at 5:33). A quorum was determined.

3. *PUBLIC COMMENT –

Steve Dolan said he is here to discuss the second home rental topic. We are getting surrounded by changes that impact our town. Years ago, we were impacted by highway patrol monitoring roadside parking. Sand Harbor has a ton of potential parking; they could use State Land. Mr. Ellison has been authorized to expand CalNeva by 400 cubic feet. The meeting was held in Carson City where Commissioner Berkgigler was second in command. They authorized it with a bank of lawyers. It will be bring thousands of people when it opens and will impact the short term rentals. South Lake Tahoe has made short term rental illegal. The County has a conflict with offering short term because they collect a tax. The Commissioner wants to convert property into a parking lot. Keep an eye on it; we are being impacted from all sides.

Rhonda Tyser said she doesn't want short term rentals. We are tight-knit neighbors. We don't want a constant parade of strangers which makes us feel less safe. We don't want more traffic; we like our quality of life. We pay huge property taxes for the privilege to live in Incline Village. Long term rentals allow us to get to know them.

Sara Schmitz spoke about information she shared with Commissioner Berkgigler. Our community is unique. She said she reached out to Jackson Wyoming. They are isolated, but depend on fulltime residents. They changed zoning to allow short term rentals in commercially zoned areas. Here in Incline, you cannot run a business out of your home. Why are we permitting short term rentals which are businesses. She said she has provided language to Commissioner Berkgigler of the language they use.

Rich Thompson, Washoe County Roads, said they are trying to keep the roads open. He spoke about priority streets including the roads to the schools. Loaders go slow through the snow, just as cars do. We are part of the community; we are doing the best we can. Please ask people to move their cars during snow. Roads are 15 feet wide. During garbage days, keep the cans behind the snow poles.

Grant Meyer said he has been fulltime resident for 26 years. He said he is an owner 3 single family homes, but doesn't rent them out short term. We have personal property rights. He said he owns 3 private businesses. He said he is concerned with the County restricting personal property rights. We are concerned of the impact on small businesses.

Jack Dalton said spoke about snow removal on his cul-de-sac. He said his neighbor complained to Washoe County. He said he didn't want to use 311. He said the information on the website was old. After 2008 meltdown, the County cut the amount of people doing snow removal. He thought the snow removal years ago were satisfactory. He said he understands the storms and road closures.

4. APPROVAL OF AGENDA FOR THE MEETING OF MARCH 4, 2018 – Kevin Lyons moved to approve the agenda. Judy Miller seconded the motion to approve the agenda for **NOVEMBER 5, 2018**. Motion carried unanimously.

5. APPROVAL OF THE MINUTES FOR THE MEETING OF NOVEMBER 5, 2018 – Gerry Eick moved to approve the minutes of **NOVEMBER 5, 2018**. Tom Cardinale seconded the motion to approve the minutes. Motion carried unanimously.

6.A. Special Use Permit Case Number WSUP19-0001 (Incline Village Monopole) - Request for community feedback, discussion and possible action to forward community and Citizen Advisory Board comments to Washoe County staff on a request for a special use permit for the construction of a new wireless cellular facility consisting of a 112-foot high stealth monopine structure (aka cell phone tower disguised to resemble a pine tree) designed as a collocation facility. The monopole is proposed to be located on a vacant parcel, approximately 100 feet south of the intersection of Incline Way and Village Blvd. on the west side of the Village Blvd. approximately 30 feet west of the easterly parcel line bordering Village Blvd. (for Possible Action)

- **Applicant/Property Owner:** Incline Partners, LLC/KBS Ltd.
- **Location:** Approx. 100 feet south of the intersection of Incline Way and Village Blvd. on the west side of the Village Blvd.
- **Assessor's Parcel Number:** 132-221-11
- **Staff:** Julee Olander, Planner; 775-328-3627; jolander@washoecounty.us
- **Reviewing Body:** Tentatively scheduled for the Board of Adjustment on April 4, 2019

John Petersen, presenter, provided an overview. Mike Flynn, partner, not present at this meeting. Mr. Flynn has lived her for 20 years.

Mr. Petersen said there will 45 feet of bark up to where the limbs start. He said this is a culmination of 3 years working on this project. He said the General Commercial zoning area isn't that large. He said they spoke to 15 land owners to seek alternative sites. He said he produced an alternatives candidate list for potential locations. He said they filed in April 2018 with TRPA; file was completed in December, and began to working with the County. He said they have worked 9-months on design to make sure there was no visual impacts by adding more branches to look more natural. A wood-like fence slate is proposed to blend with existing area. TRPA doesn't want landscaping done. Hamet and Edison Engineering reviewed the exposure. The maximum exposure is 6% of allowable per FCC. A back-up generator will run during power outage; its within the Washoe County noise ordinances. There is poor coverage in this area. Alternative locations include the golf course, Hyatt, and Diamond Peak, but don't cover down to the water. This location will cover down to the water and up highway 28. Carriers want broadband coverage, but the current service isn't covering. It won't be visible from highway 28 or Tahoe Blvd.

Gene Brockman asked about the technology of the monopole. Mr. Petersen said 4G LGT. As time progresses, it will probably be new technologies, and will put up what is lawfully permitted. Mr. Brockman said the concern is radio radiation with radio frequency hazards. Mr. Petersen said the study shows maximum exposures and it was analyzed. It 6% of what the FCC exposure limit allows.

Mike Sullivan asked about the other current towers. Mr. Petersen said those are within the FCC. It's different for institutional workers and the public and the study covers that.

Pete Todoroff asked the proximity to the dentist office. Mr. Petersen referenced the study. He said its 45 feet to the property line, and across the parking lot. He said approximately 65-70 feet.

Gerry Eick thanked Mr. Petersen for the packet of information. He said the coverage map of the western half of the community wasn't being covered. It's implied there was no coverage. Mr. Petersen said it was intended to show poor coverage, not none. Gerry Eick asked about the photo simulation to scale. Mr. Petersen said they hire professionals to create these photo simulations to scale.

Kevin Lyons asked about the alternatives and coverage. Mr. Petersen said we want to cover more to the west, so the further west, the better. There weren't owners that would lease or the coverage wasn't ideal. There was a search ring, this is further east than we would like. He said carriers are interested with lease draft. He said once we get permitted, we will finish the leases with all four carriers.

Tom Cardinale asked why would put a tower in our town for people to the west. Mr. Petersen said it will cover to the edge of Crystal Bay. He said there is poor cover down by the water. Not everyone is one is covered by the Hyatt tower. This tower will have a larger footprint.

Judy Miller asked if he has been part of something like this before. Mr. Petersen said Incline Partners has done several towers in the area and southern California for 20 years. Tom Cardinale asked if he did the one on 267. Mr. Petersen said no.

Judy Miller said she researched the health risk. She read about amateur radio towers. She said she was a licensed technician of amateur radios. It could be a health risk. Mr. Petersen said he isn't familiar with HAMM radios. Judy Miller said there are different frequencies depending on your license. Mr. Petersen said there is risk of holding a cell phone near your head all day compared to this tower.

Mike Sullivan asked why don't we put the tower in the Boulder Bay Project where you need it. You will probably need more area coverage. If we supply west with power, put the pole on the west. Mr. Petersen said we are trying to cover the western side of Incline Village. The carriers wanted this area.

Mr. Petersen said he has two letters of support.

Public Comment:

Carol Black submitted a picture of a monopine that was 80 feet tall installed by the Galena Fire Station, which is being proposed being installed of our small town. She said she is new to the area. This is 1.5 times taller than the adjacent pine tree. The proposal doesn't meet the zoning requirements which require a special permit. It's a commercial development that has barely met the setbacks. It's a small land area in the middle of town with lots of traffic going by it. She spoke about health concerns. The regulations are old with risk and concerns that come out monthly. There are safety concerns with traffic and people walking by. These towers can fall over, start fires, and dangerous. The noise hasn't been addressed.

Richard Miner said you will find many studies about radiation health issues. He said he lives on the west side and has no cell phone issue. He asked the other locations – golf course, Hyatt, Diamond Peak. He said he saw a map about 12 other alternative locations for the tower. It's a no brainer if you can put a cell tower at Diamond Peak, and it can cover everything. There has to be better locations other than the heart of our town. He said the stealth monopine structure looks like a cell phone tower trying to be disguised as a monopine. Put it at Diamond Peak or lookout tower in Crystal Bay. Put it in the County maintenance yard which is by the west side. It can only go in commercial zoned area, but were the other alternative locations not commercially zoned. It's a big mistake to put it where it's proposed for visual and health risks.

John Eppolito said he has lived her for 20 years. He spoke about the cell tower and radio frequency exposure. Cell phone companies lobby congress to get exposures limits increased. If without lobbying, this exposure

wouldn't be allowed. He said they are attempting to prevent lawsuits on exposures. He said it's similar to lung exposure to cigarettes. The partner said the Hyatt was going to get rid of the tower. He wants to know why they are getting rid of the tower. He said we stopped the tower proposed at the high school. We have kids within ¼ mile of that tower for 3 years. He said he asked TRPA to notify the neighbors and all the kids at the middle school. TRPA said they don't have time to notify. It's going too fast. He said he is against it.

Beth Davidson said she lives in McCloud; she said she was notified by Steve Price, homeowner's association president. She said she lives within ¼ mile of this proposed tower. She said we live on an incline, so she isn't aware of the radiation impact. Perhaps it impacts the high school. There are health concerns. There is a big difference between 4G and 5G. We don't fully understand the emerging technology. They are lobbied by corporate interest. She said she would like to see the County put a severe restriction on the tower or cancel if determined by future information that it's scientifically bad to long term affects. Its health issues to neighbors; there are many full-time residents that are affected. McCloud is between this tower and the Hyatt. She said not as much radiation as high power power-lines. It may impact property values.

Joe Schultz, fulltime resident, speaking against this proposal. It's wrong for so many reasons. Visually terribly; it will be higher than other trees. The fence will be unsightly. The main road down to the lake will be used by many people who will see this tower. He said he is within walking distance of the tower. It's a health and visual issue. The site is almost within the Neighborhood District and not commercial. The area near Preston field would be better. He said he wants better cover but not at this cost.

Alec Flores, 25 year resident, young associates oppose this tower. No matter what is said by the organization proposing the tower, they can't state how natural it looks, it's not natural. He asked if you can you put a city in the forest. One of the two needs to go away.

Phil Jordan, 25 year resident off of Randall. He said he got a cell phone in late 90s - had to step outside to use the phone. The cell tower at the golf course helped. He said it's a capacity issue. He said his dad worked for communications and were exposed to radiation. Each year engineers try to improve the radiation; they are exposed everyday to these towers. The cell towers have worked pretty well. Please give that consideration and time.

Larry Black said he has radio frequency engineering and physician. The health risk bottom line is we have no idea. The regs are based on how hot they make your body. He said he doesn't know the heath risks, but ample evidence that there are risks; it depends on frequency. It can screw up your ability to make blood. There was a weapon developed with radiation for crowd control.

Pricilla Layhee said she moved from here Jacksonville for nature and exploration. She didn't want to be stuck in a room with health impacts. She said this cell tower is coming for us. She doesn't want the poor quality of life like she had in Jacksonville.

Sara Schmitz asked if anyone done a capacity study. We do have capacity issues in the summer. She asked have you conducted survey of capacity issues, expanding current towers, or something to be done to solve current capacity issue.

Steve Dolan said he worked with John Eppolito during the cell tower proposal at the high school. He said this is right in the heart of the community. He said he isn't up-to-date with his flip phone. He appreciated Mr. Black's statements about health impacts. Romans thought lead was the best thing, but it ruined their existence.

Margaret Martini said she also worked with John and Steve during cell tower review. The conclusion was a lot written against the cell towers because of health issues in the States and overseas. Looking at the pros are lining someone's pocket and better cell service for 4th of July weekend. We need to see what is at stake. The negative outweighs the positive. We were thankful to abolish the tower at our high school that would have impacted all of our schools. Consideration must be made for information available in favor or against.

Jack Dalton, Radiation Oncologist, ask are the Incline Partners. We have two people here. No one is defending the cell tower, maybe one person. We have 25 people here who don't want it. The board needs to consider one person.

Jill Minkle said there are numerous people in support on the Incline Village Facebook page. She said her husband did placement of cell towers who is in full support of this.

Wayne Ford said the timing is interesting. The next item on the agenda is Community Update by the County Planner. He said he suggested anything being proposed needs to go through community plan with uses. The future uses of residential and commercial in that area may be become multiple uses. In terms of a tower, there may be better and higher uses for that spot. It's right in the middle of the town. Put it on hold on this until the community plan is adopted. He said he isn't sure where it falls into the uses. It needs to be looked at.

Gene Brockman asked a question for Mr. Petersen about the picture of the monopine with antenna that was presented by a public member. He asked if that is being proposed. Mr. Petersen said we have more branches to hide the antennas for 4 carriers. Gene Brockman said he hopes everyone heard what Dr. Black said; we have radio frequencies all around us, some harmful and some not. It depends on radio frequency of wave length that destroys DNA in our cells. He said he doesn't know the levels of projected antenna; is it in the dangerous range. There is a lot of emotion involved but not sure on the facts. He supported what Wayne Ford said about the area plan update. We've waited 14 years. That plan will affect the zoning and land use allowed. Issues that relate to land use might benefit from waiting until that plan is approved.

Pete Todoroff said this tower being within 65 feet of doctor's office is not a good idea. He said they need to look to incorporate this at the CalNeva instead of this central location by the dental office. He said he hosts the community forum, and a woman said she was 50 feet from the cell tower. Contact Ellison about locating the cell tower at the CalNeva. Mr. Petersen said the CalNeva won't meet objectives.

Gerry Eick said ATT came, executed permits and looked to located it in the Washoe County Roads Yard. He asked if it's not a viable location. Mr. Petersen said he didn't know if that was a viable location or not, but ATT wants to be on this tower. Gerry Eick asked about re-licensing these locations if FCC had new findings. Mr. Petersen if new studies indicated they weren't in compliance, he said he would imagine they wouldn't be allowed. Gerry Eick said he is aware of surveys that have been done for capacity, including inside buildings with limitations. He understands issue of capacity; holiday weekends and credit card machines are overloaded. Everyone shares the same last mile of the wire; how will this change if they share the same trunk line. Mr. Petersen said it goes through the air.

Kevin Lyons asked about fiber and capacity. Mr. Petersen said he doesn't know. Kevin said he went to school with Bill Nay, the science guy. He spoke about UV, gamma, ionizing radiation impacts. He spoke about visual light. He said everyone has a cell phone in this room. There are concerns. FCC limit is the amount of energy to heat your skin. Kevin Lyons said Mr. Black said non-ionizing frequency changes the DNA expression and ability for DNA to express the plan, protein. Based on the dosage, it can be harmful. Further you go away from the tower, the impact goes down exponentially by a ¼. 65 feet is far. Using your phone on speaker phone is better than using it by your head.

Tom Cardinale said he hears the opposition and a few that support it. We covered the health concerns. He said he has a problem with esthetics. TRPA handed it off to Washoe County. TRPA had issues with our kayak racks. This is the center of town. We are going to see this monopine. He said you can see the top of the Hyatt when out on a sailboat. He said he isn't against the tower in a different location such as County property. Esthetics is a concern. He is sympathetic; we are the one's this tower is for. We should table this. He asked why is TRPA putting it on us.

Mike Sullivan said we have all lived here. He said what about two sites on both ends of town; get them out of the center of town. Perhaps only go 75 feet with only two carriers. If Hyatt loses their tower, take it down and set up one there. Also, put one in the maintenance area or further west. Mr. Petersen that will push it out to neighborhood zoning where they are restricted to 40 feet. Mike Sullivan asked about the lookout tower. Mr. Petersen spoke about the tower being surrounded by trees. Mike Sullivan said we should wait until the area plan is done.

Kevin Lyons said, in regards to the height, you have to be above the trees. He asked about other alternatives. Mr. Petersen said they looked at 13 other location per Washoe County code.

Gerry Eick said we need to remind ourselves that we are advisory. We have done our job by getting community feedback. We have diversity and opinions; there are opportunities to present the different perspectives. He said the County has rules, like them or not, is there reasonable to this. The rules allow a tower of 112 feet. We have been asked about the variance of 5 feet. The construction is to provide a stealth tower. The rules may change, but our point of reference is County requirements and FCC requirements. They have addressed this in the packet for what and where they are requesting. He said he understands what has been stated. For the record, our community knows we need capacity; he hasn't heard anyone say we don't want cell phones. The variance is over the height; there is reason to consider the extra 5 feet. This is coming from the agency who is concerned with visual corridors. He said he hopes the other agencies verified this tower with specifics if they were to grant this variance. Kevin Lyons thanked Gerry Eick.

Julee Olander said it's a Special Use Permit (SUP), not a variance. Code requires SUP for this type of tower. He has showed the needs for coverage. You are deciding on Special Use Permit and the significant grant. The SUP is for 12 feet and minor deviation of 5 feet because TRPA requested that. There are two separate things. Julee Olander said SUP shows gap and need for coverage, and that is all SUP is based on.

Gene Brockman asked Julee Olander about height. Julee said he can have up to 112 feet. It's a commercial zoning location so the height maximum is 80 feet; however, he gets another 10 feet for the significant gap. On top of that, he gets another percentage that adds up to a total of 112 ft. TRPA is asking for 5 feet. He could get another 11 feet because 10% is deviation by code so total of 121 ft could be requested.

MOTION: Gerry Eick said due to diversity of everyone, he moved to forward individual comments to the County. Judy Miller seconded that motion to forward individual comments. Kevin Lyons agreed and added to forward public comment and letters. The motion passed unanimously.

The board took a recess.

7. *UPDATE AND DISCUSSION ON THE PROPOSED CHANGES TO THE TAHOE AREA PLAN (MASTER PLAN) AND THE TAHOE AREA DEVELOPMENT CODE MODIFIERS – Update and discussion of proposed changes to the Tahoe Area Plan (Master Plan) and the Tahoe Area Development Code Modifiers (Article 220). These changes

are designed to bring Washoe County's plans and codes for the Tahoe Basin into conformance with the Tahoe Regional Planning Agency's plans and codes.

- Staff: Eric Young, Planner; 775-328-3613; eyoung@washoecounty.us.

Meeting was resumed at 7:14 p.m.

Eric Young, Washoe County Planner, handed out a copy of the Tahoe Plan Area Statement map. Master plan goals and policies. Washoe County development code – article 220 is the regulatory framework – the law that implements the master plan section. The goal of the Area plan update is to come into conformance with TRPA, and for the community to develop a plan the community wants and TRPA is requiring. We are updating the Master Plan and development code portion. The Master Plans come first, and then we create a code to implement the rules. There aren't a lot of open areas. We have heard for many years that we have to do community visioning, that you like your current plan, and you don't need a lot of changes to Master Plan and vision. He said we have been asked to stop changing the plan. We are most interested in the rules and permissible uses.

Eric Young spoke about Article 220, the regulatory framework. He said it's currently a hybrid. He presented a copy of the development code. He invited everyone to contact him to ask questions. Judy Miller asked if it's on the website. He said it's on the IV/CB CAB webpage. He said once there is a full document, it will be on the planning site. He said the biggest difference is the way we are changing the County zoning. It's a big change. He spoke to the first map – plan area statement map, still under development, to replace regulatory zoning map. Proposing that all County designation and adopt TRPA designation for plan area statement. That's how it works now. He said it's complicated because there are so many specific areas with permissible uses. Gerry Eick said at last meeting, Eric Young had said there were more than 12 ways to slice and dice it, and TRPA had 7. He asked how do we get from the old to new map and understand the conflicts and acknowledge the non-conforming. Eric Young said he hasn't done parcel-by-parcel analysis for conformities based on the standards. There are very few that are non-conforming; there are some that benefit from being in non-conformance. We aren't creating a whole lot of new non-conformities. We will still look at that. There will be a parcel or two; there will be a building built across a setback. He spoke about what would happen if that would happen.

Pete Todoroff asked if old elementary, Orbit Station, Ponderosa Ranch is part of this plan. Eric said yes, all parcels are included. Ponderosa Ranch is a Community Planned area plan. That plan has their own table of uses. Nothing has changed; same as what is now in terms of what is allowed now. There is a chance IVGID would want changes to Plan Area Statement, individual area with individual uses. The Champ Golf Course boundary cuts through the property. That is something IVGID might want to change. Very few people want any changes. If we want to add uses, we need to add environmental review. Pete asked about coverage. Eric said you have to have coverage regardless of setback. You have to meet TRPA rules for coverage. Regardless of rules for setbacks, you have to have coverage.

Tom Cardinale asked if the Ponderosa Community Plan on second plan has changed. Eric Young said there hasn't been any changes. Gerry Eick said the same allowable uses are the same. Eric Young said we don't have the term of 'commercial designation.' Gerry said this nomenclature; it's not changing how a property can be used.

Judy Miller asked about 'summer homes.' Eric Young said in 1996, TRPA created a definition for summer homes. He spoke about permissible uses when plan was established. Eva Krause processed a few that TRPA approved. As part of this process, we aren't proposing any changes. We will propose a change in draft if we feel comfortable that the change can be approved without environment impact statement (EIS). If we can do it with a set of mitigation measures, we feel comfortable to do it.

Judy Miller requested a definition. Eric Young said they will be on website within a week or so.

Kevin Lyons asked about EIS. Eric Young said there is a checklist to follow to see if it triggers an EIS. If it can be met with mitigation of policy or rule, we will allow it. Gerry Eick said to Kevin's question, TRPA has the hierarchy over the County. Eric Young said yes, they have the ruling over conformance. TRPA has adopted regional plan in 2012 which has the ability for the County to do these plans. We aren't required to do it, but the community wanted it. If we don't do it, they may do one for us, and we don't want that. TRPA said come forward with what your community wants, and TRPA will approve it.

Public Comment:

Wayne Ford referenced section 140, requirement of no garage. He is looking for the incentive for two parking places under County Code. Eric Young said he hasn't changed the language of Tahoe Modifiers for a long time. He isn't opposed to redoing it. Wayne Ford said under TRPA code, two off street parking spots are required for single family residential. Parking is a big issue not covered in this section. Eric Young said he hasn't looked at residential parking in that section.

Sara Schmitz referenced 110.220.185 about rentals. She said there is an opportunity for our community to draft language about rentals. We are different than the County. As written here, it defers to county code. It's opportunity to request language be put in our Community Plan so we have better control over short term rentals in our community.

Margaret Martini asked about 1996 plan. Eric Young said permissible uses, boundaries, and the foundation was developed at that point. Prior to that, it was called zoning. Eric said it's still called zoning; but the districts have different names. Down in the valley, there are traditional approaches with sets of zoning with different uses. Up here, with it being a different geographic area, it has its own regulatory zoning. Down in the County, there are spots with neighborhood commercial zoning, but up here, you have plan area statements that indicates what you are allowed to do in commercial area. Original zoning is maintained to what it was, but in certain geographic locations you are revising zoning. He said County is maintain the zoning to determine heights and use. The only regulatory code and standards the County established were height, minimum lot, setbacks. Now, we have got rid of county designations of lot standards, setbacks, and created a separate approach based on their lot size. Currently these are TRPA standards that are printed in this draft with overlaying with county zoning and we are getting rid of that overlay. He said it's the same permissible uses. County planners fear getting a question about the Tahoe Area Plan – we are doing what TRPA asked us to do 26 years ago; get rid of zoning – find another way of present it instead of zoning.

Sara Schmitz said every homeowner when they purchase a property have to review and sign off regarding CCRs pertaining communities. She asked have those taken into consideration and what is the impact on homeowners. Eric Young said the County has never taken a stance on CCRs. Sara Schmitz said there are rules for homes when District was formed. Eric Young said this is 100% separate from CCRs and HOA rules. Sara Schmitz asked if single family neighborhood units can build a bed and breakfast. Eric Young said if her area plan allowed a bed and breakfast. Eric Young said it could do it today, it's not a change. It's a rule as it stands. Sara Schmitz asked if she could build a multi-unit building; he said you would have to get a Special Use Permit. He said Board of Adjustment hears all Special Use Permits.

Jack Dalton asked about the rest of the basin working with TRPA. Eric Young said the TRPA regional plan applies to the entire basin and asks the agencies to adopt the plan. Placer county recently adopted theirs, and asked Washoe County to model our plan on their concept. All jurisdiction in the basin are looking to do this. Eric said it's the same as today; its revealing what is out there and what it has been in place all along.

Patrick Schmitz said this is a draft, if we don't like, there opportunity for change. Eric Young said if you want to see change, let me know. Patrick asked how he gets information; Eric said community input. Patrick said it's an opportunity to streamline. Eric said this is an engaged community. We will come up with plan with most consensus. The challenge has been the need for a status quo approach. Eric said parking is a huge issue. Its an opportunity to go in and write new parking requirements. There are a lot of great ideas, but ability to implement with this is frustrating.

Steve Dolan referenced the Ponderosa Ranch Community Plan, but other plans that fit within it. He said he doesn't understand that. There is casino corridor and commercial area. Eric said nothing else goes into that, it's exactly what it was, unique that that parcel only. Steve asked if the Casino Corridor is for the Hyatt. Eric said it's one of four of the community plans – Incline Village Tourist Community plan. Within that plan, casinos are allowed in the tourist plan. Eric said they are permissible use, but creating a new casino you have to have commercial floor that the County would have to grant. Steve said Ellison development, Berkbigler was part of a meeting, and they were granted 400 cubic feet. Eric said what is happening with CalNeva is currently being reviewed under existing rules and framework, and possibly being adopted before this is area plan is adopted. Nothing is changing under this.

Wayne Ford thanked Eric about reducing variances, and making it so Staff can make findings without coming before the boards. Thanks for working on some of that. Eric said there are a lot of requests for variances. A garage can go to property line if it meets safety standards, road department standards, fire codes.

Pete Todoroff asked if it's retroactive when approved. Eric said the effective date is when TRPA finds it in conformances. The master plan will adopt it by resolution; county code by ordinance, which depends on conformance to TRPA.

Gerry Eick asked for time table of conformance which determines people's urgency for public comment. Eric said we would like to get to the County Commission in July. Eric said he has committed to getting this done. It loses control of the timeline when it has to go to the consultant, lawyer, TRPA, and received input. The commission may request he comeback to discuss it further with Commissioners. Gerry said the Commissioner stated TRPA wanted to see it come back by a set date. Eric said we submitted a plan over a year ago, and they said to do it again. By hiring a consultant it shows we are serious. Eric said we aren't being pressured to get it done. Eric said phone and email is the best way to contact him. Eyoung@washoecounty.us.

Tom Cardinale asked if TRPA supersedes the County> He spoke about a situation in Mill Creek on less than an acre. He asked how can the County allow 5 units if someone couldn't even get two permits.

Eric said TRPA is a good working partner. We had a listening session a few years ago. When plan goes forward, we don't feel we are under pressure to adopt these rules. We like these rules and find them appropriate and will adopt as Washoe County rules.

Mike Sullivan said the draft has always been here, the rules might be stated, but there are hoops that need to be jumped through. And someone needs to approve it. 6 months into the project, they can deny the project. He said he appreciates Sara looking at the rental issues.

Kevin Lyons said there are rules to approving special use permits. Eric said the uses might be ok if the impacts to the neighborhood can be mitigated. In some cases, it might be a good idea with certain conditions. It means the negative impacts are being mitigated through the conditions in the Special Use Permit. If it's denied, it means they couldn't find the conditions to mitigate impacts.

Pete Todoroff closed that item.

8. *WASHOE COUNTY COMMISSIONER UPDATE- Washoe County Commissioner, Marsha Berkbigler was not in attendance. She can be reached at (775) 328-2005 or via email at mberkbigler@washoecounty.us.

9. *CHAIRMAN/BOARD MEMBER ITEMS- This item is limited to announcements by CAB members. (This item is for information only and no action will be taken by the CAB).

Gene Brockman asked about parking as a whole. Gerry Eick said the Assistant County Manger has been assigned to review the parking and matters of enforcement. There is a new sheriff in town; you will see something happen.

10. * GENERAL PUBLIC COMMENT AND DISCUSSION THEREOF – Limited to no more than three (3) minutes. Anyone may speak pertaining to any matter either on or off the agenda. The public are requested to submit a Request to Speak form to the Board Chairman. Comments are to be addressed to the Board as a whole.

There were no request for public comment.

ADJOURNMENT – meeting adjourned at 8:25 p.m.

Number of CAB members present: 6

Number of Public Present: 40

Presence of Elected Officials: 0

Number of staff present: 2

Submitted By: Misty Moga