



# WASHOE COUNTY PARCEL MAP REVIEW COMMITTEE DRAFT Meeting Minutes

## Parcel Map Review Committee Members

Thursday, March 18, 2021  
2:00 p.m.

Larry Chesney, Planning Commission  
James English, Health District  
Tim Simpson, Environmental Engineer  
Wayne Handrock, Engineering  
Dale Way, Truckee Meadows Fire Protection District  
Roger Pelham, Planning and Building

## Zoom Teleconference Meeting Only

**Due to COVID-19:** No members of the public were allowed in the BCC Chambers due to concerns for public safety resulting from the COVID-19 emergency and pursuant to the Governor of Nevada's Declaration of Emergency Directive 006 Section 1 which suspended the requirement in NRS 241.023(1)(b) that there be a physical location designated for meetings of public bodies where members of the public would be permitted to attend and participate. This meeting was held by teleconference only.

The meeting was televised live and can be replayed on Washoe Channel at: <https://www.washoecounty.us/mgrsoff/Communications/wctv-live.php> also on YouTube at: <https://www.youtube.com/user/WashoeCountyTV>

The Washoe County Parcel Map Review Committee met in rescheduled session on Thursday, March 18, 2021, at 2:00 p.m., via Zoom.

### 1. Determination of Quorum [Non-action item]

Wes Rubio, acting as Chair, called the meeting to order at 2:16 p.m. The following members and staff were present:

Departments represented: Community Services Department (CSD)  
Tim Simpson, Environmental Engineer  
Wayne Handrock, Engineering  
Roger Pelham, Planning and Building  
Health District  
Wes Rubio (acting Chair)  
Planning Commission  
Larry Chesney (arrived at 2:42p.m.)

Members Absent: Truckee Meadows Fire Protection District  
Dale Way

Staff present: Donna Fagan, Recording Secretary  
Chaz Lehman, Deputy District Attorney, District Attorney's Office

### 2. Ethics Law Announcement [Non-action item]

Deputy District Attorney Chaz Lehman recited the Ethics Law standards.

**3. Appeal Procedure [Non-action item]**

Wes Rubio recited the appeal procedure for items heard before the Parcel Map Review Committee.

**4. Public Comment [Non-action item]**

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

**5. Possible action to approve Agenda [For possible action]**

In accordance with the Open Meeting Law, Tim Simpson moved to approve the agenda of March 18, 2021, as written. The motion, seconded by Wayne Handrock, passed unanimously.

**6. Possible action to approve February 11, 2021 Draft Minutes [For possible action]**

Tim Simpson moved to approve the February 11, 2021 draft minutes, as written. The motion, seconded by Wayne Handrock, passed unanimously.

**7. Project Review Items [For possible action]**

**A. Tentative Parcel Map Case Number WTPM20-0013 (RT Merchant) [For possible action] –**

For hearing, discussion, and possible action to approve a tentative parcel map to allow the merger and subsequent re-subdivision of two existing parcel of land into four parcels of land. The existing parcels of land are approximately 10.16 and 34.8 acres in size. The four resulting parcels of land are proposed to be approximately 7.38, 5.14, 5.09 and 27.36 acres in size. This is a second or subsequent division of land within the last 5 years.

- Applicant: Odyssey Engineering, Attn.: Kelly Combest
- Property Owner: RT Merchant, LLC, Attn.: Michael Merchant
- Location: On the east side of Eastlake Blvd, approximately ¼ mile south of its intersection with US Highway 395.
- APN: 050-210-50 & 050-210-54
- Parcel Size: ± 10.16 and ± 34.8 acres
- Master Plan: Rural Residential (RR)
- Regulatory Zone: Medium Density Rural (MDR)
- 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: Roger Pelham, MPA, Senior Planner  
Washoe County Community Services Department  
Planning and Building Division
- Phone: 775-328-3622
- E-mail: [rpelham@washoecounty.us](mailto:rpelham@washoecounty.us)

Roger Pelham reviewed his staff report dated December 7, 2020.

Gabe Whitley, Odyssey Engineering, said he agreed with staffs report and comments. He asked if TMFPD was available as he thought the conditions they submitted where pretty generic.

Chair Rubio opened public comment.

Bill Naylor, Washoe Valley Alliance, indicated he sent in a three-page email comment. He said when he went over the material posted for the meeting, he saw nothing by the developer that addressed hill-side development. He feels the application is incomplete. He spoke about the words “shall” and “should” in the South Valleys Area Plan. He thinks development area analysis is required and a wildlife migration route should be addressed. The key thing is the utility corridor that goes through the map causes major problems. Mr. Naylor noted on parcel 3B, the only developable area is a small triangle on the hill side,

on 3A there is a flat area at the bottom. The point being: the way the parcels are drawn this developer has no choice but to put the residence on the hill side where it causes problems with the viewshed.

Marilyn Naylor, resident of Washoe Valley, indicated there was a lot of citizen input on this issue because in 2010 Governor Jim Gibbons officially designated Washoe Valley a state scenic byway.

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

Mr. Pelham shared his screen with an elevation map of the area to show where potential home sites would be available for each parcel. He thanked the people in the area for sharing their concerns.

Tim Simpson asked if Mr. Pelham had said there was an approved building permit for parcel 3C. Mr. Pelham said yes, on the north east edge. It was approved by right for one single family dwelling on the existing parcel of land. When the parcel is split it will be perfectly legal.

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 WTPM20-0013 for RT Merchant, LLC, subject to the conditions of approval included as Exhibit A with the staff report, and make the determination that the following criteria is or will be adequately provided for pursuant to Washoe County Code, Section 110.606.30. Wayne Handrock seconded the motion which carried unanimously, with Mr. Pelham recusing himself.

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.
- 2) Subdivision improvement considerations for second or subsequent parcel maps pursuant to Washoe County Code, Section 110.606.30(d) and which are in addition to the criteria listed above.

\*\*Larry Chesney arrived 2:42 p.m.\*\*

**B. Amendment of conditions Case Number WAC21-0001 (Lombardi Amendment) for Case Number WTPM20-0009** – For hearing, discussion, and possible action to approve an amendment

of the conditions of approval for tentative parcel map case number WTPM20-0009 to remove Engineering condition 2(d) and Parks Program condition 5(a).

- Applicant: Lombardi Lane Partners LLC
- Property Owner: Brady Family LLC
- Location: Approximately 2,680ft south of the intersection of Lone Tree Ln and Frost Ln, 0 Lombardi Ln
- APN: 041-190-11
- Parcel Size: 24.023 acres
- Master Plan: Rural Residential/Rural
- Regulatory Zone: Medium Density Rural/ General Rural
- Area Plan: Southwest Truckee Meadows
- Citizen Advisory Board: South Truckee Meadows/Washoe Valley
- Development Code: Authorized in Article 606
- Commission District: 2 – Commissioner Lucey
- Staff: Dan Cahalane, Planner  
Washoe County Community Services Department  
Planning and Building
- Phone: 775.328.3628
- Email: dcahalane@washoecounty.us

Dan Cahalane reviewed his staff report.

Tim Simpson asked if Committee was only considering the removal of the two noted conditions. He has concerns about removing engineering conditions 2(d). In looking at the county code, it does allow us to review the effect of the proposed subdivision on existing public streets or new streets or highways to serve the subdivision. He believes the code requires 30-foot access or road to serve more than four parcels.

Mr. Cahalane said, to council, his understand was the 3- foot required easement on parcels that were not included on the parcel map originally was considered to be an “inverse condemnation potential” and potentially a “takings.” The idea with this was they would defer to the discretion of the county engineer, Wayne, in order to create a safe accessway on the parcel map without getting into an “inverse condemnation” as the applicant was having difficulty obtaining a 6-foot wide access easement from the current property owners. Mr. Simpson said he had spoken with Leo Vesely the determination was made that this would be allowed, this 20-foot access easement, but he questions, have we done this in the past with other areas. If we don’t ‘condition it this way or at least address it we could cause problems in the future with other parcel maps. Mr. Simpson said he failed to see how this would be a “grab”, in that, while we are requiring it, we are not making the property owners give the easement. Now we are adding traffic to their road and causing an inverse impact to them, so they have no other recourse. He’s curious to understand how in early case they are causing an inverse reaction to this parcel map. Mr. Simpson said he does not think he can approve the removal of condition 2(d).

Wayne Handrock opined, where do we draw the line. Can we put in a 100-unit subdivision and it’s an illegal taking if we want more than a 20-foot access easement? Mr. Simpson said that is kind of how he feels. Mr. Simpson said, reading the code, he feels this access easement is acceptable to ask for.

Chair Rubio asked DDA Lehman, the legal ramifications of Mr. Simpson’s and Mr. Handrock’s comments. DDA Lehman said he felt there is potential for a legal battle with regard to a “takings” issue. It’s not an illegal taking but it does have the potential to properly compensate landowners. If you are forcing these restrictions onto other landowners it could be a potential for problems down the road if, the conditions were left on there.

Steve Ryckebosch, applicant, thought staff had met with the agencies involved to get to this point of amending the conditions. Mr. Cahalane said he had done that prior to having them submit the amendment of conditions. He said the PMRC is tasked with making the decision at their own

discretion. Engineering has provided a memo which has recommended the 20-foot easement which is included in the recommendation in the staff report. Although, engineering has recommended the 20-foot easement that does not mean that is the way the PMRC is going to decide. Mr. Ryckebosch said the application is not for a subdivision, it is a four-parcel split. They are putting the same amount of paving down. It would be the same if the street was 20-foot wide or 36-foot wide. He doesn't understand why there is 36-foot of easement when you have a 20-foot road. We're serving the same purpose. Mr. Simpson asked if the road is being improved. Mr. Ryckebosch said yes it would be asphalt from the cul-de-sac on Lombardi Lane to their property. Mr. Handrock said part of his concern is when you put a 20-foot access easement what does that leave you for signage, drainage, etc. Mr. Ryckebosch said this is a very rural area. They do have ditches off Steamboat ditch that abut the area naturally now which waters the parcels to the south of this road. The road will be improved and drain into the ditches and flood irrigate. Mr. Simpson asked who maintains this private road that now runs through someone's property which will have traffic added to it. Mr. Ryckebosch said there is a maintenance agreement in place already and the new parcels are creating a Memorandum of Understanding (MOU). The document has already been created. Mr. Simpson asked if that was a condition of the original map. Mr. Ryckebosch said he would agree to have it added to this amendment of conditions as the documents have already been created. Mr. Handrock asked Mr. Cahalane if there were any concerns from TMFPD about getting their equipment down the 20-foot access easement. Mr. Ryckebosch said he spoke with TMFPD as long as there was 20-foot all weather access and 10% max grade, they are fine with it. A new bridge will be installed at Steamboat ditch.

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

Larry Chesney moved that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Parcel Map Review Committee approve Amendment of Conditions Case Number WAC21-0001 which modifies the conditions of approval for Tentative Parcel Map Case Number WTPM20-0009 for Lombardi Lane Partners, subject to the amended conditions of approval in exhibit A and having made the determination that the following criteria is or will be adequately provided for pursuant to Washoe County Code in accordance with Washoe County Code Section 110.606.30 and include the Memorandum of Understanding regarding drainage and maintenance to the amended conditions of approval. Mr. Simpson 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** [Non-action item]

**A. Future Agenda Items**

None

**A. Legal Information and Updates**

None

**9. Public Comment** [Non-action item]

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

**10. Adjournment**

Wes Rubio made the motion to adjourn at 3:11 p.m.

Respectfully submitted,

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Donna Fagan, Recording Secretary

Approved by Committee in session on \_\_\_\_\_, 2021

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Roger Pelham, Chair  
Senior Planner