



# WASHOE COUNTY PLANNING COMMISSION DRAFT Meeting Minutes

## Planning Commission Members

Roger Edwards, Chair  
D.J. Whittemore, Vice Chair  
James Barnes  
Larry Chesney  
Sarah Chvilicek  
Philip Horan  
Greg Prough  
Carl R. Webb, Jr., AICP, Secretary

Tuesday, January 6, 2015  
6:30 p.m.

Washoe County Commission Chambers  
1001 East Ninth Street  
Reno, NV

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The Washoe County Planning Commission met in a scheduled session on Tuesday, January 6, 2015, in the Washoe County Commission Chambers, 1001 East Ninth Street, Reno, Nevada.

### 1. Determination of Quorum

Vice Chair Whittemore called the meeting to order at 6:30 p.m. The following Commissioners and staff were present:

Commissioners present: D.J. Whittemore, Vice Chair (Acting Chair)  
James Barnes  
Larry Chesney  
Sarah Chvilicek  
Philip Horan

Commissioners absent: Roger Edwards, Chair  
Greg Prough

Staff present: Carl R. Webb, Jr., AICP, Planning Manager, Planning and Development  
Clara Lawson, P.E., PTOE, Licensed Engineer, Engineering  
Greg Salter, Esq., Deputy District Attorney  
Joanna Schultz, Office Support Specialist, Community Services  
Kathy Emerson, Recording Secretary

### 2. Pledge of Allegiance

Commissioner Chesney led the pledge to the flag.

### 3. Ethics Law Announcement

Deputy District Attorney Salter provided the ethics procedure for disclosures.

### 4. Appeal Procedure

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

## 5. Public Comment

As there was no one wishing to speak, Acting Chair Whittemore closed the public comment period.

## 6. Approval of Agenda

In accordance with the Open Meeting Law, Commissioner Chvilicek moved to approve the agenda for the January 6, 2015 meeting as written. Commissioner Horan seconded the motion, which carried unanimously.

## 7. Planning Items and Public Hearings

**Acting Chair Whittemore stated that *the following item only (Agenda Item 7.A.) will be heard by the Washoe County Planning Commission who will convene as the Capital Improvements Advisory Committee.***

- A. The Planning Commission will convene as the Capital Improvements Advisory Committee (CIAC) to review the Regional Road Impact Fee Land Use Assumptions and to affirm that those assumptions are in conformance with the Washoe County Master Plan. The CIAC will also review the Regional Road Impact Fee Capital Improvements Plan and provide comments on that Plan to the Washoe County Board of County Commissioners.

Acting Chair Whittemore opened the Item. Clara Lawson introduced Julie Masterpool, P.E., from the Regional Transportation Commission (RTC) and stated she was here to answer any questions from the Commission. Ms. Lawson reviewed her staff report dated December 8, 2014; the Regional Road Impact Fee Land Use Assumptions and the Regional Road Impact Fee Capital Improvements Plan. Ms. Lawson stated that the Engineering Division has developed five possible comments that the Planning Commission (PC) can direct to the Board of County Commissioners (BCC). These are:

1. The Regional Capital Improvement Plan is based on the County Master Plan and the 2012 Consensus Forecast.
2. The Regional Capital Improvement Plan facilitates growth by constructing capacity improvements to the region's streets and highways that will benefit the efficient movement of persons and goods.
3. The North Service Area and South Service Area with separate Capital Improvements and Impact Fees are contributing to creating a reasonable nexus which is Federal Law.
4. The Regional Capital Improvement Plan will not adversely impact the public health, safety, or welfare.
5. The Regional Capital Improvement Plan is based upon due and careful consideration of the information provided in the "2014 Regional Road Capital Improvements Plan and Impact Fee Methodology."

Mr. Webb added comments to Ms. Lawson's discussion. Mr. Webb stated that the PC, is convened as the CIAC, is asked to look first at the land use assumptions, and then to affirm or not affirm those land use assumptions. The land use assumptions are based on 2 factors; the Master Plan and the Consensus Forecast. The context of the CIAC's review is concerning the Regional Road Impact Fee (RRIF). There is an interlocal

agreement between the Cities of Reno and Sparks, Washoe County, and the RTC to form the RRIF. The region agrees that when someone has a building permit, the regional partners are going to impose an impact fee to pay for regional road improvements. The partners also agree that the RTC is going to be the overarching agency that will monitor the fund, be responsible for its expenditures, is going to provide the information for the Capital Improvement Plan (CIP), and will eventually implement the CIP, through the RRIF, to get the money to build the regional roads. The RTC gets information from the 3 jurisdiction's Master Plans so they can put the information into their traffic model. That information is based on the Master Plan, or more importantly the Regulatory Zones that are part of the Master Plan categories. The RTC looks at a particular area and the number of acres in various zoning categories (ex. commercial, industrial, various densities of residential) within that area. This information goes into their traffic model in more discreet units called traffic analysis zones. Based on this information they are able to generate traffic projections. RTC then takes a look at the consensus forecast. The consensus forecast in the staff report (Attachment B) is from 2012, which was the latest forecast RTC was looking at when updating the RRIF in 2013. The 2012 forecast was prepared by Washoe County staff. The next consensus forecast will be prepared by Truckee Meadows Regional Planning Agency staff. The 2012 forecast was prepared using the 2010 census, used by the State demographer for his projections; population projections from TMWA; and population projections from 2 private firms, Woods and Poole and Global Insight. The 2012 forecast was adopted by each jurisdiction and the Truckee Meadows Regional Governing Board. RTC takes this information, looks at potential improvements and new routes, and this is translated into the Capital Improvements Plan.

Mr. Webb continued, in the first part, the PC is asked to look at the land use assumptions (Attachment A) and should affirm whether or not those land uses assumptions are founded in our Washoe County Master Plan. The second action is to look at the CIP and determine whether or not the PC members have comments on that. Mr. Webb reminded the PC that RTC was at the last meeting and presented information on their Regional Transportation Plan (RTP) focused on the North Valleys area. The RTP is based on the Capital Improvements Plan. Staff will pass any comments from the Planning Commission to the BCC – they are going to hear these items next week.

Acting Chair Whittmore asked if any of the Commissioners wished to ask questions. Commissioner Barnes asked when the next consensus forecast will be out? Ms. Masterpool answered that 2014 is the next forecast. Ms. Lawson stated that the 2014 consensus has been adopted, 2016 would be the next one.

Commissioner Horan asked for clarification – the 2014 consensus is adopted but we are working off the 2012 consensus? Ms. Lawson said yes, as Mr. Webb stated, it is a process and at some point we have to say that this is the consensus forecast we are going to use and then it takes some time to develop that model. Commissioner Horan asked about the trend in the forecast from say 2006, 2007, and 2008. Julie Masterpool stated it is her understanding that we have seen about a 20% reduction in population from the previous forecasts. This represents a pretty significant reduction in future projections of population and employment. She believes there is a slight reduction in the 2014 forecast compared to the 2012 forecast. Commissioner Horan asked whether the RTC scales back some of what they said they are going to do? Ms. Masterpool said yes, it is reflected in the CIP's. The last update to the CIP there were, she thought, 75 different capacity improvement projects. They are now down to about 40 capacity improvement projects. They have scaled back considerably what they think they need for the next 10 years. Commissioner Horan stated that there is a lot of data that has been

researched professionally by the staffs of Reno, Sparks and Washoe County and he is comfortable with the numbers as they have been presented.

Mr. Webb commented that there is no formal process for the CIAC to review these land use assumptions in the staff report. Staff has provided an analysis that we would have used for a Master Plan amendment. Mr. Webb offers this to the PC to include or not include as they deem fit in a possible analysis and action for either affirmation or not for those land use assumptions.

Commissioner Horan said he is comfortable with a motion to affirm the presentation as it has been presented and that it should go on to the County Commission, including the comments as they have been made.

Commissioner Horan moved that after giving reasoned consideration to the information contained in the staff report and to information received during the meeting, the Washoe County Capital Improvements Advisory Committee affirm that the Regional Road Impact Fee Land Use Assumption are in conformance with the Washoe County Master Plan. He also moved to direct staff to provide this Committee's affirmation of Master Plan conformance to the Washoe County Board of County Commissioners.

He further moved that the Washoe County Capital Improvements Advisory Committee provide the following comments on the Regional Road Impact Fee Capital Improvement Plan in writing to the Washoe County Board of County Commissioners, and that the Committee Chair review the written comments when prepared by staff and sign the comments on behalf of the Committee.

Mr. Webb asked which comments would they like included in the report? Commissioner Horan stated the comments from this discussion. Commissioner Barnes said also, comments 1-5 stated in the presentation should be included.

Commissioner Chesney seconded the motion, which carried unanimously.

***Acting Chair Whittemore announced that the Washoe County Planning Commission will reconvene to hear the following item (Agenda Item 7.B.)***

- B. Development Code Amendment Case Number DCA14-013** – To amend Washoe County Code, Chapter 110, Development Code, at Article 706 (Impact Fees) at Section 110.706.05, *Regional Road Impact Fee*, to correct NRS citations, to reference the latest General Administrative Manual (GAM) for applicability, to adopt the latest approved GAM, to adopt the latest version of the Regional Road Improvement Fee System Capital Improvement Plan (Regional CIP), to define service area boundaries as within the GAM and fees as within the Regional CIP, and to set the impact fees in accordance with the GAM and the fee schedule within the Regional CIP; and, providing for matters properly related thereto.

Clara Lawson reviewed her staff report dated December 22, 2014. Ms. Lawson stated that the Capital Improvement Plan (CIP) is required by NRS before we can enact the fees. Also the General Administration Manual (GAM) develops the guidelines and procedures to administer the Regional Road Impact Fee (RRIF).

Mr. Webb made a correction to Agenda Item 7.B. –three lines down: (GAM0 should be (GAM).

Acting Chair Whittemore asked if there are any comments or questions. Commissioner Horan asked for clarification as to Exhibit A, is this where the language is being changed? He asked if there is any reason that they would have to look at the individual “housekeeping items” here. Mr. Webb replied, yes, Exhibit A is the working copy of the ordinance which will be sent to the Board of County Commissioners (BCC). Housekeeping, administrative efficiency are all good terms to describe this. The intent is that we don’t want to have to amend the Development Code every time we come back for Regional Road Impact Fees. It is up to the Commission whether they need to describe any of those specific section edits in detail or simply review and refer to them as a whole. Commissioner Horan commented that looking at each of these individually, they are very clearly clarifications in making the administrative process much more efficient and he would support the recommendation.

Deputy DA Salter said there is one editorial change that the DA’s office will make as they present this to the BCC. Throughout the code is used the word “adapt” – “adapting a version of the manual”. The word should be “adopt”.

Commissioner Chvilicek moved that after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission recommend approval of DCA14-010, to amend Washoe County Chapter 110 (Development Code) at Article 706 (Impact Fees) at Section 110.706.05, *Regional Road Impact Fee*, to correct NRS citations, to reference the latest General Administrative Manual (GAM) for applicability, to adopt the latest approved GAM, to adopt the latest version of the Regional Road Improvement Fee System Capital Improvement Plan (Regional CIP or RRIF CIP), to define service area boundaries as within the GAM and fees as within the Regional CIP or RRIF CIP, and to set the impact fees in accordance with the GAM and the fee schedule within the Regional CIP or RRIF CIP. She further moved to authorize the Chair to sign the resolution contained in Attachment A on behalf of the Washoe County Planning Commission and to direct staff to present a report of this Commission’s recommendation to the Washoe County Board of County Commissioners within 60 days of today’s date. Commissioner Horan seconded the motion which carried unanimously.

The motion and recommendation for approval was based on all of the following four findings in accordance with Washoe County Code Section 110.818.15(e):

1. Consistency with Master Plan. The proposed Development Code amendment is in substantial compliance with the policies and action programs of the Washoe County Master Plan;
2. Promotes the Purpose of the Development Code. The proposed Development Code amendment will not adversely impact the public health, safety or welfare, and will promote the original purposes for the Development Code as expressed in Article 918, Adoption of Development Code;
3. Response to Changed Conditions. The proposed Development Code amendment responds to changed conditions or further studies that have occurred since the Development Code was adopted by the Board of County Commissioners, and the requested amendment allow for a more desirable utilization of land within the regulatory zones; and,

4. No Adverse Affects. The proposed Development Code amendment will not adversely affect the implementation of the policies and action programs of the Conservation Element or the Population Element of the Washoe County Master Plan.

## 9. Chair and Commission Items

### A. \*Report on previous Planning Commission items

Mr. Webb gave several updates:

The Master Plan Amendment 14-003 and 14-006, which were the amendments that dealt with Incline Village, must have regional plan conformance. Eva Krause and staff are in touch with the Tahoe Regional Planning Agency for a letter stating that they are in conformance. Once the letter is received, the case will be scheduled for the BCC, probably a February or March meeting.

Village Green Master Plan Amendment (MPA) and Regulatory Zone Amendment (RZA). The BCC heard both on October 28, 2014, and approved both, based on the PC recommendations. The Regional Planning Commission (RPC) meeting is on January 28, 2015. If they find that the MPA is in conformance, then both the MPA and the RZA will be in effect.

The RZA for Autumn Trails enabled the Tentative Subdivision Map in Spanish Springs. The RZA was adopted by the BCC on December 9, 2015, so it is now in effect and the Tentative Map will move forward.

The Grandview Terrace, Reno SOI rollback, RZA has been approved by the BCC. The MPA has been found in conformance with the Regional Plan back in May, so the RZA is also in effect as of October 28, 2015; those properties now being back within the County and having zoning on top of it.

Village at the Peak was approved, on appeal, by the BCC on October 28, 2014. It is scheduled for review again before the RPC on January 28, 2015.

The MPA and RZA at the corner of Pyramid and La Posada, where we had the park and the property is going to commercial, has been approved by the BCC in December 2014. As soon as staff gets the minutes from the meeting, we will forward it to the RPC for the conformance review.

Mr. Webb informed the PC members who are also on the RPC that there will be a meeting on January 28.

Commissioner Chesney asked if any of these cases that were approved were on the corner of Calle de la Plata, the multi-family development? Mr. Webb replied that this is the Village at the Peak case which was approved by the BCC and going to the RPC again for conformance review.

### B. Future agenda items and staff reports

Mr. Webb reported on future agenda items:

A Development Code Amendment (DCA) in February dealing with RZA's. Principal emphasis being on getting rid of the "findings for denial".

Another DCA in March straightening out some of the appeal provisions for the Board of Adjustment and other various boards, including Planning Commission.

There are some development applications coming up, but those will be a little later.

## 10. \*Director's Items

Mr. Webb stated that the Commissioners were given information on the Nevada Leadership Institute "How to" Workshops – a series of leadership workshops. There is a registration form on the back, each session is \$15.00. Bill Whitney, Planning and Development Director has authorized the Division to pay for any Planning Commissioners wishing to attend one or more sessions. Commissioners were asked to contact Kathy Emerson if they are interested in registering.

Commissioners were informed that Greg Salter has accepted a position with the City of Reno and is leaving Washoe County at the end of the month. DDA Salter has been stalwart for us for legal counsel for years, providing expert legal advice to this Commission. The Division and, speaking for the Commission, will miss his legal advice. He has always been very prudent, timely and has kept us on a straight course. Also, City of Reno is very fortunate and they are getting a very competent legal staff. Mr. Webb informed the Commission that this is Greg's last meeting with the Planning Commission.

DDA Salter said he was surprised to get the call from the City of Reno. He accepted the job partially because it rounded out his experience as a government lawyer. With this assignment, he will have worked for the State of Nevada, Washoe County, City of Sparks, and City of Reno; over a period of almost 30 years. He will have worked with three different Planning Commissions and one Board of Adjustment. The Planning Commissions and the Board of Adjustment are his favorites because they are the epitome of citizen government. "You" devote a lot of time, effort, and thought to the planning for Washoe County, some of which you don't get a lot of credit for. He said it is refreshing that the thoughts of PC are not burdened by the push and pull that elected officials endure in making some of their decisions. Most of the "land use" practitioners have a tendency to move in harmony, thinking alike, forming a "community" of thought. "So, with that in mind, even though I am evacuating that chair, I am not evacuating you, and I'll see you around."

Acting Chair Whittemore thanked DDA Salter and said his words mean a lot to all the PC members. He concurred with everything Mr. Webb said and always found DDA Salter to be supportive and definitely had a lot of faith and trust in his advice. He has appreciated DDA Salter's commitment and on behalf of the PC, they wish him well.

Commissioner Horan said, although he is recent to the PC, he has a long history with Mr. Salter on the Board of Adjustment. Mr. Salter is one of his favorite lawyers for the reason that he doesn't tell him what to do, he tells him what's going to happen if he does what he does. Mr. Salter has always offered straightforward advice. Commissioner Horan has appreciated that and wishes him well at the City of Reno.

Commissioner Barnes said he has known Mr. Salter for a very long time and has always known him to be professional and an excellent attorney. Having had his job at one time, he knows it's not an easy job. Commissioner Barnes added his thanks and appreciation for the job Mr. Salter has done.

Commissioner Chvilecek said, also being fairly new to the Commission, she has appreciated and respected Mr. Salter's assistance and his candid representation to the PC, leading and shepherding them through some difficult things. She thanked Mr. Salter and said his appointment at the City of Reno should have been based on the PC's approval whether he could leave, they would have said no. Best wishes, and she hopes their paths will cross again.

Mr. Webb announced that the February Planning Commission meeting will be held in the Washoe County Health District Conference Room A on February 3, 2015 starting at 6:30 p.m.

**11. \*Legal information and updates**

None

**12. \*Public Comment**

Any person is invited to speak on any item on or off the agenda during this period. Action may not be taken on any matter raised during this public comment period until the matter is specifically listed on an agenda as an action item.

There were no public requests to speak.

Commissioner Chvilicek asked if we know who will be assigned as legal counsel for the PC. DDA Salter responded, not yet. Also, Commissioner Chvilicek asked since there is a change in location for the February meeting, if staff could call and remind the Commissioner's to go to a different location on the 3<sup>rd</sup>.

**13. Adjournment**

With no further business scheduled before the Planning Commission, the meeting adjourned at 7:16 p.m.

Respectfully submitted,

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Kathy Emerson, Recording Secretary

Approved by Commission in session on July 7, 2015.

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Carl R. Webb, Jr., AICP  
Secretary to the Planning Commission