



WASHOE COUNTY PLANNING COMMISSION Meeting Minutes

Planning Commission Members

James Barnes, Chair
Sarah Chvilicek, Vice Chair
Larry Chesney
Francine Donshick
Philip Horan
Greg Prough
Carl R. Webb, Jr., AICP, Secretary

Tuesday, March 7, 2017
6:30 p.m.

Washoe County Commission Chambers
1001 East Ninth Street
Reno, NV

The Washoe County Planning Commission met in a scheduled session on Tuesday, March 7, 2017, in the Washoe County Commission Chambers, Building A, 1001 East Ninth Street, Reno, Nevada.

1. Determination of Quorum

Chair Barnes called the meeting to order at 6:32 p.m. The following Commissioners and staff were present:

Commissioners present: James Barnes, Chair
Sarah Chvilicek, Vice Chair
Larry Chesney
Francine Donshick
Philip Horan

Absent: Greg Prough

Staff present: Trevor Lloyd, Senior Planner, Planning and Development
Roger Pelham, MPA, Senior Planner, Planning and Development
Eric Young, Senior Planner, Planning and Development
Jim Smitherman, Water Resources Program Manager, Western Regional Water Commission
Dwayne E. Smith, Director, Engineering and Capital Projects
Nathan Edwards, Deputy District Attorney, District Attorney's Office
Katy Stark, Recording Secretary, Planning and Development
Kathy Emerson, Administrative Secretary Supervisor, Planning and Development

2. *Pledge of Allegiance

Commissioner Horan led the pledge to the flag.

3. *Ethics Law Announcement

Deputy District Attorney Edwards provided the ethics procedure for disclosures.

4. *Appeal Procedure

Trevor Lloyd, Senior Planner, recited the appeal procedure for items heard before the Planning Commission.

5. *Public Comment

Chair Barnes opened public comment. Tammy Still, 11493 Tupelo Street, presented a handout, which was placed on file with the Clerk. She said she represented herself, fellow residents and flood victims of Lemmon Valley. She read from her handout outlining the runoff and flooding in Lemmon Valley, flood plans, flood control options, 2010 flood mitigation report and violations of County Code.

Janice Hunt, 175 Judy Way, stated her concern was about garbage collection. She said she was doing her part for the environment and felt the Commission failed in their due diligence with regard to the size of the containers. She felt if she was a family of 30 she could fill the trash can full, but she would not fill one that size in six months, yet she was paying more. She wondered if there were any other size containers available and appropriate prices. She did not know why the size of the containers was changed and she had attended the meetings voicing her opposition; however, her voice was not heard.

Brigitte Harmon, 9320 Arrowhead Way, stated her concerns about the environmental impact from the Swan Lake Conservatory Study, which she felt changed the environmental outlook. She said she took the 1986 report, which was a basic layout of the natural status of Lemmon Valley and overlaid the Master Plan. She requested an environmental impact report from the Mayor of Reno and it was granted. She was asking this committee to put a moratorium on any special permits until that study had been done.

Chris Rasiv, 7565 Hillview Drive, was concerned about dumping all the traffic on to Estates Road, because it was a narrow road and when they tried to get out during school hours, it was tough. He did not know why they would put a pipeline through everyone's front yards to deliver water to a development when they were all on wells and had been forever. He said the Commission should consider the people who were already lived there before granting a permit to allow someone to bring in water through people's front yards.

Andrea Corbett, 11585 Heartpine Street, said when she purchased 13 years ago she loved the idea of being in a rural area and being able to maintain a country lifestyle. She said she was concerned about over growth in the North Valleys and about the potential of thousands of cars being on US Highway 395. She stated it took her an hour and a half to get 10 miles when they had the last snow storm. She hoped that the negative impacts would be taken care of before any more building took place.

Bill Austin, 11850 Pepper Way, said he had been in the Reno area for almost 45 years and had seen a lot of draught and very little water, until this year. He said he did not trust developers; they came in and then left. He noted they had a third-world open pond situation in Lemmon Valley and he thought there was a problem with the Stead Unit, but that might be under Reno. He said there was no storage for water and the County would have to start addressing that. He had worked in construction since the 1950s and he built and designed sewer systems and if they failed it could be dangerous.

Chair Barnes closed public comment.

6. Approval of Agenda

In accordance with the Open Meeting Law, Commissioner Chvilicek moved to approve the Agenda for the March 7, 2017 meeting. Commissioner Donshick seconded the motion, which carried unanimously with Commissioner Prough absent.

7. Approval of February 7, 2017 Draft Minutes

On motion by Commissioner Chvilicek, seconded by Commissioner Chesney, which carried unanimously with Commissioner Prough absent, it was ordered that the minutes for February 7, 2017 be approved.

8. Planning Items

A. Possible action to approve a resolution of Appreciation of Service for Greg Prough and to authorize the Chair to sign the resolution on behalf of the Planning Commission.

Chair Barnes stated he felt Commissioner Prough had done an excellent job and the Commission was going to miss him. Trevor Lloyd, Planner, read the resolution into the record.

Chair Barnes called for public comment. Hearing none, he closed public comment and called for a motion.

On motion by Commissioner Chvilicek, seconded by Commissioner Donshick, which carried unanimously with Commissioner Prough absent, it was ordered to adopt the Resolution, which is attached hereto and made a part hereof.

B. Possible action to approve a resolution of Appreciation of Service for Bill Whitney and to authorize the Chair to sign the resolution on behalf of the Planning Commission.

Chair Barnes stated he worked with Mr. Whitney since the 1990s and had always found him very easy to work with and very knowledgeable. Trevor Lloyd, Planner, read the resolution into the record.

Bill Whitney thanked the Commission for the Resolution. He said he knew the Planning Commission would be in good hands with Bob Webb, Nate Edwards and the administrative staff to help with meetings and the Planning and Development Division had a committed and talented staff to assist the commission in making difficult decisions. He encouraged the Commission to never underestimate their importance. Each of the commissioners and DDA Edwards took a moment to state their respects to Mr. Whitney and thanked him for his service. Mr. Cobb stated he had the honor of working with Mr. Whitney for 16 years and he commended him for his service.

Chair Barnes called for public comment. Hearing none, he closed public comment and called for a motion.

On motion by Commissioner Chesney, seconded by Commissioner Donshick, which carried unanimously with Commissioner Prough absent, it was ordered to adopt the Resolution, which is attached hereto and made a part hereof.

***C. Report on 2035 Regional Water Balance Model projections of water supply and demand, wastewater flow and treatment capacity, water reclamation and effluent**

disposal capacity – Presentation by Jim Smitherman, Water Resources Program Manager.

Jim Smitherman, Western Regional Water Commission and Northern Nevada Water Planning Commission, stated John Enloe from the Truckee Meadows Water Authority (TMWA) was also present. He went through his presentation, which was placed on file with the Clerk.

Mr. Enloe, Director of Natural Resources, Truckee Meadows Water Authority, went through his portion of the presentation that was placed on file with the Clerk.

Commissioner Horan asked how water storage capacity could grow over time. Mr. Enloe stated it was the amount of storage that TMWA was able to accumulate for drought purposes, which they carried over from year to year. He noted that in 2015 when all of the lakes were way down, TMWA had quite a bit of water stored for the benefit of this community. He said to put it into perspective, 2015 was the worst year on record and they used 11,600 acre feet of that storage and they had over 40,000 acre feet of storage capacity available.

Mr. Smitherman stated the average single family home produced about 200 gallons per day of wastewater. In the South Truckee Meadows, the difference between the current flow to that wastewater treatment plant and the plant capacity was about 900,000 gallons per day. He said a number of units could be calculated from that, but facility planning for wastewater treatment plants is very complex, and before those numbers were applied when reviewing tentative maps, he advised checking with the wastewater engineers because they could give the Commission the details for the facility plans that he could not. He stated the only facility they could realistically reduce to a number of units was the Spanish Springs collection system, because that was controlled by an agreement with the City of Sparks for capacity to serve a certain number of units at the Truckee Meadows Water Reclamation Facility. He said plant expansions cost a lot of money and the treatment expansion in the South Truckee Meadows that would be needed by 2021 or 2022 was estimated to be about \$50 to \$60 million. He said when someone planned to expand a wastewater treatment plant, they also had to plan to expand the capacity to reuse or dispose of the treated effluent that was discharged from the plant. He continued with his presentation and finished by stating that when this Commission was presented with a development plan or tentative map, it would come with a commitment from service providers and that commitment to serve would involve a lot of rigorous analysis from engineers and people who were very knowledgeable.

There was no action taken on this item.

Chair Barnes left the meeting and Vice Chair Chvilicek assumed the gavel.

9. Public Hearings

A. Tentative Map Case Number WTM16-002 (Golden Mesa North) – Hearing, discussion, and possible action to approve the subdivision of two parcels totaling 119.76 acres into a 115 lot subdivision.

and,

Special Use Permit Case Number WSUP16-0002 (Golden Mesa South Sewer Lift Station) – Hearing, discussion, and possible action to approve special use permit for a sewer lift station to support the development of the Golden Mesa North Subdivision.

- Applicant: Moonlight Hills Estates, LLC.

- Location: North of Golden Valley Road and East of Estates Drive
- Assessor's Parcel Numbers: 552-050-01; 552-092-19; 552-100-01
- Parcel Size: 119.76 Acres (WTM16-002) and 35.16 Acres (WSUP16-0002)
- Master Plan Categories: Suburban Residential and Rural
- Regulatory Zones: Low Density Suburban (LDS) (maximum allowed density 1 dwelling per acre) on +/-116 acres and General Rural (GR) (maximum density is 1 dwelling per 40 acres) on +/-2.79 acres
- Area Plan: North Valleys
- Citizen Advisory Board: North Valleys
- Development Code: Article 608, Tentative Subdivision Maps, and Article 810, Special Use Permits
- Commission District: 5 – Commissioner Herman
- Section/Township/Range: Sections 11, T20N, R19E, MDM, Washoe County, NV
- Prepared by: Trevor Lloyd, Senior Planner
Washoe County Community Services Department
Planning and Development Division
- Phone: 775.328.3620
- E-Mail: tlloyd@washoecounty.us

Vice Chair Chvilicek opened the public hearing. She asked if the Commissioners had any disclosures. Commissioner Horan stated he received a phone call from someone involved with the Applicant and he declined to discuss the item with them. Vice Chair Chvilicek stated she received a voice mail, but did not respond to the representative. Commissioner Donshick stated she lived in Golden Valley and was the President of the Golden Valley Property Owners Association. She said the Applicant came to the property owners meeting and she was also present at the North Valley Citizen Advisory Board (CAB) meeting when the Applicant spoke. She said she personally received a copy of a couple of the emails that were in the packet, but she did not reply to anyone directly. DDA Edwards asked if Commissioner Donshick could describe what that association looked like in terms of their membership and if it was a Homeowner's Association that would be collecting mandatory assessments from any new units that were in the area. Commissioner Donshick responded it was more an information type of association for anyone who lived there. She said they collected voluntary dues to help them put out newsletters, transcribe minutes and put out dumpsters, but it was not required. DDA Edwards asked if the association stood to gain mandatory property assessments if new units were approved. Commissioner Donshick stated no, she was under the impression the new development would be under CC&Rs and their own homeowner's association. DDA Edwards asked if any of her involvement in that association would prevent her from being impartial on this matter. Commissioner Donshick stated she felt she could be.

Trevor Lloyd, Senior Planner, presented his staff report. Vice Chair Chvilicek opened up questions to the Commission. Commissioner Donshick asked where the equestrian path was going to be and the width. Mr. Lloyd stated he could not give her the exact location; the Applicant would provide that information with the final design of the development. Commissioner Donshick said in the traffic study there was no mention of any access on to Brave Lane; however, the staff report showed an access road on to Brave Lane. She questioned the validity of the traffic study if the access points had changed. Mr. Lloyd stated he went off the proposal and there was access off of Brave Lane, but he also thought the Applicant could answer those questions better.

Vice Chair Chvilicek said she had questions regarding the Area Plan and references to curb and gutter. She asked if the Area Plan superseded everything else. Mr. Lloyd stated that was correct. He said it was mentioned that natural v ditches were encouraged, but they were not required. Vice Chair Chvilicek said she assumed he had driven in the area and wondered if he had seen a lot of sidewalks. Mr. Lloyd stated there really were not very many. He mentioned the exterior of the property would keep the natural ditches in place and there would not be sidewalks on the outside of the development. Vice Chair Chvilicek said the bottom line was that everything would end up on Golden Valley Road. Mr. Lloyd stated that was also his understanding. Vice Chair Chvilicek said she did not see that addressed in terms of the traffic load on Golden Valley Road and then subsequently on to US Highway 395. Mr. Lloyd stated that was where the traffic would load and there were concerns with the volume of traffic currently, especially on US Highway 395. His hope was that there were future plans in the works to address those concerns, because there were traffic issues throughout the North Valleys.

Vice Chair Chvilicek asked Mr. Lloyd to explain that a tentative map was the beginning of a very long process. Mr. Lloyd said this would not happen overnight; typically a subdivision of this type took quite a while before the first final map was recorded and construction would begin. Even in this situation they were looking at a phased development and this case may have several phases. He said there were some tentative maps similar to this that had been ongoing 10 to 20 years and that could very likely happen in this case.

Mimi Fugii-Strickler, Golden Mesa North, stated as staff pointed out this project was located at the corner of Golden Valley Drive and Estates Road. She went through her presentation, map, and description of the project.

Commissioner Horan asked about the revised flood plain. Ms. Fugii-Strickler showed the old plain and where the new plain was located. Commissioner Horan asked if it had been run through FEMA. Ms. Fugii-Strickler stated Washoe County was reviewing the Conditional Letter of Map Revision and that would be forwarded to FEMA for final review. Vice Chair Chvilicek said until the flood plain revisions were approved, the existing flood plain was what was on the books and drove the development in that area. Ms. Fugii-Strickler stated that was correct.

Commissioner Donshick stated she wanted on the record the traffic study that was originally supplied did not state any access going on to Brave Lane and that there was access going on to Indian Lane. She was concerned about the validity of the traffic study because now they were talking about going out Brave Lane, down Rain Dance Way and out Spearhead Way and that changed the traffic impact along Golden Valley Road.

Loren Chilson, Traffic Works, stated the traffic study included Brave Lane for the tentative map. He said only about four or five lots would access Brave Lane on that side and that was about the amount of traffic that would go out Brave Lane and over to Spearhead Way. He said it carried so few trips that it was deemed an unnecessary intersection to study. Commissioner Donshick stated she wanted on the record that originally the traffic study listed the Golden Valley Road traffic at 40 mph, when it was only 35 mph. Mr. Chilson stated they had corrected that and it did not affect the conclusions or the level of service analysis. Commissioner Donshick asked about turnarounds for safety. She knew that Waste Management, FedEx and UPS could get around there, but she wondered what kind of room was being made for emergency vehicles at the end of each of those roadways.

Gary Guzelis, Axion Engineering, stated they were leaving access the way it was on the east side of their lots. He said they would do whatever the Fire District said they had to do for fire access. Vice Chair Chvilicek stated the Truckee Meadows Fire Protection District (TMFPD) shall meet requirements of Washoe County Code 60 including cul-de-sacs at 50 foot radius and

fire flows at 1,000 to 1,500 gallons per minute and that the CC&Rs shall be submitted to the TMFPD for approval. She asked how fire truck radius turnaround issues would be addressed. Mr. Lloyd stated that each one of the final maps submitted would go under strict scrutiny by all of the reviewing agencies, one of which was the TMFPD and clearly that would be addressed with the final map.

Commissioner Donshick asked about clarification on the retaining wall that would be going at the north side of the project. She said there was a lot of flood water coming off the BLM property in that area and she was curious how 140 feet was determined and how they would make sure it was captured and channeled where they wanted it to go. Also, she said there were going to be ditches coming down Estates Road along those driveways on the east side. Mr. Guzelis stated their proposal was to intercept that water along the northern property line and the channel would take part of the water through the subdivision down to the south and some of it on the westerly half would go to Estates Road after it went through the retention pond. He stated the retaining wall was because he could not quite fit the size of the channel he wanted in there on the north side.

Commissioner Donshick stated in some of the previous developments that were allowed, a disclosure was made that even though with all the funding coming in there was no guarantee the people moving in would be allowed to go to the closest school and she wondered why that was not put in this project. Mr. Lloyd stated the disclosure in the past had been a condition of the Washoe County School District (WCSD) and they did not feel it was necessary to disclose that with this application. He said it might have to do with their plan for a multi-track year. Commissioner Donshick stated it said on their strategies and assignments, the closest elementary school with available capacity may be used for students in this development, but they were saying these students may not be able to go to the closest schools. Mr. Lloyd stated if she felt comfortable and would like to add that condition then the Commission could. Commissioner Donshick stated she thought they needed to add that condition. Commissioner Horan said he agreed with Commissioner Donshick and felt Mr. Lloyd should talk to the School District and make that a condition in all future developments.

Commissioner Donshick stated she saw they were going to be putting in a lift station and it was going to be sized to possibly serve other areas. If for some reason there was a catastrophe and some of the septic people had to convert, would it be upsized to accommodate flows from neighboring existing homes. Mr. Guzelis said they did not want to over design the lift station because it would not function properly. He did not know how many homes would be hooking in, but they could replace the pumps and move more sewage out of the area. The infrastructure was already in place on Golden Valley Road and he believed it had more capacity than was being used right now. Mr. Lloyd stated in his discussions with their utility experts, he mentioned that the sizing of the pipes could accommodate additional capacity.

Commissioner Chesney asked how much storm water runoff and drainage capacity they would have to hold on the site without it eventually going down to Swan Lake. Mr. Guzelis believed they would have to retain the increased volume of flow for a 10-day storm.

Commissioner Horan stated in an earlier public comment, there was a reference to Washoe County Code 110.416.57 and he asked legal counsel to comment on the validity of the statement as to whether it was a violation or not. DDA Edwards stated there were seven subsections in that Code section and the issue they were discussing right now was mitigation, which was under the first subsection. He said any project that created displacement when it came to storm water discharge had to be limited to pre-development conditions related to peak flows and had to provide flood storage volume mitigation to achieve no adverse impact. In other words, whatever the impacts were right now, when they built it out, it had to hold enough water

in a flood event to not increase flooding on the downhill properties. He said he understood in the staff report that the assessment at this point was that it met the requirements.

Dwayne Smith, Director of Engineering and Capital Projects, stated the question was complicated because what they were experiencing right now in the region was a lot of pain and suffering in certain areas and certainly within the enclosed hydro basins of Swan Lake and potentially Silver Lake and White Lake. He said that all of their development codes were predicated and required that new development mitigate the impacts of storm water. Storm water was different and there was no way they could design, build or anticipate flood waters that could impact a community. What they did have was minimum requirements for storm water impacts. This Applicant, just like any other, submitted their tentative map and using Washoe County Development Code, they verified they met those minimum requirements. This project was located in an area that ultimately drained to a closed basin (Swan Lake). He said the engineering analysis identified the routing and the retention required so that on-site flows, after construction, did not exceed their off-site flows. He noted they went the further step to mitigate those volume impacts, because those were two different distinct things. The Engineering Condition 2vv required that the increase storm water runoff generated from this project be mitigated through a volume metric approach, which was a requirement when the final maps came in and his department would make sure they were adhered to through this review process. Commissioner Horan questioned the ability to measure that and condition it.

Vice Chair Chvilicek stated with the existing FEMA map being significantly larger than the one that was drawn on the tentative map, how would that get mitigated, because there was development within that expanded flood plain as it was recorded in FEMA maps currently. Mr. Smith said the Applicant went through a process to evaluate those existing flood runoffs, existing volumes of water that came into the FEMA designated floodplain and their impact to it. Through that process they had been able to identify they could take that floodplain through their property. They were not changing the floodplain upstream of their property, they were taking the same volumes of water that was running off of the upstream property; they were accepting those storm water flows on to their property; they were providing routing through their property in an engineered and designated fashion from the existing natural floodplain; and, then on the west side of the property broaden out that flow to meet the existing and unchanged FEMA floodplain to the west.

Commissioner Horan asked if the same thought processes and conditions applied further north at Lemmon Valley. Mr. Smith stated all new development within Washoe County was conditioned to meet the current Code requirements at the time it was submitted. Any project that came in today anywhere would have to meet those same requirements. Mr. Smith said through time and understanding and through better modeling techniques, those requirements had changed and increased and the additional engineering condition was a perfect example of that outcome.

Vice Chair Chvilicek opened up public comment. Jeff Nichols, 3145 Indian Lane; Tom Whobrey, 3125 Indian Lane; Wes Fletcher, 7225 Remington Road; Ray Lake, 620 Colt Drive; Susan Terry, 3305 Indian Lane; Roger Edwards, 3405 War Paint Circle; Carlos Archuleta, 7095 Estates Road; Dylan Etchegaray, 3170 Indian Lane; Neal Cobb, 7660 Hillview Drive; Bill Rosa, 7615 Estates Road; Scott Bauer, 7850 Tamra Drive; Maryl Etchegaray, 3170 Indian Lane; Dan Ariaz, 7575 Tamra Drive; Jennifer Bole, 7545 Vista View Drive; and, Diane Garland, 7565 Estates Road appeared before the Commission to voice their concerns, which included the following: country living lifestyle, bridle paths, traffic, adjacent BLM property, a petition, access, safety for horse riders and pedestrians, common open space, the North Valleys Vision and Character Statement, annexation into the City, hook up to City water and sewer, recharge fees, NDOT, US Highway 395, service levels, number of homes per acre, domesticated animals,

equestrian trail, coyote territory, mosquitos, flood zone, FEMA, four-way stop or stop light at the intersection, unique park and arena, water quality, regeneration project, pumping station, retaining walls, vaccination for horses, retention ponds, school capacity and the Health Department.

The Commission took a five minute break.

Vice Chair Chvilicek closed public comment and brought the discussion back to the Commission. Commissioner Horan asked if the flood zone had been changed for anyone. Mr. Lloyd stated there was an application request for a map amendment, which was going through Washoe County; however, he said he did not believe it would change any flood maps to adjoining properties. David Westoph, Dew Hydrology, stated when they prepared the revised floodplain map, they did not add any additional lots. He said he would check on it and make sure it was corrected. Commissioner Horan said there was a question raised about water quality. Mr. Lloyd said TMWA was now the purveyor of water and they tested all the time to make sure the quality of the water was maintained. Commissioner Horan asked if the equestrian trail was on a private street. Mr. Lloyd stated along both Spearhead Way and Arrowcreek were public access easements and what they requested was the applicants provide an equestrian trail. He said it may or may not be included inside of that easement, but it would be on the Applicant's property and they would ensure there was adequate width access for a roadway. Commissioner Horan asked if all the streets they were talking about met current Code or would meet the Code as far as width. Mr. Lloyd said they would have to meet Code in order for Washoe County to accept dedication.

Commissioner Chesney asked if the equestrian trail would allow those folks who were under the impression they would not have unfettered access to the BLM land to have access to the BLM land. Mr. Lloyd said that was a concession the Applicant was willing to make. He said they discussed it before the condition was imposed and there would be access that went directly from the south to the BLM property to the north. Commissioner Chesney asked if there were any plans in the future to alleviate any of the traffic congestion or did the traffic study satisfy the engineer's requirements for adequate flow. Mr. Smith stated the traffic study that was performed for the project identified those impacts, but it did not raise the level of services to the point to which warrants were met for signalized or other intersection considerations on Golden Valley Road.

Commissioner Donshick said there was a lot of concern regarding Estates Road, which was currently at 35mph. She wondered if there would be an option to lower the speed limit to slow down the volume. Mr. Smith stated his department would look into that and if the conditions met certain requirements and was justified, they would consider it. Commissioner Donshick asked where the left-hand turn lane would be going south on Estates Road. Mr. Smith stated the lane was proposed but not accepted by staff, so it was not part of the project. Commissioner Donshick asked if at this time there were plans to make any changes to Golden Valley Road regarding the flow or added traffic because it did not warrant it. Mr. Smith stated that was correct. Commissioner Donshick asked what it would take to be able to warrant a change. Mr. Smith stated they would have to experience the post condition, after it was constructed, do additional traffic studies for the actual conditions and see how those might change or impact the residents.

Commissioner Donshick said the staff report clearly stated staff included a condition requiring that future homeowner's sign a disclosure statement regarding the existence of livestock and the potential for accompanying noise and odor within the immediate area. Mr. Lloyd stated that was correct.

Vice Chair Chvilicek stated this project would be through TMWA for public water and public sewer and there would be no individual wells and septic systems. Mr. Smith stated TMWA would be the water provider and the County and the City of Reno would be the sewer purveyors. Vice Chair Chvilicek asked if these homes would have to contribute to the recharge for the wells in Golden Valley. Mr. Smith stated the recharge program was set up for those that utilized domestic wells within the hydro basin and because these homes were on municipal water and municipal sewer they would not be part of the recharge program. Vice Chair Chvilicek said the condition Commissioner Donshick just read in terms of homeowner's being put on notice, she would like consideration of an additional condition to have the CC&Rs include that the homes comply with the Golden Valley Neighborhood Area Plan. Mr. Lloyd stated he recommended the Commission amend the new condition (1R) to include a provision requiring the CC&Rs address each of those provisions.

Vice Chair Chvilicek closed the public hearing and called for a motion.

Commissioner 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 Planning Commission approve Tentative Subdivision Map Case Number WTM16-002 for Golden Mesa North, with the Conditions of Approval included as Exhibit A to this matter, having made all ten findings in accordance with Washoe County Code Section 110.608.25, with the inclusion of the additional condition 1r, 2vv and the school district disclosure statement. Commissioner Horan seconded the motion, which carried unanimously with Chair Barnes and Commissioner Prough absent.

- 1) Plan Consistency. That the proposed map is consistent with the Master Plan and any specific plan; WTM16-002 & WSUP16-0002 GOLDEN MESA Washoe County Planning Commission Staff Report Date: February 13, 2017 Tentative Subdivision Map Case Number WTM16-002 & Special Use Permit Case Number WSUP16-0002 Page 16 of 17;
- 2) Design or Improvement. That the design or improvement of the proposed subdivision is consistent with the Master Plan and any specific plan;
- 3) Type of Development. That the site is physically suited for the type of development proposed;
- 4) Availability of Services. That the subdivision will meet the requirements of Article 702, Adequate Public Facilities Management System;
- 5) Fish or Wildlife. That neither the design of the subdivision nor any proposed improvements is likely to cause substantial environmental damage, or substantial and avoidable injury to any endangered plant, wildlife or their habitat;
- 6) Public Health. That the design of the subdivision or type of improvement is not likely to cause significant public health problems;
- 7) Easements. That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision;
- 8) Access. That the design of the subdivision provides any necessary access to surrounding, adjacent lands and provides appropriate secondary access for emergency vehicles;

9) Dedications. That any land or improvements to be dedicated to the County is consistent with the Master Plan; and

10) Energy. That the design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

And,

Commissioner 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 Planning Commission approve Special Use Permit Case Number WSUP16-002 for Golden Mesa South Sewer Lift Station, with the Conditions of Approval included as Exhibit A to this matter, having made all five findings in accordance with Washoe County Code Section 110.810.30 with the inclusion of the additional condition 1r, 2vv and the school district disclosure statement. Commissioner Horan seconded the motion, which carried unanimously with Chair Barnes and Commissioner Prough absent.

1) Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the North Valleys Area Plan;

2) Improvements. That adequate utilities, roadway improvements, sanitation, water supply, drainage, and other necessary facilities have been provided, the proposed improvements are properly related to existing and proposed roadways, and an adequate public facilities determination has been made in accordance with Division Seven; WTM16-002 & WSUP16-0002 GOLDEN MESA Washoe County Planning Commission Staff Report Date: February 13, 2017 Tentative Subdivision Map Case Number WTM16-002 & Special Use Permit Case Number WSUP16-0002 Page 17 of 17;

3) Site Suitability. That the site is physically suitable for a sewer lift station, and for the intensity of such a development;

4) Issuance Not Detrimental. That issuance of the permit will not be significantly detrimental to the public health, safety or welfare; injurious to the property or improvements of adjacent properties; or detrimental to the character of the surrounding area;

5) Effect on a Military Installation. Issuance of the permit will not have a detrimental effect on the location, purpose or mission of the military installation.

B. Master Plan amendment Case Number WMPA17-0002 and Regulatory Zone Amendment Case Number WRZA17-0001 (Lemmon Valley Properties) - Hearing, discussion, and possible action to approve.

1) An amendment to the North Valleys Area Plan Master Plan Map that reconfigures the location of Rural (R) and Suburban Residential (SR) Master Plan Categories on six parcels to conform more closely to the topography of the area. If approved, the amendment would change ±25.3 acres of the property currently designated Rural to Suburban Residential and would change ±25.3 acres of the property currently designated Suburban Residential to Rural. The overall amount of acreage on the property of acreage designated Rural will remain the same at ±139.816 acres and the amount of acreage designated Suburban Residential will also remain the same at ±68.797 acres; and

2) An amendment to the North Valleys Regulatory Zone Map that reconfigures the location of General Rural (GR, 1 dwelling per 40 acres) and Medium Density Suburban (MDS, 3

dwelling per acre) regulatory zones on six parcels to conform more closely to the topography of the area. If approved, the amendment would change ± 25.3 acres of the property currently zoned GR to MDS and would change ± 25.3 acres of the property zoned MDS to GR. However, the overall amount of acreage on the property zoned General Rural will remain the same at ± 139.816 acres and the amount of acreage zoned Medium Density Suburban will also remain the same at ± 68.797 acres.

- Applicant: JDS, LLC, Attn: Derek Larson, 7500 Rough Rock Road, Reno, NV 89502
- Property Owner: Juan and Linda Arevalo, 6012 Valley Flower Street, North Las Vegas, NV 89081
- Location: 1200 Estates Road, adjacent to, and south of, the intersection of Lemmon Drive and Deodar Way, extending south to Bernoulli Street, in the Lemmon Valley area
- Assessor's Parcel Numbers: 080-730-18, 080-730-19, 080-730-21, 080-635-01, 080-635-02 and 552-210-07
- Parcel Sizes: ± 208.615 acres total
- Master Plan Categories: Rural (R) and Suburban Residential (SR)
- Regulatory Zones: General Rural (GR) and Medium Density Suburban (MDS)
- Area Plan: North Valleys
- Citizen Advisory Board: North Valleys
- Development Code: Article 820, Amendment of Master Plan and Article 821, Amendment of Regulatory Zone
- Commission District: 5 – Commissioner Herman
- Section/Township/Range: Portions of Section 3, T20N, R19E, and Sections 34 and 35, T21N, R19E, MDM, Washoe County, NV
- Prepared by: Roger Pelham, MPA, Senior Planner
Washoe County Community Services Department
Planning and Development Division
- Phone: 775.328.3622
- E-Mail: rpelham@washoecounty.us

Vice Chair Chvilicek opened the public hearing and asked for any Commission member disclosures. Commissioner Donshick stated she was contacted by Manhard Consulting, but she declined to speak with them. She was also at the North Valleys Citizens Advisory Board (CAB) meeting when this was discussed. Roger Pelham, MPA Senior Planner, presented his staff report.

Commissioner Donshick asked what the hydrology was for the area, and once they built, where would that water go and would it impact any of the other areas around it. Mr. Pelham stated this was the first step in a very long process and they were just getting the number that might be constructed in terms of dwellings. He said when the tentative map came forward the drainage would be addressed.

Commissioner Horan asked why this was not done to start with. Mr. Pelham responded we had better information now than we had when these maps were originally drawn and their knowledge of exactly where the slopes were was better. He stated he was not able to identify a significant detriment associated with the request that would lead him to recommend denial. Commissioner Horan asked if there were any insignificant issues. Mr. Pelham stated when he

received a phone call saying the property was under three feet of water, he did a site inspection and one of the intersections that would be one of the access points was flooded. He said that was not the only access, nor the primary access to what would potentially be a subdivision. Commissioner Horan asked if the Commission approved the change would it change flooding from happening. Mr. Pelham stated it would not change the water; they were only changing the location of the density of potential development.

Vice Chair Chvilicek opened up discussion to the Applicant. Chris Baker, Manhard Consulting, presented his PowerPoint presentation. He said the intersection that was flooded would not access any portion of the development; it was currently zoned MDS and they were not proposing to change it.

Vice Chair Chvilicek opened public comment. Janice Hunt, 175 Judy Lane, discussed the closed roads, pumps that were flooded and homes that were flooded. She said this was maybe too early in the whole idea of putting things forward, but was not sure why the traffic on US Highway 395 had not been looked at in a real way. She explained that if you ever tried to get to work at any time between 7:30 am and 10:00 am you had to leave your house 45 minutes early on a normal 15 minute drive. She asked whatever happened to the idea of building schools first and then add the people. She said it was a closed basin and all the water from the new development would come right down into her area. She stated that every time it rained, they had problems with their sewer and they had problems with the storm drains. She proposed to put the development where it was zoned and not change the zoning and move the development.

Danny Cleous, 11630 Tupelo Street, stated this would just add more into the basin and the water problems. He said Washoe County did not take care of Lemmon Valley; the people took care of Lemmon Valley. He spoke about all the water and the flooding in the area and questioned why they could not build on the hill. He thought the problems in that area should be fixed before there was more development.

Vice Chair Chvilicek closed public comment and opened discussion to the Commission. Commissioner Donshick stated this was not changing a development; the area had already been approved for the homes and all they were doing was changing the location on the property where the homes would be. She said with the new mapping, they were saying this would be closer to the Code regarding slopes. Mr. Pelham stated that was correct; in his opinion this would implement the policies of the North Valleys Area Plan by putting planned development on slopes that were 15 percent less rather than 30 percent and more.

Vice Chair Chvilicek called for a motion.

Commissioner 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 Planning Commission adopt the resolution contained at Exhibit A to this staff report to amend the Master Plan as set forth in Master Plan Amendment Case Number WMPA17-0002 having made the following four findings in accordance with Washoe County Code Section 110.820.15(d) and two further findings required by the North Valleys Area Plan at Policy NV.20.3 (included as number 6 and 7, below). I further move to certify the resolution and the proposed Master Plan Amendments in WMPA17-0002 as set forth in this staff report for submission to the Washoe County Board of County Commissioners and authorize the chair to sign the resolution on behalf of the Planning Commission. The resolution is attached hereto and made a part hereof. Commissioner Donshick seconded the motion, which carried unanimously with Chair Barnes and Commissioner Prough absent.

- 1) Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan;
- 2) Compatible Land uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare;
- 3) Response to Changed Conditions. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land;
- 4) Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed Master Plan designation; and
- 5) Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services.
- 6) Traffic Analysis. A traffic analysis has been conducted that clearly identifies the impact to the adopted level of service within the North Valleys planning area and the improvements likely to be required to maintain/achieve the adopted level of service.
- 7) Existing Development. There is no existing development in the North Valleys planning area, which is subject to the conditions of a special use permit that will experience undue hardship in the ability to continue to comply with the conditions of the special use permit or otherwise to continue operation of its permitted activities.

And,

Commissioner 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 Planning Commission adopt the resolution contained at Exhibit B to recommend adoption of Regulatory Zone Amendment Case Number WRZA17-0001 to the Washoe County Board of Commissioners having made all of the following findings in accordance with Washoe County Code Section 110.821.15. I further move to certify the resolution and the proposed Regulatory Zone Amendment Case Number WRZA17-001 as set forth in this staff report for submission to the Washoe County Board of County Commissioners and authorize the chair to sign the resolution on behalf of the Planning Commission. The resolution is attached hereto and made a part hereof. Commissioner Donshick seconded the motion, which carried unanimously with Chair Barnes and Commissioner Prough absent.

- 1) Consistency with Master Plan. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan.
- 2) Compatible Land Uses. The proposed amendment will provide for land uses compatible with (existing or planned) adjacent land uses, and will not adversely impact the public health, safety or welfare.
- 3) Response to Change Conditions; more desirable use. The proposed amendment responds to changed conditions or further studies that have occurred since the plan was

adopted by the Board of County Commissioners, and the requested amendment represents a more desirable utilization of land.

4) Availability of Facilities. There are or are planned to be adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed amendment.

5) No Adverse Effects. The proposed amendment will not adversely affect the implementation of the policies and action programs of the Washoe County Master Plan. 6. Desired Pattern of Growth. The proposed amendment will promote the desired pattern for the orderly physical growth of the County and guides development of the County based on the projected population growth with the least amount of natural resource impairment and the efficient expenditure of funds for public services

C. Development Code Amendment Case Number WDCA16-0001 (Wholesaling, Storage and Distribution) – Hearing, discussion, and possible action to recommend approval of an amendment to the Washoe County Code at Chapter 110 (Development Code), Article 302, Table of Uses 110.302.05.4 (Industrial Use Types) to the Washoe County Board of County Commissioners to allow the Wholesaling, Storage and Distribution March 7, 2017 Washoe County Planning Commission Notice of Meeting and Agenda Page 5 of 5 Industrial Use Type (Heavy) as defined in WCC Section 110.304.30 in the General Rural (GR) regulatory zone with a minimum lot size of 40 acres and a Board of Adjustment approved Special Use Permit. The Wholesaling, Storage and Distribution use type is defined in WCC Section 110.304.30(l) and generally refers to businesses or establishments primarily engaged in wholesaling, storage, and bulk sale distribution including but not limited to open air handling of material and equipment other than live animals and plants. The Heavy Use Type is further defined as distribution and handling of materials and equipment with examples to include monument sales, stone yards, or open storage yards.

- Applicant: Gail Willey
- Location: All of unincorporated Washoe County
- Master Plan Category: Rural (R)
- Regulatory Zone: General Rural (GR)
- Area Plan: All
- Citizen Advisory Board: All
- Development Code: Article 818, Amendment of Development Code
- Commission District: All
- Prepared by: Eric Young, Senior Planner
Washoe County Community Services Department
Planning and Development Division
- Phone: 775.328.3613
- E-Mail: eyoung@washoecounty.us

Vice Chair Chvilicek opened the public hearing and called for any disclosures from the Commissioners. Commissioner Chesney stated the Applicant was a former neighbor of his, but they no longer lived next to him. DDA Edwards asked if they were friends of his or just former neighbors. Commissioner Chesney stated they were just former neighbors. DDA Edwards asked if he had any commitments to them about how this would turn out and did he feel he could be impartial. Commissioner Chesney stated he had no commitment to them and he could be impartial. Eric Young, Senior Planner, presented his staff report.

Commissioner Chesney stated with this amendment, a conditional use permit would still be required. Mr. Young stated that was correct. Vice Chair Chvilicek closed questions from the Commission and opened discussion to the Applicant.

Garrett Gordon, Lewis Roca Rothgerber Christie, representative for Gail Willey Landscaping, stated dozens of retail landscape companies, home builders and homeowners across Washoe County relied on Gail Willey Landscaping in order to sell to customers. Mr. Willey approached him and said they had a 35-acre parcel they would like to move their family business to. The business used to be shrubs, trees, and turf; now it was stones, bark and timber. He met with staff and they first thought maybe they could amend the definition of a nursery. They pulled up some definitions from Gilbert, Arizona, Clark County, and some desert scape counties to see how they dealt with nurseries. He said they had language relating to rock features and xeriscaping, but they came to the conclusion it would be more appropriate to put this as wholesale storage use. He said the parcel was currently zoned General Rural (GR) and they were requesting to allow wholesale storage and distribution use in GR zoning. The first question he had was would this be the most intense use that they were adding in GR and would they be going too far; he believed the answer was no. He said he believed staff also thought the answer was no since they were recommending approval. He said with a special use permit someone could put in an aggregate facility, which included crushing, mining, and petroleum gas extraction in a GR zone. He said the amendment was now at a minimum lot size of 40 acres, but that did not apply to any of those other potential intense uses, it would just apply to their new use. He said he could understand staff's position and respected where they were coming from, but he respectfully disagreed. He stated they were requesting the Commission make their motion taking out the 40 acre minimum lot size and look at these on a case-by-case basis.

Vice Chair Chvilicek opened up questions to the Commission. Commissioner Chesney asked if he was requesting they eliminate the minimum lot size. Mr. Young stated what would happen was that the Commission would not require any minimum lot size for this use, like they did not for the others.

Commissioner Horan asked if there were nonconforming businesses in existence today. Mr. Young stated he worked with the Code enforcement officers and it might happen from time to time, but he was not aware of any. He said the use would be conforming; the only issue was the size of the lot. He said staff recognized that in GR you could find a lot of different, nonconforming parcel sizes, parcels that did not meet the 40-acre requirement, but there were conforming uses on those parcels. He said one of the reasons they went with 40 acres on this was because a lot of these smaller GR parcels were located in areas that were already predominantly developed residential. He did not see it as a huge problem; it was just trying to bring to the Commission's attention that they may get a lot of applications for this use on five acre parcels that were generally in an area that was developed residential. He thought the Applicant's position was a good position, they had a special use permit and they had to come and ask the Commission if it was okay to do this here.

Commissioner Horan said the Applicant brought this forward knowing their parcel was 35 acres and the amendment contained a minimum of 40 acres and he wondered if that was so the Commission would have this discussion. He wondered why they picked 40 acres if they knew the application was at 35 acres. Mr. Young stated he did not know the Applicant had only 35 acres, but 40 acres was the minimum lot size for GR zoning.

DDA Edwards stated if the sense of the Commission was to allow less than 40 acres potentially, they would not be able to do that tonight because it was not on the agenda, it would have to be continued, approved or denied.

Vice Chair Chvilicek stated this was an addition to allow for heavy use for wholesale, storage and distribution and none of the other allowances for special use, which in her opinion was much more intense, had a 40-acre requirement. DDA Edwards stated that was a valid point, but in terms of the open meeting law the Commission could not take action that contravened the agenda.

Mr. Gordon stated he did not want to have the item continued; he would rather the Commission uphold staff's recommendation to move forward, but if there was any discussion on the motion regarding the 40-acre minimum, to let the Board of Adjustment know it came up.

Vice Chair Chvilicek said if the Commission moved forward and approved the development code amendment would they need to provide comments that none of the other usages required to go before the Board of Adjustment had a minimum acreage. DDA Edwards stated that would be in the minutes and the minutes typically would move on to the Board of County Commissioners (BCC) and staff could summarize the discussion that happened at this meeting. He said the point about this being a recommendation only was true. He said if this went to the BCC on appeal they could potentially make a decision to go below the 40 acres if the agenda was written as such.

Mr. Gordon said if this Commission approved the amendment and he wanted the BCC to be able to eliminate or reduce that minimum lot requirement, would he have to appeal this decision of approval based on a condition of the approval that he was not in agreement with. DDA Edwards stated the BCC could generally make modifications to recommended approvals from the Planning Commission, but it would need to be agendaized in a way that would give them the potential latitude to do that.

Vice Chair Chvilicek asked why Mr. Young did not want to know the size of the lot. Mr. Young said this was not an amendment relative to any particular parcel; this was an amendment relative to all of Washoe County. He said if he was to consider this amendment only in regard to how it affected one property, then that would not be the comprehensive thought process necessary to amend the Code to allow it to happen anywhere. He had to think about how this might apply to any given GR parcel in the County after it was adopted. He noted Development Code Amendments submitted from the public were often in regard to a specific property. He said if they started to review them and analyze them subject to just that one parcel that would open a whole other discussion. Vice Chair Chvilicek stated there was an Applicant on a specific parcel. Mr. Lloyd stated that was not the case, they had an application for a Development Code Amendment; they had no application for a special use permit or something like that.

Commissioner Chesney asked what would happen with the recommendation for denial; would it still go to the BCC. DDA Edwards stated if this was denied, the Applicant would need to appeal it to the BCC who could act to reverse. Commissioner Chesney stated perhaps a recommendation of denial with a statement that this Commission was denying it because they did not like the 40-acre minimum. Vice Chair Chvilicek stated she asked that earlier because none of the other allowances required a minimum acreage. DDA Edwards stated this Commission could vote to deny and state in the record the reason for the denial was because of the 40-acre provision, the Applicant could appeal that to the BCC and the BCC could take action to reverse what this Commission did and move forward on the amendment.

Commissioner Chesney asked if there was a cost involved with an appeal. Mr. Young stated there was a cost of approximately \$1,000. Mr. Gordon stated if this Commission would be so inclined to recommend approval of staff's recommendation and there was commentary about the 40-acre minimum that would be appreciated. He said if that was the motion taken, he did not believe they would have to file an appeal, because that recommendation would already go up to

the BCC and he could make a plea to them to remove the 40-acre minimum at that level. DDA Edwards stated that was correct.

Vice Chair Chvilicek called for a motion.

Commissioner Donshick 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 WDCA16-0001, to amend Washoe County Chapter 110 (Development Code) within Article 302, Table 110.302.05.04 (Industrial Use Types.) I further move 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. This recommendation for approval is based on all of the following four findings in accordance with Washoe County Code Section 110.818.15(e). Commissioner Chesney seconded the motion.

DDA Edwards stated the Commission did not have to disclose their concerns about the 40-acre minimum at this time, because it was already in the record. Commissioner Horan stated he was struggling with this and would vote against approval of the amendment.

Vice Chair Chvilicek called for public comment. Hearing none, she called for the vote.

On call for the vote, the motion passed unanimously with Chair Barnes and Commissioner Prough absent and Commissioner Horan voting nay.

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.

10. Chair and Commission Items

***A. Future agenda items**

Vice Chair Chvilicek stated they had a water update, but she would like an update on the flood situations in Washoe County.

***B. Requests for information from staff**

Commissioner Chesney asked if there was any way to get a legible area map of streets. He said staff was talking about all these different streets and he did not know where any of them were. Commissioner Horan asked for a bigger picture and maybe color coded. Vice Chair Chvilicek said the link that was provided to download the staff reports, her report came out with

the maps being very large and some of the exhibits did not come through. Commissioner Donshick stated she went to Planning and Development and found the application was 333 pages and included a full traffic study and had a lot more detail. She said her packet did not contain the full facts that were available to the public. She did not want to be blindsided by them with things she did not have. Mr. Lloyd asked if he would have to determine which Commissioner wanted what. Vice Chair Chvilicek stated she thought if each member was given a link to review all the documentation that was available, that would be enough. Mr. Lloyd stated he could do that easily.

Commissioner Donshick asked what the status was of the decision tree, which was a document to give to the public so they would know what the process flow chart looked like in the decision making process. Mr. Lloyd stated he would check into it.

11. Director's and Legal Counsel's Items

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

There was nothing to report.

***B. Legal information and updates**

There were no updates.

12. General Public Comment

There was no response to the call for public comment.

13. Adjournment

10:48 p.m. Commissioner Donshick moved to adjourn the meeting, seconded by Commissioner Chesney, which carried unanimously with Chair Barnes and Commissioner Prough absent.

Respectfully submitted,

Jaime Deller, Independent Contractor

Approved by Commission in session on April 4, 2017.

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