



WASHOE COUNTY PLANNING COMMISSION Meeting Minutes

Planning Commission Members

Sarah Chvilicek, Chair
Larry Chesney, Vice Chair
James Barnes
Thomas B. Bruce
Francine Donshick
Philip Horan
Michael W. Lawson
Trevor Lloyd, Secretary

Wednesday, January 2, 2019
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 **Wednesday, January 2, 2019**, in the Washoe County Commission Chambers, 1001 East Ninth Street, Reno, Nevada.

1. *Determination of Quorum

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

Commissioners present: Sarah Chvilicek, Chair
Larry Chesney, Vice Chair
James Barnes (Arrived at 6:36 p.m.)
Thomas B. Bruce
Francine Donshick
Michael W. Lawson
Philip Horan

Staff present: Trevor Lloyd, Secretary, Planning and Building
Roger Pelham, MPA, Senior Planner, Planning and Building
Julee Olander, Planner, Planning and Building
Nathan Edwards, Deputy District Attorney, District Attorney's Office
(Arrived at 7:17 p.m.)
Katy Stark, Recording Secretary, Planning and Building
Johnna Chism, Office Support Specialist, Planning and Building

2. *Pledge of Allegiance

Commissioner Donshick led the pledge to the flag.

3. *Ethics Law Announcement

Trevor Lloyd, Secretary to the Planning Commission, provided the ethics procedure for disclosures.

4. *Appeal Procedure

Secretary Lloyd recited the appeal procedure for items heard before the Planning Commission.

5. *Public Comment

There were no requests for public comment. Chair Chvilicek closed public comment.

6. Approval of Agenda

In accordance with the Open Meeting Law, Commissioner Donshick moved to approve the agenda for the January 2, 2019, meeting as written. Commissioner Chesney seconded the motion, which passed unanimously with a vote of six for, none against.

7. Possible Action to Approve November 7, 2018 Draft Minutes and October 29, 2018 Training Workshop Draft Minutes

In accordance with the Open Meeting Law, Commissioner Chesney moved to approve the **November 7, 2018 Draft Minutes** as written. Commissioner Donshick seconded the motion, which passed unanimously with a vote of six for, none against.

In accordance with the Open Meeting Law, Commissioner Chesney moved to approve the **October 29, 2018 Training Workshop Draft Minutes** as written. Commissioner Bruce seconded the motion, which passed with a vote of four for, none against. Commissioners Donshick and Horan abstained as they were not present at the workshop.

8. Planning Items

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

Chair Chvilicek read the following resolution:

WHEREAS, BOB WEBB joined the Department of Comprehensive Planning in November 1988 as an Assistant Planner;

WHEREAS, Bob was promoted to Planner with the Department of Comprehensive Planning in 1990, Community Coordinator with the Department of Comprehensive Planning in 1992, and Planning Manager in 1999;

WHEREAS, Bob served as the Washoe County Secretary to the Planning Commission, the Washoe County Secretary to the Board of Adjustment, the Planning Section Chief to the Regional Emergency Operations Center, and served on the Regional Accela Team;

WHEREAS, Bob's work with the Citizen Advisory Boards was always conducted with the utmost professionalism and embodied citizen engagement;

WHEREAS, Bob promoted a professional work environment and put the highest priority on providing excellent public service;

WHEREAS, Bob's dedication to public safety included being one of the first people called to the Regional Emergency Operations Center when conditions of nature warranted or when tragedy struck;

WHEREAS, Bob continually offered to impart his wisdom and teaching to all of his coworkers, Planning Commissioners, Board of Adjustment Members, County Commissioners and the public. He was always attentive and able to answer questions with alacrity and precision;

WHEREAS, Bob was hard working, conscientious and good with the details, providing guidance and insight to all, and was thoughtful, sharing a good and kind word;

WHEREAS, Bob's encyclopedic institutional knowledge could always be counted on to make everyone else's job easier;

WHEREAS, Bob revered and protected the history and culture of the Planning organization in his responses to questions of procedure;

WHEREAS, Bob always prepared for work with extraordinary effectiveness. He was always dependable, consistent and remains a model to his fellow staff members;

WHEREAS, Bob's perpetuation of sound Planning fundamentals are a credit to and elevate the Planning profession;

WHEREAS, Bob's sense of humor and uncanny ability to clarify complex projects are irreplaceable;

WHEREAS, Bob helped create a warm and welcoming work place by promoting and participating in social activities amongst staff, including Stouper Parties, Pig Dog, Elf Bowling and Santa's Helpers;

WHEREAS, Bob always shared his knowledge, dedication and stewardship to his work and citizens of Washoe County. He approached issues with professionalism, competency, and open dialogue to engage all opinions. He remained principled and collaborative, always seeking out optimal solutions, even in the most difficult circumstances.

NOW, THEREFORE, BE IT RESOLVED that the Washoe County Planning Commission does hereby commend **BOB WEBB** for his extraordinary concern and devotion to the citizens of Washoe County through his service to Washoe County in the planning profession; and

BE IT FURTHER RESOLVED that the Washoe County Planning Commission will sorely miss the unique contributions of **BOB WEBB** to sound and citizen-based planning in Washoe County, and further extends to **BOB** its best wishes for a happy and prosperous future.

ADOPTED the 2nd day of January, 2019

MOTION: Commissioner Donshick moved to adopt a resolution of Appreciation of Service for Bob Webb and to authorize the Chair to sign the resolution on behalf of the Planning Commission. Commissioner Horan seconded the motion to approve a resolution and authorize the Chair to sign on behalf of the Commission. Motion carried unanimously.

Bob Webb thanked the Commission and shared his memories over the years of service. Chair Chvilicek and the Commissioners thanked Mr. Webb for his service, support of the CABs, Planning Commission, Board of Adjustment, Nuisance ordinance and for his work in the DA's office. The Commissioners commended him for his true public servant characteristics.

There were no requests for public comments. Chair Chvilicek closed the public comment period.

9. Public Hearings

A. Master Plan Amendment Case Number WMPA18-0006 and Regulatory Zone Amendment Case Number WRZA18-0006 (Marshall Ranch) – For possible action, hearing, and discussion:

- (1) To adopt an amendment to the Washoe County Master Plan, Warm Springs Area Plan to change a Master Plan Category on three parcels totaling ±1,088.88-acres to Rural Residential; to establish a character management area (CMA) with a character statement and specific policies governing these properties; and to amend Policy 4.6 to allow Medium Density Rural within the CMA. The subject parcels were recently removed from the City of Reno's Sphere of Influence, where they had a Reno Master Plan Category of Special Planning Area and which currently have a Washoe County Master Plan designation of Rural per Policy 1.2.16 and the translation table contained in

Appendix 7 of the 2012 Truckee Meadows Regional Plan. If approved, authorize the Chair to sign a resolution to this effect; and

- (2) Subject to final approval of the associated Master Plan change and a finding of conformance with the 2012 Truckee Meadows Regional Plan, to recommend adoption of an amendment to the Warm Springs Regulatory Zone Map, changing the Regulatory Zone from General Rural (maximum density one dwelling unit per 40 acres) to Medium Density Rural (maximum density one dwelling unit per five acres) and Open Space (no allowable density); and if approved, authorize the Chair to sign a resolution to this effect. These changes would potentially allow for up to 187 dwelling units, compared to the 27 dwelling units allowed by the current regulatory zone.

- Applicant: Krater Consulting Group, Attn: Kenneth Krater
- Property Owner: Winnemucca Holdings, LLC, Attn: Jack Fisher
- Location: 9055 Winnemucca Ranch Rd, approx. 9 mi. north of Pyramid Hwy
- Assessor's Parcel Numbers: 079-220-23 (±244-ac.); 079-220-26 (±41.5-ac.); 079-220-37 (±803.2-ac.)
- Existing Master Plan Category: Rural; recently removed from City of Reno Sphere of Influence
- Proposed Master Plan Category: Rural Residential
- Existing Regulatory Zone: General Rural
- Proposed Regulatory Zones: Medium Density Rural (±935-ac.) and Open Space (±153-ac.)
- Area Plan: Warm Springs
- Citizen Advisory Board: Warm Springs/Rural
- Development Code: Authorized in Articles 820 and 821
- Commission District: 5 – Commissioner Herman
- Prepared by: Kelly Mullin, Senior Planner and Chad Giesinger, Planning Manager
Washoe County Community Services Department
Planning and Building Division
- Phone: 775.328.3608 (Kelly) and 775.328.3626 (Chad)
- E-Mail: kmullin@washoecounty.us and cgiesinger@washoecounty.us

There were no requests for public comment.

This item was continued to the February 5, 2019 meeting.

B. Master Plan Amendment Case Number WMPA18-0008 (Warm Springs Specific Plan) – For possible action, hearing, and discussion: (1) To amend the Warm Springs Specific Plan, to eliminate “Appendix G - Financing Plan.” The financing plan was meant to serve as the mechanism for funding a variety of community infrastructure items in the Warm Springs Specific Plan Area over time, including roads, community water or sewer services and limited recreation (parks) and fire and police facilities. Since 1995 when the plan was adopted, it has required developers to pay fees to the county for future use in the construction of the infrastructure based on a formula per unit. As of April of 2018, around \$800,000 had been collected under the financing plan; and (2) To certify the resolution and the proposed Master Plan Amendments in WMPA18-0008 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.

- Applicant: Washoe County
- Location: Warm Springs Specific Plan
- Master Plan Category: Specific Plan
- Regulatory Zones: General Rural (GR); Medium Density Rural (MDR); High Density Rural (HDR); Low Density Suburban (LDS); General Commercial (GC); Neighborhood Commercial (NC); Public and Semi-Public Facilities (PSP)

- Area Plan: Warm Springs
- Citizen Advisory Board: Warm Springs / Rural
- Development Code: Authorized in Article 820
- Commission District: 5 – Commissioner Herman
- Prepared by: Roger Pelham, MPA, Senior Planner
Washoe County Community Services Department
Planning and Building Division

- Phone: 775.328.3622
- E-Mail: rpelham@washoecounty.us

Chair Chvilicek opened the public hearing. Trevor Lloyd read the agenda item.

Chair Chvilicek called for disclosures. Commissioner Chesney said he received emails and forward them to the planners.

Roger Pelham, Senior Planner, provided a staff presentation.

Public Comment:

Susan Ambrose said Bob Webb was the original planner on the formation on the area. She said she agreed with Commissioner Lawson that Mr. Webb is a wonderful person. She said she is the Chair of the Warm Springs Community Task Force. She said she conducted a survey inside and outside the SPA. It has been 26 years, but there have been no revisions to the area plan. There is potential development in the future. The finance plan needs to be removed. She would like to revise the Warm Springs Specific Area Plan. She asked what will happen next if the finance plan goes away. She thanked the Commission for volunteering, listening and doing their best for everyone.

Pam Roberts said she lives in the SPA. She said she moved there to live in a rural area. She said she was given disclosures and CCRs that were expired. The HOA is supposed to take care of roads, but there is not a HOA in effect. Private roads are not well maintained. She said she reviewed the Warm Spring Area and Specific Plan; she said the finance plan would ensure to take care of the flood mitigation and roads. The plan has been in effect for 26 years. There have been 15 new dwellings since the 90s. She asked what would be left if the financing plan is taken out: what is the fallback? She asked the Commissioners to address the financing plan removal.

Sharon Corn said she lives in the Warm Springs/Palomino Valley area. She said she loves the peace and quiet. She said she belongs to the same committee as Susan and Pam. She said it's important to open the Warm Springs Area and Specific area plans. More than 20 years is a long time for the plan not to be reviewed. There should be a moratorium on building permits to do the right thing for the community.

Marshall Todd said he is part of the Warm Springs citizen group. He said he is concerned that when the financing plan is removed, everything will revert to the developers handbook that is

used throughout the County. He said he wants to make sure those are enforced. He spoke about a moratorium.

With no further public comment, Chair Chvilicek closed public comment.

Commissioner Chesney asked Mr. Pelham about removing the finance plan and final approval. Mr. Pelham said that for approval of a tentative subdivision map to be recorded, the developer would have to bond for those improvements. In the past, developers paid into this fund, and there were fewer standards.

Commissioner Donshick addressed removing the finance plan now and replacing it. She asked why a replacement wasn't ready now. Mr. Pelham said if and when the specific plan is re-written, it may or may not contain a financial plan. He said he anticipates future development would require improvements rather than pushing them off into the future. If there is a finance plan, it would look different in the future.

Chair Chvilicek said the document is dated. There has been little to no action on the specific plan. There has been little interaction with how the document is written now. She asked for clarification regarding the future update of the plan. Mr. Pelham said once a small bite of the apple is taken, we will come back to look at the whole apple. He said he didn't know the timeframe.

Commissioner Lawson said he had concerns with repeal and replace. He said there are consequences of removing this finance plan; there is no sense of urgency for updating the area plan. He said he is concerned with consequences. It's been since 1992: what are we waiting for? He said he would like some assurances. He asked what the consequences would be if the Commission voted to deny.

Mr. Pelham said by removing the finance plan, they would be able to require those improvements to be made now. He said he has made conditions of approval with applications predicated on the removal of the financial plan. The development code still stands. We are removing the 'opt-out' version.

Chair Chvilicek said she will continue to ask why the area plan has not come back for revision.

Mr. Lloyd said this is a matter of timing. Removal of the financing piece can happen fairly rapidly. Change for the entire plan would take a lot of time. They would prefer that developers meet County code for road and storm drain improvements. This is one of the highest priorities for the Department following with the update to the Regional Plan. Mr. Pelham said we will want to open up and get community feedback when amending the entire plan.

Commissioner Horan asked about the settlement. Mr. Lloyd said it is not a requirement of the court order to remove the finance plan, but it is a requirement to refund the \$800,000.

There were no further questions for staff.

Commissioner Lawson asked Commissioner Chesney for his opinion. Commissioner Chesney spoke about writing the original area plan. He said no one could come up with water/sewer package. He said it was a three year battle to write the area plan. We need to get the financial plan out of the area plan, and get the developers to pay their fair share. Currently, there are houses in the flood plain. All the funds went into the financial plan and nothing happen with it. Put the burden on the developers.

Commissioner Lawson asked Mr. Lloyd why we have to wait for the Regional Plan update prior to updating the area plan. Mr. Lloyd said area plans need to be in conformance with the Regional Plan; we don't want to adopt something that isn't in conformance with the Regional Plan. Commissioner Lawson said a lot could be done prior to adoption of the revision to the Regional Plan, and he would hate to see us kick this down the road.

Chair Chvilicek said three of the Planning Commissioners sit on Regional Planning board, and the Regional Plan update should be adopted this year. She said she assures this will be taken care of.

(Mr. Edwards arrived 7:17 p.m.) Mr. Edwards addressed the legal question regarding the Warm Springs Specific Plan and the refunding of \$800,000. Mr. Edwards said there is no settlement agreement; the County Commission voted to refund based on the decision of the judge. The County took the position that they weren't impact fees, and residents said they were. The lawsuit was filed which locked it up. They wanted to see the financing plan scrapped. It was well intended, but it didn't come to be. There were two or three financial downturns. There is no requirement that the County do this. It is the expressed wish of the County Commissioners based on general policy statement. We have been litigating this for 3.5 years. The County Commissioners ordered refunds, and the financial plan be scrapped. The financing plan has not worked. The Regional Plan is being updated and needs to be taken care of before an overhaul of the specific area plan.

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 of the staff report to amend the Master Plan as set forth in Master Plan Amendment Case Number WMPA18-0008 having made the following five findings in accordance with Washoe County Code Section 110.820.15(d). I further move to certify the resolution and the proposed Master Plan Amendments in WMPA18-0008 as set forth in the 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.

- 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. 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.**
- 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.**

Commissioner Donshick seconded the motion to approve the adoption of the resolution contained at Exhibit A of the staff report to amend the Master Plan as set forth in Master Plan Amendment Case Number WMPA18-0008. The motion carried unanimously, with a vote of seven for, none against.

Commissioner Horan thanked DDA Edwards for his comments as they were helpful. The financing plan has gone away, and it doesn't make sense to take in money, only to turn around and give it back. He said he is supportive of this decision.

C. Development Code Amendment Case Number WDCA18-0006 (Modification of Special Use Permit) – For possible action, hearing and discussion to initiate an amendment to Washoe County Code Chapter 110 (Development Code) within Section 110.810.60(a)(3)-(4) Modifications of a Special Use Permit, to update the reference to the department name in that section to Planning and Building Division; and to change two of the requirements for the director to approve modifications of approved special use permits that involve “more” than a 10% increase in the floor area covered by existing structures associated with the use, and “more” than a 10% increase in site area covered by the use, by replacing the word “more” with the word “less”; and for other matters necessarily connected therewith and pertaining thereto.

If the proposed amendment is initiated, public hearing and further possible action to deny or recommend approval of the proposed amendment to the Washoe County Board of County Commissioners and, if initiation and approval is recommended, to authorize the Chair to sign a resolution to that effect.

- Location: County wide
- Development Code: Authorized in Article 818
- Commission District: All Commissioners
- Prepared by: Julee Olander, Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775.328.3627
- E-Mail: jolander@washoecounty.us

Chair Chvilicek opened the public hearing. Trevor Lloyd read the agenda item.

There were no disclosures.

Julee Olander, Planner, provided a staff presentation.

With no requests for public comment, Chair Chvilicek closed the public comment period.

Commissioner Bruce provided a suggestion with the language, ‘approve not more than 10%’ which means 10% or less. Otherwise, you can only approve 9.99% technically. DDA Edwards said it would need to be brought back to the Planning Commission if they wanted to change the language of the amendment. He said it is a glaring typo in the code and a necessary clean up. The development community is aware of this glitch in the Development Code. Mr. Lloyd said the language presented mirrors what is found in State law under Minor Deviations which is ‘less than 10%’. About a year ago, a new code was established allowing minor deviations of less than 10%. Commissioner Bruce said less than 10% is not approving 10%. Commissioner Chesney said it’s a degree of error not worth consideration. Commissioner Lawson agreed with Commissioner Chesney. Commissioner Donshick said sections 5 and 6 of the draft had not been updated with the proposed draft. Ms. Olander said the staff report doesn’t have the

changes; the changes were made after the staff report was sent to the Commissioners. The resolution is the correct version.

There was no discussion by the Commissioners.

There were no requests for public comment.

MOTION:

Initiation: Commissioner Chesney moved that, after giving reasoned consideration to the information contained in the staff report and received during the public hearing, the Washoe County Planning Commission initiate the amendment to Washoe County Code Chapter 110 within Article 810, *Special Use Permits*, as described in the staff report for WDCA18-0006.

Amendment: Commissioner Chesney moved that, after giving reasoned consideration to the information contained in the staff report and received during the public hearing, the Washoe County Planning Commission recommend approval of WDCA18-0006, to amend Washoe County Code Chapter 110 within Article 810, *Special Use Permits*, as described in the staff report for this matter. He further moved to authorize the Chair to sign the resolution contained in Exhibit A on behalf of the 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):

- 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.

Commissioner Donshick seconded the initiation and amendment. The motion carried unanimously, with a vote of seven for, none against.

D. Development Code Amendment Case Number WDCA18-0007 (Accessory Structures on Nonconforming Lots) – For possible action, hearing and discussion to initiate an amendment to Washoe County Code Chapter 110 (Development Code) within Article 306, Accessory Uses and Structures, Detached Accessory Structures 110.306.10(a), Lot Coverage, to add a requirement regulating lot coverage limitations for accessory structures, by specifying that on legal non-conforming lots, when the lot size does not meet

the minimum lot size for the actual regulatory zone applicable to the lot, the allowed lot coverage for accessory structures will be based on the regulatory zone thresholds for the next densest regulatory zone for which the actual lot size does meet the minimum lot size requirements; and for other matters necessarily connected therewith and pertaining thereto.

If the proposed amendment is initiated, public hearing and further possible action to deny or recommend approval of the proposed amendment and, if approval is recommended, to authorize the Chair to sign a resolution to that effect.

- Location: County wide
- Development Code: Authorized in Article 818
- Commission District: All Commissioners
- Prepared by: Julee Olander, Planner
Washoe County Community Services Department
Planning and Building Division
- Phone: 775.328.3627
- E-Mail: jolander@washoecounty.us

Chair Chvilicek opened the public hearing. Trevor Lloyd read the agenda item.

There were no disclosures.

Julee Olander, Planner, provided a staff presentation.

Commissioner Lawson asked how Ms. Olander responded to the public citizen who asked why we don't have nonconforming lots. Ms. Olander said we have nonconforming lots for several different reasons. We have properties that are zoned General Rural. General Rural requires the parcel to be a minimum of 40 acres. There are parcels smaller than 40 acres that are zoned General Rural, which came about because of changes in zoning in the late 90s. When we update the zoning code, we can change the density requirements on lots. That happens over time, so there are lots that have been created over 20 or 30 years, and the density has since been changed to something else. The zoning remains, but the size requirement of the lot has been changed. So there are a variety of reasons, including the common open space development.

No further questions or discussion.

MOTION:

Initiation: Commissioner Donshick moved that, after giving reasoned consideration to the information contained in the staff report and received during the public hearing, the Washoe County Planning Commission initiate the amendment to Washoe County Code Chapter 110 within Article 306, *Accessory Uses and Structures*, as described in the staff report for WDCA18-0007.

Amendment: Commissioner Donshick moved that, after giving reasoned consideration to the information contained in the staff report and received during the public hearing, the Washoe County Planning Commission recommend approval of WDCA18-0007, to amend Washoe County Code Chapter 110 within Article 306, *Accessory Uses and Structures*, as described in the staff report for this matter. She further moved to authorize the Chair to sign the resolution contained in Exhibit A on behalf of the 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):

- 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.

Commissioner Horan seconded the motion to approve. The motion carried unanimously, with a vote of seven for, none against.

10. Chair and Commission Items

- *A. Future agenda items – Commissioner Chesney said we requested to hear from TMWA and waste water agencies regarding capacity with future planning presentation. Mr. Lloyd said we can invite them to the February or March meeting.
- *B. Requests for information from staff – Commissioner Lawson requested a presentation regarding the process used by staff for reviewing applicant’s technical reports prepared as part of staff recommendations to ensure the conclusions are reasonable. Mr. Lloyd said we can invite technical experts, Capital Projects and Engineering to have that discussion. We will have that invitation available to discuss technical reports. Commissioner Horan asked Commissioner Lawson’s concern. Commissioner Lawson wants to know the process staff uses to review technical reports prepared by applicant’s consultants; he wants to understand the process for ensuring the legitimacy of those reports. He said he wants to understand staff’s criteria in vetting the reports provided by applicants and make sure parameters are consistent with best practice. Commissioner Horan agreed. Commissioner Bruce indicated this could be a workshop. Chair Chvilicek said the staff and Commissioners are working within the code. Mr. Lloyd said we can set up meetings for the Commissioners to meet with staff. He said he will invite the planning staff to report back on how they vet and review technical reports.

11. Director’s and Legal Counsel’s Items

- *A. Report on previous Planning Commission items –
 - Back in October, the Board of County Commissioners approved van accessible parking standards.
 - The Lemmon Drive Estates appeal was upheld by the Board of County Commissioners.

- The Marango Springs Master Plan Amendment and Regulatory Zone Amendment item will be heard by the BCC later in the spring.

*B Legal information and updates – There were no updates.

12. *General Public Comment

With no request for public comment, the chair closed the public comment item.

13. Adjournment – The meeting adjourned at 7:57 p.m.

Respectfully submitted,

Katy Stark, Recording Secretary

Approved by Commission in session on February 5, 2019.

Trevor Lloyd, Secretary to the Planning Commission