



WASHOE COUNTY PLANNING COMMISSION Meeting Minutes

Planning Commission Members

Larry Chesney, Chair
Francine Donshick, Vice Chair
Thomas B. Bruce
Sarah Chvilicek
Kate S. Nelson
Larry Peyton
Pat Phillips
Trevor Lloyd, Secretary

Tuesday, October 6, 2020
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, October 6, 2020, in the Washoe County Commission Chambers, 1001 East Ninth Street, Reno, Nevada.

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

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

1. *Determination of Quorum

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

Commissioners present: Larry Chesney, Chair
Francine Donshick, Vice Chair
Thomas B. Bruce (Remote via Zoom)
Sarah Chvilicek
Kate S. Nelson (Remote via Zoom)
Larry Peyton
Pat Phillips

Staff present: Trevor Lloyd, Secretary, Planning and Building
Julee Olander, Planner, Planning and Building (Remote via Zoom)
Roger Pelham, Senior Planner, Planning and Building (Remote via Zoom)
Nathan Edwards, Deputy District Attorney, District Attorney's Office (Remote via Zoom)
Katy Stark, Recording Secretary, Planning and Building
Donna Fagan, Office Support Specialist, Planning and Building

2. *Pledge of Allegiance

Commissioner Donshick led the pledge of allegiance.

3. *Ethics Law Announcement

Deputy District Attorney Edwards provided the ethics procedure for disclosures.

4. *Appeal Procedure

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

5. *General Public Comment and Discussion Thereof

There were no requests for public comment, Chair Chesney closed the public comment period.

6. Approval of Agenda

In accordance with the Open Meeting Law, Commissioner Donshick moved to approve the agenda for the October 6, 2020 meeting as written. Commissioner Chvilicek seconded the motion, which passed unanimously with a vote of seven for, none against.

7. Approval of September 1, 2020 Draft Minutes

Commissioner Donshick moved to approve the minutes for the September 1, 2020, Planning Commission meeting as written. Commissioner Peyton seconded the motion, which passed unanimously with a vote of seven for, none against.

8. Planning Items

A. Development Code Amendment Case Number WDCA20-0002 (Article 412, Landscaping) – For possible action, hearing, and discussion to Amend Washoe County Code Chapter 110 (Development Code) within Article 412, Landscaping, in order to:

- a. Clarify where the standards of Article 412 apply
- b. Clarify the process for review of extenuating circumstances for modification of standards
- c. Clarify the requirements for landscaping plans
- d. Require water conservation measures
- e. Require preservation of Significant Trees
- f. Provide for greater flexibility in design of civic and commercial required landscaping
- g. Clarify that durable materials are required for screening fences
- h. Update standards for numbers of required trees, shrubs and ground cover
- i. Provide standards for revegetation of disturbed areas
- j. Update standards for financial assurances

And, other matters necessarily connected therewith and pertaining thereto and, if approved, authorize the chair to sign a resolution to this effect.

- Area Plan: All
- Citizen Advisory Board: All
- Development Code: Authorized in Article 818, Amendment of Development Code
- Commission District: All Commissioners
- 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 Chesney opened the public hearing.

Roger Pelham, Washoe County Senior Planner, provided a staff presentation.

Mr. Lloyd noted this doesn't apply to individual residences.

Commissioner Chvilicek complimented staff on updating this and water conservation efforts in high desert climate.

Commissioner Bruce asked about page 4 of 26, item 2, Exhibit B. He said he cannot find which directors can issue a modification since it doesn't mention a limitation. He said based on the language, Director of Public Health could make a modification. Mr. Pelham said it's Director of Planning and Development. It's a process we have in house that requires an application and fee. Commissioner Bruce said previous item d, 'Director of Community Development' is subject to the approval of Director's modification of standards. That would appear to imply Director of Community Development is making that modification. There is a typo. There are two item 'd's. Mr. Lloyd noted staff is in the process of updating the master plan. He apologized and will make that correction in the master plan and development plan.

Commissioner Bruce said in the same exhibit, page 5, section 1.10.412.15 talks about required plans. He read that a site plan, planting plan, irrigation plan is required, but there is a strikethrough on 'soil analysis are strongly required.' He asked if a soil analysis is strongly required. Mr. Pelham said we are going to strike that; we believe the professionals that prepare these plans will know they need a soil analysis, and staff rarely receives it and knows how to interpret it. Commissioner Bruce recommended to strike the comma.

Commissioner Phillips referenced page 6, Exhibit B, item h, mentions of soil analysis. Mr. Pelham said that should be left in. He said it's a list of options for water conservation from which they can choose.

There were no requests for public comment; Chair Chesney closed the public comment period.

MOTION: Commissioner Chvilicek moved that after giving reasoned consideration to the information contained in the staff report, and information received during the public hearing the Washoe County Planning Commission: Adopt the resolution (with corrections as identified by Commissioners and staff, including: Changing the 'Director of Community Development' to 'Director of Planning and Building' in subsection d, as well as correcting the second subsection d to be subsection 'e'), attached as Exhibit A to the staff report, to amend Washoe County Chapter 110 (Development Code) within Article 412, Landscaping; and authorize the Chair to sign the resolution on behalf of the Planning Commission.

Commissioner Chvilicek further moved to direct staff to bring the amendment to the Board of County Commissioners for a hearing within 60 days of the date of adoption. 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 asked the corrections should be included in the motion. DDA Edwards directed the Commission to page 4 of 26, Exhibit B in the director's modification. He wanted to be clear what is happening to the ordinance. The proposed language, in review of extenuating circumstances, the application may appeal to director for special review resulting from extenuating circumstances or physical conditions on proposed project site subject to approval to director's modification of standards. He asked what change was agreed upon. Mr. Pelham on item d, the provision made by 'Director of Community Development' will be corrected to 'Director of Planning and Building.' The second item 'd' will be corrected to be item 'e.'

Commissioner Nelson said it needs to be reviewed throughout the entire document.

DDA Edwards suggested the motion should include the corrections discussed and should include replacement of 'Director of Community Development' with 'Director of Planning and Building.' Commissioner Chvilicek noted she will update her motion with such corrections. Commissioner Donshick seconded the motion as corrected. This motion passed unanimously with a vote of seven for, none against.

B. Development Code Amendment Case Number WDCA20-0003 (Article 434 & 822) –
 For possible action, hearing and discussion to initiate an amendment to Washoe County Code at Chapter 110 (Development Code), to remove:

Article 434, *Regional Development Standards within Cooperative Planning Areas and All of Washoe County* and remove all sections within the Article including: 434.00, Introduction; 434.05, Purpose; 434.10, Applicability; 434.15, Definitions; 434.20, Density; 434.25, Lot Adjacency; 434.30 Ridgelines; and 434.35 Earthquake Fault Areas.

And Remove

Article 822, *Provisions for Amendments to Local Master Plans and Zone Changes in Areas Subject to Cooperative Planning Under the Regional Plan Settlement Agreement* and remove all sections within the Article including: 822.00, Introduction; 822.05, Purpose; 822.10, Applicability; 822.15, Definitions; 822.20, Master Plan Policies and Goals, and Zoning Amendments Criteria; 822.25, Findings for Regional Form and Pattern including Open Space; 822.30, Findings for Housing; 822.35, Findings for Concurrency, Timing and Phasing of Infrastructure; 822.40, Findings for Public Service Levels and Fiscal Effect; and 822.45, Findings for Open Space, Resource Constraints and Cooperative Planning Considerations Not Elsewhere Addressed.

If the proposed amendment is initiated, public hearing and further possible action to deny or recommend approval of the proposed amendment will occur and, if approval is recommended, to authorize the Chair to sign a resolution to that effect. These amendments are designed to comport with the 2019 amendment to the Truckee Meadows Regional Plan, which eliminated cooperative planning areas.

- 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 Chesney opened the public hearing.

Julee Olander, Washoe County Planner, provided a staff presentation.

Commissioner Phillips said she is new and wasn't involved with the planning. She asked about the cooperative agreement for the areas that are rural. Mr. Lloyd referenced the back of the packet of the staff report that shows a map of cooperative planning areas. He said these standards were adopted to address those areas: not really rural areas, but more of the areas adjacent to the TMSA.

Commissioner Chvilicek asked a point of clarification. She said at the time the Regional Plan was updated, there was one cooperative agreement still on the books, the Reno-Stead Joint Corridor. Mr. Lloyd noted that one was removed. There are no more joint plans.

Mr. Lloyd said this represents properties going through a discretionary process; we are required to contact the cities where there may be impact. He said we do that currently. He said we send the applications to cities for their review anyway.

Chair Chesney advised Commissioner Phillips to reference the Regional Plan and Spheres of Influence and what is allowed in each area. He stated rural areas are well protected in the Regional Plan.

There were no requests for public comment; Chair Chesney closed the public comment period.

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 to remove all sections within Article 434, Regional Development Standards within Cooperative Planning Areas and All of Washoe County and Article 822, Provisions for Amendments to Local Master Plans and Zone Changes in Areas Subject to Cooperative Planning Under the Regional Plan Settlement Agreement, as described in the staff report for WDCA20-0003.

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 WDCA20-0003, to amend Washoe County Code Chapter 110 to remove all sections within Article 434, Regional Development Standards within Cooperative Planning Areas and All of Washoe County and Article 822, Provisions for Amendments to Local Master Plans and Zone Changes in Areas Subject to Cooperative Planning Under the Regional Plan Settlement Agreement, 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 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):

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 Peyton seconded the motion which passed unanimously, seven in favor, none against.

10. Chair and Commission Items

***A.** Future agenda items – Commissioner Bruce asked when meetings will be back to normal and the public can attend. Mr. Lloyd said we are moving in that direction. The County Commission has started allowing the public to attend their meetings. He said we would like to as soon as possible.

***B.** Requests for information from staff – Commissioner Donshick requested an Organizational Chart of the Departments. Mr. Lloyd said he can provide that for the Commission.

Commissioner Peyton requested streamlining business application process. Mr. Lloyd thanked him for the process suggestion and will work with him, but it's not a Planning Commission item.

Mr. Lloyd said he will bring a master plan update status at the next meeting.

11. Director's and Legal Counsel's Items

*A. Report on previous Planning Commission items – Mr. Lloyd reported last month, the Planning Commission heard four master plan amendment to elements where they were adopted by the Board of County Commission and will go to Regional next. Additionally, the item regarding the code amendment of Article 406, industrial design standards that apply to properties adjacent to residential, was also adopted.

*B. Legal information and updates – None

12. *General Public Comment and Discussion Thereof

Chair Chesney said he was volunteered to be part of the Regional Transportation Commission's Road Impact Fee and Technical Advisory Committee. He said he attended his first meeting by Zoom. He reported that Regional is working with RTC and cities and County to look at where we are going with roads, funds, and developer funds. He said it was very interesting. He said we look at these projects and think the infrastructure is so far behind, but truly RTC is working hard with NDOT and the Feds to get these projects and corridors updated. He said he wanted to give that report back to the Commission.

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

13. Adjournment

With no further business scheduled before the Planning Commission, the meeting adjourned at 7:25 p.m.

Respectfully submitted by Misty Moga, Independent Contractor.

Approved by Commission in session on November 4, 2020

Trevor Lloyd
Secretary to the Planning Commission