



Incline Village Crystal Bay Citizens Advisory Board

DRAFT: Approval of these draft minutes, or any changes to the draft minutes, will be reflected in writing in the next meeting minutes and/or in the minutes of any future meeting where changes to these minutes are approved by the CAB.

Minutes of the Incline Village Crystal Bay Citizens Advisory Board meeting held at Incline Village General Improvement District, 893 Southwood Blvd, Incline Village, NV 89451 on March 2, 2020

1. ***CALL TO ORDER/ PLEDGE OF ALLEGIANCE** – Pete Todoroff called the meeting to order at 5:30 P.M.
2. ***ROLL CALL/DETERMINATION OF A QUORUM** - Pete Todoroff, Judy Miller, Mike Sullivan, Sara Schmitz (alternate for vacant seat). A quorum was determined.

Absent: Kevin Lyons, Michael LeFrancois (excused).

3. ***PUBLIC COMMENT** –

Alexandra Provant said she was a potential candidate for a District 1 Planning Commission seat. The decision has not been made. She announced there will be a Neighborhood Watch meeting on March 6 hosted by Teresa Aquila at the Incline library, 6:30 p.m. It might be a good component for short term rentals. She said there is a State Preservation Plan draft available regarding Nevada State lands and how preservation guidelines and according to state parks funding mechanisms work which are both private and public. As well it addresses Local, regional, state, and federal levels which in District 1 up here we have federal and state land. She said Chief Ryan Sommers told her in the case of an emergency evacuation and emergency management issue, due to having a state and federal lands, that plan can be important because of the emergency management component. She will get a draft tomorrow and she will share it.

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

4. **APPROVAL OF AGENDA FOR THE MEETING OF MARCH 2, 2020** – Judy Miller noted item 6.B. has been removed; it doesn't come before this board. Judy Miller moved to approve the agenda of **March 2, 2020** as amended. Mike Sullivan seconded the motion to approve the agenda for **March 2, 2020** as amended. Motion carried unanimously.
5. **APPROVAL OF THE MINUTES FOR THE MEETING OF February 3, 2020.** – Mike Sullivan moved to approve the minutes of **February 3, 2020**. Judy Miller seconded the motion to approve the agenda for **February 3, 2020**. Motion carried unanimously.

6. **DEVELOPMENT PROJECTS-** The project description is provided below with links to the application or you may visit the Planning and Building Division website and select the Application Submittals page: www.washoecounty.us/comdev

6.A. **Administrative Permit Case Number WADMIN20-0004 (Saint Francis of Assisi Catholic Church**

Expansion) – Request for community feedback, discussion and possible action to forward community and Citizen Advisory Board members comments to Washoe County staff on a request to allow the expansion of an existing church building (Religious Assembly Use Type), by means of a two-story addition of approximately 976 square feet on each level for a total expansion of the building of approximately 1,952 square feet. The existing building is approximately 12,156 square feet in size. (for Possible Action)

- Applicant\Property Owner: Saint Francis of Assisi Catholic Church
- Location: 701 Mt Rose Hwy, on both the north and south sides of its intersection with Kelly Drive, in the Incline Village area
- Assessor's Parcel Number: 124-032-01 and 124-062-62
- Staff: Roger Pelham, Senior Planner; 775-328-3622; rpelham@washoecounty.us
- Reviewing Body: Tentatively scheduled for the Board of Adjustment on April 2, 2020

Roger Pelham, Washoe County Planner, stated he is available to answer policy, code, process questions.

Sara Schmitz requested clarification regarding the variance being requested. Mr. Pelham stated there are several request types that come before the CAB. He said this is an administrative permit. He said it's requesting a permit for this use type. Mr. Todoroff asked if parking would be impacted with this expansion. Mr. Pelham said sufficient parking will be reviewed during the processes.

Kristina Hill, applicant representative, answered the question regarding parking and stated parking meets code; they have more than what is required per the church square footage. Mr. Sullivan asked if the dirt lot was paved; Ms. Hill confirmed it is paved. Ms. Hill spoke about other improvements, including lighting for safety. Ms. Hill said the proposed expansion is to extend the current use. She spoke about current crowding situation.

Ms. Miller stated she couldn't read the small type on the plans. Ms. Hill showed the floor plans. Ms. Hill stated the addition meets height requirements and doesn't interrupt the view corridor.

With no requests for public comment, Mr. Todoroff closed the public comment period.

MOTION: Mr. Todoroff moved to recommend approval for Administrative Permit Case Number WADMIN20-0004. Ms. Miller seconded the motion. The motion carried unanimously.

6.B. Abandonment Case Number WAB20-0002 (Tahoe Blvd ROW Abandonment) - Request for community feedback, discussion and possible action to forward community and Citizen Advisory Board members comments to Washoe County staff on a request for the abandonment of an approximate five feet (5') wide strip of land between NDOT State Route 28 (Tahoe Blvd.) and lots 4, 5, and 6 of Industrial Subdivision No. 2. (for Possible Action)

- Applicant\Property Owner: Equity Ventures Commercial Development, LC
- Location: Approx. 650' west of the intersection of Village Blvd. and Tahoe Blvd. in Incline Village
- Assessor's Parcel Number: 132-240-01; 132-240-02; and 132-240-03
- Staff: Eric Young, Planner; 775-328-3613; eyoung@washoecounty.us
- Reviewing Body: Tentatively scheduled for the Planning Commission on April 7, 2020

The board had clarifying questions. There were no requests for public comment.

7. *WASHOE COUNTY COMMISSIONER UPDATE- Washoe County Commissioner, Marsha Berkbigler was not available. Commissioner Berkbigler can be reached at (775) 328-2005 or via email at mberkbigler@washoecounty.us.

8. *CHAIRMAN/BOARD MEMBER ITEMS- This item is limited to announcements by CAB members. (This item is for information only and no action will be taken by the CAB).

Ms. Miller stated she attended the Planning Commission meeting last month when they initiated the STR regulations; she objected since there wasn't a representative for District 1, but no one seemed to be bothered. The Planning Commissioners voted to initiate the new regulation and send them on to the Board of County Commissioners. At this month Planning Commission, they were supposed to initiate the Tahoe Area Plan. However, when there was an objection because they weren't an objection, they plan to not to initiate the plan and defer it. Hopefully there will be a new commissioner soon. In regards to the STRs, she said there was a meeting to have the first reading of the regulations for STRs. There were a large contingent of realtors, lobbyists. Due to concerns expressed, the commissioners decided ask staff for changes. Supporters of STR do not want any inspections that aren't announced. The occupants will disappear when it gets scheduled. They didn't want any external signs as they thought it would be a clue to robbers. They felt limiting a 70 sq. ft room

to 1 occupant was onerous because then a mother couldn't have their child in the room. They would like that loosened up. That will go back to staff to come up with alternatives and new language. Instead of going out for public outreach, it will come back to Board of County Commissioners. Only two people were there to ask for limits on STRs, Ronda Tyser and myself. There was no discussion on that possibility. There were estimates it would come back before Commissioners at the end of March. She said she felt bad for Solaro and Kelly Mullin. Ms. Schmitz stated the other issue that was not agreeable was not putting a limit on-premise parking. Ms. Miller advised we shouldn't have a discussion regarding this.

Mr. Todoroff said the realtors feel just because the commissioners get a kickback, they can dictate what can happen. He said an 1,800 sq. ft 3-bedroom STR was advertised it could house 12 people. That is absurd. He said he was concerned with tiered approach and no parking limits. There are people lobbying for this. The public doesn't have a say. We are being ignored. Mr. Sullivan asked for clarification of what the realtors concerns were. Ms. Miller re-stated the concerns.

9. *GENERAL PUBLIC COMMENT AND DISCUSSION THEREOF –

Alexandra Provant followed up regarding Ms. Miller's overview of the STR. She said she attended as well as Carol Black, and representatives from lobbying groups. She said the morning session spoke about how this could be opening affordable housing. She said she was happy there were people there to speak about the topic. Marsha is open to receiving more public input, and Ms. Provant said she would like to be channel for public comment and feedback. She said she would like to bring public comment as much as possible especially from casinos and look at historic overlay of zoning as it relates to the last 30 years. Zoning has changed over time. She said there is a preservation tax credit which is federal component that is incentivizing the conversion from resident use to transient occupancy use. For this to be part of this project, a property has to be entered into a service. You don't receive or get taxed for income tax for rental incomes. If there is a state tax credit on top of the federal tax credit, you can get both. We don't have state preservation tax credit, but there is a state tax credit. You could imagine the incentive. She spoke to Nathan Edwards regarding this. He was fascinated. She said there was a senate bill that passed last year that removed all of the due process rights in an eviction process if the property was converted from residential use to commercial use. There would be no protection for those occupants if it was commercially owned during the due process during an eviction, and that would increase homelessness. Ms. Provant said CAB is advisory. She said she will get a district 1 map. There use to be a lot more CABs. Ms. Provant spoke about owner occupancy to voting districts. There are people committing voter fraud by being bused to the polls and handed prepared ballots.

Mr. Sullivan asked Ms. Provant clarification about owner commercial conversion to residential. She said it's project by project situation. She spoke about Real Estate trust process – she said the zoning converted to commercial use. The tax follows the property.

Denise Davis said she attended the board of county commissioner meeting last week, and the noise ordinance will probably be away with. She said there is a decibel device to monitor noise, it cannot tell where the noise were from. The lobbyists were from Las Vegas. Another item was Marsha relegated implementation any type of ordinance until next year. They discussed grandfathering non-problem STRs. They would go out and find those not paying the TOT. those already registered and paying TOT will have a year until they have to go through the permitting process. If not problematic, they would be permitted every 3 year instead of 1 year. She said an interesting throw away comment made by Jung or Marsha, but one asked the attorney if one entity owns more than 5 of dwelling unit, they are commercial and subject to different regulation with county planning, health and safety. She said we need to start exploring that. We need to find those who own more than 5, then apparently a different level or regulation kicks in. She said we heard a lot from owners of properties; they wouldn't be able to afford their 2nd home without the rental income. We invested into our money and time into our property; however, our priority comes at the end. They aren't willing do anything for

the residents. They don't want to get involved. They say it's a small problem. Those who invested time and money in the community, their rights are at the bottom of the pile.

Sarah Schmitz said she lives next to a short term rental. She said when she is watching TV, she can hear their stereo from next door. They have outdoor stereo system. She said they aren't being educated about how to manage the outdoor sound system. She said she has called the management company and sheriff who said they didn't want to interrupt their vacation. We need to do serious education. We shouldn't have to endure this weekend after weekend. She has offered to meet with management company, but they don't respond.

Mike Sullivan said he agreed with Sara and Denise. He said the ladies attended an all-day meeting with no ramification. He said we should take it to social meeting and the news stations. The Commissioners don't care. The lobbyist from Vegas don't care. We are stuck holding the bag. He suggested slamming those responsible, the Commissioners aren't doing enough. The real estate agents aren't doing enough.

With no further requests for public comment, Pete Todoroff closed the public comment period.

Sara Schmitz announced there is an IVGID Audit and regular meeting on March 11.

ADJOURNMENT – With no further discussion, the meeting adjourned at 6:15 p.m.

Number of CAB members present: 4

Number of Public Present: 3

Presence of Elected Officials: 0

Number of staff present: 1

Submitted By: Misty Moga