



PLANNING COMMISSION MEETING MINUTES

Planning Commission Members

Roger Edwards, Chair
D.J. Whittemore, Vice Chair
Jonathan C. Reynolds
Roy H. Hibdon
Neal Cobb
James Barnes
Sarah Chvilicek
Carl R. Webb, Jr., AICP, Secretary

Tuesday, January 7, 2014
6:30 p.m.

Washoe County Administration Complex
Commission Chambers
1001 East Ninth Street
Reno, NV

The Washoe County Planning Commission met in regular session on Tuesday, January 7, 2014, in the Washoe County Commission Chambers, 1001 East Ninth Street, Reno, Nevada.

1. Determination of Quorum

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

Commissioners present: Roger M. Edwards, Chair
D.J. Whittemore
Roy Hibdon
James Barnes
Neal Cobb
Jonathan C. Reynolds
Sarah Chvilicek

Commissioners absent: None

Staff present: Carl R. Webb, Jr., AICP, Planning Manager, Planning and Development
Greg Salter, Esq., Deputy District Attorney
Eva Krause, AICP, Planner
Roger Pelham, Senior Planner, Planning & Development
Sandra Monsalvè, AICP, Senior Planner
Dawn Spinola, Recording Secretary, Planning and Development

2. Pledge of Allegiance

Commissioner Barnes led the pledge to the flag.

3. Ethics Law Announcement

Deputy District Attorney Salter provided the ethics procedure for disclosures.

4. Appeal Procedure

Mr. Webb recited the appeal procedure for items heard before the Planning Commission. He noted that all matters listed under Public Hearings were subject to appeal; however, the matters listed under Consent and Chair and Commission Items were not subject to appeal.

5. Public Comment

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

6. Approval of Agenda

Commissioner Chvilicek moved to approve the agenda for the January 7, 2013, Planning Commission meeting. Commissioner Hibdon seconded the motion which carried unanimously.

7. Approval of Minutes

None.

8. Consent Items

A. Initiating amendments to the North Valleys, Southwest Truckee Meadows, and Verdi Area Plans, components of the Washoe County Master Plan; and to the North Valleys, Southwest Truckee Meadows, Verdi Regulatory Zone maps in order to assign master plan land use and zoning on multiple properties resulting from the City of Reno's action to rollback these properties from the City of Reno's Sphere of Influence back to Washoe County's jurisdiction.

- Applicant: Washoe County Planning and Development Division
- Property Owners: Numerous
- Locations: North Valleys, Southwest Truckee Meadows, and Verdi
- Parcel Size: ±330 acres
- Existing Master Plan Category: Reno SOI
- Existing Regulatory Zone: Reno SOI
- Area Plans: North Valleys, Southwest Truckee Meadows and Verdi
- Citizen Advisory Boards: North Valleys, South Truckee Meadows/Washoe Valley, and Verdi Township (inactive)
- Development Code: Article 820, Amendment of Master Plan
Article 821, Amendment of Regulatory Zone
- Commission Districts: 2 – Commissioner Humke
5 – Commissioner Weber
- Section/Township/Range: Sec. 9 & 16, T20N, R19E; Sec. 17, 19, 20 & 30, T19N, R18E and Sec. 29, T18N, R20E
- Staff: Trevor Lloyd - Senior Planner
Washoe County Community Services Department
Planning and Development Division
- Phone: 775.328.3620
- E-Mail: tlloyd@washoecounty.us

Chair Edwards introduced the item. Commissioner Hibdon moved to approve the consent agenda. The motion was seconded by Commissioner Cobb and passed unanimously.

9. Planning Items and Public Hearings

A. PUBLIC HEARING: Master Plan Amendment Case No. MPA13-004 (Tahoe Area Plan)

– To amend the master plan map within the Tahoe Area Plan, being part of the Washoe County Master Plan, by changing the master plan designation of 341 Ski Way (APN 131-233-38) from Rural to Commercial. To reflect requested changes and to maintain currency of general area plan data, administrative changes to the Tahoe Area Plan are proposed. These administrative changes include a revised map series with updated parcel base, an updated Planned Land Use Table and applicable text, and other matters properly relating thereto without prejudice to the final dispensation of the proposed amendments. And if approved, forward to the Board of County Commissioners for adoption.

And

PUBLIC HEARING: Regulatory Zone Amendment Case No. RZA13-004 (Tahoe planning area) – To amend the regulatory zone map within the Tahoe planning area from Public and Semi-Public Facilities (PSP) to Neighborhood Commercial (NC) for 341 Ski Way (APN 131-233-38). To reflect requested changes and to maintain currency of planning area data, administrative changes are proposed. These administrative changes include a revised map with updated parcel base, and other matters properly relating thereto without prejudice to the final dispensation of the proposed amendments. And if approved, forward to the Board of County Commissioners for approval.

- Applicant: Washoe County
- Property Owner: Bullwheel Company, Inc.
- Location: 341 Ski Way, Incline Village
- Assessor's Parcel Number: 131-233-38
- Parcel Size: 4.66 acres
- Current Master Plan Designation: Rural (R)
- Proposed Master Plan Designation: Commercial (C)
- Current Regulatory Zone: Public and Semi-Public Facilities (PSP)
- Proposed Regulatory Zone: Neighborhood Commercial (NC)
- Area Plan: Tahoe
- Citizen Advisory Board: Incline Village/Crystal Bay
- Development Code: Article 820, Amendment of Master Plan Article 821, Amendment of Regulatory Zone
- Commission District: 1 – Commissioner Berkbigler
- Section/Township/Range: Section 14, T16N, R18E, MDM, Washoe County, NV
- Staff: Eva M. Krause, AICP, Planner
Washoe County Community Services Department
Planning and Development Division
- Phone: 775.328.3796
- E-Mail: EKrause@washoecounty.us

Chair Edwards opened the public hearing.

Ms. Krause reviewed the staff report for both amendments. She noted that the required neighborhood meeting for the master plan amendment was held on December 17, 2013. She explained members of the community had contacted her with questions about the project but none expressed any concerns once they understood the request.

There being no one else who requested to speak, Chair Edwards closed the public hearing.

Commissioner Whittemore moved, that after giving reasoned consideration to the information contained in the staff report and written and verbal testimony received during the public hearing, the Planning Commission adopt the resolution attached to the staff report as Exhibit A amending the Tahoe Area Plan, being a part of the Washoe County Master Plan, by changing the master plan designation of 341 Ski Way (APN 131-233-38) from Rural to Commercial and make the administrative changes to the Tahoe Area Plan proposed in Exhibit A. These administrative changes include a revised map series with updated parcel base, an updated Planned Land Use Table and applicable text, and other matters properly relating thereto without prejudice to the final dispensation of the proposed amendments; having made at least three of the findings in accordance with Washoe County Development Code Section 110.820.15. I further move to authorize the Chair to sign the resolution on behalf of the Planning Commission. The motion was seconded by Commissioner Cobb.

DDA Salter asked if the maker of the motion was able to make all of the findings or would be picking three. Commissioner Whittemore stated he was able to make all of the findings. Commissioner Cobb stated his second would stand. The motion passed unanimously.

The motion was based on the following findings:

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.
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. Effect on a Military Installation. The proposed amendment will not affect the location, purpose and mission of the military installation.

Findings for the Tahoe Area Plan

7. The proposed master plan and regulatory zone amendment recognizes the existing commercial development but does not increase the commercial development potential near Diamond Peak ski area.

Commissioner Reynolds moved, that after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Planning Commission recommends adoption of the Regulatory Zone Amendment Case Number RZA 13-004 of 341 Ski Way (APN 131-233-38) from Public Semi-Public (PSP) to Neighborhood Commercial (NC); and to make the administrative changes as shown in the staff report. These administrative changes include a revised map with updated parcel base,

and other matters properly relating thereto without prejudice to the final dispensation of the proposed amendments; and that such amendments will only become effective following adoption by the Board of County Commissioner of MPA13-004 and a finding of conformance with the Tahoe Regional Planning Agency; having made all of the following findings in accordance with Washoe County Development Code Section 110.821.15 and having made the findings in accordance with the Tahoe Area Plan. Commissioner Reynolds stated he was able to make all seven findings. The motion was seconded by Commissioner Whittemore and passed unanimously.

The motion was based on the following findings:

1. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan and the Regulatory Zone Map.
2. 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. 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. 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. The proposed amendment will not adversely affect the implementation of the policies and action programs of the Washoe County Master Plan.
6. 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.
7. The proposed amendment will not affect the location, purpose and mission of the military installation.

B. PUBLIC HEARING: Master Plan Amendment Case No. MPA13-003 (High Desert Area Plan) – To amend the master plan map within High Desert Area Plan, being a part of the Washoe County Master Plan, by relocating the Industrial master plan designation on APN 071-220-28 to the actual location of the industrial use. To reflect requested changes and to maintain currency of general area plan data, administrative changes to the High Desert Area Plan are proposed. These administrative changes include a revised map series with updated parcel base and updated applicable text, and other matters properly relating thereto without prejudice to the final dispensation of the proposed amendments. And if approved, forward to the Board of County Commissioners for adoption.

AND

PUBLIC HEARING: Regulatory Zone Amendment Case No. RZA13-003 (High Desert planning area) – To amend the regulatory zone map within the High Desert planning area, relocating the Industrial area and changing it to General Rural (GR); and to remove the Public and Semi-Public Facilities (PSP) zoning, changing it to General Rural (GR) on APNs 071-220-28 and 071-220-26. To reflect requested changes and to maintain currency of general planning area data, administrative changes are proposed. These administrative changes include a revised map with updated parcel base, and other matters properly

relating thereto without prejudice to the final dispensation of the proposed amendments. And if approved, forward to the Board of County Commissioners for approval.

- Applicant: Washoe County
- Property Owner: Union Pacific Railroad Company
- Location: West side of State Route 447, south of Gerlach on south side of the Union Pacific railroad tracks

- Assessor's Parcel No.: 071-220-28 and 071-220-26
- Parcel Size: 84.8 acres
- Current Master Plan Designation: Rural and Industrial
- Proposed Master Plan Designation: Industrial and Rural
- Current Regulatory Zone: General Rural, Industrial and Public Semi-Public
- Proposed Regulatory Zone: General Rural and Industrial
- Area Plan: High Desert
- Citizen Advisory Board: None
- Development Code: Articles 820 and 821
- Commission District: 5 – Commissioner Weber
- Section/Township/Range: Portions of Section 14, 15 and 22, T32N, R23E, MDM, Washoe County, NV

- Staff: Eva M. Krause, AICP, Planner
Washoe County Community Services Department
Planning and Development Division

- Phone: 775.328.3796
- E-Mail: EKrause@washoecounty.us

Chair Edwards opened the public hearing.

Ms. Krause reviewed the staff report for both amendments. She noted the cases had been through an extensive notification process and that the required neighborhood meeting for the master plan amendment occurred on December 20, 2013. Ms. Krause said that approximately 10 citizens attended the meeting and had expressed some concerns regarding the process but not the actual proposed amendments.

There being no one else who requested to speak, Chair Edwards closed the public hearing.

Commissioner Chvilicek moved, that after giving reasoned consideration to the information contained in the staff report, written and verbal testimony received during the public hearing, the Planning Commission adopt the resolution attached to the staff report as Exhibit A amending the High Desert Area Plan, being a part of the Washoe County Master Plan, to relocate the Industrial master plan designation on APN 071-220-28 to the actual location of the industrial use; and to make the administrative changes to the High Desert Area Plan as proposed in Exhibit A. These administrative changes include a revised map series with updated parcel base and updated applicable text, and other matters properly relating thereto without prejudice to the final dispensation of the proposed amendments; and that such amendment will only become effective following with adoption by the Board of County Commission of MPA13-003 and a finding of conformance with the regional Plan, having made all of the findings in accordance with Washoe County Development Code Section 110.820.15. Commissioner Chvilicek further moved to authorize the Chair to sign the resolution on behalf of the Planning Commission. The motion was seconded by Commissioner Hibdon and passed unanimously.

The motion was based on the following findings:

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.
6. Effect on a Military Installation. The proposed amendment will not affect the location, purpose and mission of the military installation.

Findings for the High Desert Area Plan:

7. The proposed Industrial Regulatory Zone Designation is permitted in the High Desert Rural Character Management Area.
8. The proposed Master Plan and Regulatory Zoning Amendments do not intensify growth opportunities within the High Desert Rural Character Management Area since the industrial area is an existing use.

Commissioner Whittemore moved, that after giving reasoned consideration to the information presented in the staff report, written testimony and verbal testimony received during the public hearing, the Planning Commission recommend adoption of Regulatory Zone Amendment Case Number RZA 13-003 to amend the regulatory zone map and zoning designation within the High Desert Planning Area, relocating the Industrial area and changing it to General Rural; and to remove the Public Semi-Public; and to make the administrative changes as shown in the staff report. These administrative changes include a revised map with updated parcel base, and other matters properly relating thereto without prejudice to the final dispensation of the proposed amendments; and that such amendment will only become effective following with adoption by the Board of County Commission of MPA13-003 and a finding of conformance with the Regional Plan; having all of the following findings in accordance with Washoe County Development Code Section 110.820.15. The motion was seconded by Commissioner Cobb and passed unanimously.

The motion was based on the following findings:

1. The proposed amendment is in substantial compliance with the policies and action programs of the Master Plan and the Regulatory Zone Map.
2. 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. 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. 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. The proposed amendment will not adversely affect the implementation of the policies and action programs of the Washoe County Master Plan.
6. 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.
7. The proposed amendment will not affect the location, purpose and mission of the military installation.

C. PUBLIC HEARING: Amendment of Conditions Case No AC13-009 (Black Rock City, LLC, Radio Tower) – To amend condition number 15 of Special Use Permit Case Number SW08-004 for the purpose of reducing the required property line setback from 100 feet to 60 feet to bring an existing 100-foot tall radio tower into conformance with the approved special use permit. The requested amendment would change Condition Number 15 to state: “The base of the radio tower shall be located at least 60 feet from all property lines. The Planning and Development Division shall determine compliance with this condition.”

- Owner/Applicant: Black Rock City, LLC
- Location: 255 Main Street, Gerlach. Approximately 1,000 feet east of the Highway 447/34 split.
- Assessor’s Parcel No: 071-240-09
- Parcel Size: 4.86 Acres
- Master Plan Category: Rural and Commercial
- Regulatory Zone: General Rural, Parks and Recreation and Tourist Commercial
- Area Plan: High Desert
- Citizen Advisory Board: None
- Development Code: Article 810, Special Use Permit
- Commission District: 5 – Commissioner Weber
- Section/Township/Range: Section 15, T32N, R23E, MDM, Washoe County, NV
- Staff: Chad Giesinger, AICP, Senior Planner
Washoe County Community Services Department
Planning and Development Division
- Phone: 775.328.3626
- Email: cgiesinger@washoecounty.us

Chair Edwards opened the public hearing.

Mr. Giesinger reviewed the staff report. He explained the original setback condition was not based on a code requirement; it was a practice at the time to condition structures so that if they fell, they would not fall across a property line. Mr. Giesinger reviewed the current and proposed condition. He said that the applicant was unable to obtain the required building permit for the tower because of the current condition and the tower’s location in relation to the property line. The structure does meet the required zoning setbacks. Any negative consequences that may occur due to the tower’s current location should the tower fall were anticipated to minimal if not nonexistent. Modifying the condition will allow the applicant to apply for a new tower building permit, obtain planning approval, and then have the tower properly permitted.

Applicant Mike Railey opined the contractor who had constructed the tower had been confused by the setback requirements and had placed it incorrectly.

Chair Edwards closed the public hearing.

Commissioner Chvilicek moved, that after giving reasoned consideration to the information contained within the staff report and the information received during the public hearing, the Washoe County Planning Commission approve Amendment of Conditions Case Number AC13-009 for Black Rock, LLC, having made all five findings in accordance with Washoe County Development Code Section 110.810.30. The motion was seconded by Commissioner Hibdon and passed unanimously.

The motion was based on the following findings:

1. Consistency. That the proposed use is consistent with the action programs, policies, standards and maps of the Master Plan and the High Desert 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;
3. Site Suitability. That the site is physically suitable for the proposed development, 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

D. PUBLIC HEARING: Regulatory Zone Amendment Case Number. RZA13-005 (Cold Springs) – To consider and possibly amend the regulatory zone map and zoning designation within the Cold Springs planning area; and, if approved, forward to the Board of County Commissioners for approval. The amendment request will re-designate one parcel of ±5.00 acres from Public and Semi-Public Facilities (PSP) to Low Density Suburban (LDS) zoning. To reflect requested changes and to maintain currency of general planning area data, administrative changes are proposed and include a revised map with updated parcel base, and other matters properly relating thereto without prejudice to the final dispensation of the proposed amendments.

- Applicant: Washoe County
- Property Owner: Gustavo & Patricia Garcia
- Location: Southern terminus of Sierra View Road in Cold Springs
- Assessor's Parcel Number: 081-131-31
- Parcel Size: 5.0 acres
- Current Regulatory Zone: Public and Semi-Public Facilities (PSP)
- Proposed Regulatory Zone: Low Density Suburban (LDS)
- Master Plan Designation: Suburban Residential (SR)

- Area Plan: Cold Springs
- TMSA: Unincorporated portion of the Truckee Meadows Service Area
- Citizen Advisory Board: North Valleys
- Development Code: Article 821, Amendment of Regulatory Zone
- Commission District: 5 – Commissioner Weber
- Section/Township/Range: Section 30, T21N, R18E, MDM, Washoe County, NV
- Staff: Sandra Monsalvè, AICP, Senior Planner
Washoe County Community Services Department
Planning and Development Division
- Phone: 775.328.3608
- Email: smonsalve@washoecounty.us

Chair Edwards opened the public hearing.

Ms. Monsalvè reviewed the staff report. She explained the parcel had been zoned LDS until 2006. At that time, the Cold Springs area plan was adopted and the parcel was changed to PSP by staff, after learning the County had acquired the land through tax delinquency. In 2008, the property was sold at public auction to a private citizen. The citizen desires to construct a residence on the property but is prohibited by the current PSP zoning. As a result, staff felt compelled to take action to reinstate the LDS zoning on behalf of the citizen.

Vahid Behmaram of Water Resources initially objected to the amendment request, citing the lack of water in the hydrographic basin. Ms. Monsalvè then explained the situation to Vahid Behmaram who subsequently opined there would be no increase in water demand with this change as property owners are allowed by State Law to place a domestic well on an existing parcel. Ms. Monsalvè stated she had received no other agency comments or any public comment.

Commissioner Chvilicek asked if the public comment timeline had been while the Citizen Advisory Board (CAB) was on hiatus. Ms. Monsalvè stated it had been sent to the CAB for review but she had not received emails or letters of comment. Chair Chvilicek requested the planners be sure cases made it onto CAB agendas, now that some of the CABs were reinstated and having meetings.

Connie Timmer opined she and the neighbors had not received notice in time to organize themselves and contact legal counsel. She requested a continuance, citing concerns about whether or not the parcel would be subdivided, easements and roadways.

Chair Edwards asked Ms. Monsalvè if there was a need to rush the decision. She stated she was not aware of any. Chair Edwards asked if there were any traffic concerns and if the parcel was subdividable. She replied it could be parceled to one unit per acre and Engineering had no comments or concerns regarding the roads. She noted there was no specific project related to the request that may trigger conditions. Parcelization would trigger a requirement for additional water rights, which may be difficult to obtain.

Ms. Monsalvè explained the case had been noticed in the newspaper and the legal noticing sent out 10 days prior to the meeting.

Commissioner Cobb asked Ms. Monsalvè to explain the Parcel Map process. She stated the owner would be required to submit an application and pay the fee. They would

need to show proof of ownership of water rights. The case would be heard by the Parcel Map Review Committee (PMRC) and conditioned by various agencies. The decision of the PMRC was appealable to the Board of County Commissioners.

Commissioner Reynolds asked if anyone had subdivided 5-acre parcels in the area. Ms. Monsalvè acknowledged some of the neighboring parcels were smaller but could not say when they had been subdivided.

Commissioner Reynolds asked if there was any reason the neighbors should be concerned about their water supply. Ms. Monsalve pointed out it had previously been zoned LDS and landowners had the right to dig a well. The impacts would be the same as they were prior to 2006 and if someone had built a house there at that time. Mr. Behmaram's initial concern was that there was insufficient water resources for the existing land uses in Cold Springs, so any zoning change that increases the water demand will further exacerbate the deficit. Ms. Monsalvè reiterated they had discussed it and he felt there would be no increase in water demand. Utilities, Inc. services the area and has a water budget plan under a master plan.

Commissioner Reynolds opined potentially five new residences would add traffic and strain resources. Ms. Monsalvè suggested the impacts would be negligible, particularly when compared to development of a park or library, which are allowed uses of the property under the current PSP zoning. Commissioner Reynolds felt it was prudent to give the citizens more time as they had requested. Mr. Webb noted the next Planning Commission meeting was scheduled for March.

Commissioner Chvilicek pointed out the area already had some PSP and Neighborhood Commercial (NC) uses nearby, creating density issues.

Commissioner Reynolds opined it would be a good idea to put off the decision and give people more time to investigate the issues. Commissioner Hibdon disagreed, stating the delay would exacerbate any problems and cost more of the staff and Planning Commission's time. He felt if there was a problem it should be stated, otherwise they should move to approve it.

Ms. Monsalvè explained if it were delayed she would go to the CAB meeting and ask other County staff to attend. Public noticing would have to be repeated, at a cost to the citizens and she could not say whether the property owner would be affected.

Chair Edwards asked where the accesses were to the property and the NC parcel next to it. Ms. Monsalvè stated the access to the NC parcel was Reno Park and opined that it could also serve as the access to the subject parcel.

Property Owner Patricia Garcia stated she was there to support the zoning change so she could build her home, but understood the process may take more time. When she bought the lot, she had understood it was zoned family residential. When she applied for a well permit, she was told it was Recreational zoning.

Commissioner Chvilicek asked Ms. Garcia if they planned to leave the property intact and only put one dwelling on it. Ms. Garcia stated that was their intent, as they wanted to develop a ranch.

Connie Timmer expressed concerns about access to the property and damage to existing fencing. She reiterated they would like legal representation and had not had enough time to organize. Anna Williams supported Ms. Timmer's concerns regarding

fencing, traffic and the brief time period between receiving the notice and the public hearing date.

Chair Edwards closed the public hearing.

Commissioner Reynolds moved to continue the item to the March 4, 2014 meeting. The motion was seconded by Commissioner Cobb. Commissioners Barnes and Chvilicek stated they would also support the motion. Chair Edwards and Commissioners Whittemore and Hibdon voted against. The motion to continue the item passed 4-3.

Mr. Webb reiterated the item would be hard at the March Planning Commission meeting as well as the North Valleys CAB, if the CAB was to meet prior to March. Commissioner Chvilicek let the public know they had many opportunities to speak and encouraged them to not let those opportunities pass them by.

Mr. Webb stated legal notices go out a minimum of 10 days prior to the public hearing and the attendees were being noticed personally that the next meeting would be held on March 4, 2014, in the Chambers.

Chair Edwards reiterated the case was for a zone change, not an approval of 5 houses. When it returns for a decision, it will still just be for a zone change. Since the parcel was already zoned, LDS, the only reason it was coming back was due to the noticing concerns. Otherwise, it would have been approved.

10. Chair and Commission Items

A. Discussion and possible action regarding the use of cargo containers in residential areas - The Planning Commission may discuss and provide direction to staff regarding potential amendments to those Code provisions.

Staff Representative: Roger Pelham, Senior Planner,
775.328.3622, rpelham@washoecounty.us

Chair Edwards asked what the goal of the item was. Mr. Webb explained it was being presented at the direction of the Board received at the November meeting. Mr. Pelham had compiled suggested language for the Board's consideration and they had the option to make suggestions and/or request the item be brought back in March for an initiation to a development code amendment.

Mr. Pelham presented screening options to include 1) 6-foot solid fencing; 2) 6-foot existing vegetation; or 3) a solid, neutral-color paint and two evergreen trees. The Commissioners discussed the alternatives and altered the third option, removing the requirement for the trees and further clarifying the language that described the neutral or blending color. Additionally, it was clarified the container could match the color of a neighboring structure as opposed to a neighboring dwelling.

Commissioner Whittemore moved to direct Staff to prepare an initiation of a Development Code Amendment, to be brought to the Planning Commission in March 2014, to modify the screening and setback standards for placement of cargo containers as detached accessory structures, as indicated in the staff report and as directed during the discussion tonight. The motion was seconded by Commissioner Chvilicek and passed unanimously.

B. *Report on previous Planning Commission items

Mr. Webb stated the two MPA/RZA cases the Commissioners had just approved would be heard by the BCC on February 25, 2014 and that Village at the Peak was still waiting for a Regional Plan Conformance review.

C. Future agenda items and staff reports

Chair Edwards requested an item be placed on the March 4, 2014 agenda to discuss the fencing requirement for Case No. SW13-001, The Springs Lutheran Church. Mr. Webb explained staff would bring back a report of what had occurred during discussion between the church and the neighbor, potentially providing the opportunity for an amendment to the fencing condition of the special use permit. Commissioner Chvilicek requested the Rules, Policies and Procedures be brought back for consideration and possible adoption. Mr. Webb noted the Cold Springs RZA and the amendments related to the rollback, initiated earlier in the meeting, would also come back to them in March.

Mr. Webb announced Ms. Spinola's promotion to Administrative Secretary at the Health Department and her upcoming departure from CSD Planning & Development. Chair Edwards and Commissioner Chvilicek stated she would be missed.

11. Director's Items

A. *Legal information and updates

None.

12. *Public Comment

None.

13. Adjournment

With no further business scheduled before the Planning Commission, the meeting adjourned at 8:12 p.m.

Respectfully submitted,

/s/ _____
Dawn Spinola, Recording Secretary

Approved by Commission in session on March 4, 2014

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