



WASHOE COUNTY PLANNING COMMISSION Meeting Minutes

Planning Commission Members

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

Tuesday, January 3, 2017
6:30 p.m.

Washoe County Commission Chambers
1001 East Ninth Street
Reno, NV

The Washoe County Planning Commission met in a scheduled session on Tuesday, January 3, 2017, in the Washoe County Commission Chambers, 1001 East Ninth Street, Reno, Nevada.

1. Determination of Quorum

Chair Barnes called the meeting to order at 6:31 p.m. The following Commissioners and staff were present:

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

Commissioner absent: Greg Prough

Staff present: Carl R. Webb, Jr., AICP, Secretary
Trevor Lloyd, Senior Planner, Planning and Development
Nathan Edwards, Deputy District Attorney, District Attorney's Office
Katy Stark, Recording Secretary, Planning and Development
Kathy Emerson, Administrative Secretary Supervisor, Planning and Development

2. *Pledge of Allegiance

Commissioner Donshick led the pledge to the flag.

3. *Ethics Law Announcement

Deputy District Attorney Edwards provided the ethics procedure for disclosures.

4. *Appeal Procedure

Mr. Webb recited the appeal procedure for items heard before the Planning Commission.

5. *Public Comment

Chair Barnes opened the Public Comment period. Hearing none, he closed the Public Comment period.

6. Approval of Agenda

In accordance with the Open Meeting Law, Commissioner Chvilicek moved to approve the Agenda as amended for the January 3, 2017 meeting. Commissioner Chesney seconded the motion, which carried unanimously with Commissioner Prough absent.

7. Approval of November 16, 2016 and December 6, 2016 Draft Minutes

On motion by Commissioner Chesney, seconded by Commissioner Donshick, with Commissioner Horan abstaining from the November 16, 2016 minutes and Commissioner Prough absent, it was ordered that the minutes for November 16, 2016 and December 6, 2016 be approved.

8. Planning Items

***A. Presentation on the Truckee Meadows Regional Housing Study – Kimberly Robinson, Executive Director, TMRPA and Jeremy Smith, GIS Coordinator, TMRPA.**

Presentation will include topics covered in the study, such as (1) the current supply of housing and residential land in the region, (2) the housing needs in the region, (3) different future housing scenarios and their impact on the cost of regional services and infrastructure, and (4) other implications of the regional housing study for public policy.

Mr. Webb identified the agenda item to the Board. Chair Barnes called for any disclosures from the Board. Hearing none, he opened the presentation for discussion.

Kimberly Robinson, TMRPA, and Jeremy Smith, GIS Coordinator TMRPA, gave a presentation on the Truckee Meadows Regional Housing Study. Ms. Robinson stated they would be discussing housing supply and demand, scenario planning, housing needs and public policy. She said this particular project would not be possible without all of the partners involved (Washoe County, Reno, Sparks, Northern Nevada Water Planning Commission, RTC, and the Washoe County School District).

Ms. Robinson presented five categories of current housing types in the region from low-density single-family residence all the way up to a high-density multi-family residence. She showed a chart which contained an example of those housing types, how many of those existed in the region and some photos. She noted 54 percent of the housing stock in our region currently was within low-density single-family to moderate-density single-family categories. She said this region was very similar to what they saw across the country in terms of single-family demographics.

Mr. Smith explained how they went about finding what kind of housing stock there was and future vacant lands to identify residential land using zoning. Once they understood all the zoning types that could house residential uses they were able to determine what was vacant and what was already built on. He stated they then had to remove any constraints per the Regional Plan and what they were left with was vacant land based on zoning, dwelling units per acre and dwelling units per area to going forward. He presented a map to the Board depicting those areas. He said there were about 42,000 acres of suitable land in the Truckee Meadows Service Area (TMSA), which could accommodate approximately 83,000 new housing units. Two-thirds

of those would be low-density or moderate-density single-family housing. He said access to infrastructure was a concern in some of those cases.

Ms. Robinson stated currently one-third of the households in the region were cost-burdened, which meant residents were spending 30 percent of their monthly income on housing. As housing costs and the location of housing started to move, the addition of transportation costs started to be pretty important. Approximately one-third of the households had an income below \$35,000 a year, which equated to 49 percent of the renters in the region were also cost-burdened. She noted rents were rising quickly and there was not enough rental housing and certainly not enough that was affordable. She also reported 55 percent of the population made less than \$60,000 annually, which meant they could not afford a home with a median price of \$275,000. A household would need to make at least \$70,000 per year for a home costing \$310,000 and \$84,000 per year for a home costing \$380,000. Fundamentally, over half of the population was currently priced out of being able to afford a home in our region. She showed a chart regarding multi-family units and the missing middle piece, which could be anything from a duplex, triplex, townhomes or live-work spaces.

Ms. Robinson reviewed a survey of preferences from the National Association of Realtors which noted people preferred to be able to walk to work or to shops. She discussed trends in baby-boomer households and reported by 2035 the youngest baby-boomers would be about 75 years old. Between 2014 and 2035 people over 60 years old would increase from 20 percent of the population to 24 percent. She said that would indicate more one-person households, income decreasing and homeownership rates decreasing. Trends in Millennium households were currently between 15 and 35 years old and they would be 35 to 55 by the year 2035. The number of Millennials in this region would go from about 123,000 people in 2014 to approximately 145,000 in 2034.

Mr. Smith stated they developed two scenarios of the future; one was called the classic scenario because it was based on the last 15 years of development within the TMSA; the other was the McCarran scenario. They looked at where things had developed, what types of housing had developed and they noticed there was more single-family detached product type development on the edge of the community. He said they were not predicting where more people would be, just where more houses would be. The McCarran scenario had a slightly more compact pattern. He discussed their chart regarding single and multi-family density, 40 acre bins and outlying growth.

Mr. Smith stated in order to develop some of those housing units developers would need to make a profit. With the help of their consultant they instituted a pro forma analysis that looked at nine or ten housing types and ran over 300,000 iterations on every available parcel. What they learned was about 22,000 parcels in today's market would actually make money. He said they were looking forward to making this better in collaboration with developers, but they thought it was a great first pass at trying to bring some reality to their theoretical work.

Mr. Smith stated they also evaluated the two simulations versus infrastructure and infrastructure availability and costs. He said there were about 52,600 parcels of the 83,000 vacant parcels today that were adequately served with infrastructure. They did a lot of detail work with staff from key regional service providers; RTC, TMWA, the County, Reno, Sparks and the School District. He explained they saw a savings around \$560 million in just capital costs for infrastructure using the McCarran scenario. He noted there was not a huge change between the two scenarios regarding schools. They did see differences between the two scenarios looking at water and waste water of just over \$100 million, which had to do with the linear distance for pipes be put in the ground to support more development. He said it was roughly a 10 percent

reduction in costs given the McCarran scenario for capital infrastructure alone, but in the end it was around \$780 million of potential savings if they built more compactly.

Ms. Robinson stated they believed they showed there was a need for a wider variety of housing types to meet anticipated demographic shifts. She thought the statistic that stuck with them the most was that in the past 15 to 16 years homeownership costs had increased by 60 percent, but income had only increased by 17 percent. She believed the missing middle could represent a segment of housing types that could provide affordable workforce housing.

Ms. Robinson stated they came up with a variety of conclusions; they knew that all local governments and service providers were facing pressing fiscal challenges to provide services, location of housing was very important; servicing land in a more compact development scenario was less expensive; and, the capital costs for the infrastructure would be \$780 million less or approximately \$15,415 per house. She noted they recognized that the private sector built almost all the housing units; therefore, the public sector was a partner in the provision of housing and they had some obligations to ensure the public's health, safety and welfare and assist the private sector by reducing the cost of housing.

Ms. Robinson briefly spoke about return on investments and partnering with local jurisdictions to discuss existing and future capital improvement plans. She said it was clear there were tensions between market trends and current land use and regulations, especially around in-fill and redevelopment. She believed that all three jurisdictions should be looking at that. She showed a financial feasibility model that Mr. Smith referred to regarding the market demand. She said they would love to bring that to the region as well so they could understand current market capacity compared to approved zoning.

Ms. Robinson stated the TMRPA was identified as a partner in the Smarter Cities Challenge in 2013 and was tasked with the idea of transforming data into actionable information. She thought the information they brought to the Board today and what they could do with it moving forward was a perfect example of that.

Chair Barnes opened up discussion to the Board. Commissioner Horan stated he was surprised about the availability within the McCarran scenario and he wondered if redevelopment was included. Mr. Smith stated most of the redevelopment and in-fill opportunity was within the McCarran ring. He said there was quite a bit of vacant land as well and the densities that were approved were much higher, so they would not need as much land to accommodate as many units.

Commissioner Horan asked how this study was tied into EDawn and the other development authorities and what their plans were in attracting new investment so that they would get higher paying jobs. Ms. Robinson stated they were holding six meetings this month to bring that information out and EDawn and the Western Nevada Development District would be joining them. She said they worked with both of those agencies previously and they would like to do more.

There was no action taken on this item.

9. Public Hearings

A. Abandonment Case Number WAB16-0001 (Day and Harold) – Hearing, discussion, and possible action to approve the abandonment of a 25 foot wide access easement over two parcels of 6.471 and 5.0 acres.

- Owner/Applicant: Terry Lee Day Family Trust
- Owner/Applicant: Dan and Kathi Harold
- Location: North of Cactus View Drive and west of Knob Hill Drive
- Assessor's Parcel Numbers: 552-181-15 and 552-181-35
- Parcel Size: 6.471 acres and 5.0 acres
- Master Plan Category: Rural and Suburban Residential
- Regulatory Zone: General Rural and Low Density Suburban
- Area Plan: North Valleys
- Citizen Advisory Board: North Valleys
- Development Code: Article 806
- Commission District: 5 – Commissioner Herman
- Section/Township/Range: Section 10, T20N, R19E, MDM, Washoe County, NV
- Prepared by: Trevor Lloyd, Senior Planner
Washoe County Community Services Department
Division of Planning and Development
- Phone: 775.328.3620
- E-Mail: tlloyd@washoecounty.us

Chair Barnes opened the public hearing and asked for any disclosures from the Board. He said he had been contacted by Linda Bissett who asked him if there was any opposition to this and he told her he was not aware of any. Commissioner Donshick stated that she lived in Golden Valley and that she was the President of the Golden Valley Property Owners Association, but she had no contact with anyone. DDA Edwards asked if that Association had anything to do with this property. Commissioner Donshick stated anyone who lived in Golden Valley was part of the Association. DDA Edwards asked if her position with that Association applied any pressure on her to decide the matter. Commissioner Donshick stated no.

Trevor Lloyd, Senior Planner, identified the property and presented his Staff Report. He said staff was recommending approval.

Chair Barnes opened up questions to the Board. Commissioner Horan asked why this was not required to be noticed to the CAB. Mr. Trevor responded that when a project was for abandonment of a private easement there was no public involvement; therefore, it was limited to noticing abutting property owners.

Chair Barnes opened up discussion to the Applicant. Dan Harold, 2595 Knobb Hill, presented pictures to the Board showing the property was not accessible and that the drainage was severe. He said the drainage was the main reason for the property line adjustments that were made in 1993 when the property was purchased. The owner of the property to the west came to him and explained that half of his property was on his side of the drainage. He wondered if he would be interested in doing another adjustment so all of his property would be on one side. He agreed and they moved forward. He said that now there was the potential for development on both properties that would encumber their ability to do that was the reason for the abandonment.

Chair Barnes asked if there was any Public Comment. Hearing none, he closed public comment and opened up questions to the Board. Hearing none, he closed the public hearing and called for a motion.

Commissioner Chesney moved that after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe

County Planning Commission approve Abandonment Case Number WAB16-0001 for Terry Lee Day Family Trust and Dan and Kathi Harold, with the conditions of approval attached as Exhibit A to this matter, having made all three findings in accordance with WCC Section 110.806.20. Commissioner Chvilicek seconded the motion, which carried unanimously with Commissioner Prough absent. **Approved (vote of 4 for, none against)**

1. Master Plan. The abandonment or vacation is consistent with the policies, action programs, standards and maps of the Master Plan and the North Valleys; and
2. No Detriment. The abandonment or vacation does not result in a material injury to the public; and
3. Existing Easements. Existing public utility easements in the area to be abandoned or vacated can be reasonably relocated to provide similar or enhanced service.

B. Abandonment Case Number AB16-004 (Kessariss Way Properties) – Hearing, discussion, and possible action to approve the abandonment of multiple access easements on five adjoining properties. The proposed abandonment application will involve the following requests: 1) APN 142-241-51: abandon the southerly 13 feet of the 33 foot easement along the northern boundary and abandon the 33 foot easements along the western and southern boundaries; 2) APN 142-241-52: abandon the southerly 13 feet of the 33 foot easement along the northern boundary and the easterly 13 feet of the 33 foot easement along the western boundary and abandon the 33 foot easements along the eastern and southern boundaries; 3) APN 142-241-53: abandon the southerly 13 feet of the 33 foot easement along the northern boundary and abandon the 33 foot easements along the western, eastern and southern boundaries; 4) APN 142-241-54: abandon the southerly 13 feet of the 33 foot easement along the northern boundary and abandon the 33 foot easements along the western, eastern and southern boundaries; and 5) APN 142-241- 61: abandon the easterly 13 feet of the north half and all 33 feet of the south half of the 33 foot easement along the western boundary and abandon the 33 foot easement along the eastern boundary.

- Applicant/Property Owners: Reichlin Family Trust
Johnson Living Trust
Halstead Family Trust
Alan and Marsha Day
Bruce and Jean Bye
- Location: 14345 & 14415 Bihler Way and 3080, 3145 and 3210
Kessariss Way
- Assessor's Parcel Numbers: 142-241-51, 52, 53, 54 & 61
- Parcel Size: 12.5 acres
- Master Plan Category: Rural Residential (RR)
- Regulatory Zone: High Density Rural (HDR)
- Area Plan: Southwest Truckee Meadows
- Citizen Advisory Board: South Truckee Meadows/Washoe Valley
- Development Code: Article 806
- Commission District: 2 – Commissioner Lucey
- Section/Township/Range: Section 30, T18N, R20E, MDM,
Washoe County, NV
- Prepared by: Trevor Lloyd, Senior Planner
Washoe County Community Services Department
Division of Planning and Development
- Phone: 775.328.3620
- E-Mail: tlloyd@washoecounty.us

Mr. Webb identified the property for the Board. Chair Barnes called for any disclosures. Hearing none, he opened the public hearing. Trevor Lloyd, Senior Planner, presented his Staff Report.

Chair Barnes opened up questions to the Board. Commissioner Chvilicek asked about the approved roads and where the multiple access points were located. Mr. Lloyd stated there were multiple access roads running through this community and there were other 33-foot easements and each one of those properties had a minimum of two existing access points. He said if they wished to develop in the future, there were still 33-foot access easements that would support additional access in addition to what they currently had. Commissioner Chvilicek asked if those were formal access points or were they just informally developed on the property. Mr. Lloyd said the roads were not paved and for the most part were dirt; some were well-maintained but others were jeep trails.

DDA Edwards suggested the Board add a point to the Findings in the recommended motion. He said patented easements were referenced in the Statute to determine where it was or was no longer required for a public purpose. He believed this fell under the same idea of no material injury to the public. He recommended adding the following language at the end of Finding #2 after the word "public": "and is no longer required for a public purpose."

Chair Barnes opened discussion to the Applicant. Derek Wilson, Rubicon Design Group, stated they were not trying to change any access patterns or the way the neighborhood functioned, they were just trying to get rid of unnecessary road areas. He noted the parcel map for this area looked like someone with a pencil sat down and just put roads where they would never be needed. He said it was important to note that adjoining property owners were invited to join this application and the people that were adjacent to any of the areas they were proposing to abandon had no objections. The one objection that was mentioned was an adjacent property owner, but he was not in fact adjacent to an area that was being abandoned. He said the setback areas were extensive and they ate up a big chunk of the parcel, but the immediate plan was not to cover those parcels with houses. He thought it made a lot of sense to approve this so people could not drive their jeeps around the edges of someone's property all day long.

Chair Barnes opened up questions to the Board. Hearing none, he called for public comment. Melissa Fritz, 1440 Byler Road, stated since 1991 she owned 12 parcels in the governmental home sites that comprised of two sections of land and approximately 80+ parcels all of which had the 33-foot easements with the exception of some BLM land (26 acre parcels) that did not have the easements. She said these were 33-foot patented easements, which meant that every parcel in the governmental home sites had access to any of those easements even if they resided 10 parcels away. She noted the only reason she found this out was that she lived on an adjoining parcel on Byler Road, but she was not notified on the other parcel she owned down the road. She said there were numerous people who could possibly improve the easements if they wanted access and she thought those people should be notified of the abandonment. She thought the patented easements had egress/ingress to all of those 33-foot easements on those 80 parcels. She said even though the NRS stated only adjoining parcels needed to be notified, she felt this particular project went beyond that, which gave her legal access to any of those easements. She recommended that all the homeowners that were under the patented easements and had the right to use those easements should be notified.

John Fritz, 14400 Byler Road, asked the Board to look at page 7 of the Staff Report where it stated the County had notified everyone they were required to notify. He believed that was wrong because it stated all owners of property abutting or "connected" to the proposed abandonment. If the easement was one mile long and the abandonment would take 100 yards out of the middle, he felt that fell under the word "connected". He said if the easement was cut in

half or a section could not be used anymore that easement would be null and void. He said the easement on lot #5 had been barricaded off with boulders and piles of dirt and was posted: “no through traffic.” He said County Code required a 60-foot turnaround for fire trucks, but Mr. Lloyd said it was not required. Right now there was only one access in and out of Kessariss Way; everything had been barricaded off and they could not drive a fire truck through there or a four-wheel drive jeep. He said that had been done illegally but it had been that way for 20 years. He said a fire hydrant had been installed on the corner of lot #3 around 20 years ago and the requirement at the time was a 60-foot turnaround and the neighbors had to put it in and now they want to abandon those easements. He stated Mr. Lloyd reported all the local entities including the Engineering Department were on board with approval of the abandonment but he believed that was not true.

Chair Barnes closed the public comment period and opened up questions and discussion to the Board. Commissioner Donshick asked if the easements were in place for roadway movement or were they in place for infrastructure. Mr. Lloyd said they were for both as they were recognized for access and public utilities.

Commissioner Horan asked if the comments regarding the length of the easement abutting property was relevant. DDA Edwards stated the language in the Statute and the language in the Code were a little bit different, which made it unclear. His analysis was that Mr. Lloyd's interpretation was probably correct. The Statute used the phrase “abutting” and the Development Code provision was based on the Statute. The Development Code section that was referenced during public comment talked about notice and said to each owner of property abutting or connected to the proposed abandonment. He thought Mr. Lloyd's interpretation could factor into the Board's analysis as to how they wanted to interpret the provision in the Development Code. He also thought it could factor into the Board's analysis of whether or not there was a material injury to the public and whether or not it was required for a public purpose. He said Mr. Fritz's interpretation did have some support because of the variation between the two provisions.

Commissioner Chvilicek said in terms of referencing Code violations; she believed that was not under the Board's purview. DDA Edwards clarified if Commissioner Chvilicek was asking about Fire Code provisions. Commissioner Chvilicek stated she was. DDA Edwards said he felt the Board was free to take into account the substance of Mr. Fritz's remarks and they could weigh that under the Findings and the rest of the evidence. He said whether or not it was a violation of the Fire Code, the Fire Agency did not report any concerns and that should also be taken into account by the Board.

Chair Barnes closed the public hearing and brought it back to the Board for discussion. Hearing none, Chair Barnes called for a motion.

Commissioner Chesney moved that after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission approve Abandonment Case Number AB16-004 for Kessariss Way Parcels with the conditions of approval included as Exhibit A to this matter, having made all three of the following findings in accordance with Washoe County Code Section 110.806.20. He added the following language to Finding #2 – No Detriment – “...the public and was no longer required for a public purpose”. Commissioner Horan seconded the motion, which carried unanimously with Commissioner Prough absent. **Approved (vote of 4 for, none against)**

1. Master Plan. The abandonment or vacation is consistent with the policies, action programs, standards and maps of the Master Plan and the Southwest Truckee Meadows Area Plan.; and

2. No Detriment. The abandonment or vacation does not result in a material injury to the public and was no longer required for a public purpose; and
3. Existing Easements. Existing public utility easements in the area to be abandoned or vacated can be reasonably relocated to provide similar or enhanced service.

10. Chair and Commission Items

***A. Future agenda items**

There were none.

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

Commissioner Horan expressed interest in the Truckee Meadows Regional Housing Study presentation and he would like to see how that information could be integrated into other presentations regarding roads, traffic, and schools. Mr. Webb stated that the Regional Planning Commission would be having a 2017 update as a region and he believed they could be one of the starting points to integrate the housing study as the Regional Planning Commissioners worked their way through the drafts. He hoped it would come back through the Washoe County Planning Commission as a presentation.

11. Director's and Legal Counsel's Items

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

Mr. Webb stated that DCA16-007, Verizon, would be heard as a first reading by the County Commission on January 10, 2017 and a second reading and possible adoption on January 24, 2017. He said if it was adopted, it would be effective at the end of January.

***B. Legal information and updates**

There were no updates.

12. General Public Comment

Commissioner Donshick stated there was a significant amount of glare when she looked at the presentations on the screens. Mr. Webb stated he would pass along her comments.

13. Adjournment

7:47 p.m. Commissioner Chesney moved to adjourn the meeting. Chair Barnes called for a vote, which carried unanimously with Commissioner Prough absent.

Respectfully submitted,

Jaime Deller, Independent Contractor

Approved by Commission in session on February 7, 2017.

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