



# WASHOE COUNTY PLANNING COMMISSION Meeting Minutes

## Planning Commission Members

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

Tuesday, August 7, 2018  
6:30 p.m.

Washoe County Commission Chambers  
1001 East Ninth Street  
Reno, NV

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The Washoe County Planning Commission met in a scheduled session on **Tuesday, August 7, 2018**, in the Washoe County Commission Chambers, 1001 East Ninth Street, Reno, Nevada.

### 1. \*Determination of Quorum

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

Commissioners present: Sarah Chvilicek, Chair  
Larry Chesney, Vice Chair  
James Barnes  
Thomas B. Bruce  
Francine Donshick  
Philip Horan  
Michael W. Lawson

Staff present: Trevor Lloyd, Secretary, Planning and Building  
Roger D. Pelham, MPA, Senior Planner, Planning and Building  
Julee Olander, Planner, Planning and Building  
Chris Bronczyk, Planner, Planning and Building  
Nathan Edwards, Deputy District Attorney, District Attorney's Office  
Katy Stark, Recording Secretary, Planning and Building  
Kathy Emerson, Administrative Secretary Supervisor, Planning and Building

### 2. \*Pledge of Allegiance

Commissioner Chesney led the pledge to the flag.

### 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. \*Public Comment

Ron Bell, Sun Valley property owner, said he is hopeful to give a favorable letter to the County Commissioners that agreed with planning staff that they met the requirements 1-4. There are adverse affects that the planners said they originally didn't meet the conditions. He said we meet all the conditions clearly, and are consistent with master plan. He showed a picture on the overhead. He said it not only affects Sun Valley Boulevard, but many homes and lots that have been there since 2010. No one can do anything with their homes and lots. He said he has never seen anything like this. He said he was excited to update a mobile home with manufactured home three years ago. He hopes everyone will get on board. He said people are financially affected by this. It's a terrible housing crunch. No one will put in a strip mall or Walmart in that location.

Katherine Snedigar said there is a problem with containers. Code enforcement comes out and tells them they cannot put them on their property without a house, but what if they want to build a house. A private land owner cannot have it. The Supreme Court has ruled on this type of regulation. It needs to be substantial barring on the public. Stop arbitrary regulation of containers.

Derrick Perkins said he lives in Palomino Valley. He said he was cited for having a container on his property. He said he is building a house and submitted permits for a well, power. All permits were issued. He said the container is a tool shed to build the house. He said his neighbor didn't like it and complained to Code Enforcement. Brian Farmer, enforcement officer, came out and told him to remove it. He said he painted it a neutral color to appease the neighbor, but they made another complaint to have it removed. He said he pays taxes and permits to build his house. He said he received a warning that he will be fined \$100 a day and a lien put on his property for the use of container to store his tools to build his house. He said he needs his tool shed onsite. It's arbitrary to remove it. He said he isn't causing health concerns for others. It's unreasonable. He said he is obeying the laws. It's a rural area.

## 6. Approval of Agenda

In accordance with the Open Meeting Law, Commissioner Donshick moved to approve the agenda for the August 7, 2018, meeting as written. Commissioner Chesney seconded the motion, which passed unanimously with a vote of seven for, none against.

## 7. Possible Action to Approve July 3, 2018 Draft Minutes

Commissioner Donshick moved to approve the minutes for the July 3, 2018, Planning Commission meeting as written. Commissioner Chesney seconded the motion, which passed unanimously with a vote of seven for, none against.

## 8. Public Hearings

*Item 8.A. is continued from the July 3, 2018 Planning Commission Meeting.*

- A. Report on Master Plan Amendment Case Number WMPA18-0001 (Sun Valley Area Plan)** – For possible action, hearing and discussion to report back to the Board of County Commissioners (BCC) on the amendment to the Washoe County Master Plan, Volume 2, Sun Valley Area Plan, at Policy SUN.1.2 to remove the sentence, "New single family detached residential, including mobile homes, will not be allowed within the DCMA." The Planning Commission voted to deny the amendment at its April 3, 2018, meeting, and the BCC overturned that denial at the May 22, 2018, BCC meeting. If approved and subsequently found in conformance with the Truckee Meadows Regional Plan by the

regional planning authorities, the Sun Valley Area Plan would no longer prohibit new single family detached residential units in the Sun Valley DCMA.

- Applicant: Washoe County Planning and Building Division
- Location: Downtown Character Management Area (DCMA) of Sun Valley
- Master Plan Category: Commercial
- Regulatory Zone: Neighborhood Commercial
- Area Plan: Sun Valley
- Citizen Advisory Board: Sun Valley
- Development Code: Authorized in Article 820, Amendment of Master Plan 3 and 5, Commissioners Jung and Herman
- Commission District: 3 and 5, Commissioners Jung and Herman
- Prepared by: Roger D. Pelham, MPA, Senior Planner  
Washoe County Community Services Department  
Planning and Building Division
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Chair Chvilicek opened the public hearing.

Mr. Lloyd read the agenda item.

There were no disclosures made by the Commissioners.

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

No questions for staff.

Public Comment:

Kristina Dombovari said she is here to support change. She said she is a local real estate investor. She said she spoke with a lot of people in Sun Valley who are adversely affected. It's not the wealthy part of town. It's their only asset. Their property value is destroyed by not being able to replace their home. We all know the blight. It's not a good reflection on the community. There is an issue with affordable housing. Please reconsider. Improve the land and community.

Jeff Klipp said it's about affordable housing. We have a major problem with affordable housing. This master plan goes against that. The Master Plan wants more commercial in Sun Valley. He showed pictures of the current commercial properties in Sun Valley. There are available commercial buildings. He said they want to get rid of a neighborhood, a block off the main road and make it available for commercial; it doesn't make sense. This moratorium impacts people. He said we want to do our best to help the residents of Sun Valley and promote Sun Valley. Adjust the sentence, not the entire master plan; it doesn't require a re-write. This master plan was a good idea, but it's too aggressive. Please correct this situation and make more affordable housing and improve the appeal.

Steve Hendricks, residential designer in Nevada, said he spoke with Ron about conceptual plan for him. He said we are in need of more houses. He said he receives calls daily asking him why it's so expensive to build. There are many people in favor to make it easier to install a modular home on the site. It's less expensive to put that up instead of building a stick built. Change the master plan to accommodate that. There are commercial buildings that are empty and will fill up. This is a quicker, less expensive way to get housing.

Pamela Pappas said she wanted to reiterate what has been said. She said she manages a mobile home park on Sun Valley Blvd. She said it's been a decade of loss in property value for the owners because they cannot install a new home. There are property rights and needs for housing. Please take that sentence out of the zoning.

Ron Bell showed a few pictures of vacant lots. He said there are illegal vehicles or encroachment on those vacant lots. He said there is an abandoned trailer on his empty lot. He said there have been 4-5 abandoned trailers. He said there are neighborhood blocks that are impacted. He showed a lot with utilities ready to go and another one with a deck ready to be hooked up. He showed a picture of graffiti. The lots just sit. He showed an aerial view of lots affected.

William Eccles said he owns a parcel. He said he would have to install a driveway, parking, handicap parking, and a sidewalk. He said if he had done all of that, there would be hardly any room for a commercial building.

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

Commissioner Horan said this Commission heard this application, and BCC saw it another way. He said we should accept it as they see it and move on.

**MOTION: Commissioner Chesney moved that, the Washoe County Planning Commission acknowledge the action of the Board of County Commissioners to approve Master Plan Amendment Case Number WMPA18-0001, that will allow single-family residential uses (including mobile homes and manufactured homes) within the Sun Valley Downtown Character Management Area (DCMA), subject to approval of a Special Use Permit, and direct staff to report back to the Board of County Commissioners without comment. Commission Donshick seconded the motion to approve Master Plan Amendment Case Number WMPA18-0001. Motion passed with a vote of six for, one against. Commissioner Bruce opposed.**

Chair Chvilicek said three of the Commissioners on this board sit on the Regional Planning board; we will hear this item at commission; it's not appropriate to ask us how we will vote at Regional.

**B. Abandonment Case Number WAB18-0004 (Lupin Drive Abandonment)** – For possible action, hearing, and discussion to approve an abandonment of Washoe County's interest in ±77,484 square feet of right-of-way of unimproved roadway on Lupin Drive between East 4th Avenue and East Gepford Parkway. If approved, the property will be abandoned to the abutting property owners. Also, if approved the eastern half will be designated as common open area in connection with the Valle Vista subdivision (WTM18-003) that was approved on April 3, 2018, immediately to the east of the roadway proposed for abandonment; and the western half of the roadway may also become common open area in the same subdivision, if the abutting property owners on the west side do not accept the abandoned area.

- Applicant: Landbank Development Co., LLC
- Property Owner: Washoe County
- Location: Lupin Drive between East 4th Avenue and East Gepford Parkway
- Assessor's Parcel Numbers: 085-151-49, 085-151-50, 085-151-45, 085-151-46, 085-151-47, 085-151-48, 085-1581-02 & 085-122-03
- Parcel Size: ±77,484 square feet

- Master Plan Category: NA
- Regulatory Zone: NA
- Area Plan: Sun Valley
- Citizen Advisory Board: Sun Valley
- Development Code: Authorized in Article 806, Vacations and Abandonments of Streets and Easements
- Commission District: 5 – Commissioner Herman
- Prepared by: Julee Olander, Planner  
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Chair Chvilicek opened the public hearing.

Mr. Lloyd read the agenda item.

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

Commissioner Bruce asked about notices to the neighbors. Ms. Olander said for abandonment cases, it's required to notice the adjoining parcels. The parcels to the west side have two property owners. She said the applicant has to contact the property owners for the abandonment to take place with possibly 30 feet on the east side and 30 feet on the west side being abandoned to the property owners.

Applicant representative, Dave Snelgrove, CFA, said he agrees with the staff review, legal findings, and conditions as presented. He clarified: they are required to notify adjacent property owners. They have first right of refusal for the first 30 feet; otherwise, 60 feet would go into Valley Vista property as common open space.

Chair Chvilicek asked Mr. Edwards to clarify the notification process. Mr. Edwards explained the process. Notices are sent out 10 days prior to the public hearing to the properties abutting the property. There is a noticing map provided in the staff report. It's the standard noticing that applies. Personal contact is not required. No signature is required.

No public comment was requested.

**MOTION: Commissioner Donshick 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, with the conditions included as Exhibit A to this matter, Abandonment Case Number WAB18-0004 for Landbank Development Co., LLC, having made all three findings in accordance with Washoe County Code Section 110.806.20:**

1. **Master Plan.** The abandonment or vacation is consistent with the policies, action programs, standards and maps of the Master Plan and the Sun Valley; 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.

**Commissioner Chesney seconded the motion to approve Abandonment Case Number WAB18-0004, which passed unanimously with a vote of seven for, none against.**

**C. Amendment of Conditions Case Number WAC18-0001 (Falcon Ridge)** – For possible action, hearing, and discussion to approve an amendment to condition of approval number 1e, of approved Tentative Subdivision Map Case Number TM14-003 (Falcon Ridge). Condition 1e requires substantial compliance with plans and documents submitted; the amendment would allow the reservation of two parcels of land as “Remainder” rather than “Common Area,” which would allow for the potential development of those parcels as a residential subdivision (or other type of development) at a later date.

- Applicant/Property Owner: Falcon Ridge by Desert Wind LP
- Location: El Rancho Drive directly east of Maynard Drive
- Assessor's Parcel Number: 035-660-02
- Parcel Size: ± 25.59 Acres
- Master Plan Category: Suburban Residential (SR) & Falcon Ridge Specific Plan
  
- Regulatory Zone: Low Density Urban (LDU)
- Area Plan: Sun Valley
- Citizen Advisory Board: Sun Valley
- Development Code: Authorized in Article 608, Tentative Subdivision Maps and Article 408, Common Open Space Development
  
- Commission District: 5 – Commissioner Herman
- Prepared by: Roger D. Pelham, MPA, Senior Planner  
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Chair Chvilicek opened the public hearing.

Mr. Lloyd read the agenda item.

There were no disclosures made by the Commissioners.

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

Commissioner Lawson asked if it has been semi-developed, then why is this before us without Citizen Advisory Board (CAB) review? Mr. Pelham said infrastructure is in place, but no dwellings have been built. The CAB meets on a particular schedule, and this was not on that cycle. He said no comments were received from CAB members.

Commissioner Horan asked when the first phase was started. Mr. Lloyd said this development has gone through numerous iterations with construction in 2004-2005; it was a victim of recession and that is why it wasn't completed. There was a request from the applicant to eliminate the map; the lots were recorded and reverted to acreage. The request for intensification was denied.

Applicant representative, Derek Wilson, Rubicon Design Group, said this area was always planned for development; it was reflected in the master plan. The map shows plans for residences. The Specific Plan was absorbed into the Sun Valley Area Plan. Labeling of common

area was sloppy; it should have reflected future development. This is cleanup of current mapping.

Commissioner Chesney said it is common area, not open space. Mr. Wilson confirmed.

Public Comment:

Carmen Ortiz, Sun Valley CAB Chair, said she received a call from a CAB member about concerns with traffic and safety issues.

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

**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 Amendment of Conditions Case Number WAC18-0001 to Tentative Subdivision Map Case Number TM14-003 (Falcon Ridge) for Falcon Ridge by Desert Wind LP, having made all ten findings in accordance with Washoe County Code Section 110.608.25:**

1. **Plan Consistency.** That the proposed map is consistent with the Master Plan and any specific plan;
2. **Design or Improvement.** That the design or improvement of the proposed subdivision is consistent with the Master Plan and any specific plan;
3. **Type of Development.** That the site is physically suited for the type of development proposed;
4. **Availability of Services.** That the subdivision will meet the requirements of Article 702, Adequate Public Facilities Management System;
5. **Fish or Wildlife.** That neither the design of the subdivision nor any proposed improvements is likely to cause substantial environmental damage, or substantial and avoidable injury to any endangered plant, wildlife or their habitat;
6. **Public Health.** That the design of the subdivision or type of improvement is not likely to cause significant public health problems;
7. **Easements.** That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision;
8. **Access.** That the design of the subdivision provides any necessary access to surrounding, adjacent lands and provides appropriate secondary access for emergency vehicles;
9. **Dedications.** That any land or improvements to be dedicated to the County is consistent with the Master Plan; and
10. **Energy.** That the design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

Commissioner Donshick seconded the motion to approve Amendment of Conditions Case Number WAC18-0001 to Tentative Subdivision Map Case Number TM14-003 (Falcon Ridge), which passed unanimously with a vote of seven for, none against.

**D. Master Plan Amendment Case Number WMPA18-0005 and Regulatory Zone Amendment Case Number WRZA18-0005 (Mario Road)** – For possible action, hearing, and discussion to approve a Master Plan Amendment to adjust the boundaries of the existing Rural Residential (RR) and Suburban Residential (SR) master plan designations on the subject property by swapping the designations applicable to two portions of the property; and to approve a Regulatory Zone Amendment that would similarly swap the current zoning designation on portions of the property by changing 0.49 acres of property from Low Density Suburban (LDS) to High Density Rural (HDR); and by changing 0.49 acres of property from High Density Rural (HDR) to Low Density Suburban (LDS).

- Applicant: Rubicon Design Group
- Property Owner: Wei Yang
- Location: 0 Erminia Road, 0 Mario Road
- Assessor's Parcel Numbers: 038-656-08; 038-560-29; 038-560-28
- Parcel Size: 4.70 Acres; 2.16 Acres; 4.52 Acres (Total: 11.38 Acres)
- Master Plan Categories: Rural Residential (RR)  
Suburban Residential (SR)
- Regulatory Zones: Low Density Suburban (LDS) [Max density: 1 Dwelling per 1 acre]; High Density Residential (HDR)[Max density: 1 dwelling per 2.5 acres]
- Area Plan: Verdi
- Citizen Advisory Board: West Truckee Meadows/Verdi Township
- Development Code: Authorized in Article 820, Amendment of Master Plan; and Article 821, Amendment of Regulatory Zone
- Commission District: 5 – Commissioner Herman
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Chair Chvilicek opened the public hearing.

Mr. Lloyd read the agenda item.

There were no disclosures made by the Commissioners.

Chris Bronczyk, Washoe County Planner, provided a staff presentation.

Applicant representative, Derek Wilson, Rubicon Design Group, said it's an odd request in a small area. He showed the project area. He said they are requesting swapping SR and RR on master plan and swapping with zoning, not bringing new zoning categories to the area. He showed a map of 11 lots. He said the swap allows the central roadway to serve the lots with regular driveways. He said without the change, it would have a confusing utility lay out and lots facing each other.

Commissioner Bruce asked about the case description – LDS, 1 unit per acre. He said there is a misprint with HDS. He asked how you can get 11 units with HDR zoning on 2.5 acres, and



LDS 1 unit per acre. Mr. Bronczyk said there was a misprint. He said there is potential for this to be common open space. Mr. Wilson said LDS gives 1 unit per acre; he said Hunter Creek Engineering ran the numbers. He said if we don't qualify, we don't qualify and can adjust. Mr. Bronczyk said there is a breakdown of current zoning in the staff report.

Mr. Lloyd said through a process of parcel map review, staff will determine adequate density to allow the unit count. He said the request to changing 0.49 acres of property from Low Density Suburban (LDS) to High Density Rural (HDR); and by changing 0.49 acres of property from High Density Rural (HDR) to Low Density Suburban (LDS).

Mr. Bronczyk showed a map and explained the breakdown of analysis of each property density.

Commissioner Bruce asked how many acres result in HDR total. Mr. Bronczyk said there is no net gain between them; it's a complete swap. Commissioner Bruce said it's supposed to support 11 dwellings in 11.3 acres. If you have one, 2.5-acre dwelling, then it leaves you with 9 acres. He said he is asking where we get 11 units when some of them have to be on 2.5 acres. Mr. Lloyd said the graphic wasn't supplied by staff, and staff wasn't representing that graphic. However, staff will ensure adequate density of what is proposed.

Chair Chvilicek said the intent is not to increase density. Mr. Edwards you are asked to approve master plan and zoning swaps; you are not necessarily approving 11 units. It's not part of the staff presentation. It's not part of the request tonight. There may have been a mistake; they are not asking for a subdivision.

Public Comment:

Randy Bell said his concerns were addressed; it's been confusing. He said he asked why they are changing. He said he lives in the area; adjacent to the property. He wants clarification prior to the vote.

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

Mr. Edwards said that document that was not part of the staff report has been presented to the clerks to be available for the public.

Commissioner Horan asked that if amount of acreage in current categories will be replicated. Mr. Bronczyk said it's a complete even swap and both designations already exist.

Mr. Lloyd showed a map to help with clarification.

**MOTION: Commissioner Chesney moved that, after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission adopt the resolution contained at Exhibit A of the staff report to amend the Master Plan as set forth in Master Plan Amendment Case Number WMPA18-0005 having made the following five findings in accordance with Washoe County Code Section 110.820.15(d). He further moved to certify the resolution and the proposed Master Plan Amendment in WMPA18-0005 as set forth in this staff report for submission to the Washoe County Board of County Commissioners and authorize the chair to sign the resolution on behalf of the Planning Commission.**

**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.

And,

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 recommend adoption of the proposed Regulatory Zone Amendment having made all of the following findings in accordance with Washoe County Code Section 110.821.15. He further moved to certify the resolution and the proposed Regulatory Zone Amendments in WRZA18-0005 as set forth in this staff report for submission to the Washoe County Board of County Commissioners and authorize the chair to sign the resolution on behalf of the Planning Commission.

- 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.**

**Commissioner Donshick seconded the motions, which passed unanimously with a vote of seven for, none against.**

Commissioner Horan said he wanted to confirm for the record that acreage amounts don't change as discussed earlier.

## **9. Planning Items**

- A. For possible action, discussion and adoption, pursuant to NRS 278.050(2), of the proposed revised Rules, Policies and Procedures (RPPs) for the Planning Commission to clarify (1) when, if ever, meetings may be canceled (e.g., when there are no substantive items of business to discuss or act upon), and (2) if cancellations are to occur, which procedures must be followed.

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Trevor Lloyd, Washoe County Planning Manager, provided a staff presentation.

Chair Chvilicek asked if it's a public hearing item. Mr. Edwards said it's not a public hearing. It's for action, with opportunity for public comment.

Commissioner Bruce said he requested a number of items be provided to the Commissioners. The only thing close to what was requested is the copies of the rules, policies, and procedures. He said he has others to show, if the Commissioners desire. He said he wants to show Mr. Edwards said there is no legal precedent if we can cancel a meeting. He referenced ordinance number 110902.10 parenthetical i, whereas NRS 'shall' imposes duty to act. It's not strictly interpreted. He said attorneys before the act recommend strict interpretation unless you want to go to court.

Chair Chvilicek said what was requested was an interpretation. We are not taking new or different action than any other commission or council. The BCC regularly cancel meetings. She said we cannot hold a meeting just to hold a meeting. It would be government waste. Commissioner Bruce said he disagreed. A meeting can be rescheduled with provisions to reschedule on a regular basis going forward. He said there is a duty to act, to hold at least one meeting a month, to make an effort. He said after a skipped meeting, the subsequent meeting had a packed full agenda, the day prior to the Independence Day holiday.

Mr. Edwards said he wrote extensive legal analysis in the staff report as well as discussion regarding this item. He said there is a personal tone to the way the legal analysis was addressed in the discussion tonight. He said he isn't pro or against meeting cancellation. He said he doesn't have the power to cancel. He said he has been asked to provide a legal opinion. He said he has practiced with the County for 17 of his 20 years of experience with these types of matters. He said the definition of 0 chapter of NRS is a universally followed statutory. He said in his opinion, the provision in development code don't divert from NRS. Provisions of code are built around NRS that is the guiding principle. He said he provided two different manners of viewing this term, how it's interpreted, and experience on how it's been handled with a dozen

other boards over the years. He said he provided background. He said the board can work into the RPPs about cancelling meetings and hosting a meeting each month.

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

Commissioner Horan said with all due respect for Commissioner Bruce, he supports option A. He said if we have no business, we shouldn't hold a meeting. He said it would be difficult to change the current schedule.

Chair Chvilicek said she respects Commissioner Bruce's opinion. She said she serves on a number of boards, and is cognizant of public input and keeping the schedule for the public to know when the meetings are held and not to waste public dollars by convening a meeting just to convene a meeting.

Commissioner Lawson said he was concerned with the cancellation of the June meeting and then faced a large agenda in July. He said he is concerned with cancellation of meetings. He said he respects Commissioner Bruce's opinion. He said he doesn't like the options before us. He said he doesn't necessarily trust the chair to make that decision to cancel a meeting. He said he trusts the current chair, but what about future chairs. He said it was legal and appropriate, but he didn't like it but accepted it. He said he is willing to support any or no motions.

Chair Chvilicek said it's a staff and chair's responsibility to cancel a meeting.

Commissioner Chesney said we need the ability to host two meetings; the July meeting was ridiculous. Some of the agenda items are controversial with long public comment periods. He said we need to look at that in advance. Chair Chvilicek said we have that ability.

Commissioner Bruce said he agrees with the option to have two meetings. He said his issue is cancelling the only meeting of the month. He said he had a proposed amendment to rules, policy, and procedures that addresses not cancelling but rescheduling.

**MOTION: Commissioner Horan moved to adopt the Planning Commission's revised Rules, Policies and Procedures as shown in Exhibit A. Commissioner Donshick seconded the motion, which passed with a vote of six for, one against. Commissioner Bruce was opposed.**

Commissioner Horan said it was a healthy discussion. He said he sits on other boards, and too much structure is not efficient. This allows us to do business of the people on a good use of time.

## **10. Chair and Commission Items**

### **\*A. Future agenda items –**

Chair Chvilicek said she met with Commissioner Berkbigler on joint meetings with the BCC and Planning Commission to improve communication. She said for future possible topics, she appreciates any feedback at the next meeting.

### **\*B. Requests for information from staff –**

Chair Chvilicek asked for information about containers.

Commissioner Chesney said he wants clarification on takings. Mr. Edwards said he can send an email with a summary and explained the different types of takings.

Commissioner Chesney said he wants more information regarding the County Commission meeting regarding cargo containers discussed in October, 2016. People are being tagged by Code Enforcement.

Commissioner Lawson requested a staff presentation regarding the process on technical reports for tentative map applications. He asked when an application makes a claim and study has been done, how staff handles it based on science in those reports. He wants to know if there can be improvements to the process. Chair Chvilicek said she has requested workshops for this Commission to work with planning staff to understand those types of things and help us improve.

#### **11. Director's and Legal Counsel's Items**

##### **\*A. Report on previous Planning Commission items –**

Mr. Lloyd said we would like to schedule different topics of discussion for that meeting.

Mr. Lloyd said an item was heard before this Joint meeting two months ago, and then was heard before the Joint County Commission and City Council. Two items were heard. One was regarding the United Federal Credit Union request for master plan amendment. It was unanimously approved. And for the second item, Echeverria, the joint BCC and City Council agreed to remove it from the joint plan, and it went through.

##### **\*B Legal information and updates –**

Mr. Edwards said a few months ago at a meeting, there was an item about subdivision in Lemmon Valley with a lot of public comment. Danny Cleous filed an open meeting law complaint against the Planning Commission for a glitch with the timer during the public comment. The Attorney General's Office found there were no violations.

#### **12. \*General Public Comment**

Katherine Snediger said she said she is tired of Washoe County and code enforcement coming out to Palomino Valley to issue zoning violations. She said we are not a residential area. This board tricked us. Staff tricked us. Zoning was changed back to agriculture and it was taken away. Containers wouldn't be an issue. She said we were renamed from GR to GRA. She said we worked for 3 years to get zoning back which was taken away by staff. There were no administrative steps. Bob Webb came out and announced it. Now we have residential regulations. We have 40 acres. She said she is tired of our property rights being taken away. She said we get no services from the County. She said they took away the volunteer fire fighters. She said we get a lot of harassment. She said the board doesn't know what it's like to live in Palomino Valley.

Derrick Perkins said the board doesn't live in rural agricultural areas. He said we are getting fined for trying to make a better life. He said he paid for taxes, container, and permits. He said they are working hard every day to make life better for their families, but is being fined \$100 a day.

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

#### **13. Adjournment – The meeting adjourned at 8:29 p.m.**

Respectfully submitted,



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Katy Stark, Recording Secretary

Approved by Commission in session on September 4, 2018.



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Trevor Lloyd  
Secretary to the Planning Commission