



WASHOE COUNTY PLANNING COMMISSION DRAFT Meeting Minutes

Planning Commission Members

Sarah Chvilicek, Vice Chair
Francine Donshick, Chair
R. Michael Flick
Daniel Lazzareschi
Kate S. Nelson
Rob Pierce
Patricia Phillips
Secretary
Trevor Lloyd

Tuesday, April 4, 2023
6:00 p.m.

Washoe County Administrative Complex
Commission Chambers
1001 E 9th Street, Building A
Reno, Nevada 89512

and available via
Zoom Webinar

The Washoe County Planning Commission met in a scheduled session on Tuesday, April 4, 2023, in the Washoe County Commission Chambers, 1001 East Ninth Street, Reno, Nevada and via Zoom teleconference.

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

1. *Determination of Quorum

Chair Donshick called the meeting to order at 6:00 p.m. The following Commissioners and staff were present:

Commissioners present: Sarah Chvilicek, Vice Chair
Francine Donshick, Chair
R. Michael Flick
Daniel Lazzareschi
Kate S. Nelson
Rob Pierce
Pat Phillips

Commissioners absent:

Staff present: Trevor Lloyd, Secretary, Planning and Building
Julee Olander, Planner, Planning and Building
Katherine Oakley, Planner, Planning and Building
Roger Pelham, MPA, Senior Planner, Planning and Building
Jennifer Gustafson, Deputy District Attorney, District Attorney's Office
Adriana Albarran, Office Support Specialist, Planning and Building
Brandon Roman, Recording Secretary, Planning and Building

2. Pledge of Allegiance

Commissioner Pierce led the pledge to the flag.

3. Ethics Law Announcement

Deputy District Attorney Gustafson provided the ethics procedure for disclosures.

4. Appeal Procedure

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

5. General Public Comment and Discussion Thereof

Chair Donshick opened the Public Comment period.

Public Comment:

None

6. Approval of April 4, 2023 Agenda

Commissioner Nelson moved to approve the agenda for the April 4, 2023 meeting as written. Commissioner Pierce seconded the motion, which passed unanimously with a vote of seven for, none against.

7. Approval of March 7, 2023 Draft Minutes

Commissioner Lazzareschi moved to approve the minutes for the March 7, 2023, Planning Commission meeting as written. Commissioner Pierce seconded the motion, which passed unanimously with a vote of seven for, none against.

8. Public Hearings

A. Development Code Amendment Case Number WDCA22-0004 (Development Code Cleanup and Maintenance) [For possible action] - For hearing, discussion and possible action to initiate a Development Code Amendment and approve a resolution recommending adoption of an ordinance amending the Washoe County Code at Chapter 110 (Development Code) within Article 302 Allowed Uses, Article 304 Use Classification System, Article 406 Building Placement Standards, and Article 902 Definitions to:

- Provide clarity on single-family accessory uses;
- Allow Child Care, Family Daycare use type within the General Rural and Neighborhood Commercial regulatory zones;
- Allow Large-Family Daycare use type with an Administrative Permit instead of a Special Use Permit in the Neighborhood Commercial Regulatory Zone;
- Allow Personal Services use type within the Industrial and Public and Semi-Public Facilities regulatory zones;
- Include information technology services within the definition of the Administrative Offices use type;
- Include contractors' office with or without an equipment yard as an example of the Construction Sales and Services use type;
- Create a definition for "security fence" and provide standards for allowing security fencing on parcels of land that do not have an established main use;

- Allow for tall specialty fencing for uses such as ballparks and sports fields; and
- Place Communication Facilities in the "Civic" rather than the "Commercial" use table.

If the proposed amendments are initiated, the Planning Commission may recommend to the Board of County Commissioners approval of the proposed ordinance as submitted, may recommend approval with modifications based on input and discussion at the public hearing, or may deny the proposed amendment. If approval is recommended, the Planning Commission is asked to authorize the Chair to sign a resolution to that effect.

- Applicant: Washoe County
- Location: County-wide, except for the Tahoe Area Plan
- Regulatory Zone: All Regulatory Zones
- Area Plan: All Area Plans
- Development Code: Authorized in Article 818, Amendment of Development Code
- Staff: Roger Pelham, Senior Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3622
- E-mail: rpelham@washoecounty.gov

Sr. Planner Roger Pelham provided a presentation.

Public Comment:

None

Discussion by Commission:

Commissioner Pierce had a question about the security fences; He noted that the report didn't say how tall they can be.

Sr. Planner Pelham responded by saying the fence had to be on the property line and it was limited to the height as allowed in the regulatory zone. He elaborated by saying if it was residential, it would be six feet. Commercial or Industrial, could be eight feet. The allowable height of a security fence is defined in Washoe County code 110.406.50 which is determined by the regulatory zone.

Secretary Lloyd said that the front yard setback was limited to four and a half feet.

Commissioner Phillips asked about the wording and it going into rural zoning. She had seen where contractors did have an office at their home, and there were numerous vehicles all the time in and out and asked if there was any kind of control.

Sr. Planner Pelham replied yes, there was and that was not the kind of contractor's office they were talking about. If they were doing that out of their home, that was a home-based business. If he had a bunch of trucks and trailers and employees coming in, then he would say it was very likely going to be a violation to start with, because that would be a home-based business license. He further explained they were talking about a Commercial use type that was going to be primarily in a Commercial or Industrial zone.

Commissioner Pierce asked Sr. Planner Pelham that a couple of minutes ago, he thought Sr. Planner Pelham said it was primarily Residential and asked for clarification if it was now Commercial.

Sr. Planner Pelham replied that it was a different area. A different part was Commercial.

Commissioner Pierce stated he had seen a lot of temporary and fencing. He asked if this would solve that issue and for clarity on what the idea was going forward.

Sr. Planner Pelham said he didn't know what it would be solving in terms of a temporary fencing. Temporary fences were typically done for things like ongoing construction sites while building permits were issued in that sort of temporary situation. This was for a parcel of land that is currently undeveloped, and they had no intention of developing at that time and have the problem of unauthorized access.

Commissioner Phillips had a follow-up question. She continued by saying the first page that describes the case description was the only one that did not describe the contractor's office and in what zone.

Sr. Planner Pelham said the reason for that was the zones in which it is allowed are not changing. They were simply creating greater specificity for the use itself for the definition of use type. If they were to go look at Article 302, where Planning has the table and where each of those uses was allowed, it was all going to stay exactly the same. The only thing that Planning was doing was for that particular use type. They were adding those words just to make it clear. That was where that Commercial use type belongs.

Secretary Lloyd said according to the table 302 that use type was only allowed in an Industrial by right, and it required a Special Use Permit in Commercial. Those were the only two regulatory zones where it was allowed.

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

MOTION: Commissioner Chvilicek moved that after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Washoe County Planning Commission initiate amendments to the Washoe County Development Code and recommend approval of WDCA 22-0004 to adopt an ordinance amending the Washoe County Code Chapter 110 with Articles 302 Allow use; Article 304 Use Classification System; Article 406 (not Article 460) Building Placement Standards and Article 902 definitions as described in the staff report for that matter. She further moved to authorize the Chair to sign the Resolution contained in Exhibit A to that effect and to direct staff to present a report of this Commission's recommendation to the Washoe County Board of Commissioners within 60 days of the current date. This recommendation for approval was based on all four findings set forth in the Washoe County Code Section 110.818.15.(e)

DA Gustafson said she would recommend that they included in the motion a fix for what Sr. Planner Pelham had mentioned about the code. There was a mistake in the ordinance as well. Mr. Pelham said the reference being to article 406, not 460. Commissioner Chvilick said he motion included the correction to the article.

Commissioner Nelson seconded the motion, which passed unanimously with a vote of seven for, none against.

B. Master Plan Amendment Case Number WMPA23-0001 and Regulatory Zone Amendment Case Number WRZA23-0001 (Village Green Commerce Center Specific Plan) [For possible action] – For hearing, discussion, and possible action to:

- (1) Adopt amendments to the Spanish Springs Area Plan, which is a component of the Washoe County Master Plan, to change the Master Plan Land Use Designation for three parcels (APNs: 534-561-01, 534-561-04 & 534-561-05) from Commercial (C) to Industrial (I);
- (2) Adopt an amendment to the Washoe County Master Plan, Spanish Springs Area Plan, Appendix D - Village Green Commerce Center Specific Plan to add three parcels (APNs: 534-561-01, 534-561-04 & 534-561-05) to the Specific Plan;
- (3) Adopt amendments to the Washoe County Master Plan, Spanish Springs Area Plan, Appendix D - Village Green Commerce Center Specific Plan, to include the following:
 - a. Update maps to include the three new parcels and update acreage; and
 - b. Add a building setback of 150 feet from Pyramid Highway.

And if approved, authorize the Chair to sign a resolution to this effect. Any approval would be subject to further approval by the Washoe County Board of County Commissioners and a finding of conformance with the Truckee Meadows Regional Plan by the regional planning authorities.

AND

- (4) Subject to final approval of the associated Master Plan Amendment and a finding of conformance with the Truckee Meadows Regional Plan, recommend adoption of an amendment to the Spanish Springs Regulatory Zone Map, to change the regulatory zoning for three parcels (APNs: 534-561-01, 534-561-04 & 534-561-05) from Neighborhood Commercial (NC) to Industrial (I) and; if approved, authorize the Chair to sign a resolution to this effect.

- Applicant: IGR Realty Advisors, LLC
- Property Owner: STN Rockwell Group
- Location: Off of Rockwell Blvd., east of Pyramid Highway and south of Calle de la Plata
- APN: 534-561-01, 534-561-04 & 534-561-05
- Parcel Size: 3.056, 3.055 & 12.843 acres
- Existing Master Plan: Commercial (C)
- Proposed Master Plan: Industrial (I)
- Existing Regulatory Zone: Neighborhood Commercial (NC)
- Proposed Regulatory Zone: Industrial (I)
- Area Plan: Spanish Springs
- Development Code: Authorized in Article 820, Amendment of Master Plan & Article 821, Amendment of Regulatory Zone
- Commission District: 4
- Staff: Julee Olander, Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3627
- E-mail: jolander@washoecounty.gov

Planner Julee Olander provided a presentation. Representative Mike Railey and Rex Massie provided a presentation.

Public Comment:

Thor Simmons said, "I don't need to point it out because you saw it on the map. My general idea is that within a five-mile radius, we have at least five builders building 12 residential communities. This growing residential area doesn't need conversion of commercial property, which could service the growing residential area. It should remain commercial. I refer you to the Truckee Meadows Regional Plan on page 40, paragraph five, lists how you guys should evaluate decisions, and you should effectively achieve the desired outcomes specified. Then on page 41, they give those goals one through six, number one being quality of life and number six, engagement and decision making. Last month, you had your own person here, under the Envision Washoe County 2040, who gave you an idea of what the residents of Spanish Springs want. He told you that we have those smaller properties that don't count as rural, because they're not those big 20-30-40 acre properties. They're 1/3 to one-acre properties, and some have a horse. You were asking how they get the outreach to the community. He explained how he did the outreach and told you about the overwhelming demand or desire of the people of Spanish Springs; even though they don't technically live in the rural community, they want to lead a rural lifestyle. He didn't explain what the rural lifestyle was. I made a comment on that; how do you make a decision like this one without knowing what that rural lifestyle is that people want? Just use the Truckee Meadows Regional Plan if you look at what people want in that rural lifestyle. That goes with one and six and is against turning that commercial property into an industrial one. It should remain a commercial property for things like restaurants and stores. I would love to see a Chick-Fil-A franchise or \$1 store there. This is a growing residential community, which doesn't even include my project protections for the developers. The apartment complex is going in just north of the 24-hour ER that was just opened. A 24-hour-a-day emergency room just opened because the residential area that is growing so fast needs those types of services. I'm personally against it. If you use your common sense and go with the Truckee Meadows Regional Plan, that will guide you to say no to this proposed change in zoning."

Christie Simmons said, "I agree with 100%. I'm a librarian at Lincoln Park Elementary. We lived in Spanish Springs now for four years, I really enjoy the Reno area. I enjoy our new homes. But one of the things is that they did not provide any open space, parks, tennis courts, or swimming pools. I have to drive 10 miles down to Prater to play tennis. I have to drive way over the hill to get to a local swimming pool. This area has a lot of young people, a lot of young families; I would say we are probably the oldest ones there right now. It would be fantastic if the County or the City of Sparks considered purchasing it and turning it into a community center. A place where you could have a pool, you could teach lifeguarding, swim school, CPR, a small park, a dog run, a small snack bar, and a community center. It would be something where that the whole community would benefit from. I can't even use the tennis courts up at the high school during COVID. They lock them up. This is a huge family residential area that has really no place to play. It's unfortunate because it's close by; it's accessible now because you've added the new streetlights that slow down the mass traffic that goes way out to Pyramid. Now that's been a huge safety factor. That's been improved and added. It's very important. Again, we just don't have anything close by that would benefit the entire community, young and old, a community center for older people, a daycare area for preschool type for all these families, that really need something that would support that area. Thank you."

Dan Herman said "I've lived close to this proposed development here for 27 years on a 10-acre parcel. I have some concerns. My main one is the citizens at the neighborhood meeting, which is the new way to inform the citizens, which isn't working by the way; none of the four items: traffic, water, and building height, were addressed by the developer. That is why we had the neighborhood meetings so the developer could address those to the citizens before they do an application. I didn't see anywhere in their applications where

those four items were addressed. It was just blank spaces in the application response from the developer. I think we can do better. Also, I went to the December 19, 2023, neighborhood meeting. I'm astounded that they're adding these parcels to the Spanish Springs Specific Plan. I don't know where that came from. I'm not sure that adding this to an existing specific plan is illegal. Maybe you guys can do it. I think somebody ought to take a look at that. Mike Riley, I'll give him credit. I asked him the question, "Is 150 feet setback from the buildings, is that from the right away, or is that from the existing highway?". That road is going to go for two more lanes to be a four-lane road in the future, The right-of-way is east to the existing Pyramid Highway, so they're going to go east to where they are to two lanes. I'm glad Mike clarified that. I would like to see that in writing in the plan. My main concern is building height. These parcels are already elevated from three to five feet above the existing Pyramid Highway and that material was taken out of the detention basin when they made that. All that fill was put in these parcels. So those parcels are already sticking up another three to five feet above the existing elevation of Pyramid Highway and Calle Del Plata. I think the building height needs to be less than they are requesting. Again, I need better developer feedback when we do these neighborhood meetings."

Discussion by Commission:

Commissioner Chvilicek asked for the maps to be displayed again. She asked if between the big swatch of the open space and the small industrial section that was currently there, if that was to the west.

Planner Olander replied east.

Commissioner Chvilicek asked if that was already zoned Industrial.

Planner Olander replied that was correct. Planner Olander apologized and said when those maps were made, the Regional had not been approved. As Commissioner Chvilicek read above, that gray was still yellow. That was residential. That had changed. These were the maps I took from the staff report. However, those maps had been updated since Regional approved that parcel with the house. That had now gone Industrial. It was one solid piece. The three parcels they were talking about that day, then the two parcels to the right, were where the water detention was. That was still part of the specific plan, though and the three parcels further that were included in the black line were all Industrial now.

Commissioner Chvilicek asked if the big open space next to the newly proposed Industrial areas was the detention basin?

Planner Olander said that was correct.

Commissioner Chvilicek asked how if it was going to be mitigated for runoff. She knew it was a detention basin, but as construction was happening, how were they going to maintain the integrity of that detention space and open space.

Planner Olander said that wouldn't change; that would remain the same. If the amendments were approved, the three new parcels would not be able to impact the existing detention area.

Commissioner Chvilicek said she really appreciated Planner Olander giving the Commissioners the full background. The Commission had seen the project so many times

and its first iteration was Residential. She asked if this was the last time the Commission would hear about this case.

Planner Olander said Mr. Railey and she had spoken about it up to that point; there was very little left in the Spanish Springs Area Plan that had a limited amount of Commercial/Industrial. Planner Olander was not sure where that would go with the new update to the Master Plan, the Envision Washoe 2040. However, currently, there was very little left. She didn't believe that they needed any more Industrial. As people pointed out, they needed some areas that can be developed for grocery stores or restaurants. So that Neighborhood Commercial had six acres allowed to be maintained. It was right on the corner and there was property to the north that was also Neighborhood Commercial. So on the corner of Calle De La Plata and Pyramid, was an area that can be developed for Commercial uses. Planner Olander was hoping that there were no more changes to Village Green.

Commissioner Chvilicek stated that regional staff mentioned that the Commission would see it again.

Commissioner Phillips said she was looking back at how many times Village Green had come before the Commission. It seemed like there were little steps taken that led up to something bigger. She asked if this was really what they wanted.

Planner Olander said she wasn't sure if staff would support any more going Industrial because they wanted to maintain some Commercial out there for the residents. She didn't see an area where they would need to go Industrial. So she said yes, it is what they wanted and she wanted to make it clear that the changes made to Village Green happened originally when there was a master developer. He was going to develop all three parcels because two were for detention. However, that master developer, during the downturn, lost those parcels. What happened was, those parcels got sold off to individual people. As those individual people decided to start developing them, they realized the Village Green plan had some constraints. Basically, what they had seen is each one of those parcels, the property owner came back in and had to amend Village Green for it to work for them. The original plan was set up to work with the master developer, but it wouldn't work for individual property owners. That's what they currently had out there: individual property owners.

Commissioner Flick said he was a little confused. They were talking about Industrial, and then about Commercial. It was mentioned that there was an existing Commercial. He asked if that was part of the project.

Planner Olander said no, the existing Commercial was separate and not involved in the discussion.

Commissioner Flick asked if the State was granting access to the property from Pyramid Way.

Planner Olander said the applicant was in discussions about that issue. Pyramid Way was under NDOT's jurisdiction.

Mike Railey, the applicant representative, said he had met with NDOT. He met the access standards for separation for potentially up to two access points. Those would be right in, right out only. That was why the extension from Rockwell to Calle De La Plata to get the left out will be subject to end encroachment permits. So that will be permitted through

NDOT. He would have to do a traffic impact analysis to determine if both would be granted or only one. He did meet access management standards.

Commissioner Flick asked if that was based on Industrial, not Commercial.

Mr. Railey said that was correct. That would be done with a site-specific project, and he would look at exactly what was being proposed to be built. He would have very accurate trip generation rates to determine what improvements he had to do and where those access points would be.

Commissioner Flick asked if there was any timeframe for when a specific project would be brought in.

Mr. Railey said he would like to do it that day. He had a long process ahead of him. He would guess the earliest would be next year before those plans would be developed. The end approval process was another lengthy process in itself.

Commissioner Nelson asked Planner Olander to talk a little more about the wastewater capacity. She said it looked like the City of Sparks and TMWRF are concerned about the amount of capacity that served Spanish Springs.

Planner Olander referred to what the Engineering Department said on page 43. It was Exhibit D and they gave it a lengthy explanation. She was not an engineer. The description was really captured in the letter. Engineering came back with a response and said that the Neighborhood Commercial that it was zoned currently for, it was anticipated the wastewater was to be higher. Planner Olander asked Commissioner Nelson to read that letter and felt it captured how they would move forward. She knew that engineering, Washoe County, and the City of Sparks were in conversation about the wastewater and how to deal with it because as Washoe County continued to grow, there would be some needs at the wastewater treatment plant to accommodate that.

Commissioner Nelson asked if Washoe County was working with the City of Sparks on an interlocal agreement.

Ms. Olander said it was an ongoing conversation regarding a regional treatment center, so all three jurisdictions were involved and Washoe County and Sparks were speaking more about it in that situation. Planner Olander said Mr. Railey just reminded her that with Donovan Ranch that was going north of the Village Green on the other side of Calle De La Plata, the development would also tie into the wastewater treatment plant maintained by the City of Sparks. So it was an ongoing conversation.

Commissioner Lazzareschi asked Mr. Railey if he evaluated the comparative sufficiency of undeveloped lands on Commercial versus Industrial in the area.

Mr. Railey replied yes. First, the area plan itself, caps the amount of Commercial and Industrial that can be within the plan. Both of those caps are bumping right up against them. So there was really not a lot of wiggle room in the plan to increase or decrease. Mr. Massey with Industrial Realty Group was a commercial broker here in town for years and years. The property had been actively marketed for Commercial use for well over 20 years. It had just been determined that the need for that much Commercial, especially with given what they had to the north, all those pieces to the north are also Neighborhood-Commercial and further up at the entrance to Shadow Ridge subdivision. All of that was Commercial as well. There was quite a bit of Commercial further to the north of the project.

If they looked at where the Commercial was developed in northern Sparks, like Kylie Ranch and Stonebrook, it made more sense, just from a spacing perspective that the new Commercial would go out a little bit further to the north. The area plan caps itself. So under Washoe policy, there was not a lot of wiggle room, either way.

Commissioner Lazzareschi asked about the retention basin's pre-existing stormwater control capacity. He asked if the change in zoning from Commercial to Industrial would impact the runoff calculation in the application. He saw that this was adjacent to a stormwater capture.

Mr. Railey said that was a regional facility that was put in as part of the original Master Plan for the area. The Washoe development code would not allow him to increase the runoff from his site over preexisting conditions. So he would have to detain the stormwater. Those calculations didn't change between the Commercial or the Industrial.

Chair Donshick thanked the staff and the presenter. She felt it was an excellent job with a lot of detail, This had come back several times to the Commission, and they had been making adjustments depending on the demographics and how the area had changed.

MOTION: Commissioner Donshick moved that after giving reasoned consideration of the information contained in the staff report, and information received during the public hearing, the Washoe County Planning Commission adopt the Resolution contained as Exhibit A of the staff report to amend the Master Plan as set forth in the Master Plan Amendment case WMPA23-0001, having made at least three of the five findings included in Washoe County 110.820.15 (d), and having found that the amendments were in conformance with Spanish Springs Area Plan policies SS.17.1 and 17.2. She further moved to certify the Resolution and the proposed master amendments in WMPA 23-0001 in the staff report for submission to the Washoe County Board of County Commissioners and authorized the Resolution on behalf of the Planning Commission.

Chair Donshick moved that after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Planning Commission adopt the Resolution included as Exhibit B recommending the adoption of Regulatory Zone Amendment case number WRZA23-0001, having made all the following findings in accordance with Washoe County code section 110.821.15 (d). She further moved to certify the Resolution and the proposed Regulatory Zone Amendment in WRZA23-0001 as set forth in the staff report for submission to Washoe County Board of County Commissioners and authorize the Chair to sign the Resolution on behalf of the Washoe County Planning Commission.

Commissioner Chvilicek seconded the motion which passed in favor with a vote of five for, 2 against. Commissioners Phillips and Pierce voted nay.

C. Master Plan Amendment Case Number WMPA23-0002 and Regulatory Zone Amendment Case Number WRZA23-0002 (6755 Franktown Road) [For possible action]

– For hearing, discussion, and possible action to:

- (1) Approve an amendment to the South Valleys Area Plan, a component of the Washoe County Master Plan, to redesignate 2.9 acres of a 53.8-acre parcel from Rural (R) to Rural Residential (RR) and to redesignate 2.9 acres of the same parcel from Rural Residential (RR) to Rural (R); and

(2) Recommend adoption of an amendment to the South Valleys Regulatory Zone Map, to redesignate 2.9 acres of a 53.8-acre parcel from General Rural (GR) to Medium Density Rural (MDR), to redesignate 2.9 acres of the same parcel from Medium Density Rural (MDR) to General Rural (GR), and to redesignate 6.3 acres of the same parcel from General Rural (GR) to Open Space (OS). The Regulatory Zone Amendment is subject to final approval by the Board of County Commissioners of the associated Master Plan Amendment and a finding of conformance with the Truckee Meadows Regional Plan by regional planning authorities.

(3) And, if approved, authorize the Chair to sign resolutions to this effect.

- Applicant/Owner: Rosehaven Properties LLC
- Location: 6755 Franktown Rd
- APN: 055-200-98
- Parcel Size: 53.8 acres
- Existing Master Plan: Rural (R) and Rural Residential (RR)
- Proposed Master Plan: Rural (R) and Rural Residential (RR)
- Existing Regulatory Zone: General Rural (GR) and Medium Density Rural (MDR)
- Proposed Regulatory Zone: General Rural (GR), Medium Density Rural (MDR), and Open Space (OS)

- Area Plan: South Valleys (SV)
- Development Code: Authorized in Article 820, Amendment of Master Plan & Article 821, Amendment of Regulatory Zone

- Staff: Kat Oakley, Planner
Washoe County Community Services Department
Planning and Building

- Phone: 775.328.3628
- E-mail: koakley@washoecounty.gov

Planner Kat Oakley provided a presentation. Representative Mike Railey provided a presentation.

Public Comment:

None

Discussion by Commission:

Commissioner Flick asked Mr. Railey if the larger parcel could be split.

Mr. Railey answered yes and went on to say the existing parcel could be split into 4.8 units. This would take it to 4.1. One of which would be the new parcel that was created. So in theory, an additional three parcels could be divided in the future, but that potential existed now. So it didn't change what existed today.

Commissioner Phillips asked if there was a building up at the top of the western boundary.

Mr. Railey replied yes, the barn. There was a barn that was well over 100 years old, that would be retained as a permitted agricultural building.

Commissioner Lazzareschi asked if a Forest Service road came to the parcel.

Mr. Railey said no, He knew the road Commissioner Lazzareschi was talking about but it wasn't in the parcel. There were no easements for forest service roads. There was a Forest Service road leaving to the South.

MOTION: Commissioner Chvilicek moved that after giving reasoned consideration to the information contained in the staff report and the information received during the public hearing, the Washoe County Planning Commission to adopt the Resolution contained in Exhibit A of the staff report to amend the Master Plan as set forth in the Master Plan Amendment case number WMPA23-0002 having made at least three of the five findings included the Washoe County code section 110.280.15 (d) and having found that the amendments were in conformance with the South Valley's Area Plan policy, SV 29.1 and SV 29.3. She further moved to certify the Resolution and propose the Master Plan Amendment in WMPA23-0002 as set forth in the 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.

Commissioner Chvilicek further moved that after giving reasoned consideration to the information contained in the staff report and information received during the public hearing, the Planning Commission adopt the Resolution included as Exhibit B recommending the adoption of a Regulatory Zone Amendment case number WRZA23-0002, having made all findings included the Washoe County code section 110.821.15 (d). She further moved to certify the Resolution and the proposed Regulatory Zone Amendment in WRZA23-0002, that was set forth in the staff report for submission to the Washoe County Board of Commissioners and authorize the Chair to sign the Resolution on behalf of the Washoe County Planning Commission.

Commissioner Pierce seconded the motion, which passed unanimously with a vote of seven for, none against.

D. Regulatory Zone Amendment Case Number WRZA23-0004 (Bellhaven) [For possible action] – For hearing, discussion and possible action to approve a Regulatory Zone Amendment to change the regulatory zoning on one ±89.8 acre parcel of land from ±54.78 acres of Medium Density Rural (MDR – 0.2 units per acre; 61% of parcel), ±1.8 acres of High Density Rural (HDR – 0.4 units per acre; 2% of parcel) and ±33.22 acres of General Rural (GR – 1 unit per 40 acres; 37% of parcel) to ±41.28 acres of High Density Rural (46% of parcel), ±21.56 acres of Low Density Rural (LDR – 0.1 units per acre; 24% of parcel) and ±26.96 acres of Open Space (OS) (30% of parcel); and if approved, authorize the Chair to sign a resolution to this effect.

- Applicant/Property Owner: ARJ Properties LLC
- Location: 9000 Bellhaven Road
- APN: 041-140-23
- Parcel Size: ±89.8 acres
- Master Plan: Rural Residential (RR)
- Regulatory Zone: Density Rural (MDR – 0.2 units per acre), 2%(±1.80 acres) High Density Rural (HDR – 0.4 units per acre), & 37% (±33.22 acres) General Rural (GR)
- Proposed Regulatory Zone: 24% (±21.56 acres) Low Density Rural (LDR – 0.1 units per acre), 46% (±41.28 acres) High Density Rural (HDR – 0.4 units per acre), & 30% (±26.96 acres) Open Space (OS)

- Area Plan: Southwest Truckee Meadows
- Development Code: Authorized in Article 821, Amendment of Regulatory Zone
- Commission District: 2 – Commissioner Clark
- Staff: Julee Olander, Planner
Washoe County Community Services Department
Planning and Building
- Phone: 775.328.3627
- E-mail: jolander@washoecounty.gov

Planner Julee Olander provided a Staff report presentation. The applicant representatives, Michael Smith and Brandon Freeman were available via zoom.

Public Comment:

None

Discussion by Commission:

Commissioner Phillips asked if there were any other high-density units in that neighborhood. She said she went up there for the first time that day to look at the layout. They had Bellehaven Road there, but there was no trespassing. All areas around it were no trespassing. She asked if there was any hiking trails. She knew there was one that went to a BLM access.

Planner Olander said she sent that out to the Parks Department and they have indicated that there was no real access from that property to any trailheads or BLM property.

Chair Donshick asked for clarification, about the whole area of private property and if it changed just within a private property.

Ms. Olander replied that as the development moved forward, they had to make improvements to Bellhaven, and she believed it was noticed as no trespassing by the current property owner.

Commissioner Lazzareschi stated that the Washoe County Community Services comment referred to the County District Health regulations, that would require a five-acre minimum lot size to have a septic system and domestic well. He supposed that would be, in theory, a matter for the parcel re-map, not for the rezoning, but was that something that was considered and asked if it was to be a two and a half acre minimum instead of five.

Planner Olander responded as the development moved forward, it wouldn't come into play.

Commissioner Lazzareschi asked if they were up-zoning to allow for two-and-a-half-acre parcels, per that rule, if they intended to proceed with just private wells and septic systems, would the parcel minimums still be five acres.

Planner Olander answered by saying she was looking at the health comment again. She thought that they didn't object to that.

Commissioner Lazzareschi read the Health Department's comments on page 30.

Secretary Lloyd said that would be a requirement when they came in for some development at a future date. Typically, the rule is five-acre minimums on septic, except that they allowed for the first parcel split to be smaller than five acres. If anything more than that, they had to meet that five-acre minimum or connect to a municipal sewer service.

Planner Olander said there had been a discussion about sewer service out there; as some of them knew, there was a parcel development to the north of that one. So there had been some comments about developing areas and the possible need for sewer service out there. She was not sure if that was a reality, but there had been a conversation about that.

Commissioner Lazzareschi said being required to buy and relinquish water rights sufficient to serve additional houses didn't necessarily put the water in the ground. He asked if there was any rule or process that required the water rights to be relinquished if it had some proximity or logic to the location of the water use.

Planner Olander said she spoke specifically to Engineering about the water rights and what would be required. That was managed through the State of Nevada. She didn't have oversight on that and how it would go forward. Her understanding was they looked at the existing wells being served out there and the availability of water. So that was taken into their assessment of providing or allowing more wells in the area. However, that was not something that Washoe County had oversight on.

MOTION: Commissioner Lazzareschi moved that after giving reasoned consideration of the information contained in the staff report and information received during the public hearing, the Planning Commission adopted Resolution included as Exhibit A recommending the adoption of the Regulatory Zone Amendment case number WRZA23-0004, having made all the requisite findings and was in accordance with the local case code section 110.821.15 (d) and the Southwest Truckee Meadows Area Plan policy SW.20.3. He further moved to certify the Resolution and the proposed Regulatory Zone Amendment in WRZA233-0004, as set forth in the staff report, be submitted to the Washoe County Board of Commissioners and authorize the Chair to sign the Resolution on behalf of the Washoe County Planning Commission.

Commissioner Flick seconded the motion, which passed in favor with a vote of six for, one against. Commissioner Phillips voted nay.

9. Chair and Commission Items

A. Future agenda items

None

B. Requests for information from staff

None

10. Director's and Legal Counsel's Items

A. Report on previous Planning Commission items

Update from Secretary Lloyd regarding the Envision Washoe 2040 Master Plan workshops last week. All went well for the most part and attendance was small at first but finished strong. Planners were able to educate citizens about the process.

B. Legal information and updates

None

11. *General Public Comment and Discussion Thereof

None

12. Adjournment

With no further business scheduled before the Planning Commission, the meeting adjourned at 7:36 p.m.

Respectfully submitted by Misty Moga, Independent Contractor.

Approved by Commission in session on April 4, 2023

Trevor Lloyd
Secretary to the Planning Commission