



# REGIONAL PLANNING COMMISSION

**MEMBERS**  
Fred Lokken, Chair  
Jim Newberg, Vice-chair  
Todd Brabbin  
Florence 'Marge' Frandsen  
Kendall Mattina  
Marvin Moss  
Dennis Romeo  
Steve Rogers  
William Weber  
Dave Ziegler, Director

**MINUTES**  
**REGIONAL PLANNING COMMISSION (RPC)**  
**Regular Meeting**  
**Wednesday, June 28, 2006, 6:30 p.m.**

The Regional Planning Commission met in regular session in the Washoe County Commission Chambers, 1001 East Ninth Street, Reno, Nevada and conducted the following business:

The meeting was called to order by Vice-chair Newberg at 6:30 p.m.

## **1. ROLL CALL**

The clerk called the roll and the following Commissioners were present: Jim Newberg; Todd Brabbin, Marge Frandsen, Tom Lean for Fred Lokken, Kendall Mattina, Marvin Moss, Dennis Romeo, Steve Rogers and William Weber.

Also present: Rosanna Coombes, TMRPA; Norman Azevedo, Legal Counsel; Lora Richards, TMRPA; Joy Randall, TMRPA and Paige Menicucci, TMRPA.

## **2. APPROVAL OF AGENDA**

COMMISSIONER ROGERS MADE A MOTION TO APPROVE THE JUNE 28, 2006, RPC AGENDA, SECONDED BY COMMISSIONER MATTINA. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

## **3. PUBLIC COMMENT**

Vice-chair Newberg stated that public comments would be limited to two minutes since there is a lot to cover on the agenda.

Eric Holland stated that he is running for mayor and that the battle over amendments is not over tonight but that the real battle will be sometime in July in front of the Regional Planning Governing Board (RPGGB). He also stated that he has ideas for the people in attendance who are concerned about employment.

Philip Anderson, Chair of Palamino Valley Citizen Advisory Board (CAB), read written comments from Sharon Gustavson regarding opposition to Washoe County imposing regulations on property owners in Warm Springs Valley and requesting full disclosure from Washoe County regarding Truckee Meadows Service Area (TMSA) changes and developments.

Elaine Brooks commented on the contractors who think they will have jobs if growth continues to grow unchecked, but a lot of those people do not hire union workers.

Gary Schmidt spoke about a local television program he will be participating in regarding deficiencies of fire and policing officials in the Andrew Lane fire and stated that he is a candidate for County Commission in District 5.

Susan Seidel expressed concern regarding taxpayers spending money to promote growth and stated that Washoe County is overpopulated.

**4. APPROVAL OF MINUTES**

A. March 22, 2006

COMMISSIONER MOSS MADE A MOTION TO ACCEPT THE MARCH 22, 2006, RPC MINUTES, SECONDED BY COMMISSIONER ROGERS. THE MOTION CARRIED WITH SEVEN (7) IN FAVOR AND TWO (2) ABSTENTIONS BY COMMISSIONERS BRABBIN AND LEAN.

B. April 12, 2006

COMMISSIONER WEBER MADE A MOTION TO ACCEPT THE APRIL 12, 2006, RPC MINUTES, SECONDED BY COMMISSIONER ROGERS. THE MOTION CARRIED WITH SEVEN (7) IN FAVOR AND TWO (2) ABSTENTIONS BY COMMISSIONERS BRABBIN AND LEAN.

C. May 1, 2006

COMMISSIONER ROGERS MADE A MOTION TO ACCEPT THE MAY 1, 2006, RPC MINUTES, SECONDED BY COMMISSIONER WEBER. THE MOTION CARRIED WITH SIX (6) IN FAVOR AND THREE (3) ABSTENTIONS BY COMMISSIONERS BRABBIN, LEAN AND MOSS.

Norm Azevedo, Legal Counsel, stated that Mr. Schmidt pointed out that the agenda states that parties will be given three minutes to make public comments. Mr. Azevedo recommended that the RPC give parties three minutes and stated that Mr. Schmidt has requested and should be given his additional one minute.

Public Comment – Mr. Schmidt stated that he would like to point out the failings of officials and appointed officials and referred to his website.

**5. BUSINESS OF THE DAY**

A. PUBLIC HEARING – Consideration and possible adoption of RPC Resolution 06-06, recommending adoption of proposed amendments to the 2002 Truckee Meadows Regional Plan, including amendments submitted jointly by Reno, Sparks, and Washoe County pursuant to the settlement agreement in the matter of Reno’s annexation program (August 23, 2005), as follows: Amendments to all Regional Plan maps, revising the boundaries of the Truckee Meadows Service Areas (TMSA), the Development Constraints Area (DCA), joint planning areas, cooperative planning areas, and spheres of influence for Reno and Sparks, and adding future service areas; policy amendments regarding the management of the TMSA; policy amendments to provide greater flexibility in the size, location and intensity of residential and non-residential uses in unincorporated areas within the TMSA; policy amendments establishing a threshold for conversion of future service areas to TMSA; goal and policy amendments regarding public facilities plans and concurrency; policy amendments for natural resource planning; amendments regarding proposed State and federal legislation; and technical

amendments including, without limitation, corrections of typographical errors, formatting changes to text and maps, and map amendments on updated data sets.

Dave Ziegler, Director of Regional Planning, stated that there is a staff report on this item in the meeting packet and that he and the Regional Planning staff will be happy to answer questions. Mr. Ziegler stated that it is important to be very clear on what is being proposed and he read the description in the staff report on what is being proposed.

Mr. Ziegler stated that if the RPC does decide to move forward tonight, Regional Planning staff recommends consideration of folding into these proposed changes one of the ideas from the next agenda item, particularly regarding requests from certain property owners that they not be removed from the TMSA.

Adrian Freund, Washoe County, presented an overall picture of the proposed Regional Plan amendments and provided information specific to Washoe County regarding TMSA boundaries, population growth and population density. Mr. Freund recommended that the TMSA roll-backs proposed in the Cold Springs area not be undertaken pending the completion and community discussion of the Cold Springs Area Plan which is now in draft form. Mr. Freund stated that there are several general rural parcels in the Lemmon Valley area that are in a potential position to be developed in a similar way to the adjoining development and that those should be retained in the TMSA. Mr. Freund stated that all of the open space areas outlined on the maps should be removed from the TMSA. Mr. Freund also suggested that there be no change in the TMSA boundaries in the Pleasant Valley area until the community has had an opportunity to review the South Valleys Area Plan and it is brought back to the RPC for conformance review.

Margaret Powell, City of Sparks, presented a summary of what the proposed amendments do. The settlement agreement created an opportunity for agreement. It also limits jurisdiction shopping on the developers' perspective. It allows for future planning. These proposed amendments identify a threshold and require public services and facilities planning. Ms. Powell stated that she supports the amendments as they have been proposed and thanked Regional Planning staff for their efforts in putting the amendments into the proposed plan.

John Hester, City of Reno, reviewed the proposed policies and provided information specific to the City of Reno regarding TMSA boundaries, population growth and population density. Mr. Hester stated that having a rapid transit system with transit oriented development (TOD) in regional centers is feasible with the densities that have been proposed. Mr. Hester recommended that the RPC approve the resolution that has been prepared by Regional Planning staff. Mr. Hester stated that he concurs with what Regional Planning staff has recommended in terms of the roll-backs and thanked staff for their hard work.

Commissioner Rogers asked for clarification regarding Mr. Hester's comments regarding Winnemucca Ranch. Mr. Hester stated that Washoe County asked the City of Reno to direct growth to the north and not the south. Winnemucca Ranch is the next available land for Reno moving north because of public lands constraints.

*[The public hearing was opened.]*

Jim McGill stated that this is a bad set of amendments that will result in leapfrog development and unrestrained growth. Mr. McGill urged the RPC to hold onto these amendments and fold them into the 2007 Regional Plan update process.

Gary Feero expressed concern that if these amendments are amending the 2002 Regional Plan, will they go away with the adoption of the 2007 Regional Plan. He also expressed concern regarding costs and taxes.

Gary Cavalin stated that long-term planning is about the future and asked that the amendments to the Regional Plan be moved forward now.

Fred Turnier stated that he is representing the southern section of Cold Springs and Sunny Hills area that are both part of these amendments and spoke in support of the amendments.

Bob Johnston expressed concern regarding water issues and stated that the amendments will damage the economy of the region and will prevent the region from becoming competitive for tourists.

Arlo Stockham stated that he is representing the project at Winnemucca Ranch and spoke in support of the joint Reno, Sparks, and Washoe County recommendation. The amendments are not pushing annexation and they do not authorize the development of anything. He also expressed support for the infrastructure concurrency package as part of these amendments.

Steve Muchicko spoke in favor of adopting the amendments as presented by Sparks, Reno, and Washoe County.

Ralph Durham spoke in support of the Regional Plan settlement agreement and smart growth.

Bob Marshall spoke in support of the plan and stated that the settlement agreement gives the opportunity for long-range and careful planning.

Pam Dupre spoke about the need to consider tax issues and impacts with this type of planning decision and urged the RPC not to support this resolution.

Bill Thomas stated that he is representing two property owners in Cold Springs and presented information as to why they should be included in the TMSA. He also stated that he supports the Regional Plan amendments.

Buzz Harris spoke in support of the amendments and urged the RPC to support the amendments in order to have some good positive growth in the next 30 to 50 years.

Sondra Hamilton spoke about the need for smarter thinking.

Robin Palmer stated that she is in mourning for the loss of Fred Lokken as Chair of the RPC and for the pending loss of Dave Ziegler as Director of the Regional Planning Agency. She thanked Mr. Ziegler for hearing the concerns of the people of this community.

Lisa Stiller spoke in opposition of the development proposed at Winnemucca Ranch and encouraged the RPC to look at smart growth principles.

Jim Nadeam spoke in support of the amendments.

*[Vice-chair Newberg called a five-minute break at around 8:05 p.m.]*

Amy-Louise Mazza asked the RPC to vote against the amendments and to stay with the 2007 Regional Plan update. She also spoke in opposition to the development of Winnemucca Ranch.

Sandra McGill stated that she is not against growth and planning but is against opening a door to suburban level development in the rural areas and the issues that brings. She asked the RPC not to approve the amendments tonight.

Heather Singer asked questions regarding concerns with the proposed amendments.

Jim McGill spoke regarding Mr. Ziegler and Mr. Lokken and their resignations. He thanked them for all their work.

Tina Nappe expressed concern that this plan is going forward with no public thoughtful process. She stated that what is missing from this is discussion about development that is already approved.

Joan Liscom stated that she is running for County Commissioner in County District 5 and asked if these amendments are pro-developer and if they are being pushed by developers. She also stated that there is no current policy that mandates public safety be protected when planning decisions are made.

Robert Lopes stated that he supports the amendments to the Regional Plan.

Susan Seidel stated that people need to be involved in the development of their areas. She also expressed concern with what is being done at Winnemucca Ranch.

Ross Boomhower expressed support for the Reno, Sparks, and Washoe County amendments and stated that planned and controlled growth is a necessity for our communities.

Craig Smyres expressed concern regarding habitat destruction and spoke in favor of higher density.

Scott Kelly stated that he is running for Reno City Council in Ward 4 and expressed concern regarding annexation included in the amendments. He asked the RPC to post-pone these amendments and stick with the current Regional Plan and the 2007 Regional Plan update.

Eric Holland commented on issues regarding what drives growth, annexation agreement numbers, density, taxes, and concurrency.

John Rhoades stated that his property in the Steamboat Pleasant Valley area is in the existing TMSA. The proposed settlement agreement would exclude some of his parcels from the TMSA. He requested that the RPC follow staff recommendation to modify the map so that the Pleasant Valley property in the blue area is not excluded from the TMSA.

Bob Fulkerson thanked Mr. Ziegler and Mr. Lokken for their service. He spoke about why the record does not support action to recommend approval of these annexation amendments.

Katherine Snedigar expressed concern that property rights are not being protected and stated that these amendments are out of line.

Susan Robbins expressed concern regarding the rush to pass this and asked the RPC to post-pone voting to give the public more time. She stated that there needs to be a proactive effort to bring this information to the CAB meetings and that more education for the public is needed.

Melissa Lindell spoke about what smart planning should include and stated that she supports the proposed amendments.

Madeline Shipman stated that the proposed concurrency amendments are not intended to become effective until July 1, 2007. That is not consistent with the settlement agreement or with what Judge Hardesty stated. She asked why they are not all becoming effective at the same time.

Richard Daly spoke about the need to plan for future growth that is coming and is in support of the Regional Plan amendments. He also turned in over 100 written comment cards in favor of the Regional Plan amendments as proposed.

Vivian Freeman stated that she is a candidate for Reno City Council and that she is disappointed by what has happened with the Regional Plan. She expressed concern that the process seems tainted with politics and seems to be driven by development. She asked that the RPC delay voting. She also expressed disappointment with the RPGB and stated that they have not supported the RPC in their efforts. That was not the intent years ago when we voted to create the governing board.

Vice-chair Newberg read names of those who submitted written comment cards. There were 19 against the amendments and 175 in favor. Commissioner Frandsen and Vice-chair Newberg read 112 more names from additional written comment cards in favor of the amendments.

*[The public hearing was closed.]*

*[Vice-chair Newberg called a recess at around 9:27 p.m.] [The meeting was called back to order at around 9:37 p.m.]*

Commissioner Moss asked the planners from the three entities if any of this information was shared with the Technical Advisory Committee (TAC). Mr. Hester responded that it was.

Commissioner Moss stated that he is not convinced that this is as urgent as it appears to be. The TAC has been meeting since last September and they are representative of the community and the stakeholders in the community. Commissioner Moss stated that this should have been handled in the 2007 update.

Commissioner Brabbin asked Mr. Hester to address the issue of why this is not being handled in the 2007 update process. Mr. Hester responded that there are a number of projects and plan amendments that have been held. The TAC is not going as fast as planned and if this were brought into the TAC process, it would go even slower.

Commissioner Brabbin asked Mr. Hester to explain the controls that are in place to limit the number of people that come here and to limit growth. Mr. Hester responded that there are two ways. One is to write policies to mitigate developments as they come. The other is to determine what the vision is for growth.

Commissioner Lean referred to the public comments that stated the public was not involved in this process and asked Mr. Hester to elaborate on that. Mr. Hester explained the history of the settlement agreement which included how the cities' annexation programs would be prepared. Mr. Hester also explained the history of the issues involved with the City of Reno's annexation program. A lot of the meetings were involved in that process were public. The meetings after the settlement agreement was done were public. Mr. Hester stated that there were some

negotiations involving attorneys and staff that were not public. That is the nature of what happens when something goes to court.

Commissioner Lean asked about a public workshop on these amendments. Mr. Hester responded that there have been four public hearings and a workshop on this since January.

Commissioner Romeo asked how much time and money was spent by each of the three entities in trying to put together a workable plan. Mr. Hester responded that since the 2002 lawsuit, well over 2 million dollars has been spent in staff time among the three entities.

Vice-chair Newberg asked if the amendments will be incorporated in the 2007 Regional Plan. Mr. Hester responded that his understanding as a TAC member is that these amendments will be incorporated in the 2007 Regional Plan.

Vice-chair Newberg asked for confirmation that each project will come before the appropriate entity so that the natural resources and consistency of infrastructure will be addressed and if water is not there, nothing goes forward. Mr. Hester responded sure and stated that once land is added to the TMSA a land use plan will have to be brought before this body for conformance. Then zoning will have to be consistent with that. Public facility plans will also be required before upzoning.

Commissioner Frandsen referred to the report regarding the March 30 status conference that states that Judge Hardesty indicated that the proposed amendment "should" include concurrency policies. Commissioner Frandsen stated that she recalled that Judge Hardesty said concurrency policies "will" be included. Commissioner Frandsen stated that she is also curious about what the urgency is. Mr. Freund outlined the time frame that they have all been involved in over the past year and a half. Both settlement agreements that have been executed expire on July 1, 2007. Concurrency language was proposed after the March status hearing. Goal 3.5 is the current concurrency language. Mr. Freund stated that the reason the July 1, 2007, language is in the concurrency goal is that we can't forget that we have a requirement in the settlement agreement that all of these facilities plans be developed and adopted and found in conformance with the Regional Plan. The language we have basically says that concurrency will become effective July 1, 2007, or as soon as public facilities plans are found in conformance with the Regional Plan. Mr. Freund stated that the conclusion he draws is that there is a tremendous amount of work to do after the time that these amendments are adopted and it will be hard to get there by July 1, 2007. There is also a great deal of concern about what happens if we don't get there by that time and then the existing settlement agreements laps and go away. What happens with the current agreement we have and the spirit of cooperation that has developed between the three entities over future and long-range planning. Mr. Freund stated that he thinks there is time urgency.

Commissioner Frandsen asked what standard the Regional Planning Agency will use in determining a finding of conformance if there are no standards in the Regional Plan and each of the entities has their own interpretation of concurrency. Mr. Freund responded that you have a set of policies that speak to concurrency and how it occurs. In this case we also had a specific flow diagram in the settlement agreement that has been incorporated in the language you have before you. The reason that there are differences locally is that we each have a different development code and we have to determine at what point in the development process

concurrency kicks in. Mr. Freund explained the difference between a one-map system and a two-map system.

Commissioner Romeo asked for legal opinion regarding the March 8<sup>th</sup> vote and if that vote binds the RPC to anything or if the RPC is able to reconsider. Mr. Azevedo responded stating that the draft resolution in the meeting packet sets forth the applicable standard by which this body is governed. With respect to the March 8<sup>th</sup> vote, that vote occurred, this body took action and the RPGB took action. The intervening lawsuit was filed and the RPGB was constrained and the RPC was not constrained. Mr. Azevedo stated that he asked the judge about future amendments coming forward and if that would constrain this body and the answer was no. The parties who have filed suit against the RPC, the RPGB and the Regional Planning Agency (RPA) are now asking to constrain this body. Mr. Azevedo stated that there has been no decision from the court yet. The March 8<sup>th</sup> vote has no bearing on what action the RPC takes tonight. Mr. Azevedo stated that his advice to the RPC is that the resolution is a good indication of what the standards are for the RPC to follow in addressing these amendments. Mr. Azevedo stated that he had one additional point for the RPC deliberations tonight. The fact that Sparks, Reno, and Washoe County are before the RPC tonight in agreement is a significant point as a matter of law. Mr. Azevedo read NRS 278.0261 subsection 4 which is a legislative statement of intent over what the statutes mean and what the legislature intended with respect to those statutes. The fact that the local governments agree is a significant factor as this agency was created to address regional planning topics when the local governments may or may not agree.

Commissioner Romeo referred to the opinions expressed tonight by the public that there has not been enough public input and asked Mr. Azevedo if the RPC has fulfilled its legal obligations regarding public hearings and workshops as directed by the RPGB. Mr. Azevedo responded that state statute governs this body. The RPC has satisfied the requirement of state statute (NRS 278.0275). Mr. Azevedo went on to explain the different types of amendments. The TAC references are part of the five year update process. This item is an amendment process outside of the five year update process. Mr. Azevedo also stated that the annual amendment process historically has occurred in the later part of August and September. That is when comments are solicited from the local jurisdictions and affected entities and then the annual amendments are processed from that point. Most of the amendments before the RPC tonight have occurred as a result of the settlement agreement included in the meeting packet. Mr. Azevedo stated that Judge Hardesty has indicated that these amendments must be viewed in light of that settlement agreement. If these amendments go forward, they go pursuant to the statute which is the specific exception to the annual amendment cycle and the five year update. The process before the RPC has been discharged with the public hearing and Mr. Azevedo stated that the RPC has gone further than state law would require.

Commissioner Mattina pointed out that this was required by Judge Hardesty. It is a planning tool for the future and does not automatically demand that anything is going to be annexed into the city. Projects still have to come forward and be evaluated. These proposed amendments include concurrency language that we don't have now and they do not promote sprawl. They provide the ability to plan ahead. This is not developer driven; it was driven by the Judge and the settlement agreement. Commissioner Mattina stated that a certain level of growth is needed to maintain a viable economy and that she will vote for the amendments because a planning tool is needed.

Vice-chair Newberg stated that the findings one and two of the resolution on page 140 of the meeting packet have to be made and asked if anyone had anything to add or delete from the recommendation under three. Commissioner Weber requested that the identified properties that are in the TMSA be left in the TMSA.

Commissioner Romeo agreed with Commissioner Mattina and spoke highly of the three planning staffs coming together and putting the time and effort into this process to be proactive and to call for good planning. The plan and the amendments as presented do leave open space and demands that the three entities come up with a workable definition of concurrency by July 1, 2007. Commissioner Romeo stated that he will support these amendments.

Commissioner Lean commented on the cooperation between the three entities and that the amendments are supported by all three governments. With the concurrency requirements in the amendments no development can proceed unless infrastructure is in place concurrent with the impacts of development. These amendments will stop jurisdiction shopping. The amendments will also make the County a full partner in the development process.

Commissioner Brabbin stated that he is in concurrency with Commissioners Mattina, Romeo and Lean and commented on supply and demand with regard to housing availability and pricing. Slower growth creates supply and demand. Commissioner Brabbin spoke in favor of smart planning to support the goal of quality of life. The Winnemucca Ranch project is going to be built. They can build whatever they want out there given their parameters today. Reno and Sparks are not proposing to develop that, they are asking to be included in our planning process and that is fair.

Commissioner Moss stated that the plan is attempting to accommodate growth. Commissioner Moss stated that there are some things that should not be in there. Future Service Areas (FSA) is a new concept we have not dealt with before and it should be turned over to the TAC so that it can be discussed more fully. Commissioner Moss expressed concern with two items that deal with legislation. It is not proper to bind Reno, Sparks, Washoe County and all of us that participate in doing that inside the Regional Plan. It is conceivable that people who originally approved that in the City Councils and the County Commission will no longer be seated there and they may not agree with it. It is more aptly handled by doing a resolution when the time comes supporting the legislation that is being proposed either at the state or federal level. It should not be within the plan itself. Commissioner Moss stated that he is pleased that the Sphere of Influence (SOI) will also be the annexation area. There were restrictions placed on the county in the type of development they can do and Commissioner Moss stated that he is not sure they should be removed without looking at them more clearly in the update process. I would have that section of the plan remain the same with the restrictions but adding a sentence that says that improvement districts are exempt from that requirement. Commissioner Moss stated that he would support the plan but would also like to make those changes.

COMMISSIONER MOSS MADE A MOTION THAT THE TERM FUTURE SERVICE AREA BE DELETED FROM THE AMENDMENTS AND BE REFERRED TO THE UPDATE TAC FOR CONSIDERATION, THAT THE TWO LEGISLATIVE ITEMS BE REMOVED, AND THAT THE CURRENT RESTRICTIONS IN THE COUNTY BE LEFT AS THEY NOW EXIST IN THE PLAN AND ADD THE SENTENCE THAT IMPROVEMENT DISTRICTS

ARE EXEMPT FROM THOSE RESTRICTIONS, SECONDED BY COMMISSIONER MATTINA.

Commissioner Weber asked if that motion includes his earlier comment that the people in the TMSA now remain in the TMSA. Commissioner Moss responded that he did not include that and that it would have to be included by motion.

Commissioner Mattina asked for clarification that the motion has the question of the FSA being relegated to the TAC. Commissioner Moss responded that is correct.

Commissioner Mattina asked if the legislative issues are referred to the TAC as well. Commissioner Moss responded no and that it is an issue that has to be handled by each of the governmental agencies when we get further down the road and there is some legislation proposed.

Commissioner Romeo asked for comment concerning that from planning staffs.

Mr. Hester stated that removing the FSA defeats the purpose for long-term facility planning. Regarding the legislative items, the 2002 Plan had something in there urging Washoe County to move forward with a requirement for an open space bond issue. Mr. Hester stated that he does not see that it hurts anything having that in there. Regarding taking out the County intensity and leaving the exception for the GIDs, it makes a lot more sense for the County to be able to go to higher intensities in some areas.

Commissioner Mattina stated that if the FSA is relegated back to the TAC, it can be brought forward with the approval of the Regional Plan update which would be within a year and asked Mr. Hester if there is something going on right now that would make that a problem. Mr. Hester responded that would be a real issue. Not knowing what the planning area is for six months or a year will make getting the facility plans in place by July 1, 2007, not workable.

Commissioner Moss stated that the concept of the FSA is new and buy-in is needed from the TAC. Mr. Hester stated that as a TAC member he would prefer knowing it is in and not revisiting the issue in the update.

Commissioner Mattina asked Mr. Freund if the restriction mentioned by Commissioner Moss regarding increasing density of development in the County area would be problematic for the North Valleys development. Mr. Freund responded yes and provided a detailed explanation and examples. Taking out that ability puts the County in a far more difficult position than it is in currently and it would enhance jurisdiction shopping.

Commissioner Mattina stated that she will not support the motion. It is critical that we have long-term range as far as infrastructure planning goes and it is important that the County is able to intensify in certain areas.

THE MOTION FAILED WITH EIGHT (8) COMMISSIONERS OPPOSED AND ONE (1) VOTE IN FAVOR BY COMMISSIONER MOSS.

*[Commissioner Moss left at around 10:40 p.m.]*

COMMISSIONER MATTINA MADE A MOTION TO FORWARD A RECOMMENDATION OF ADOPTING THE REGIONAL PLAN AMENDMENT INCLUDING BUT NOT LIMITED

TO THE TMSA, DCA, JOINT PLANNING AREAS, COOPERATIVE PLANNING AREAS, SPHERES OF INFLUENCE, FUTURE SERVICE AREAS, DEVELOPMENT DENSITIES IN UNINCORPORATED WASHOE COUNTY, AND TO CORRECT TYPOGRAPHICAL ERRORS AND FORMATTING OF THE MAPS, SECONDED BY COMMISSIONER ROMEO.

Vice-chair Newberg asked if the motion includes keeping the people that are in the TMSA in. Commissioner Mattina responded yes.

Commissioner Frandsen expressed concern regarding the non-contiguous annexation issue and also stated that it is unrealistic to assume that this is not developer driven. Commissioner Frandsen stated that during Mr. Hester's response to her question regarding the urgency of moving this forward, he mentioned projects and plan amendments that are being held. Commissioner Frandsen stated that she could have supported Commissioner Moss' motion except for leaving the current restrictions on the County because that is what started all of this. Commissioner Frandsen stated that she can not support the motion and can not make the first finding.

Commissioner Rogers concurred with Commissioner Frandsen and stated that he can not understand the urgency of this and that he has a problem with developing in the Winnemucca Ranch area.

Mr. Ziegler referred to the statement included in the motion that the people who are in the TMSA remain in the TMSA and asked for clarification from Mr. Freund regarding his testimony from earlier this evening. Mr. Freund had stated that in the Cold Springs area the subtractions from the TMSA would not take place, in the Lemmon Valley area they would not take place, and in the Pleasant Valley area they would not take place. Mr. Freund stated that Mr. Ziegler is correct. However, Mr. Hester did indicate in the case of Cold Springs and the South Valley's Area the reason for not moving on those at this point is that there are draft area plan update processes going on in those areas.

Commissioner Weber stated that he will support the motion and added that if the RPC fails to pass these, it will hamstring the three community development groups and the RPA group. Commissioner Weber also pointed out that Winnemucca Ranch is private land and that he is in favor of private property rights.

Commissioner Romeo stated that this will provide smart planning for the future and that he will support the motion.

Commissioner Frandsen thanked the staffs of Reno, Washoe County and Sparks for their hard work.

Vice-chair Newberg stated that he will support the motion.

THE MOTION CARRIED WITH SIX (6) IN FAVOR AND TWO (2) OPPOSITIONS BY COMMISSIONERS FRANSEN AND ROGERS.

- B. Consideration and possible direction to staff regarding adoption of proposed criteria to assist the RPC in considering the requests of individual property owners regarding amendments to the boundaries of the Truckee Meadows Service Areas (TMSA) and cities' spheres of influence.

Mr. Ziegler reviewed information from the staff report included in the meeting packet including the next steps. Mr. Ziegler stated that no specific action is required tonight if the RPC is comfortable with these next steps.

Public Comment – Trevor Loyd, Sage Community Group, expressed appreciation to Regional Planning staff for the work that has gone into this process and suggested one additional criteria, which is the idea of considering private properties before considering public properties for inclusion in the near-term TMSA.

- C. Progress report on the 2007 update of the Regional Plan.

Rosanna Coombes stated that with Commissioner Lokken's departure from the RPC the oversight committee is now down a member. Ms. Coombes stated that she would like to fulfill the membership of the oversight committee at a future RPC meeting.

## **6. ADMINISTRATIVE ITEMS**

- A. Receipt of final draft program of work for FY 06-07.

Mr. Ziegler recommended that the RPC receive the strategic plan and work program.

COMMISSIONER MATTINA MADE A MOTION TO RECEIVE THE REPORT, SECONDED BY COMMISSIONER FRANDBSEN. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

## **7. DIRECTORS, MEMBERS, AND LEGAL COUNSEL INFORMATION ITEMS**

- A. Director's reports:

- 1) Report on actions and agendas of the Regional Planning Governing Board

Mr. Ziegler reviewed agenda items for future RRGB meetings.

- 2) Report on Truckee Meadows Growth Task Force

Mr. Ziegler stated that the Task Force is now available on-line.

- B. Legal counsel's report

- 1) Status report and possible direction to staff on Washoe County's petition for judicial review of the certification of Reno's annexation program as conforming with the Regional Plan and related settlement agreement dated August 23, 2005.
- 2) Status report on Washoe County's request to initiate a possible amendment of the Truckee Meadows Regional Plan pursuant to paragraph A.1 of the settlement agreement (October 17, 2002), to roll back Reno's sphere of influence in the vicinity of St. James' resort and Pleasant Valley.

- 3) Status report on Voters for Sensible Growth, et al, vs. RPGB et al., amended petition for writ of prohibition or, alternatively, mandamus.

Mr. Azevedo stated that he would submit the written report due to the late hour of the meeting.

**8. REQUESTS FOR AND POSSIBLE ACTION ON FUTURE AGENDA ITEMS**

- A. Review of tentative calendar of agenda items
- B. Review of 12-month calendar of projected RPC and RPGB actions.

Mr. Ziegler reviewed agenda items for future RPC meetings.

**9. WRITTEN CORRESPONDENCE**

Mr. Ziegler stated that there is written correspondence from Ms. Shipman on page 203 of the meeting packet.

Vice-chair Newberg expressed appreciation to Mr. Ziegler and stated that he will miss working with him.

Commissioner Frandsen stated that Mr. Ziegler is a remarkable leader and it will be hard to replace him.

Commissioner Rogers stated that Mr. Ziegler has done an outstanding job in this position.

Commissioner Weber stated that the mark of a good manager is the loyalty of their staff and that the support he sees from Mr. Ziegler's staff says a lot for his abilities as a manager and a leader.

Mr. Ziegler expressed appreciation for the kind words and thanked his staff and expressed appreciation for their hard work.

**10. ADJOURNMENT**

The meeting was adjourned at 11:10 p.m.

Respectfully submitted by Christine Birmingham.

Reviewed by:



Rosanna Coombes, Director  
Truckee Meadows Regional Planning Agency

Approved by:

William Weber, Chair  
Regional Planning Commission

FILED ON 1/29, 2008.