



# REGIONAL PLANNING COMMISSION

## MEMBERS

Florence 'Marge' Frandsen, Chair  
Fred Lokken, Vice-Chair  
Terry K. Herman  
Kendall Mattina  
Marvin Moss  
Jim Newberg  
Steve Rogers  
Oscar Sanders  
William Weber  
Dave Ziegler, Director

## MINUTES

### Regional Planning Commission (RPC) REGULAR MEETING WEDNESDAY, 6:30 P.M., February 23, 2005

The Regional Planning Commission met in regular session in the Regional Transportation Commission Board Room, 2050 Villanova Drive, Reno, Nevada and conducted the following business:

The meeting was called to order by Chair Frandsen at 6:30 p.m.

#### 1. ROLL CALL

The clerk called the roll and the following Commissioners were present: Marge Frandsen, Fred Lokken, Terry Herman, Kendall Mattina, Marvin Moss, Jim Newberg, Steve Rogers, and William Weber. Commissioners absent were: Oscar Sanders.

Also present were: Dave Ziegler, TMRPA Director; Norman Azevedo, Legal Counsel; Randy Baxley, TMRPA; Rosanna Coombes, TMRPA; Patricia Rogers, TMRPA; Lora Richards, TMRPA; and Paige Menicucci, TMRPA.

#### 2. APPROVAL OF AGENDA

COMMISSIONER MOSS MADE A MOTION TO APPROVE THE FEBRUARY 23, 2005, RPC AGENDA, SECONDED BY COMMISSIONER ROGERS. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

#### 3. PUBLIC COMMENT

None

#### 4. BUSINESS OF THE DAY

- A. Consideration and possible action on RPC Resolution 05-02, memorializing former RPGB member Tony Armstrong.

Dave Ziegler, Director of Regional Planning, stated that RPC Resolution 05-02 is included on pages one and two of the meeting packet. Mr. Ziegler stated that after approval of the Resolution, a hard copy will be circulated to the RPC members for signature.

COMMISSIONER MOSS MADE A MOTION TO APPROVE RPC RESOLUTION 05-02, SECONDED BY COMMISSIONER HERMAN. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

- B. PUBLIC HEARING - Regional Plan Conformance Review - Washoe County Comprehensive Plan amendment, Southeast Truckee Meadows Area Plan maintenance (CR05-001), changing the land use designation from General Rural to Medium Density Suburban on 86 parcels totaling ±32.8 acres, located north of Pembroke Drive between Piping Rock Drive and Alphabet Drive.

Lora Richards, Planning Analyst, stated that this amendment will bring the Southeast Area Plan up-to-date in an area where 86 parcels were incorrectly designated due to the transition zoning policy that took place between 1993 and 1997.

*[The public hearing was opened.]* There were no requests to speak.

*[The public hearing was closed.]*

COMMISSIONER ROGERS MADE A MOTION TO FIND THE SOUTHEAST AREA PLAN MAINTENANCE AMENDMENT TO THE WASHOE COUNTY COMPREHENSIVE PLAN IN CONFORMANCE WITH THE TRUCKEE MEADOWS REGIONAL PLAN, BASED ON THE FINDINGS LISTED IN THE STAFF REPORT, SECONDED BY COMMISSIONER MATTINA. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

- C. PUBLIC HEARING - Regional Plan Conformance Review - Sparks Master Plan amendment and Project of Regional Significance, Miramonte (CR05-002), 1) changing the land use designation from Open Space/Rural to Estate Density Residential and Low Medium Density Residential; and 2) a Project of Regional Significance for a) a residential development exceeding 625 dwelling units, b) sewage generation in excess of 187,500 gallons per day, and c) traffic generation in excess of 6,250 average daily trips. The ±960 acre site is generally located east of the Desert Highlands Planned Development and Vista Ridge subdivision, south of Wingfield Springs.

Chair Frandsen asked the commissioners if they had any questions or comments for Regional Planning Staff on this amendment. There were no comments.

*[The public hearing was opened.]* There were no requests to speak.

*[The public hearing was closed.]*

COMMISSIONER MATTINA MADE A MOTION TO FIND THE MIRAMONTE AMENDMENT TO THE SPARKS MASTER PLAN IN CONFORMANCE WITH THE TRUCKEE MEADOWS REGIONAL PLAN, BASED ON THE FINDINGS LISTED IN THE STAFF REPORT, SECONDED BY COMMISSIONER MOSS. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

COMMISSIONER MOSS MADE A MOTION TO FIND THE MIRAMONTE PROJECT OF REGIONAL SIGNIFICANCE IN CONFORMANCE WITH THE TRUCKEE MEADOWS REGIONAL PLAN, BASED ON THE FINDINGS LISTED IN THE STAFF REPORT, SECONDED BY COMMISSIONER MATTINA. THE MOTION CARRIED UNANIMOUSLY WITH EIGHT (8) MEMBERS PRESENT.

- D. WORKSHOP - Discussion and possible direction to staff on pending conformance review of the updated Regional Water Management Plan (CR05-004).
- E. WORKSHOP - Discussion and possible direction to staff on pending conformance review of the updated 2030 Regional Transportation Plan (CR05-003).

Mr. Ziegler suggested that he and Mr. Baxley address these workshops as a set. Mr. Ziegler stated that the Regional Water Management Plan (RWMP) conformance review must be completed within 40 days. The 2030 Regional Transportation Plan (RTP) conformance review must be completed within 60 days. The tentative schedule is to take action on the RWMP conformance review at the next RPC meeting and the 2030 RTP conformance review at the following RPC meeting.

Regional Planning staff letters to the Regional Water Planning Commission (RWPC) and the Regional Transportation Commission (RTC) with comments on their plans are included in the meeting packet. Responses from the RWPC and the RTC to Regional Planning staff comments are also included in the meeting packet.

Mr. Ziegler reviewed the following areas that Regional Planning staff feels need to be addressed in this conformance review process: expanded water facility planning; inter-agency collaboration on population forecasts and disaggregations; commitment to more discussion and more articulation of priority systems and policies; more buy-in on the regional center, TOD corridors, and emerging employment centers; and if the 2030 RTP update is found to be in conformance with the Regional Plan, it contains language regarding the Mill Street corridor that conflicts with another plan that has been found in conformance with the Regional Plan.

Randy Baxley, Senior Planner, presented a comparison of population forecasts used in each plan. The concern is that if everybody is using a different population forecast, there will not be a coordinated planning effort for infrastructure.

Commissioner Newberg asked if the figures used in the presentation are based on total population or total drivers. Mr. Baxley responded that in most cases the documents are based on total population.

Jim Smitherman, Department of Water Resources, responded to Mr. Ziegler's comments. One of the action items in the RWMP addresses the need for more expanded water facility planning. The RWPC agrees that there is a need for inter-agency collaboration on population forecast and disaggregations. We work from a common set of information as far as the regional population projections. Disaggregating that forecast and trying to predict where growth is going to occur is a tougher problem. If we can be on the same page and predict where we think population is going to grow within our region, we can do a lot better job of planning for facilities. Mr. Smitherman stated that Mr. Baxley has done a great job putting together the framework for a model to do that. Mr. Smitherman stated that there are 37 policies in the first chapter of the RWMP and priorities are listed in Chapter 11. Mr. Smitherman stated that there have been some changes made to the introductory chapter regarding the role of the RPC in conformance review.

Commissioner Lokken asked if there is an option for an appeal to the Regional Planning Governing Board (RPGGB) when processing amendments to the RWMP. Mr. Smitherman responded that an

appeal to the RPGB would be an option. Commissioner Lokken stated that should be identified as an option in the RWMP.

Commissioner Lokken stated that the language under the Responsibility section of the RWMP is unclear and should include a summary statement recognizing the authority of the Regional Plan. The section regarding directions for future revisions of the plan suggests that the RWMP will be going to a three-year cycle of review which raises the further dilemma of synchronicity between the RWMP, RTP, and the Regional Plan. The RWMP and the RTP do not acknowledge their relationship to the Regional Plan. In terms of population data, the TMRPA needs to be recognized as the best player in providing an acceptable set of useable data that all will agree will be the standard.

Derek Morse, RTC, stated that the issue of population forecasts has been around for a number of years. The RTC sat down with Reno, Sparks, Washoe County, and TMRPA staff to develop the consensus forecasts that were used in the RTP. That consensus was reached using the best available knowledge in the region. If there is a better set of population forecasts, the RTC would be willing to use those. Mr. Morse stated that when you get down from the big numbers into trying to determine where things will occur, the most detailed information available to the community has been developed by the RTC. Because the RTC updates its program every three years, there is adequate time to make adjustments to the plan. Mr. Morse stated that the RTP has pretty clear priorities in terms of where investments will be made and what will be accomplished. Mr. Morse expressed appreciation for all the work that the TMRPA staff has invested in helping with the RTP.

Commissioner Lokken asked Mr. Morse to identify in the draft RTP where the relationship between the RTP and the Regional Plan is specifically discussed. Mr. Morse responded that there are policies which include statements regarding the Regional Plan. One of the problems of articulating that is that the RTP has two purposes. It is a federal plan as well as the transportation element of the Regional Plan.

Commissioner Lokken stated that he feels that 99 percent of the RTP is to fulfill the federal obligation and the Regional Plan is the afterthought one percent. Commissioner Lokken asked what would happen if the RPC does not find the RTP in conformance with the Regional Plan. Mr. Ziegler responded that a master plan, facilities plan, or other similar plan has no force until it is found in conformance with the Regional Plan. In the spring of 2003, when the master plans of Sparks, Reno, Washoe County, and the RTC were reviewed for conformance with the update, a system was developed based on a list of numbered exceptions for each of the entities.

Mr. Ziegler stated that the practice of spelling out the exceptions and saying that the plan conforms with certain exceptions is exactly what the Nevada Revised Statutes (NRS) requires. Mr. Ziegler also stated that he and Mr. Baxley are not saying in any way that the RTP or the RWMP are wrong and that the Regional Plan is right. The inconsistencies can be fixed with communication, collaboration and work among the agencies. Mr. Ziegler stated that all of the needs that he reviewed earlier this evening can be solved just through communication among the parties.

Commissioner Lokken stated that with the lack of synchronicity, he does not know what is driving what. Commissioner Lokken stated that he is expecting that there will be a chapter in the RTP in the future that would allow for an honest discussion on how it fits the land use plan and finds itself in conformance. The RTC is on a three-year cycle and as of this round the RWPC will be on a three-year cycle so they

will be up for renewals at about the same time. We need to find a way by which land use is in that equation so that we can finally be on the same page.

Mr. Morse stated that the RTC has never had a problem with conformity findings for the RTP in the past because it has supported what you are trying to do. The RTP largely responds to decisions that have been made or are projected for the future in terms of land use. If there is a mismatch, the RTC would like to rectify that. There are specific policies that have been adopted by ordinance by the local governments that the RTC must work with. If there are conflicts between the dictates of those policies and what is in the Regional Plan, we should have that discussion.

Commissioner Moss asked about the population forecast in Mr. Baxley's presentation. Mr. Baxley responded that the RTP and the RWMP are required by the Regional Plan to use the population projections in the consensus forecast. The consensus forecast is done on a county-wide basis and there is no set process in terms of how to disaggregate that into smaller areas.

Commissioner Moss asked how frequently the land use forecast is adjusted. Mr. Baxley responded that the land use model is developed by TMRPA staff and is updated on at least a yearly basis.

Commissioner Moss asked if that is also reflected by the RTC and the RWPC in their plans. Mr. Baxley responded that those are not reflected in the RTP or the RWMP because the information was not available at the time the plans were put together.

Commissioner Moss asked if they are able to adjust their plans as the land use model is adjusted. Mr. Baxley responded that he would have to let the RTC and RWPC representatives comment on that.

Commissioner Moss asked if zoning changes that are taking place are reflected when the land use model is updated. Mr. Baxley responded that is correct.

Commissioner Moss asked if the RTC is able to make yearly adjustments to the RTP. Mr. Morse responded that it is a pretty massive undertaking and the federal government is actually considering changing it from a three-year cycle to a five-year cycle. Mr. Morse stated that what really drives transportation is the population numbers and not the time horizon. The RTC has suggested considering not setting a time horizon but setting a population number.

Commissioner Mattina stated that it makes sense to have a population forecast to plan toward rather than an arbitrary time horizon. Commissioner Mattina asked what would happen if there was suddenly a huge growth spurt and the infrastructure and road work were not nearly at a capacity that could handle it but there are not funds to do it because we did not assign a timeline. Mr. Morse responded that is an interesting point. Because we are looking long-term in terms of population and time, even if there was a growth spurt those pressures would be felt and there would be adequate time to respond in terms of the total planning.

Chair Frandsen asked if the draft RTP being used for tonight's meeting includes revisions made due to federal requirements. Mr. Morse responded that some of the revisions are included. The version the RPC has was the latest version at the time it was distributed. Since then there has been one more exchange of letters with a few additional tweaks.

Chair Frandsen stated that it is important that the RPC has the latest version of the RTP for the conformance review. There is a letter in the meeting packet dated October 30, 2003, that was sent to the RTC that said the RTP was in conformance with the exception of five different areas. At that time it was suggested that the five necessary amendments were supposed to be completed by June 2004. Mr. Ziegler stated that the list of necessary amendments was designed to dovetail with this update. The schedule for the update slipped and was not completed by June 2004.

Chair Frandsen stated that the staff at RTC should go over that list of five necessary amendments and insure that they have been incorporated in the latest update of the RTP. Mr. Morse stated that he believes the concerns that were expressed at that time have been addressed and incorporated into the RTP.

Chair Frandsen stated that it might be helpful to have information on how the amendments were incorporated into the RTP before the RPC goes forward with the conformance review. Mr. Morse responded that he can do that.

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

### **A. Director's report:**

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

Mr. Ziegler reviewed actions taken by the RPGB at their February 10 meeting. The next RPGB meeting will take place on March 10.

### **B. Legal counsel's report - Status report and possible direction to staff on:**

Norm Azevedo, Legal Counsel, stated that NRS 278.0282 is pretty specific in stating that a master plan, facilities plan or other plan that does not receive a conformance approval from the RPC can not be adopted.

Chair Frandsen stated that the RTC commissioners have already approved the RTP and asked what is meant by adoption. Mr. Azevedo responded that the RTC may have a specific statute with a little different meaning or an exception.

Commissioner Lokken stated that his earlier question was what happens if the RPC does not find the RTP in conformance. Mr. Azevedo responded that he will have to look into that. Chair Frandsen asked Mr. Azevedo to report back to the RPC on this issue at the next meeting.

- 3) Nevada Supreme Court Case No. 37947 (Bushey/Busi).

Mr. Azevedo stated that this case was argued before the Nevada Supreme Court last week.

- 1) Washoe County's petition for judicial review of the certification of Reno's annexation program as conforming with the Regional Plan

Mr. Azevedo stated that there will be a status hearing on this item before Judge Hardesty on Friday.

- 2) Washoe County's appeal of the Regional Planning Commission's determination of conformance with the provisions of the Regional Plan and the settlement agreement in District Court Case No. CV02-03469 for City of Reno zoning

map amendments and Mortensen/Garson Development Standards Handbook  
(CR04-007)

Mr. Azevedo stated that he has not yet received a signed order from Judge Hardesty on this item.

- 4) City of Sparks appeal to the Regional Planning Governing Board regarding Washoe County's adoption of the updated Spanish Springs Area Plan.

Mr. Azevedo stated that this item has been stayed.

- C. Report on selected bills and resolutions of the 2005 session of Nevada's legislature.

Patricia Rogers, Community Outreach Assistant, stated that introductions and discussions are beginning on various possible legislation. Ms. Rogers stated that she can fax or email more current information between RPC meetings to those who are interested.

- D. Report on Truckee Meadows Growth Task Force.

Mr. Ziegler stated that the Task Force continues to meet. Mr. Ziegler will remind the Task Force at their next meeting that the RPC would like a representative to address the RPC.

Chair Frandsen asked who the Chair is for the Task Force. Mr. Ziegler responded that the Task Force has decided on a system of a rotating Chair where a new member of the Task Force will Chair each meeting.

## **6. REQUESTS FOR AND POSSIBLE ACTION ON FUTURE AGENDA ITEMS**

- A. Review of tentative agenda items for March.

Mr. Ziegler reviewed agenda items for the March RPC meetings.

Commissioner Mattina asked if it is going to be a complication that the Washoe County Planning Commission (WCPC) has authorized undergrounding the line through a portion of the route that was chosen for the Tracy-to-Silver Lake power line. Commissioner Mattina stated that she is sure Sierra Pacific will be appealing that in some way. Mr. Ziegler responded that as far as our processing goes he does not see it as a major complication.

Commissioner Mattina stated that it seems that the increased cost of doing that would throw a wrench in the whole timeline.

Chair Frandsen stated that Sierra Pacific, an association at Red Rock, and an individual did appeal the WCPC decision and the Board of County Commissioners heard those appeals yesterday. The Board of County Commissioners upheld the WCPC's decision as to Sierra Pacific however they did make some adjustments regarding the two other appeals.

- B. Review of 12-month calendar of projected RPC and RPGB actions.

Mr. Ziegler stated that a copy of the 12-month calendar of projected RPC and RPGB actions was included in the last meeting packet.

## **7. WRITTEN CORRESPONDENCE**

Mr. Ziegler stated that on page 127 of the meeting packet there is a letter from Mike Harper at Washoe County letting us know that Mr. Weber has been designated a member of the RPC for the remainder of the term of former member Mark Sullivan. On page 129 there is a letter from Mr. Freund of Washoe County to Mr. Ziegler regarding La Dera Ranch. On page 131 there is a letter from Mr. Baxley to Mr. Freund regarding a very small master plan amendment that Washoe County processed called the Verdi Area Plan Maintenance. On page 133 there is a letter from Mr. Freund to Mr. Ziegler regarding the Spanish Springs Area Plan.

Commissioner Lokken asked since the Washoe County Comprehensive Plan conformance with the current Regional Plan takes the longest of any of the entities that involve the specific area plan, do the delays involved with the Spanish Springs specific area plan now call into question reliability of timetable commitments for conformance with the Regional Plan for all of those areas. Mr. Ziegler responded that he needs to check the implications of that.

#### **8. PUBLIC COMMENT**

None

#### **9. ADJOURNMENT**

Commissioner Lokken stated that Sparks has initiated a change in its public comment sequence to move public comment to the end of the meeting. Commissioner Lokken suggested raising that as an issue of discussion during the appropriate time.

Chair Frandsen adjourned the meeting at 8:20 p.m.

Respectfully submitted by Christine Birmingham.

Reviewed by:

Approved by:

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Dave Ziegler, Director

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Florence 'Marge' Frandsen, Chair

Truckee Meadows Regional Planning Agency Regional Planning Commission

**APPROVED BY THE REGIONAL PLANNING COMMISSION IN SESSION ON \_\_\_\_\_,  
2005.**