



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
Mark Sullivan
Dave Ziegler, Director

MINUTES

Regional Planning Commission (RPC) REGULAR MEETING WEDNESDAY, 6:30 P.M., December 8, 2004

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 Chair Frandsen at 6:35 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, Oscar Sanders, and Dave Rigdon for Mark Sullivan. Commissioners absent were: Mark Sullivan.

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

2. APPROVAL OF AGENDA

COMMISSIONER ROGERS MADE A MOTION TO APPROVE THE DECEMBER 8, 2004, RPC AGENDA, SECONDED BY COMMISSIONER MATTINA. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

3. APPROVAL OF MINUTES

A. October 13, 2004, regular meeting

COMMISSIONER LOKKEN MADE A MOTION TO APPROVE THE OCTOBER 13, 2004, REGULAR MEETING MINUTES, SECONDED BY COMMISSIONER MATTINA. THE MOTION CARRIED WITH EIGHT (8) IN FAVOR AND ONE (1) ABSTENTION BY COMMISSIONER RIGDON.

B. October 25, 2004, regular meeting

COMMISSIONER MATTINA MADE A MOTION TO APPROVE THE OCTOBER 25, 2004, REGULAR MEETING MINUTES, SECONDED BY COMMISSIONER NEWBERG. THE MOTION CARRIED WITH SEVEN (7) IN FAVOR AND TWO (2) ABSTENTIONS BY COMMISSIONERS RIGDON AND SANDERS.

4. PUBLIC COMMENTS

None

5. BUSINESS OF THE DAY

- A. PUBLIC HEARING - Regional Plan Conformance Review - Washoe County Comprehensive Plan amendment (South Valleys Area Plan), Violet Sloane (CR04-022), changing the land use designation from Medium Density Suburban and General Rural to Medium Density Rural on ± 16.88 acres located approximately two miles south of Mount Rose Highway (SR 431) and one-half mile east of Callahan Ranch Road at the end of Roan Trail.

Chair Frandsen asked the commissioners if they had any questions or concerns for Regional Planning staff to address on this item.

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

[The public hearing was closed.]

COMMISSIONER MOSS MADE A MOTION TO FIND THE VIOLET SLOANE 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 ROGERS. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

- B. PUBLIC HEARING - Regional Plan Conformance Review - City of Reno Master Plan amendment, North Virginia 74 (CR04-029), changing the land use designation from Single Family Residential to Mixed Residential on ± 74.6 acres located at the northeast corner of the North Virginia/Lemmon Drive intersection.

Randy Baxley, Senior Regional Planner, stated that Regional Planning staff is recommending a determination of conformance with the Regional Plan for this amendment. There is also a second recommended motion to direct Regional Planning staff to compose a letter to the City of Reno that will emphasize the requirements of the Regional Plan with respect to master plan amendments in the TOD corridors; identify Reno land use designations and zoning designations that most closely meet the density/intensity standards of the Regional Plan with respect to TOD corridors and Regional Centers; and suggest possible methods of addressing future development requests for properties located in the TOD corridors prior to development and adoption of corridor plans for those areas.

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

[The public hearing was closed.]

Commissioner Herman stated that the second recommended motion is not in the proper context. Regional Planning staff can send the suggested letter to the City of Reno on its own merit. Dave Ziegler, Director of Regional Planning, stated that he understands Commissioner Herman's point. Regional Planning staff can write the letter. Mr. Ziegler stated that he does not object if the RPC would prefer to disconnect it from this master plan amendment.

Commissioner Lokken asked how the staff representatives for the City of Reno feel about the proposed letter. Claudia Hansen, City of Reno Senior Planner, stated that it is fine if Regional Planning staff wants to send the City of Reno a letter regarding TOD corridors. Right now the actual writing of the corridor plan is just a priority issue and staffing issue.

COMMISSIONER LOKKEN MADE A MOTION TO FIND THE NORTH VIRGINIA 74 AMENDMENT TO THE RENO MASTER PLAN IN CONFORMANCE WITH THE TRUCKEE MEADOWS REGIONAL PLAN, BASED ON THE FINDINGS LISTED IN THE STAFF REPORT, SECONDED BY COMMISSIONER MATTINA.

Commissioner Lokken stated that he appreciates Mr. Baxley's staff presentation. Commissioner Lokken agreed with Commissioner Herman's comments.

THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

- C. PUBLIC HEARING - Regional Plan Conformance Review - City of Reno Master Plan amendment, Golden Highlands (CR04-033), changing the Panther Valley Neighborhood Plan land use designations from Rural and Open Space to Single Family and Open Space on a \pm 321.6 acre portion of a \pm 402.5 acre site located south of Golden Valley Road, east of North Hills Boulevard, west of Chisholm Trail, and north of the northern Union Pacific Railroad loop in Panther Valley.

Chair Frandsen asked the commissioners if they had any questions or concerns for Regional Planning staff to address on this item.

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

[The public hearing was closed.]

COMMISSIONER MATTINA MADE A MOTION TO FIND THE GOLDEN HIGHLANDS AMENDMENT TO THE PANTHER VALLEY NEIGHBORHOOD PLAN ELEMENT OF THE RENO MASTER PLAN IN CONFORMANCE WITH THE TRUCKEE MEADOWS REGIONAL PLAN, BASED ON THE FINDINGS LISTED IN THE STAFF REPORT, SECONDED BY COMMISSIONER LOKKEN. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

- D. PUBLIC HEARING - Regional Plan Conformance Review - City of Reno Master Plan amendment, Stitser/West Fourth Street (CR04-035), changing the land use designation from Mixed Residential to Urban Residential/Commercial on \pm 3.48 acres, located on the south side of West Fourth Street, approximately 1,250 feet east of Mayberry Drive.

Mr. Baxley stated that this amendment has issues similar to the North Virginia 74 amendment that would also be addressed in the letter Regional Planning staff is proposing to send to the City of Reno.

Chair Frandsen asked the commissioners if they had any questions or concerns for Regional Planning staff to address on this item.

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

[The public hearing was closed.]

COMMISSIONER LOKKEN MADE A MOTION TO FIND THE STITSER/WEST FOURTH STREET AMENDMENT TO THE CITY OF RENO MASTER 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 NINE (9) MEMBERS PRESENT.

- E. PUBLIC HEARING - Regional Plan Conformance Review - City of Sparks Master Plan amendment, FranGlo/North McCarran (CR04-036), changing the land use designation from Office Professional to General Commercial on \pm 1.2 acres, located at 1125 North McCarran, northwest of the intersection of McCarran Blvd. and Prater Way.

Chair Frandsen asked the commissioners if they had any questions or concerns for Regional Planning staff to address on this item.

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

[The public hearing was closed.]

COMMISSIONER LOKKEN MADE A MOTION TO FIND THE FRAN/GLO NORTH MCCARRAN AMENDMENT TO THE CITY OF SPARKS MASTER 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 NINE (9) MEMBERS PRESENT.

- F. PUBLIC HEARING - Regional Plan Conformance Review - Washoe County Comprehensive Plan amendment (North Valleys Area Plan), JRB Corp./R&K Homes (CR04-042), changing the land use designation from Low Density Suburban and General Rural to Low Density Suburban and Medium Density Suburban on \pm 35.16 acres located in Golden Valley at the northeast corner of the intersection of Golden Valley Road and Estates Drive.

Chair Frandsen asked the commissioners if they had any questions or concerns for Regional Planning staff to address on this item.

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

[The public hearing was closed.]

COMMISSIONER ROGERS MADE A MOTION TO FIND THE JRB CORP./R&K HOMES 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 HERMAN. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

- G. PUBLIC HEARING - Regional Plan Conformance Review - Washoe County Comprehensive Plan amendment (Southwest Truckee Meadows Area Plan), Monte Rosa (CR04-044), changing the land use designations from General Commercial, Low Density Suburban, and General Rural to Medium Density Suburban and General Rural

on a ±72 acre site located on the north side of Mt. Rose Highway, east of Thomas Creek Road.

Chair Frandsen asked the commissioners if they had any questions or concerns for Regional Planning staff to address on this item.

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

[The public hearing was closed.]

COMMISSIONER SANDERS MADE A MOTION TO FIND THE MONTE ROSA AMENDMENT TO THE SOUTHWEST TRUCKEE MEADOWS AREA PLAN ELEMENT OF 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 NEWBERG. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

H. WORKSHOP - Discussion and possible direction to staff on proposed Regional Plan amendments, including:

1. technical amendments including, without limitation, correction of typographical errors, formatting changes to text or maps, and map amendments based on updated data sets;

Rosanna Coombes, Senior Planner, reviewed proposed text amendments to the Regional Plan.

Commissioner Lokken stated that he does not know how to enforce the requirements of Policy 4.1.5 other than as a staff recommendation. Commissioner Lokken asked whether that has to be a finding for conformance or if it is not taken care of in some other way. Mr. Ziegler responded that Table 2 in the staff report is used to address the natural resource laws and the anticipated effects of the project. This table has not been included in a couple of recent projects of regional significance that came through. The reason was that it was not required because of the fact that this proposed paragraph does not presently appear in Policy 4.1.5.

Commissioner Lokken stated that all entities have an obligation to comply with existing laws and as part of the Regional Planning staff review, you would want to make sure that they had done that. This is being raised to the level of a finding for conformance. Commissioner Lokken asked Mr. Ziegler if Regional Planning staff is unable to include Table 2 in the staff report and use it as criteria because of the absence of this proposed language in Policy 4.1.5. Mr. Ziegler responded that without this paragraph added to Policy 1.4.5, Regional Planning staff does not have the authority to raise these natural resource questions on a project of regional significance.

Commissioner Lokken stated that during the update there was discussion regarding getting to a point whereby meeting entity standards in a master plan would almost automatically make a project in conformance with the Regional Plan. This proposed language is counter to that where we are saying we need to check with the entity. If we are going to do it here, then apparently we need to do it in a lot of places and maybe that was not a good call.

Ms. Coombes reviewed proposed mapping amendments to the Regional Plan.

Ms. Coombes stated that a motion is required to bring these proposed amendments to the Regional Plan back to the RPC for a public hearing.

Commissioner Moss asked if an amendment is required for the map changes. Ms. Coombes responded yes. If anything at all is done to the Regional Plan, it has to come through as a Regional Plan amendment.

COMMISSIONER MOSS MADE A MOTION TO DIRECT STAFF TO SCHEDULE A PUBLIC HEARING ON THESE ITEMS, SECONDED BY COMMISSIONER ROGERS.

Commissioner Herman stated that any of the federal, state or other laws that are overlaying on any of the local entities may not be something that the RPC needs review. Commissioner Herman agreed with Commissioner Lokken's comments and suggested that anything in the Regional Plan that states that the RPC is going to review the federal, state, and other regulators in terms of compliance should be taken out.

THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

2. updated regional capital improvements program (CIP) summary report in Appendix 1; and,

Mr. Baxley recommended scheduling a public hearing to include the updated CIP summary report in Appendix 1 of the Regional Plan.

COMMISSIONER SANDERS MADE A MOTION TO DIRECT STAFF TO SCHEDULE A PUBLIC HEARING ON INCLUDING THE UPDATED CIP SUMMARY REPORT IN APPENDIX 1 OF THE REGIONAL PLAN, SECONDED BY COMMISSIONER MATTINA. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

3. changes to Policy 1.1.13 regarding inclusionary housing practices.

Mr. Ziegler stated that Regional Planning staff discussed this policy and its effective date with staff of the HOME Consortium, Sparks, Reno, and Washoe County. Mr. Ziegler reviewed staffs' preliminary findings listed in the staff report. Mr. Ziegler recommended that the RPC consider a Regional Plan amendment that would delay the effective date of Policy 1.1.13 until after the next update of the Regional Plan, to allow time for a collaborative approach to data collection and analysis and development of a consensus on desired inclusionary housing practices.

COMMISSIONER NEWBERG MADE A MOTION TO DIRECT STAFF TO SCHEDULE A PUBLIC HEARING ON A PROPOSED REGIONAL PLAN AMENDMENT THAT WOULD DELAY THE EFFECTIVE DATE OF POLICY 1.1.13 UNTIL AFTER THE NEXT UPDATE OF THE REGIONAL PLAN, SECONDED BY COMMISSIONER ROGERS. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

6. DIRECTORS, MEMBERS, AND LEGAL COUNSEL INFORMATION ITEMS

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

Mr. Ziegler reviewed actions taken at the November 18, 2004, Regional Planning Governing Board (RPGB) meeting. Mr. Ziegler reviewed agenda items for the December 9, 2004, RPGB meeting.

Commissioner Lokken stated that the entities need to recognize their obligations to increase the funding base for the Truckee Meadows Regional Planning Agency (TMRPA). In doing that they also have to recognize that dollars should be allocated for training. Commissioner Lokken suggested encouraging board members and commission members to become presenters. Commissioner Lokken also suggested having a workshop sometime soon on engaging the community much earlier in the update process. Funding is needed for public outreach.

Commissioner Mattina stated that it would be nice to have training that is not planned for a whole afternoon or a whole day. For those with full-time jobs, it is not always practical to take a day off work to attend training.

Chair Frandsen agreed that training should be scheduled to accommodate the majority of the people interested in the training.

Commissioner Mattina stated that a good example of training going on right now is the audio conferences.

Mr. Ziegler reviewed some options for providing training that are being considered.

Chair Frandsen stated that another accessible training option is the Lincoln Institute.

Chair Frandsen directed Regional Planning staff to include a report on infill terminology on a future RPC agenda.

- B. Report on progress on conformance-related master plan amendments of local governments and affected entities.

Mr. Baxley stated that this is an informational item. The latest version of the side-by-side comparison table is included in the meeting packet.

Commissioner Herman stated that the City of Reno did pass a new Hillside Development Ordinance recently. Mr. Baxley stated that will be reported on the next update of the table.

Commissioner Lokken expressed concern regarding the time it is taking the entities to bring their plans into conformance with the current Regional Plan. Mr. Baxley stated that there are several reasons for that. One is the staffing level of the entities. The level of development activity going on in the region is also making an impact on the workload for local staffs. The last Regional Plan update was a pretty radical change from what existed in the previous Regional Plan. Many of the required plans have to be developed by the entities from scratch.

Commissioner Sanders suggested that Mr. Baxley contact City of Reno staff to get an update on the target date for the Open Space and Greenways Plan. Mr. Baxley stated that he has been in contact with City of Reno staff and the next version of the table will include updated information.

- C. Legal counsel's report - Status report and possible direction to staff on:
 - 1. District Court orders and appearances regarding the Regional Plan settlement agreement (October 17, 2002) and related issues, including but not limited to the water purveyor issues in the Verdi area

Norm Azevedo, Legal Counsel, stated that there is nothing new to report on this item.

2. Washoe County and SVGID appeal to District Court in dispute resolution case DR03-001-RPGB, regarding cooperative planning criteria

Mr. Azevedo received a stipulation to dismiss this matter from Washoe County. Mr. Azevedo stated that he has not heard comments back from the City of Reno at this time.

3. 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 he participated in a settlement conference on December 3 in an attempt to address this issue. There was little or no discussion on the program of annexation litigation. There was a discussion regarding the City of Reno and Washoe County entering into a global settlement conference process to resolve any and all issues pending between the City of Reno and Washoe County, not limited to land use planning. There will be a follow-up to this process in the latter part of December.

4. 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 received Washoe County's opening brief in this matter and will include it in the next regularly scheduled RPC meeting agenda. Mr. Azevedo stated that he will file a responsive brief by the December 15 deadline and will provide a copy to the RPC members.

5. Nevada Supreme Court Order requiring either the filing of an updated status report describing the settlement of the underlying litigation or requesting an oral argument before the Nevada Supreme Court (Supreme Court Case No. 37947, Bushey/Busi).

Mr. Azevedo stated that he has heard nothing regarding this item since the second status report was sent back to the Supreme Court.

- D. Report on selected Bill Draft Requests (BDRs) for 2005 session of Nevada's legislature.

Patricia Rogers, Community Outreach Assistant, stated that there have been no major changes to the list of BDRs being monitored by Regional Planning staff.

Commissioner Lokken asked if the ballot issue under BDR 454 failed. Ms. Rogers responded yes. The BDR report includes a note stating that the County will be requesting the LCB withdraw BDR 454.

Commissioner Mattina commented on some of the BDRs that are very vague. Ms. Rogers stated that there is no further information on the BDRs other than what is provided through the LCB. Mr. Ziegler stated that until more information is released either by the LCB or the legislator, there is no way to know

what the BDRs contain. As more information becomes available, the list of BDRs being tracked by Regional Planning staff will become shorter.

- E. Reports on process for conducting the update of the Regional Plan and on Community Partnership/Growth Management Task Force.

Mr. Ziegler stated that the RPC Interim Subcommittee met again tonight. The staffs from the local governments and affected entities have now met twice. The plan is to place this item on the agenda for discussion with the full RPC at the second meeting in January.

Mr. Ziegler stated that the Community Partnership group will be ready to present a status report to the RPC in January.

7. REQUESTS FOR AND ACTION ON FUTURE AGENDA ITEMS

- A. Review of tentative agenda items for December 2004.
- B. Review of 12-month calendar of projected RPC actions.

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

8. WRITTEN CORRESPONDENCE

Mr. Ziegler stated that a copy of a memo sent to the Executive Director of the Regional Transportation Commission (RTC) with some staff comments on Regional Transportation Plan update is included in the meeting packet. Also included in the meeting packet is a withdrawal of a case that was previously on the RPC agenda.

9. PUBLIC COMMENT

None

10. ADJOURNMENT

Chair Frandsen adjourned the meeting at 7:50 p.m.

Respectfully submitted by Christine Birmingham.

Reviewed by:

Approved by:

Dave Ziegler, Director

Florence 'Marge' Frandsen, Chair

Truckee Meadows Regional Planning Agency

Regional Planning Commission

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