



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., July 28, 2004

The Regional Planning Commission met in regular session in the Washoe County Commission Chambers, 1001 E. Ninth Street, 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, Darrin Georgeson for Jim Newberg, Steve Rogers, Oscar Sanders, and Mark Sullivan. Commissioners absent were: Jim Newberg.

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

2. APPROVAL OF AGENDA

COMMISSIONER LOKKEN MADE A MOTION TO APPROVE THE JULY 28, 2004, AGENDA, SECONDED BY COMMISSIONER ROGERS. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

3. APPROVAL OF MINUTES

A. June 23, 2004, regular meeting

COMMISSIONER LOKKEN MADE A MOTION TO APPROVE THE JUNE 23, 2004, REGULAR MEETING MINUTES, SECONDED BY COMMISSIONER MATTINA. THE MOTION CARRIED WITH SIX (6) IN FAVOR AND THREE (3) ABSTENTIONS BY COMMISSIONERS GEORGESON, SANDERS AND SULLIVAN.

4. PUBLIC COMMENTS

Cathy Brandhorst expressed concern regarding various topics.

5. BUSINESS OF THE DAY

- A. PUBLIC HEARING - Regional Plan Conformance Review - Washoe County Comprehensive Plan amendment, Geiger Grade Storage (CR04-016) - changing the land use designation from Medium Density Suburban to General Commercial on ± 2.2 acres located on Geiger Grade (SR 341) on the south side of the highway, approximately one mile east of the intersection of Geiger Grade and Toll Road.

Chair Frandsen asked if any of the commissioners have any questions or concerns to address on items 5.A, B or C.

Randy Baxley, Senior Regional Planner, stated that there is a minor discrepancy in the staff report for item 5.A. On page 7 of the meeting packet the staff report indicates that this project site is located within the cooperative planning area in Reno's Area of Interest. On page 14 of the meeting packet the staff report indicates that this project is not in a cooperative planning area. Mr. Baxley clarified that this project is in a cooperative planning area in Reno's Area of Interest.

Commissioner Sullivan stated that he has some questions regarding item 5.C.

Chair Frandsen stated that she will ask for a summary motion after the public hearing on items 5.A and 5.B. Item 5.C will not be included in the summary motion.

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

[The public hearing was closed.]

- B. PUBLIC HEARING - Regional Plan Conformance Review - City of Sparks Master Plan amendment, Pyramid Landing (CR04-012) - changing the land use designation from Low Density Residential to General Commercial on ± 2.27 acres located at 3345 and 3397 Pyramid Way.

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

[The public hearing was closed.]

Chair Frandsen asked for a summary motion for items 5.A and 5.B.

COMMISSIONER LOKKEN MADE A MOTION TO FIND ITEMS 5.A AND 5.B IN CONFORMANCE WITH THE REGIONAL PLAN, SECONDED BY COMMISSIONER ROGERS. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

- C. PUBLIC HEARING - Regional Plan Conformance Review - City of Sparks, Project of Regional Significance, The Vineyards (CR04-013) - a Project of Regional Significance for a ± 307 -lot residential subdivision and ± 9.3 acre commercial development generating a sewer demand of more than 187,500 gallons per day. The ± 111.6 acre site located north of Disc Drive, west of Vista Boulevard, east of Sparks Boulevard and south of Los Altos Parkway.

Commissioner Sullivan referred to the Washoe County School District report on page 41 of the meeting packet that states the existing elementary and high school facilities are not sufficient to handle this

growth. Commissioner Sullivan questioned the rationale for approving this project if there is not enough capacity to handle the growth.

Commissioner Moss stated that there is an elementary school and a middle school that have been approved to be built in Spanish Springs. There is also the option to alleviate overcrowding in the high school through rezoning.

Commissioner Sullivan asked what obligations the RPC has under NRS Chapter 278. Commissioner Sullivan stated that there is always concern regarding the lag time between improving facilities and when a development will occur. Commissioner Moss stated that this is not an unusual situation.

Commissioner Sullivan asked how the school accommodates the extra students. Commissioner Moss responded that temporary buildings are sometimes used.

Commissioner Sullivan stated that the elementary school is in excess of 10% of its current capacity. Commissioner Mattina stated that an elementary school is supposed to be built out there. They can always go multi-track as well. Commissioner Sullivan stated that the multi track capacity is still lower than the number enrolled.

Commissioner Sullivan asked if the RPC has some specific responsibility under NRS 278.

Dave Ziegler, Director of Regional Planning, stated that this is a project of regional significance that is not amending the Sparks master plan. This development is consistent with the master plan and Sparks is not requesting to amend the master plan.

Commissioner Lokken stated that he was assured in a Sparks staff dialogue that there are several schools currently under capacity that would provide a solution to deal with his capacity and not adversely impact Beasley Elementary School.

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

[The public hearing was closed.]

COMMISSIONER LOKKEN MADE A MOTION TO FIND THE VINEYARDS PROJECT IN CONFORMANCE WITH THE REGIONAL PLAN, SECONDED BY COMMISSIONER MOSS. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

- D. PUBLIC HEARING - Consideration and possible adoption of RPC Resolution 04-06, recommending adoption of proposed amendments to 2002 Regional Plan, regarding policy and map amendments related to resort service areas.

Rosanna Coombes, Long-Range and Community Relations Planner, stated that RPC members asked Regional Planning staff to work with planning staffs of the local governments to add development thresholds requiring the preparation of a Resort Service Area (RSA) plan if the scale of development should exceed the thresholds. Ms. Coombes reviewed the addition on page 46 of the meeting packet. Regional Planning staff recommends that the Commission adopt RPC Resolution 04-06 recommending to the Regional Planning Governing Board (RPGGB) adoption of the proposed amendments to the Regional Plan regarding resort destinations as described in the staff report, based on the findings listing in the staff report.

Commissioner Sullivan asked were T24N and T25N are located. Ms. Coombes reviewed those locations on a map.

Commissioner Sullivan asked for clarification that the locations south of the line shown on the map use the RSA plan and the locations north of the line use the criteria. Ms. Coombes responded that is correct. If a project north of the line meets the thresholds, it would be required to prepare the same plan that is required south of the line.

[The public hearing was opened.]

Bill Thomas, Summitt Engineering, stated that this policy is acceptable to his clients.

[The public hearing was closed.]

COMMISSIONER MOSS MADE A MOTION TO ADOPT RPC RESOLUTION 04-06 RECOMMENDING TO THE REGIONAL PLANNING GOVERNING BOARD ADOPTION OF THE PROPOSED AMENDMENTS TO THE REGIONAL PLAN REGARDING RESORT DESTINATIONS AS DESCRIBED IN THE STAFF REPORT, AND BASED ON THE FINDINGS IN THE STAFF REPORT, SECONDED BY COMMISSIONER SULLIVAN. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

- E. WORKSHOP - Draft annual report summarizing individual annual reports submitted by local governments and affected entities pursuant to subsection 1 of NRS 278.0286.

Ms. Coombes thanked the staffs of the local entities that contributed to this process. Ms. Coombes stated that there are three aims for this workshop. The first is to officially submit the annual report to the RPC. The second is to highlight a few key elements of the report. The third is to outline the next steps for the use of the report. Ms. Coombes stated that this report will be presented to the RPGB at their August meeting. This annual report will be one of the tools the RPC can use when reviewing the Regional Plan at the August 25, 2004, RPC meeting.

Commissioner Moss asked if an inventory was done of land available for development within the McCarran ring. Randy Baxley, Senior Regional Planner, stated that Regional Planning staff has been involved in developing a regional land use model. Regional Planning staff is in the process of updating an inventory of all the vacant lands.

Commissioner Moss stated that he asked because we don't know how much of the available land was developed within the McCarran ring. Mr. Ziegler suggested that a discussion on the modeling efforts can be agendized. Mr. Ziegler stated that Regional Planning staff feels that there is enough capacity inside the McCarran ring to reach the growth goals in the Regional Plan.

Commissioner Lokken asked about the language in the Regional Plan regarding the creation of unincorporated communities.

[Commissioner Sullivan left at 7:10 p.m.]

Ms. Coombes responded that at one point, the update committee had specific language in the Regional Plan that required the preparation of management plans. Through discussion and negotiation, the

language we ended up with in the Regional Plan does enable the County to determine whether they wish to prepare community management plans or not.

[Commissioner Sullivan returned at 7:12 p.m.]

Mr. Ziegler acknowledged the staff members of the local governments and affected entities in attendance at this RPC meeting.

COMMISSIONER SULLIVAN MADE A MOTION TO RECEIVE THE ANNUAL REPORT, SECONDED BY COMMISSIONER MOSS.

Commissioner Lokken asked if the report can be received during a workshop. Norm Azevedo, Legal Counsel, responded that it is acceptable to accept the report.

Chair Frandsen asked if the motion should also address the utilization of the report during the review of the 2002 Regional Plan. Mr. Azevedo responded that is at her discretion.

COMMISSIONER SULLIVAN AMENDED THE MOTION, BASED ON CHAIR FRANDBSEN'S COMMENT, SECOND CONCURRED. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

- F. Discussion and possible direction to staff on procedures for initiating the next update of the Truckee Meadows Regional Plan.

Mr. Ziegler stated that a successful model for the update process should identify stakeholders with an interest in the Regional Plan and engage them in the process. The update process should be geared toward identifying issues and working towards consensus on as many issues as possible. The update process should also consider the need for facilitation services. Mr. Ziegler suggested that the RPC or a subcommittee of the RPC could sit as an oversight or steering committee.

Commissioner Lokken stated that one issue that came up during the last update was whether it is beneficial to have a subcommittee or whether the entire RPC should be involved. Commissioner Lokken stated that a subcommittee is a good strategy and one should be appointed at the next RPC meeting. Commissioner Lokken asked about the budget for facilitation services. Mr. Ziegler responded that he will look into that.

Commissioner Lokken stated that he was curious about the litigation side of this. It would be nice if this could be framed in such a way that it would not go the course of the current Regional Plan.

Commissioner Sullivan stated that there is talk in the community about forming a growth task force that may include some of the stakeholders in the review of the Regional Plan. Mr. Ziegler responded that if that task force is put into place, the Regional Planning Agency (RPA) would be happy to participate. If there is a feeling that the two processes should be merged together, that is something that could be discussed.

Commissioner Lokken stated that the growth discussion should be included within the re-work of the Regional Plan. We would be in a much better position to deal with the update of the Regional Plan if topics such as transportation, water, infill, and a broader region are also discussed by a subcommittee from this body followed by stakeholder dialogues.

Commissioner Moss stated that there should be a single Regional Plan that includes growth.

Commissioner Mattina stated that if there is a group in addition to the subcommittee for the update of the Regional Plan, we would be duplicating efforts. Commissioner Mattina stated that she does not understand why we would want two groups working toward this common goal.

Commissioner Sullivan responded that this came from a couple of people that are very involved in growth issues who are concerned about the direction of growth in northern Nevada. They wanted to send a message to everybody that we need to do something now. Business and industry came to public meetings saying that the right approach is not to ask the legislature to tell us how to control growth. They came up with a task force idea to talk about what growth will look like 25 years from now. Commissioner Sullivan stated that we are not suggesting that there be more than one body directing growth. Mr. Ziegler's suggestion to make it a process where we get everybody's input and get consensus is the best route.

Chair Frandsen stated that her intention is to establish an interim subcommittee that would work on the update process. Chair Frandsen directed Regional Planning staff to place this item on the agenda for discussion at the next RPC meeting.

- G. Discussion and consideration of a possible recommendation to the Regional Planning Governing Board regarding a regional growth seminar.

Ms. Coombes stated that after some discussion with Chair Frandsen regarding the swirling environment in terms of the task force, it was decided that this agenda item may be pre-mature.

Chair Frandsen stated that it would be better for us to wait and see where the RPC can be of assistance.

Commissioner Lokken expressed a strong desire to ensure that the RPA play a strong leadership role in this process. If there is a decision from this task force, it should recognize the RPA as an impartial leader of that discussion. The RRGB should also know that the RPC feels that the RPA should be a leader in that dialogue.

Public Comment - Cathy Brandhorst spoke about governing bodies.

6. ADMINISTRATIVE ITEMS

- A. Consideration of, and possible action on, RPC Resolution 04-07, resolution of appreciation for the service of Terry K. Herman as chair of the Regional Planning Commission.

Mr. Ziegler stated that staff appreciates all the effort Commissioner Herman put in as Chair. Mr. Ziegler read the Resolution on page 69 of the meeting packet.

COMMISSIONER LOKKEN MADE A MOTION TO ADOPT THE RESOLUTION OF APPRECIATION, SECONDED BY COMMISSIONER ROGERS.

Commissioner Lokken stated that Commissioner Herman did a great job as Chair.

Chair Frandsen stated that she appreciates Commissioner Herman's presence and help in the future.

Commissioner Herman thanked the Commissioners and Regional Planning staff for their support.

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

7. DIRECTORS, MEMBERS, AND LEGAL COUNSEL INFORMATION ITEMS

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

Mr. Ziegler stated that the next RPGB meeting is scheduled for August 12, 2004. Mr. Ziegler reviewed the tentative agenda items for the next RPGB meeting.

B. 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

Mr. Azevedo stated that there has been no order issued from Judge Hardesty on the water purveyor case.

Mr. Azevedo stated that the Bushey litigation was settled with the parties reserving rights to pursue it before the Nevada Supreme Court. Mr. Azevedo received an order from the Supreme Court requesting a status report.

Mr. Azevedo stated that he would skip to item number three.

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 the County filed the opening brief last Friday. Mr. Azevedo stated that he will have a draft of a responsive brief at the next RPC meeting for review.

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

Mr. Azevedo stated that there was a status conference in Judge Hardesty's court this week that addressed what happened with respect to the cooperative planning criteria case. There was a meeting last Friday where revisions were made to the City's cooperative planning criteria that were agreed to by all the attorney's and staff that were in the room. Those revisions were brought to Judge Hardesty. Judge Hardesty's directive was that those revisions have to be taken to each of the respective governing boards for review and approval. Mr. Azevedo stated that there will be two different sets of cooperative planning criteria. One set will govern the Cities' areas and expanded spheres and the County will have their own set of cooperative planning criteria. To the extent that the County has something in their criteria that is not contained in the Cities' criteria, those criteria would not be applicable in the Cities' areas.

Mr. Azevedo drafted a proposed regulation that will be taken to the RPGB that will allow the parties to take pure questions of law regarding interpretation of the settlement agreement directly to District Court to bypass the RPC and the RPGB. If that regulation is adopted, cooperative planning disputes before this body and the RPGB will be a thing of the past.

Mr. Azevedo stated that Judge Hardesty was concerned about the interaction regarding interim water planning criteria as well as the Regional Water Management Plan when that is adopted. The Judge made it clear that the court process obligations the parties to implement the interim water planning criteria.

Commissioner Lokken commented on the issue of being able to bypass the administrative hearing process. Commissioner Lokken stated that he had hoped that they would get the lawyers out of it and allow the planning professionals to have the dialogue. Mr. Azevedo responded that it has become more legal in nature than planning. That is one of the down sides of losing the administrative process.

- C. Report on meetings of interim legislative committees, legislative MOU, and conceptual legislation for 2005 session.

Patricia Rogers, Community Outreach Assistant, stated that Regional Planning staff has compiled a list of BDRs that could potentially have an affect on regional planning. Ms. Rogers stated that TMWA has requested that they be a party to the legislative MOU. Their board will be hearing this item on August 11.

Commissioner Lokken asked about results regarding the MOU at Washoe County's meeting. Ms. Rogers responded that Washoe County did hear the item and they did approve the MOU.

8. REQUESTS FOR AND ACTION ON FUTURE AGENDA ITEMS

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

Mr. Ziegler reviewed agenda items for the August 11 and 25 RPC meetings.

9. WRITTEN CORRESPONDENCE

None

10. PUBLIC COMMENT

None

11. ADJOURNMENT

Chair Frandsen adjourned the meeting at 7:55 p.m.

Respectfully submitted by Christine Birmingham.

Reviewed by:

Approved by:

Dave Ziegler, Director
Truckee Meadows Regional Planning Agency

Florence 'Marge' Frandsen, Chair
Regional Planning Commission

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**APPROVED BY THE REGIONAL PLANNING COMMISSION IN SESSION ON _____,
2004.**