

CARSON CITY REGIONAL PLANNING COMMISSION  
Minutes of the Special November 13, 1995, Workshop  
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A special workshop of the Carson City Regional Planning Commission was held on Monday, November 13, 1996, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 6 p.m.

**PRESENT:** Chairperson Maxine Nietz, Vice Chairperson Alan Rogers, and Commissioners Allan Christianson, Vern Horton, William Mally, Archie Pozzi, and Deborah Uhart

**STAFF PRESENT:** Community Development Director Walter Sullivan, Public Works Director Jay Aldean, Utilities Director Dorothy Timian-Palmer, Deputy District Attorney Mark Forsberg, Principal Planner Rob Joiner, Division Fire Chief Steve Mihelic, and Recording Secretary Katherine McLaughlin (SPC 11/13/95 Tape 1-0001)

**OTHERS PRESENT:** Bureau of Land Management Representative David Loomis and SEA Engineering Consultant Karen Melby

**NOTE:** Unless otherwise indicated, each item was introduced by the Chairperson. A tape recording of these proceedings is on file in the Clerk-Recorder's office. This tape is available for review and inspection during normal business hours.

**A. ROLL CALL, DETERMINATION OF A QUORUM, AND PLEDGE OF ALLEGIANCE** - Chairperson Nietz convened the meeting at 6:03 p.m. Roll call was taken and a quorum was present although Commissioner Pozzi had not yet arrived. Chairperson Nietz lead the Pledge of Allegiance.

**B. PUBLIC COMMENTS (1-0028)** - Joan Davison, 809 West Long Street, requested the zoning around her home remain single family and one story and not office, public or government. Chairperson Nietz explained that this was zoning issue and not a Master Plan issue. She encouraged Ms. Davison to remain and participate in any discussions of the Master Plan designations for that area. Dick Murray, representing the Carson Lodge No. 1, explained the Lodge's difficulty in understanding the issues whenever its area(s) is/are discussed. The Lodge had, therefore, submitted a plan and had commenced discussions with the Department. He gave the Commission and staff a written status report concerning the property and the Lodge's activities. Chairperson Nietz thanked him for the report. (Copies were given to the Commission and staff.) She invited him to remain and participate in the Master Plan discussion. Additional public comments were solicited but none given. Mr. Sullivan gave the Commission and Clerk copies of Mr. Davison's letter and indicated he would read it into the record later in the meeting.

**C. MASTER PLAN UPDATE**

**C-1. DISCUSSION AND ACTION REGARDING POPULATION ESTIMATES AND PROJECTIONS**

**C-2. DISCUSSION AND REPORT REGARDING ENVIRONMENTALLY SENSITIVE LANDS, PUBLIC SERVICES AND FACILITY SITES, PARKS AND RECREATION SITES AND SCHOOL FACILITY SITES**

**C-3. DISCUSSION AND POSSIBLE ACTION REGARDING THE FINAL DRAFT OF THE LAND USE MAP AND TEXT (1-0128)** - Mr. Sullivan explained the technical committee meeting with the Builders Association and its concerns. Correspondence from several builders and Mr. Loomis was distributed to the Commission and Clerk. Due to the concerns expressed, Mr. Sullivan suggested the timeframe for adopting the Master Plan's text be extended. This may necessitate additional workshops and require additional funding.

Mr. Joiner briefly outlined the attendance at the meeting and concerns which had been expressed. Ms. Melby had checked the population estimates and her figures are within 300 of the land use projections. When the Bypass was originally proposed, the Board of Supervisors had indicated that commercial development would not be allowed along it; therefore, zone changes had not been considered. Notification procedures do not require notifying property owners of any proposed zone changes. Staff recommended this procedure be maintained. The

notifications which had been made complied with the Statutes. A change would create additional problems and may not meet the intent. A Master Plan administrative amendment process text will be prepared if the Commission and Board direct and approve. Both staff and the Builders Association had provided amendments and definitions which should be added to the text. Support for the request to continue holding workshops was delineated. Mr. Joiner also introduced Mr. Loomis and explained his role. Clarification indicated the Commission did not have a copy of the Association's list of items. The only comments from the Association were from its members--Capital Engineering and Landmark Homes.

(1-0450) Ms. Melby explained how she had calculated her population figure of 67,486 and the land use population figure of 67,784, which is a difference of 302. Ms. Timian-Palmer urged the Commission to limit the population to that which the natural resources could support which would include the water recharge rate and the wastewater treatment facilities capabilities. She felt that the water resources could not support the Builders' desire for a population of 120,000. The wastewater treatment facilities could only support a population of 70,000. Commissioner Mally expressed his feeling that the 70,000 figure should be maintained. He also noted the growth rate percentages which established an estimated timeframe for meeting the maximum growth rate.

(1-0635) Public comments were solicited. Ken Dorr of Capital Engineering noted his letter on the land use text. He commended the Commission, consultant, and staff on their work. He urged the Commission to consider the eleven points in the letter and to take the necessary time to do so. either he nor the letter represented the Builders' Association.

(1-0741) John Anderson expressed his feeling that none of the Builders wished to see the area builtout to a population of 120,000. He indicated the impression that the Builders wished to see a population of 120,000 was a misunderstanding of his rhetorical question.

(1-0785) Parks and Recreation Commission Chairperson Jay Meierdierck distributed a memo to the Commission and staff. He requested his comments be added to the others and supported a continuation to allow time for staff/Commission to respond. He then reviewed the memo and explained the concerns in depth. His concerns included the friction areas encountered between the parks and residential areas which was not indicated in the industrial and commercial areas. This finding is in direct conflict with his Commission's policy to have parks and schools in residential areas. He urged the Commission to have the bike trails and pedestrian paths included in both the Parks and Recreation element and the Transportation element. His Commission opposed the comments found in implementation strategy element 8.4.3 as the Commission operates in open meetings with the public. If it is required, then it should be included in all other sections. Exhibit B should be modified as neighborhood parks should not be required in rural areas particularly if the area is developed as one unit per 40 acres. The open space and park area text should be left open for comments until all of the issues are finalized. If the plan implements impact fees for different elements, the Park and Recreation facilities should be included and not restricted solely to utilities. He also requested inclusion of a "phasing timetable" for the transfer of BLM lands. He felt that the consultant should have used a higher range in the population estimate and delineated his reasons for requesting recalculation of the estimate. His estimate indicated the plan would provide for a population of 100,000. Ms. Timian-Palmer explained her discussion with the consultant and the need for the Board of Supervisors to establish a policy delineating procedures for restricting the population. This may include acquisition of development rights for properties. Ms. Melby expressed her feeling that some of the property could not be developed due to the topography and environmental constraints. This would also provide balancing. Chairperson Nietz pointed out that some of the area would be removed for streets, etc.

(1-1025) Ms. Melby explained for Joe Menesini that his property was zoned commercial.

(1-1072) Builders' Association President Jim Bawden explained that his letter represented the Association and its concerns. He requested a continuation in the process to meet with the public and Association on the document. He agreed that the memo on population distributed this evening would address the Association's number two concern.

(1-1108) Lois Lazor distributed a packet to the Commission. (None to the Clerk.) She voiced her objection to the note on the plan regarding the levels of services as found on pages 42 and 39. The text defines the urban area's

level of service for fire and sheriff responses as being ten minutes or less. The note indicates that the Board could change this level of service at any time based on the budget. She urged the Commission and Board to take action which would prohibit growth at any time the quality of life and services deteriorates below the standards set and demanded removal of the note. Chairperson Nietz explained that all Commission actions are subject to the Board of Supervisors review and action. She agreed that the public could demand the Board adhere the standards at the time a change is proposed, however, questioned whether the Commission could include a prohibition against the Board making changes to the plan once it is adopted. Ms. Lazor continued to elaborate on her request. Chairperson Nietz indicated that the question of whether money is a limited resource was debatable and would continue to be one. The plan's purpose is to attempt to establish a plan for growth and eliminate future problems wherever possible. Ms. Lazor then expressed her feeling that in order to address the traffic problems encountered in Carson City the public would have to accept a five cent gas tax.

(1-1292) Mrs. Borda questioned the viability of the plan. Chairperson Nietz indicated the last Master Plan had been adopted in the early 1980s. She could not guess how long the next plan would be utilized. She also assured Mrs. Borda that her area is considered a rural area and could be developed by right under that density. Any higher density would require pursuing other procedures as defined within the plan. The proposal would not change her zoning and the current density would be maintained.

(1-1372) Judy Lepire questioned the reasons for modifying the names for the different density levels rather than terms which using terms which are easier to understand. She felt that Heavy and Light Industrial were easy to define and understand. She questioned the term rural commercial. Chairperson Nietz explained that she would have to consider the zoning and density in order to determine whether a special use permit would be required. Ms. Lepire continued to stress her point that the layperson should be able to understand the terms without a lot of work. Chairperson Nietz explained that the zoning established a standard for a district and that the Master Plan is a planning tool required by the Statutes, which is what the Commission is working on at this time. Ms. Lepire continued to reiterate her position in spite of Chairperson Nietz' efforts to explain the terminology and justify its usage.

(1-1495) Dwight Millard expressed his feeling that the Master Plan was an attempt to provide the flexibility established through the visioning process. The population figures were within the range established. He cautioned against "over using" the area based solely upon a person's property rights. He questioned whether everyone would, in fact, develop his/her property and whether the individual has a right to develop it based upon the limited resources available in the basin. He suggested that it be the City's or society's responsibility to take care of an individual who could not develop his/her property right when the resources are no longer available. He then expressed his concern that the Master Plan was allowing up zoning of property without the appropriate zone change, which he felt s should be done together. Chairperson Nietz explained that his property could be developed today at the density provided by its current zoning. Mr. Sullivan explained that if the Master Plan is adopted, staff will continue to analyze the long-term needs in the three to five year range and bring parcels which are not in conformance with the Master Plan and zoning ordinances into conformity. Mr. Millard then questioned the number of parcels which had been down zoned if the zoning was in conformance with the present Master Plan. Properties being up zoned would be of little concern to the property owners. An example cited was the proposal to reduce the density for development on agriculturally zoned property to one residential unit per forty acres. Clarification indicated that Mrs. Borda's property was zoned agricultural and that she could develop it as one unit per ten acres. Chairperson Nietz also indicated that any changes to the zoning map and ordinances would be done in open public meetings. Mr. Millard felt that the Master Plan did not include areas which had already been developed at the higher densities. Both Mr. Sullivan and Ms. Melby indicated that there are parcels on the map which had been developed at a higher density level. These areas are ones which are in transit and have zoning conflicts. Clarification noted that Mr. Millard's concern had been the number one priority on the Builders' Association letter.

(1-1810) Mr. Sullivan indicated for Ron Kipp that if his development is in conformance with the zoning map, he would not have to do a master plan amendment.

(1-1832) Grant "Sandy" Weise expressed his feeling that his property had been adversely impacted by the Master Plan. He urged the Commission to retain the current zoning and reconsider any areas which would be down

zoned. He supported up grades. He felt certain that once the Master Plan is adopted, the zoning map would be modified to match. When this occurs, property rights will be taken. Mr. Sullivan explained that the map would not change the zoning. Mr. Weise reiterated his request based on his feeling that it would only be a matter of time before the zoning is changed to match the Master Plan's map. Down zoning should be eliminated as it would remove property rights on parcels which are not developed immediately.

(1-989) Jack Foerschler felt that the answers were "technically correct", however, eventually a Code amendment would be implemented that would down zone the property. This had occurred when Title 18 had been changed and reduced agricultural property density from one unit per five acres to one unit per 40 acres.

(1-2025) Chairperson Nietz explained for Don Langson that the Statutes do not stipulate how often the Master Plan must be updated. Mr. Sullivan explained NRS 278 requirements mandating its purpose and representation of the physical changes occurring within the City. The last Master Plan was updated in 1983. The previous plans were in 1975 and sometime in the mid-60s. Mr. Langson expressed his feeling that it was not time to do one. He felt it merely created another unnecessary bureaucratic level with which the property owners would have to deal. Chairperson Nietz indicated that the new Master Plan would replace the old Plan and would not create another level of bureaucracy. She also noted the increasing number of Master Plan amendments being requested to support the need for a new Master Plan. Mr. Langson felt that it was unnecessary and that the current Plan should be retained as the "Commission's" purpose for a parcel could be different from that desired by the property owner. He requested additional time for input as he felt there is a conflict with his property. Chairperson Nietz explained that this process had been open and that public input had been taken for several months. She requested his input. Mr. Langson felt that the roundtable discussion which had occurred at the technical committee meeting should occur again before the Master Plan is finalized.

(1-2211) Bob Smith felt that the new Master Plan would negatively impact his property which is currently zoned neighborhood business and surrounded by SF6000. The Master Plan should allow only up zones and never a down zone. The proposed Master Plan would allegedly lower his property values.

Additional public testimony was solicited. (1-2295) Carson City High School Principal Glen Adair requested the opportunity for the School District to analyze the Master Plan in depth and determine what it would do to the District's Master Plan. The impact of the high density residential district along Highway 50 as well as the desire to provide for better educational servicing of the community overall were cited to support his request. He also questioned the wisdom of having "thousands and thousands" of children centralized in one area which would occur if the area surrounding the present High School is developed as the proposed Master Plan designates. This would purportedly force the School District to acquire two school sites adjacent to the High School and may in turn cause an unbalancing of services and student population. This may also cause an overtaking of services and impact the quality of life in that area.

(1-2505) Michele Langson expressed her opposition to the Master Plan's purposed designation for a small section which she owned. She felt that it designated her area as Office and would unfairly and arbitrarily restrict her development potential as the current zoning is Tourist Commercial. This would also devalue her property. She requested additional time to discuss the proposal based on the lack of knowledge about the request and the fact that she had not been notified of the proposed change.

Additional public testimony was solicited but none given. Public testimony was closed, however, Chairperson Nietz immediately reopened it. (1-2605) Mr. Sullivan highlighted Mr. Davison's letters opposing any changes in his vicinity--the area west of Long and Mountain Streets. (Copies are included in the file.) Ms. Davison clarified for the record that the neighborhood spokesperson had been Mr. Lonnie Johns, however, Mr. Johns could not attend due to an illness. Discussion indicated this area would remain the same as on the current Master Plan.

(1-2708) Additional public testimony was solicited. None was given and public testimony was closed. Due to another request, however, Chairperson Nietz again reopened public testimony. Edward Kiewicz indicated that he had signed one of the letters Mr. Sullivan had referenced. He questioned whether the Hospital had requested a Master Plan upgrade to allow it to change the property to provide additional area(s) for expansion. He felt that this potential supported the contention alleged earlier in the meeting that the Master Plan could be updated provided

politics are involved. He felt that the Hospital would eventually force the change even though the neighborhood is opposed. Chairperson Nietz explained a property owner's ability to change the designations. This change would be deliberated upon in an open meeting. This would allow the neighborhood to present its case. She indicated that a plan had not been submitted as of this date. Commissioner Rogers indicated that the Commission had earlier rejected the Hospital's request to modify the Master Plan. The Commission could not control the Hospital's timing of a request for a future modification.

(1-2912) Public testimony was again solicited. None was given and Chairperson Nietz again ruled it closed. Mr. Forsberg then outlined the statutorily mandated notification process and his advice that the Commission/staff strictly adhere to it. Chairperson Nietz elaborated on the notification process by explaining the different media sources which had been used to advertise the process. Mr. Forsberg elaborated further on his reasons for restricting the notification process to that required by law. An unidentified individual in the audience felt that the Commission should have used the tax bills to notify the property owners. (1-3125) Mr. Weise elaborated on the Washoe County notification process which had utilized the tax bills. He felt that anyone who is adversely impacted by a Master Plan modification should be notified in this method. Ms. Melby responded by explaining that Washoe County's notification procedure was based on having a zone change and Master Plan update addressed at one time and in one document. This changes the legal parameters.

Chairperson Nietz then asked staff to approach the Board for additional funding so that the continuation requested could be pursued. She supported and was willing to grant the request. Commissioners Christianson, Horton, and Uhart supported her request. Mr. Sullivan iterated his support for a continuation and indicated he would request additional funding, have additional meetings, and report to the Commission after the first of the year. Chairperson Nietz indicated that these additional meetings should be in compliance with the Open Meeting Law. She was concerned about the last minute opposition to the Plan based on the notification and input which had been provided throughout the process. She indicated that their input would also be included in the process. Chairperson Nietz then directed staff to evaluate the financial impact of a continuation, take the input distributed this evening as well as the verbal comments and "fold" them into the process, and, once financing is approved, schedule and notice additional meetings. Commissioner Uhart suggested that the areas be taken a section at a time and the impacted property owners be notified of the meetings. Mr. Forsberg reiterated that all of the notification procedures had been followed to date and that interested individuals had been participating. Commissioner Uhart felt that additional notifications needed to be made. Mr. Forsberg advised against using a notification procedure not mandated in the Statutes. Commissioner Uhart explained her request was for the structure of the meetings and not the notification procedure. Chairperson Nietz felt that her request was to "quadranize" the Plan rather than addressing the entire Plan at once. Mr. Sullivan indicated he would analyze both suggestions and attempt to meet both requests, i.e., a larger newspaper ad, quadranizing, etc. Commissioner Uhart elaborated on the reasons for her suggestion. Additional Commission comments were solicited but none given.

No formal action was taken on these Items.

#### **D. NON-ACTION ITEMS**

**D-1. COMMISSIONER COMMENTS (2-0101) - None.**

**D-2. STAFF COMMENTS (1-0105) - Mr. Sullivan reminded the Board that the next meeting would be on Wednesday, November 29.**

Chairperson Nietz thanked the audience for its attendance and participation. She encouraged everyone to contact staff with any comments, to notify their neighbors and friends, and to attend the meetings.

**E. ADJOURNMENT (2-0135)** Commissioner Horton moved to adjourn. Commissioner Christianson seconded the motion. Motion carried 6-0. Chairperson Nietz adjourned the meeting at 7:40 p.m.

The Minutes of the Special November 13, 1995, Carson City Regional Planning Commission Master Plan Update Workshop

ARE SO APPROVED ON \_\_\_January\_31\_\_\_, 1996.

\_\_\_\_\_/s/\_\_\_\_\_  
Alan Rogers, Chairperson