

CARSON CITY REGIONAL PLANNING COMMISSION
Minutes of the November 4, 1999 Meeting
Page 1

A special meeting of the Carson City Regional Planning Commission was held at 12:15 p.m. on Thursday, November 4, 1999 in the Cooperative Extension Conference Room, 2621 Northgate Lane, #12, Carson City, Nevada.

PRESENT: Vice Chairperson Allan Christianson
Keith Larkin
William Mally
Alan Rogers
Richard Wipfli

STAFF: Walter Sullivan, Community Development Director
Rob Joiner, Principal Planner
Juan Guzman, Senior Planner
Neil Rombardo, Deputy District Attorney
Vern Krahn, Parks Planner
Kathleen King, Recording Secretary
(RPC 11/04/99; Tape 1-0001)

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

A. ROLL CALL AND DETERMINATION OF A QUORUM (1-0042) - Vice Chairperson Christianson called the meeting to order at 12:15 p.m. Roll call was taken; a quorum was present. Chairperson Horton and Commissioner Sedway were absent. Commissioner Rogers arrived at 12:23 p.m.

B. PUBLIC COMMENT (1-0060) - None.

C. DISCLOSURES (1-0073) - None.

D. PUBLIC HEARING (1-0079) - Vice Chairperson Christianson dispensed with reading the agenda listing into the public record.

D-1. U-98/99-34 DISCUSSION AND ACTION REGARDING A PREVIOUSLY APPROVED SPECIAL USE PERMIT APPLICATION FROM M. DALE AND LEAH C. LAMBORN TO ALLOW AS A CONDITIONAL USE AN ACCESSORY STRUCTURE OF 2400 SQUARE FEET IN SIZE AND EXCEEDS 50% OF THE PRIMARY BUILDING ON PROPERTY ZONED SINGLE FAMILY ONE ACRE (SF1A), LOCATED AT 4410 PONDEROSA DRIVE, APN 9-182-11, SPECIFICALLY, THE LOCATION OF THE ACCESSORY STRUCTURE ON THE PARCEL (1-0111) - Mr. Joiner reviewed the previous approval by the Commission in December 1998, including eight conditions and two stipulations. The applicant applied for a building permit in September 1999. As the staff person present in the permit processing center that day, Mr. Joiner reviewed the special use permit and determined that the applicant was in compliance with its conditions as to size, material, color, and use; and with its stipulations to reduce the roof pitch to 4 and 12, and the height of the building to 20 feet. An additional stipulation was that the applicant would relocate the structure to the most favorable location on the piece of property within the existing setbacks. The applicant had, in fact, moved the structure five additional feet from its original location, and turned it ninety degrees in an attempt to lessen the impact to the neighbors. The building permit was, thus, approved. Subsequently, the neighbors, Mr. and Mrs. Montgomery, contacted staff to advise that the location was not the most favorable, and to request input from staff. Staff contacted the applicant and requested that they consider slowing or stopping the project until the matter could be resolved. The applicant agreed to stop construction until further review by the Commission. Staff requested a copy of the transcript of the previous meeting and, upon review, noted that the applicants committed to work with staff and the Montgomerys in determining a more favorable location on the site. Staff has since met with the Lamborns and the Montgomerys and the parties have come to the following

CARSON CITY REGIONAL PLANNING COMMISSION
Minutes of the November 4, 1999 Meeting
Page 2

conclusions: Both parties have agreed to allow the structure to remain in its present location in exchange for consideration of other mitigating factors such as the use of the structure and the future location of a horse corral. Additionally, staff is considering a process change to either request that stipulations be more specifically stated during the meetings, or that a transcript be requested to determine the substance of discussion, and considerations to be made as the project is presented for building permit. Discussion ensued with regard to including more specificity for stipulations, crafting stipulations into conditions, and the location of the building preferred by the Montgomerys. Mr. Joiner advised that structural footings have been poured, and discussion ensued with regard to the construction time table, noticing requirements for the special meeting, and the unforeseen difficulty caused by resignation of the previously assigned planner. (1-0455) Leah Lamborn expressed a concern over the vagueness of the stipulations agreed to at the December 2, 1998 meeting, and her understanding, at the time, that the Lamborns were to work out a solution with the Montgomerys on their own. She advised that the parties have since resolved the situation; however, work on the building was stopped on October 18 following a recommendation to do so by the Building Department. This has caused a potential problem with the construction time table, as the footings have been poured and the concrete contractor cannot return for an additional month. Vice Chairperson Christianson advised that his understanding of the stipulation was that the Lamborns would return to the Commission, once a solution was reached between the parties and City staff. He assured Mrs. Lamborn that the Commission would not place the burden on an applicant to work out a situation such as this on their own with a neighbor. He apologized to Mrs. Lamborn for the subsequent delay in construction. (1-0570) Max Montgomery discussed the history of construction of accessory structures surrounding his property, and the affect these structures have on his views of the mountains to the south and to the north. He provided background information on the progress of the subject structure, and advised he was under the same impression, i.e., that the Lamborns and the Montgomerys were to meet and discuss the plans prior to construction. He stated he will not further protest the location of the building because of the money already invested by the Lamborns. He has requested the Lamborns to locate the proposed horse corral on the opposite side of the property. Mrs. Lamborn acknowledged that they have agreed to do so. Vice Chairperson Christianson apologized to Mr. Montgomery for the misunderstanding. Commissioner Mally moved that the Planning Commission reaffirm the approval of a request for a special use permit application from Dale and Leah Lamborn to allow the conditional use of an accessory structure of 2400 square feet in size and exceeding 50% of the size of the primary structure on property zoned single family one acre, located at 4410 Ponderosa Drive, APN 9-182-11, with the original conditions and stipulations as approved on December 2, 1998. Commissioner Rogers seconded the motion. Mr. Sullivan pointed out that the Lamborns had stipulated to locate their horse corral to the opposite end of their property from the Montgomerys. Commissioner Mally amended his motion to include a condition of approval to move the horse to the far side from the Montgomery property. Mr. Sullivan advised that this would be included as condition #9. Commissioner Rogers concurred with the amendment. Motion carried 5-0-2-0. Mr. Sullivan advised of the 15-day appeal period available to the parties.

D-2. A-99/00-1 DISCUSSION AND ACTION REGARDING AMENDMENTS TO CARSON CITY MUNICIPAL CODE (CCMC), TITLE 18, ZONING; SECTION 18.02.110 MASTER PLAN AMENDMENTS; MORE SPECIFICALLY SECTION 18.02.112 ADOPTION OF MASTER PLAN ELEMENT, SECTION 18.02.113 ELEMENTS OF THE CITY'S MASTER PLAN, AND SECTION 18.02.116 REQUIREMENTS FOR APPLICATION, SPECIFICALLY FOR MASTER PLAN LAND USE MAP AMENDMENTS, AND OTHER MINOR MATTERS RELATED THERETO IN SECTION 18.02.110 THROUGH 125 (1-0827) - Mr. Sullivan reviewed the materials contained in the Commissioners' packets, and referred to the District Attorney's proposed amendment distributed at the meeting. He concurs with the changes contained in the District Attorney's version, and reviewed the same. He introduced Lonnie Johns; Steve Hartman, Chairman of the Open Space Advisory Committee; and Vern Krahn, Parks Planner, and provided information about each person's involvement with this agenda item. Mr. Sullivan pointed out the clarification by the District Attorney, with regard to Section 18.02.120(3)(a), that master plan amendments require a two-thirds majority vote of the Board of Supervisors. He expressed appreciation for Mr. Rombardo's work on the amendment. At the request of Commissioner Larkin, Mr. Sullivan explained the history of twice-a-year review of master plan amendments. Discussion ensued with regard to changing references to the planning commission. (1-1541) Lonnie Johns commended Mr. Sullivan

CARSON CITY REGIONAL PLANNING COMMISSION
Minutes of the November 4, 1999 Meeting
Page 3

and his staff on their responsiveness to the community. He has spoken with a number of his neighbors and they have expressed their appreciation of the progress made through the assistance of the Community Development Department. In reviewing the master plan amendments, he noted the lack of reference to ensuring the quality of life of Carson City residents. Mr. Sullivan assured Mr. Johns that quality of life is defined in the Land Use Element of the Master Plan. He referred to the work done by Vice Chairperson Christianson and Commissioners Rogers and Mally, and read the quality of life definition into the record. Mr. Guzman provided a copy of the Land Use Element to Mr. Johns. Commissioner Rogers commented that the subject ordinance depicts processes used by the City, and that this defines quality of life in the master plan itself. The goal was to ensure that quality of life was part of the master plan. (1-1950) Steve Hartman, Chairperson of the Open Space Advisory Committee, thanked Mr. Rombardo for his work on the amendment. He pointed out that CC&Rs refer to Covenants, Conditions and Restrictions. He commented on the wisdom of referencing the statutory sections, and advised that NRS Chapters 278 and 278A will be amended by a working group. (1-2022) Parks Planner Vern Krahn commented on the flexibility afforded by the amendment, and encouraged the Commission to adopt the same. Mr. Sullivan provided a recommendation by staff that the Commission recommend approval of the ordinance to the Board of Supervisors with the correction to page 7, the reference to CC&Rs. Commissioner Larkin requested further information with regard to the decision to change from twice-a-year reviews, and suggested extending the public notice period. Mr. Sullivan explained the noticing requirements, and advised that the Community Development Department has committed to notice 30 property owners in areas zoned SF1A and SF5A, which usually extends beyond the 300-foot requirement. Commissioner Larkin clarified that his suggestion concerned extending the time period for public notice. Mr. Sullivan explained that the notice is published in the newspaper approximately three weeks prior to the regularly scheduled Planning Commission meeting, in addition to publishing the agenda. He suggested that CAT-10 may be a possible venue for advertising notice as well. Mr. Rombardo confirmed that the noticing requirements are set forth by statute, and that the noticing period can be exceeded. Commissioner Larkin further clarified that his suggestion pertained only to material changes to the master plan, and commented that the public should have as much notice as possible. Mr. Sullivan suggested that the Commission review the noticing requirements for the amendment process in one year and determine whether or not the noticing period is sufficient at that time. Commissioner Larkin concurred. Mr. Sullivan clarified for Commissioner Wipfli that an applicant would be required to submit complete information before being allowed to request an amendment out of sequence. In addition, the applicant would be required to wait one year to resubmit a proposed master plan amendment if it was denied. Discussion ensued with regard to the definition of preliminary plans, and staff's options for handling incomplete amendment proposals. Commissioner Rogers expressed a concern that the amendment will be viewed as providing staff and the Commission with too much flexibility. Discussion ensued regarding the option of adding elements to the master plan rather than amending it. Mr. Sullivan advised that other jurisdictions were contacted to determine their processes for master plan amendments and text revisions. With the exception of the City of Las Vegas, most cities and counties amend master plans once or twice a year. Las Vegas amends four times a year. All jurisdictions contacted indicated elements are adopted at any time during the year with the exception of Las Vegas, which includes element adoptions in the master plan amendment process. The District Attorneys' offices in Douglas and Washoe Counties advised exactly the opposite. Mr. Sullivan acknowledged that he and Mr. Rombardo are in agreement over the subject ordinance change. Mr. Sullivan discussed proposed revisions to Chapter 278 and provided an overview of its contents. Mr. Rombardo confirmed that the amendment is defensible and legal. Commissioner Rogers moved to recommend that the Board of Supervisors approve ordinance changes to Title 18 as recommended by the District Attorney in the document provided. Commissioner Mally seconded the motion. Commissioner Rogers amended his motion to include the correction to page 7, that CC&Rs refer to Covenants, Conditions and Restrictions. Commissioner Mally seconded the amendment. Motion carried 5-0-2-0.

(1-2932) - Mr. Sullivan pointed out that the next meeting is scheduled for Monday, November 22, 1999 at 3:30 p.m. in the Community Center Sierra Room. The December meeting is scheduled for Monday, December 20, 1999 at 3:30 p.m. in the Community Center Sierra Room.

(1-2998) - Mr. Johns requested a copy of the master plan map once it is completed. Mr. Sullivan advised that it should be ready in January.

CARSON CITY REGIONAL PLANNING COMMISSION

Minutes of the November 4, 1999 Meeting

Page 4

E. ADJOURNMENT (1-3040) - Commissioner Wipfli moved to adjourn the meeting. Vice Chairperson Christianson adjourned the meeting at 1:50 p.m.

The minutes of the November 4, 1999 meeting of the Carson City Regional Planning Commission are so approved this 22nd day of November, 1999.

/s/
VERNE HORTON, Chairperson