

**CARSON CITY BOARD OF SUPERVISORS
CARSON CITY PLANNING COMMISSION
Minutes of the March 3, 2023 Joint Work Session
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A special Joint Work Session of the Carson City Board of Supervisors and the Carson City Planning Commission was scheduled for 8:15 a.m. on Friday, March 3, in the Nugget Hall of the Western Nevada College, 2201 West College Parkway, Carson City, Nevada.

BOARD OF SUPERVISORS PRESENT:

Mayor Lori Bagwell
Supervisor Stacey Giomi, Ward 1
Supervisor Maurice White, Ward 2
Supervisor Stan Jones, Ward 3
Supervisor Lisa Schuette, Ward 4

PLANNING COMMISSION PRESENT:

Chairperson Teri Preston
Vice Chair Sena Loyd
Commissioner Charles Borders, Jr.
Commissioner Ellen DeChristopher
Commissioner Nathaniel Killgore
Commissioner Vern Krahn
Commissioner Richard Perry

STAFF:

Nancy Paulson, City Manager
Scott Hoen, Clerk-Recorder
Dan Yu, Assistant District Attorney
Hope Sullivan, Community Development Director
Stephanie Hicks, Deputy City Manager
Tamar Warren, Senior Deputy Clerk

NOTE: A recording of these proceedings, the Board's agenda materials, and any written comments or documentation provided to the Clerk, during the meeting, are part of the public record. These materials are available for review, in the Clerk's Office, during regular business hours. All meeting minutes are available for review at: <https://www.carson.org/minutes>. An audio recording of this meeting is available on the City's website: https://carsoncity.granicus.com/player/clip/2213?view_id=2&redirect=true&h=888b409d890cd64609133704097c85a1.

1 - 3. CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE

Mayor Bagwell called the meeting to order at 8:20 a.m. Mr. Hoen called roll and noted the presence of a quorum. No flag was present; therefore, the Pledge of Allegiance did not take place.

4. PUBLIC COMMENT

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Mayor Bagwell explained the public comment process, noting that they would be heard at the beginning of the meeting, at the end of a meeting, and during each agenda item. She also clarified that item 5.B would be grouped into relevant sections for discussion and comments and entertained initial public comments.

Dr. Jennifer Verive read a prepared statement encouraging the Board to prohibit slaughterhouses in Carson City and remove them from Title 18 as they were incompatible with Carson City and its values. Maxine Nietz explained that she had not been notified of the Title 18 review meetings, objected to the “squished” homes being built, wished to keep the 6,000-square-foot minimum lot size in place, and handed out copies of suggested ordinance text. She also recommended that those wishing to live in apartments should move away to places like Sacramento [CA]. Midge Breeden recommended that builders make climate-friendly decisions such as putting heat pumps instead of gas furnaces, electric stoves instead of gas ones, and condominiums that share a common wall to conserve energy. Richard Nagel announced the passing of Bob Davis of the First Presbyterian Church of Carson City and sent prayers and condolences to his wife Jennifer. Greg Novak noted that development occurs on federal, State, and Tribal properties in Carson City that are not within the City’s jurisdiction. He noted the impact of public versus private streets and informed everyone that upon completion, the City’s freeway would have six lanes which would impact noise and traffic studies.

5. AGENDA ITEMS

5.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AN OVERVIEW OF AND POSSIBLE PROPOSALS FOR FUTURE AMENDATORY REVISIONS TO THE ORDINANCE PROVISIONS CONTAINED IN TITLE 17 OF THE CARSON CITY MUNICIPAL CODE WHICH GOVERN THE DIVISION AND SUBDIVISION OF LAND IN CARSON CITY.

Mayor Bagwell introduced the item. Ms. Sullivan gave background, reviewed the Title 17 presentation which is incorporated into the record, and responded to clarifying questions. Mayor Bagwell entertained Board discussion and recommended choosing between Titles 17.09 and 17.10 and noted her preference for the open space requirements in Title 17.09. Supervisor Giomi gave background on the origins of Title 17.10 and believed in eliminating Title 17.10 and keeping Title 17.09. Supervisor White referenced a public comment email from Bob Weise, incorporated into the record, and agreed with Mr. Weise’s recommendation that “[Title] 17.10 should just go away.” Supervisor Horton was also in agreement that Title 17.10 should be eliminated. Supervisor Schuette reminded everyone that Titles 17.09 and 17.10 were intended to ensure the preservation and protection of open space and cultural and natural resources and wished to see that aspect continued. She acknowledged the disappointment caused by developments but also noted that both Titles provided opportunities for everyone that cannot afford homes that are zoned as Single Family 6,000 or 12,000 to live in nice places.

Commissioner DeChristopher noted that the Planning Commission relied on the Carson City Municipal Code (CCMC) for its decisions and preferred to see it “tighter.” She also hoped to continue the conversation openly and as a community, not just as particular neighborhoods. Commissioner Killgore agreed with Mr. Weise’s email and wished to see Title 17.10 eliminated. Commissioner Loyd agreed with Supervisor Schuette’s comments that a vibrant community was based on a diverse age group, professions, and geography. She recommended taking that into consideration “in whatever we do with Titles 17.09 and 17.10.” Chairperson Preston believed in having diversified housing and provided personal and anecdotal information to support it. She wished to consider “the

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community as a whole and not one neighborhood.” Commissioner Perry believed that detention basins should not be used as common open spaces but was in favor of having walking and bicycling paths. Commissioner Borders believed that Title 17.10 created more density but not open space. He encouraged the Commission to work on Title 17.09 to solve the problems created by Title 17.10. He recommended taking action quickly to either eliminate or put a moratorium on Title 17.10 because he anticipated at least one or two upcoming projects with Title 17.10 components. Commissioner Krahn echoed Commissioner Preston’s comments and wished to see the positive components of Title 17.10 incorporated into Title 17.09 to be more flexible. Supervisor Giomi noted that all the components of Title 17.10 were present in Title 17.09 and recommended eliminating Title 17.10 and Mayor Bagwell explained that the elimination of a code would be much quicker and easier than a rewrite. She reminded both boards that at least one pending application would be affected and should be addressed. Mr. Yu advised directing the District Attorney’s Office to take appropriate action for the moratorium or the elimination of Title 17.10. Ms. Sullivan believed that “there are positives with [Title] 17.09 and some issues with [Title] 17.10.” She also confirmed for Mayor Bagwell that projects eligible under Title 17.10 could be carried out under Title 17.09. Mayor Bagwell entertained public comments.

Dave Saarem noted that most of his prepared comments had already been discussed and recommended a public workshop on Title 17.10. Maxine Nietz believed that common open space was actually private open space and recommended enforcing the rules that are already there. She also advocated slow and “intelligent” growth. Christine Sylvester recommended clearly defined codes and wished to have them reflect the values of the community. Ms. Sylvester was not in favor of high-density housing. Jeffrey Foltz wished to ensure that “developments do not slip under the wire under [Title] 17.10 before you initiate the moratorium...including the Anderson Ranch West Project.” Mayor Bagwell clarified that this meeting’s decision would not impact said project because “they legally filed while the law was in place.” Paul Esswein was in favor of repealing Title 17.10; however, he suggested revising Title 17.09 to require multiple housing types within a Planned Unit Development (PUD) and dimensional design requirements for open space. On behalf of the Board, Mayor Bagwell thanked Mr. Esswein for his past years of service on the Planning Commission.

Richard Nagel was “dismayed to find out that open space is not public space.” He likened it to covering museum art and was in favor of repealing Title 17.10. Another public commenter (inaudible name) believed in a disconnect between “the community and the government” regarding the definition of open space. She was disappointed to see development in her former town not reflect what the community wanted and believed that housing growth was exceeding job growth. Betsy Strasburg thanked the Board of Supervisors and the Planning Commission for reaching a consensus regarding Title 17.10 and hoped that other changes to ordinances are discussed in a workshop format. LeAnn Saarem also expressed her appreciation to the Board and the Commission for wanting to eliminate Title 17.10 and noted the similarities between Titles 17.09 and 17.10. She recommended joint discussions with the community should Title 17.09 changes be discussed.

Paul Longshore noted that the spirit of Title 17.10 was “awesome;” however, it was not followed by developers, and was in favor of repealing it. Karen Stephens suggested having some evening/Saturday meetings to accommodate younger residents with jobs. Mariann Humphrey expressed disappointment in the rapid growth of Carson City and believed it would impact medical, police, fire, and other services. Heather Koeche was pleased to hear the Board’s and the Commission’s positions on eliminating Title 17.10 and recommended involving the community during Title 17.09 discussions. Ms. Koeche was also concerned about traffic and opposed traffic

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studies done by developers. Carolyn Ingbar, whose written public comment is incorporated into the record, explained that “high density does not mean affordability” and noted that many people preferred “space.” She also noted that the Master Plan, paid by taxpayers, was being “ignored.” Sue Masiello cited the example of her former township in Pennsylvania and believed that a community did not need growth to survive.

Sandy Koch referenced the written public comments by Bob Weise that highlighted the issues with Title 17.10, noting that Mr. Weise had also pointed out issues with Title 17.09. She recommended collecting comments from neighbors regarding open space and recommended a book titled “Happy City” and believed that open space allowed interaction between community members and helped them feel safer. Annette Mankins cited the example of Silver Oak Development and noted that the Planning Commission should have required height restrictions. She also expressed concern about water availability. Robyn Orloff was pleased to hear discussion “about an item that is so important to the community.” Frank Dawes was in favor of a moratorium on Title 17.10; however, he recommended incorporating “the better part of [Title] 17.10” pertaining to flexibility in future decision-making and recommended looking into infrastructure as part of the decision-making process. Mayor Bagwell entertained additional comments and when none were forthcoming, she entertained Board discussion or a motion. Supervisor Giomi offered to make a motion; however, he also wished to ensure that the Planning Commission would take up revising Title 17.09 as soon as possible. Commissioner Loyd recommended looking into conformity with the Nevada Revised Statute (NRS).

MOTION: Supervisor Giomi moved to direct the District Attorney’s Office to work with Staff to take appropriate legal action to implement a suspension of [CCMC] Title 17.10, which should be carried out with as much expediency as possible. The motion was seconded by Supervisor White and carried 12-0-0.

Mayor Bagwell recessed the meeting.

5.B FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A COMPREHENSIVE FRAMEWORK OF PROPOSED AMENDATORY REVISIONS TO THE ORDINANCE PROVISIONS CONTAINED IN TITLE 18 OF THE CARSON CITY MUNICIPAL CODE WHICH GOVERN ZONING MATTERS IN CARSON CITY.

Mayor Bagwell reconvened the meeting and introduced the item. District Attorney Jason Woodbury gave background and thanked the Board of Supervisors, the Planning Commission, the current and former Community Development Directors, and the Planning Division Staff for providing direction, calling the task difficult because it entailed a major revision of CCMC Title 18. Mr. Woodbury also praised the efforts of Assistant District Attorney Yu “for his hours of labor” and “for holding himself to a higher standard.”

Mr. Yu thanked Ms. Sullivan for her extensive knowledge of CCMC, and the Board and Commission for their direction. He also reviewed a PowerPoint presentation, incorporated into the record, which included the Title 18 revision objectives: policy directions from elected and appointed officials, implementation considerations from City planners (noting that he had revised every section of the Title), and next steps. Mr. Yu explained that the revisions were both substantive and stylistic and provided examples of both in his presentation. Ms. Sullivan thanked Mr. Woodbury’s office for their cooperation, especially Mr. Yu who had worked diligently and had given up personal time to complete the revisions. Mayor Bagwell called the revisions “well done” and explained to

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members of the public the intricacies and “all the moving parts” of the document. She also noted that the proposed Ordinance review discussion would take place in sections for a more focused discussion. The sections were broken down as follows: Pages 1-36, 37-53, 53-64, 65-76, 77-136, 137-178, 179-235. Mr. Yu and Ms. Sullivan also responded to clarifying questions.

Supervisor White noted that the Title 18 revision was a direct result of listening to the community. Discussion ensued regarding Special Use Permits. Mayor Bagwell clarified that the term “special” was used to define certain conditions and consequences of an allowed business, such as ensuring no fumes are emitted. She also clarified that any business license may be revoked for non-compliance. Mr. Yu noted that the term “conditional use permit” has been used in lieu of “special use permit.” Ms. Sullivan recommended allowing non-owners of a property to become applicants (since many properties were owned by corporations or individuals who did not reside in Carson City) provided they had authorization from property owners. Mr. Yu offered to provide a comprehensive review prior to implementing the recommendation, to avoid inconsistencies. Regarding Planning Commission duties, the Commission Chair’s term was discussed, and the Commission preferred to have the ability to extend the term via reelection. Mr. Yu also offered to review the meeting cancellation policy and compare it to the Nevada Revised Statute (NRS). Supervisor Giomi inquired about incorrect information on an application and Ms. Sullivan explained that Staff confronted applicants when their statements are not accurate.

Mayor Bagwell recessed the meeting for lunch. The discussion continued when she reconvened the meeting. Ms. Sullivan reviewed the fee schedule (pages 73, 74, and 75) and clarified for Supervisor Giomi that a Minor Special Use Permit would take the same amount of staff time to process; however, the fees were less because the application could be for a home-based business such as a daycare. She also informed Commissioner Borders that to comply with the NRS, fees must be included in the Ordinance. Commissioner Loyd recommended having applicants provide proof of payment of property taxes and Ms. Sullivan noted the information is requested on a form. Commissioner Loyd also suggested using electronic media for notifications instead of mailings. Supervisor Giomi noted that since the moratoriums are issued by the Board of Supervisors, there would be no need to refer them back to the Planning Commission. Commissioner Borders recommended eliminating the Tourist Commercial (TC) and Air Industrial Park (AIP) districts and Ms. Sullivan noted that the Board had also requested looking into the General Industrial Airport (GIA).

Chairperson Preston wished to see the expansion of medical use and a better delineation than Retail Commercial (RC) zoning, adding that medical use would require more parking. Supervisor White wished to see a better definition of open space and Ms. Sullivan noted that common open space would also include passive open space. Supervisor Schuette wished to explore the possibility of designating floodplain areas as open space. Supervisor Giomi recommended having windmills painted in earth tones and Commissioner Borders suggested adding a solar energy component as well. In Commercial and Industrial districts, Commissioner Perry was not in favor of ammunition manufacturing near an airport.

Mayor Bagwell entertained general discussion. Based on a formatting request, Mr. Yu noted that he was not using drafting tools; therefore, the formatting had been done manually. Discussion ensued regarding workforce housing and Supervisor Giomi believed that the only way to accomplish that would be to incentivize developers and recommended addressing the issue in Title 17.09, specifically in Development Standards. Commissioner

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Lloyd suggested having better electric vehicle charging stations. Mayor Bagwell thanked the participants for a productive meeting. It was recommended to have a similar meeting to discuss Title 17.

The following public comments were heard throughout the discussion. Ms. Nietz explained that Title 18 should promote the health and welfare of Carson City’s citizens and the appropriate use of the land. She recommended having control over aspects such as gullies, earthquake faults, flood zone, etc., and requested preventing development and changes in those areas. Ms. Nietz believed that developers should not have priority over taxpayers. She also stated that many applicants have “lied on their applications.” Ralph Thomas recommended using scientific names for products such as marijuana. An audience member commented on meeting Conditions of Approval and Mayor Bagwell stated, “We have the right to say no if they don’t meet the Conditions of Approval.” She also clarified that many applications do not reach the Planning Commission if they do not meet the Conditions of Approval. Mr. Esswein believed that if a parcel is in a sensitive area, development should occur outside that area. Mr. Dawes received clarification that firearm sales were allowed where federally permitted. No action was taken on this item.

6. PUBLIC COMMENT

Mayor Bagwell entertained final public comments. Ms. Strasburg recommended exploring alternative methods of public notification such as an opt-in electronic communication program or media alerts.

7. FOR POSSIBLE ACTION: TO ADJOURN AS THE JOINT WORK SESSION MEETING OF THE BOARD OF SUPERVISORS AND THE PLANNING COMMISSION.

Mayor Bagwell adjourned the meeting at 4:15 p.m.

The Board of Supervisors meeting agendaized below did not take place.

8. CALL TO ORDER – BOARD OF SUPERVISORS

9. ROLL CALL

10. PUBLIC COMMENT

11. AGENDA ITEMS

11.A FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING AN OVERVIEW OF THE OPERATION AND STATUS OF NON-TRANSIENT LODGING AND TRANSIENT LODGING, INCLUDING HOTEL/MOTELS, LOCATED IN CARSON CITY.

This item was pulled from the agenda.

12. PUBLIC COMMENT

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13. FOR POSSIBLE ACTION: TO ADJOURN AS THE BOARD OF SUPERVISORS

The Minutes of the March 3, 2023 Carson City Board of Supervisors and Carson City Planning Commission Joint Work Session are so approved on this 4th day of May, 2023.

LORI BAGWELL, Mayor

ATTEST:

SCOTT HOEN, Clerk-Recorder

Attachments: written public comments