

CARSON CITY PLANNING COMMISSION  
Minutes of the November 29, 2000, Meeting  
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A regularly scheduled meeting of the Carson City Planning Commission was held on Wednesday, November 29, 2000, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, beginning at 3:30 p.m.

**PRESENT:** Chairperson Allan Christianson, Vice Chairperson Alan Rogers, and Commissioners Gayle Farley, William Mally and Richard Wipfli

**STAFF PRESENT:** Senior Planner Juan Guzman, Recording Secretary Katherine McLaughlin, and Assistant Planner Jennifer Pruitt

**NOTE:** Unless otherwise indicated, each item was introduced by the Chairperson. Staff then presented/clarified the staff report/supporting documentation. Any other individuals who spoke are listed immediately following the item heading. 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 Christianson convened the meeting at 3:38 p.m. Roll call was taken. A quorum was present although Commissioner Farley did not arrive until after the Pledge and Commissioners Sedway and Larkin were absent. Chairperson Christianson lead the Pledge of Allegiance.

**B. DISCUSSION AND APPROVAL OF MINUTES (1-0018) - None.**

**C. PUBLIC COMMENTS (1-0021) - None.**

**D. AGENDA MODIFICATIONS (1-0030) - None.**

**E. DISCLOSURES (1-0033) - None.**

**F. PUBLIC HEARING (1-0036)**

**F-1. U-98/99-61 - DISCUSSION AND ACTION ON THE ANNUAL REVIEW OF A PREVIOUSLY APPROVED SPECIAL USE PERMIT FROM BOB MCFADDEN -** Senior Planner Juan Guzman - Commissioner Wipfli moved to continue F-1 as requested. Commissioner Mally seconded the motion. Mr. Guzman indicated that the Applicant had requested additional time to complete all of the arrangements required for the work to be accomplished. Motion carried 5-0.

**F-2. U-99/00-20 - DISCUSSION AND ACTION ON THE ANNUAL REVIEW OF A PREVIOUSLY APPROVED SPECIAL USE PERMIT FROM NANCY C. DAVIS (1-0072) -** Assistant Planner Jennifer Pruitt, Matthew Davis - Chairperson Christianson explained his need to recuse himself due to personal commitments to the Davises. He passed the gavel to Vice Chairperson Rogers and stepped from the room--3:42 p.m. (A quorum was still present.) Mr. Davis had read the majority of the staff report and had no concerns with it. Public testimony was solicited but none given. Commissioner Mally moved that the Planning Commission find special use permit U-99/00-20 in compliance with its conditions of approval and to redraft Condition No. 10 to state: A yearly review of this special use permit is no longer necessary, however, any complaint received by a City Department, which may be addressed by the Planning Commission, will be the subject of staff and, if necessary, Planning Commission review of this special use permit. Commissioner Wipfli seconded the motion. Motion carried 4-0-2-1 with Commissioners Larkin and Sedway absent and Chairperson Christianson abstaining.

Chairperson Christianson returned--3:52 p.m. Vice Chairperson Rogers returned the gavel to him. (A quorum of the Commission was present although Commissioners Sedway and Larkin were absent.)

**F-3. U-00/01-13 - DISCUSSION AND ACTION ON A SPECIAL USE PERMIT FROM FRED**

**WOODSIDE (1-0136)** - Senior Planner Juan Guzman, Applicant's Representative and an employee of Young's Electrical Sign Company Ed Lawson - Discussion between the Commission and Mr. Guzman explained the 300 square restriction for signs and signs at other locations. Mr. Lawson indicated that he had read the staff report, displayed a colored rendering of the sign, and concurred with staff report. Reasons for requesting a sign larger than 300 square feet were explained. Chairperson Christianson cited the sign at G. S. Richards Boulevard and College Parkway as another example of the improved sign standards now being found in the community. Public testimony was solicited but none given. Mr. Joiner explained the public contact received by his office as being one letter in opposition due to the feeling that the signage was excessive and one telephone call wanting assurances that the sign would not be large and obnoxious. Commissioner Wipfli moved to approve U-00/01-13, a request from Bruce Robertson and Fred Woodside, property owners: C&A Investments, LLC, to allow signage in excess of 300 square feet on property zoned Retail Commercial-Planned Unit Development located at 3228 North Carson Street, APN 7-462-06, based on seven findings contained in the staff report and subject to seven conditions and with the understanding that any acknowledgements to the Commission/Board by the applicant may be considered as further stipulations or conditions of approval on this application. Commissioner Mally seconded the motion. Motion carried 5-0.

**F-4. U-00/01-20 - DISCUSSION AND ACTION ON A SPECIAL USE PERMIT APPLICATION FROM ARDEN KELLEY (1-0285)** - Assistant Planner Jennifer Pruitt, Arden Kelley - Mr. Kelley had read the report and concurred with it. Public testimony was solicited but none given. Commissioner Rogers moved to approve U-00/01-20, a special use permit request from Arden and Sandra Kelley to allow a detached garage structure of 900 square feet, which exceeds 50 percent of the square footage of the primary structure, based on seven findings and subject to nine conditions of approval contained in the staff report. Commissioner Wipfli seconded the motion. Motion carried 5-0.

**F-5. V-00/01-3 - DISCUSSION AND ACTION ON A VARIANCE REQUEST FROM SHARON ADAMS (1-0345)** - Assistant Planner Jennifer Pruitt, Senior Planner Juan Guzman, Deputy district Attorney Neil Rombardo, Senior Planner Skip Canfield, Sharon Adams, Jennell Kimball of Kimball Homes - Discussion between Ms. Pruitt and the Commission noted the Code restriction prohibited ECHO units of more than 600 square feet. This is less than that required by Federal codes and standard living requirements. Documentation obtained from other sources indicated that other communities restrict the unit size based either upon a percentage of the primary unit or limit the square footage. Commissioner Mally suggested that the 600 square foot restriction had not considered two people residing within a unit. Commissioner Wipfli felt it was arbitrary and that, as a builder, the 600 square feet could be "tight" fit. Discussion also noted testimony provided at the previous meeting indicating that 600 square feet would not accommodate a wheel chair. Commissioner Rogers felt that Finding 2 assumed that all applicants wishing this type of unit would need to use a wheel chair. The applicant had provided a significant amount of information on which the board could make findings supporting the applicant. Mr. Guzman indicated that it had been based on the fact that any applicant could request a larger unit based upon their living standard and not on true physical impairment needs. Commissioner Rogers also pointed out that at the last meeting discussion had included whether findings could be based upon the human conditions rather than property conditions. Mr. Rombardo explained that common case law restricts the findings to property conditions. Mr. Canfield indicated that the Code revisions now being developed eliminates the ECHO units from the Code as it regulates people. Commissioner Rogers felt that, as the unit is temporary, it will be removed eventually which is different from guest quarters. Mr. Guzman asked the Commission to proceed with its deliberations and to take a recess to allow staff time to develop the findings and conditions required if approval is desired.

Ms. Adams had read the staff report and disagreed with it. Although she had prepared a statement opposing it, it related to her parents' welfare rather than the difficulty involved in finding a unit meeting the specified size. Her research indicated that the smallest unit she could find would be in the 900 square foot range. As the unit is temporary, it is easier to place and remove a mobile home than a stick built structure. Two of her neighbors had submitted written support for her request at the last meeting. If necessary, she could submit another copy of those letters. A letter from Paul Gowans was also available. Mr. Gowans had testified at the last meeting regarding the accessibility problems he saw in a 600 square foot unit for individuals in wheel chairs. Although her parents are not yet in wheel chairs, it may be necessary in the future. A letter from her parents' doctor supported the need to establish a home closer to a family member. The Code does not allow ECHO units over 600 square feet. The need

for ECHO units are unique. Once the ordinance is revised, they will not be allowed. Her timing is "mute". Her request was just as defined in the dictionary. She then cited a mother-in-law quarters on Edmonds which is similar to her request. Her purpose for wanting a mobile home would allow quick addition and removal of the unit which fit her definition of temporary. A 1,000 square foot unit is considered small by other residential standards. She offered to accept whatever size the Commission felt was adequate above the 600 square foot. The urgency in getting the unit due to her parents' age/health was noted. Her research indicated a unit of approximately 1,000 square feet would meet their needs. There are many, many floor plans for this size on the market.

Public testimony was solicited. Ms. Kimball explained her residence adjacent to Ms. Adams and her experience in the mobile/manufactured home field. Another unit could be placed on the property without creating a problem for the neighborhood. The market does not have 600 square foot unit unless it is special ordered which is very expensive. She had discussed the unit with a contractor who does stick built homes. He had also indicated that the time and costs were prohibitive. Additional public comments were solicited but none given.

Commission comments indicated the desire to include flexibility within the motion regarding the size of the unit. Commissioner Mally apologized to Ms. Adams for the time required to process the application. Chairperson Christianson also pointed out that later in the meeting the Commission would consider elimination of the ECHO unit from the Code. Commissioner Farley moved to approve V-00/01-3--discussion ensued concerning whether to take a recess. Commissioner Farley felt that it was unnecessary and continued the motion to approve V-00/01-3, a variance request from Sharon Adams to vary the maximum size code allowance for an elder care unit on property zoned Mobile Home One Acre subject to 14 conditions of approval, located at 7480 Schulz Way, APN 9-323-01. Commissioner Mally seconded the motion. Discussion indicated that one of the conditions restricted the size to 1200 square feet. Commissioner Rogers indicated that his findings matched staff's and complimented them on their efforts. He also requested a change to number four which may not be necessary but could be helpful in the future. He suggested that it read at the end that this liveable unit will be removed when the use is not longer needed and, therefore, does not result in material damage or prejudice to other properties. Commissioner Farley amended her motion to include this change. Commissioner Mally seconded the motion. Motion carried 5-0.

**F-10. A-00/01-2 - DISCUSSION AND ACTION ON A REQUEST FROM ALVIN L. ARNESON AND RICH RICHARDSON (1-0862)** - Senior Planner Skip Canfield explained the letter withdrawing the application. (A copy was given to the Commission and Clerk.) Chairperson Christianson explained for Pearl Messer that the application could be resubmitted in one year. Mr. Guzman was directed to contact her after the meeting to discussion her issues and the notification process. Randy Putzer explained that only one person had received a notice. He had circulated a petition in opposition. The petition was given to Community Development. William Harris indicated that he resides across the street from the property and had not been notified. Mr. Guzman indicated that he would look into the notification process to determine what had happened. No formal action was taken.

(1-2950) Mr. Canfield again explained the letter requesting withdrawal. Vice Chairperson Rogers indicated that a similar application could not be submitted for one year. Public comments were solicited but none given. No formal action was taken.

**F-6. U-00/01-19 - DISCUSSION AND ACTION ON A SPECIAL USE PERMIT APPLICATION FROM GLEN MARTEL (1-0924)** - Senior Planner Juan Guzman, Applicant's representative Jim Feser, Gladys Brister, Deputy District Attorney Neil Rombardo - Mr. Feser had read the staff report and agreed with the findings and recommendations. He also explained the reasons for including within the application a desire to relocate the model homes at some time in the future. Public comments were solicited.

Ms. Brister explained her location and questioned when the project would be completed. Her problems with the dust and an easement were described. Chairperson Christianson explained that the issue before the Commission relates to the sales office. The subdivision plans had been considered by the Commission sometime ago. She claimed that the residents in her area had never been notified about the subdivision beyond the notice regarding the sales office. Mr. Rombardo indicated that her issues were not part of the agenda item and could not be considered in the deliberations. Mr. Guzman volunteered to contact her regarding her issues before 11 a.m. on

Thursday. Ms. Brister explained her concern regarding the additional construction and the dust which would be created by it. Chairperson Christianson asked her to discuss these issues with Mr. Guzman. Mr. Guzman explained that the eight houses which will be located along the ditch were to be used as models. They were part of the residences proposed on the subdivision map. The request for a special use permit dealt with the sales office. The units proposed for the project did not change. He reiterated his intent to contact her regarding her issues. Ms. Brister reiterated her need for assistance due to the dust problems. Additional comments were solicited but none given.

Commissioner Wipfli moved to approve U-00/01-19, a special use permit from Summit Security Housing, LLC, to allow a temporary tract sales office and the use of poles and flags to be used in eight model homes to be located throughout the Heritage Park PUD based on seven findings and subject to eight conditions of approval contained in the staff report and with the understanding that any acknowledgements to the Commission/Board by the applicant may be considered as further stipulations or conditions of approval on this application. Commissioner Mally seconded the motion. Motion carried 5-0.

**F-7. U-99/00-33 - DISCUSSION AND ACTION ON A SPECIAL USE PERMIT APPLICATION FROM DWIGHT MILLARD (1-1142)** - Senior Planner Juan Guzman, Dwight Millard - Commissioner Rogers vocalized his concerns about the aesthetics of the project, and his desire that it not look like an institution but rather residential. Mr. Guzman indicated that the conditions of approval requires an architectural treatment addressing the sides of the buildings. A wall along Graves Lane will block this view of the buildings. The view from Airport Road will be discussed with Mr. Millard. The units are to be moved 20 feet from Graves Lane which eliminates staff's concern regarding encroachment into the setbacks. Inasmuch as the applicant had not yet arrived, a recess was taken.

**BREAK:** A recess was declared at 4:55 p.m. A quorum of the Commission was present when Chairperson Christianson reconvened the meeting at 5:03 p.m. although Commissioners Larkin and Sedway were absent.

Mr. Millard used a site map to explain the project including the portion which would be low cost units, the rental rates, the block wall, the two accesses/egresses, and the parking areas. The buildings are to be stucco with a "belly band" and should not be seen due to the block walls. The sides were turned toward the streets in order to meet the setback and parking requirements. Mr. Millard expressed a willingness to attempt to address the site issues to make the units more attractive. Each unit has a single car garage with the furnace located in it. The air conditioning units are to be located on the ground and within the building area and are not visible from the street. Staff had asked that more "soft scaping" or lawn be provided which he agreed to do, specifically along Airport Road which is more visible. He accepted the original conditions as well as the revised conditions which had been distributed this afternoon. The landscape and the "gingerbread" plans must be approved by the City. Commissioner Rogers explained his concern with the aesthetics of the first two units when northbound on Airport Road and asked Mr. Millard to look it. Mr. Millard explained a desire to block a portion of this area and expressed a willingness to address the issue. Public testimony was solicited but none given.

Commissioner Wipfli moved to approve U-99/00-33, a special use permit for the construction of 78 units from Dwight Millard, property owners: Millard Realty and Construction Company, Millard Family Business, LLC, United Inco, Crawford Family Trust, and Carson City, to allow multi-family dwellings in Retail Commercial zoning, approximately 5.78 acres, Carson City Municipal Code 18.06.057, located at 3409 Airport Road, APN 8-142-01; 3401 Airport Road, APN 8-142-02; 3381 Airport Road, APN 8-142-04; 3059 East Graves Lane, APN 8-142-05; 3325 Airport Road, APN 8-142-06; 3301 Airport Road, APN 8-142-07, based on seven findings and subject to seven conditions of approval contained in the staff report and with the understanding that any acknowledgements to the Commission/Board by the applicant may be considered as further stipulations or conditions of approval on this application. Commissioner Farley seconded the motion. Motion carried 5-0.

**F-8. U-00/01-15 - DISCUSSION AND ACTION ON A SPECIAL USE PERMIT APPLICATION FROM TRACI HAAKINSON, CARSON CITY LIBRARY (1-1615)** - Senior Planner Skip Canfield, Deputy Library Director of Administrations Traci Haakinson, Applicant's Representative Dick Buttner - Mr. Canfield's introduction noted his revised Condition 6 and added a new Condition 7. Ms. Haakinson had read the report and

concurred with the report and its findings. Commissioner Wipfli thanked staff for working on the aesthetics. Mr. Buttner indicated that Building and Code Enforcement had reviewed the plans and indicated that the eight inch foundation should be adequate. Commissioner Wipfli moved to approve U-00/01-15, a special use permit from Traci M. Haakinson, applicant: Carson City Library, for the construction of an 18 foot by 20 foot prefabricated metal storage building with stucco finish, a maximum of ten feet tall, in a Public district, located at 900 North Roop Street, APN 002-172-07, based on seven finding and subject to seven conditions of approval contained in the staff report and this memo and with the understanding that any acknowledgements to the Commission/Board by the applicant may be considered as further stipulations or conditions of approval. Commissioner Mally seconded the motion. Motion carried 5-0.

Chairperson Christianson passed the gavel to Vice Chairperson Rogers and stepped from the room--5:20 p.m. (A quorum was still present although Commissioners Sedway and Larkin were absent.)

## **8. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (1-1741)**

**G-1. STAFF BRIEFING REGARDING THE STATUS OF COMMISSION RECOMMENDATIONS TO THE BOARD OF SUPERVISORS AND CORRESPONDENCE TO THE COMMISSION** - Senior Planner Guzman indicated that the Board had approved all of the items as submitted by the Commission.

**G-2. FUTURE COMMISSION ITEMS AND DATES (1-1770)** - Mr. Guzman indicated that the noise element would be submitted to the Commission for consideration on the 20th and presentation to the Board on the 21st. (Chairperson Christianson returned at 5:25 p.m. A quorum of the Commission was present as previously indicated although Commissioners Larkin and Sedway were absent.) Mr. Canfield indicated that a workshop would be held on December 18 to address the Title 18 items which had not been considered previously. Discussion indicated that five Commissioners had committed to attending that meeting. The Commission directed that the revisions be summarized and not read word for word. No formal action was required or taken.

**BREAK:** A recess was declared at 5:30 p.m. by Chairperson Christianson who indicated he would not be present for the remainder of the meeting. A quorum of the Commission was present when Vice Chairperson Rogers reconvened the meeting at 6 p.m. Chairperson Christianson and Commissioners Larkin and Sedway were absent as indicated.

## **F-9. PUBLIC WORKSHOP**

**F-9a. CCMC SECTION 18.05 - GENERAL PROVISIONS; F-9B. CCMC SECTION 18.11 - HILLSIDE DEVELOPMENT; AND F-9c. CCMC SECTION 18.30 - ELDER CARE/INDIVIDUAL HARDSHIP CARE HOUSING OPPORTUNITY (ECHO) (1-1849)** - Senior Planner Skip Canfield, Consultant Carol Dotson - Senior Planner Juan Guzman - Mr. Canfield explained that a workshop would be held on December 18 to cover any sections which had not been heard previously. Ms. Dotson indicated that the design standards had been placed in a manual. Copies could be obtained at Community Development. She then highlighted the revisions. Mr. Guzman explained staff's direction to Ms. Dotson on the section. Commissioner Rogers indicated that typographical corrections were to be given to Ms. Dotson/staff after the meeting or over the internet. Mr. Canfield then explained the reasons for removing the Elder Care provisions from the Code. In the future these units will be considered a guest building with a kitchen. The removal requirements were also felt to be onerous and were eliminated. Vice Chairperson Rogers felt that this would alleviate the enforcement problems previously encountered. The units were not to be rented. Commissioner Wipfli supported the revision as long as the special use permit is still required. If the Commission felt justified based upon need, the unit could be allowed temporarily on smaller lots. Mr. Canfield also pointed out that the revision would allow a unit size that is 50 percent of the primary structure. This flexibility allows dignity in the considerations and does not force a less desirable standard of living upon the individuals. Mr. Canfield indicated that the requirement that annual letters from the physicians be submitted had been eliminated. Vice Chairperson Rogers supported the revisions. Clarification indicated that the term "ECHO" was a Carson City name and did not deal with any other

governmental agency. Commissioner Wipfli expressed his concern that the Commission and staff be comfortable with the revision before implementing the change due to the impact that could be created in some areas. Staff felt that the special use permit process would allow oversight. Individuals who had the units but were prohibited from having kitchens should ask for a revision to their conditions of approval. Mr. Canfield felt that it should be handled administratively. Mr. Guzman indicated that staff would look into the matter. Vice Chairperson Rogers supported having staff address it administratively if at all possible.

Lowes Home Improvement Center Representative Jack Mandel expressed his need to display merchandise outside the front of his store. The City had granted him a one year permit allowing this display. Clarification indicated that the Code section he had referenced had been placed in the design standard manual. Mr. Canfield indicated that this section had not been agendaized for discussion. It is scheduled for Monday evening. Mr. Mandel indicated that he would not be able to attend that meeting. He was asked to e-mail the information to Mr. Canfield for presentation Monday. Mr. Canfield asked that anyone wishing to submit comments to use the internet. Vice Chairperson Rogers indicated that the Commission would be given copies of all correspondence and asked that they be submitted as early as possible. Discussion then indicated that Section 18.05.109 had originally dealt with Mr. Mandel's concern. This section is now under Section 18.02 which had been discussed in October. Mr. Mandel felt that the use should be allowed by right as indicated by the Las Vegas Code which he read. It requires storage behind enclosed areas but incidental uses could be placed in front of a building without enclosure. Lawn mowers were cited as an example of incidental use. Mr. Guzman explained that Mr. Mandel's zoning district required the permit. Mr. Mandel then explained the Las Vegas display area and the firm's decision to not locate in two areas where such use is not allowed. Vice Chairperson Rogers supported the revised language and suggested the inclusion of a statement indicating that such displays should not inhibit pedestrian traffic or interfere with vehicular traffic. They should not be in parking areas without going through the special use permit process. Mr. Mandel supported this restriction. Mr. Guzman indicated that the permit is reviewed annually to be sure that the situation is not getting out of hand. The Code requires implementation of the use within one year. Mr. Guzman agreed to discuss the date of his permit with him later. Vice Chairperson Rogers indicated that it may be necessary for the annual review to be made and explained the original purpose for the restriction. (During the discussion Commissioner Mally stepped from the room--6:45 p.m. A quorum was not present during his absence. Commissioner Mally returned at 6:48 p.m. A quorum was then present although Chairperson Christianson and Commissioners Larkin and Sedway were absent.) Mr. Mandel indicated that he would send his comments to staff and the revision to Mr. Guzman.

(1-2729) Additional public comments were solicited. Robert Lee Potter asked to see the Hillside Development manual and the skyline development map. Mr. Guzman explained the purpose of the ordinance and its terms. He indicated that he would furnish Mr. Potter with a copy of the manual. Discussion explained the location of Mr. Potter's property. Mr. Potter indicated that as an engineer he would follow the rules. His main concern had been that he would be able to develop the property at some future date. Mr. Guzman briefly explained the purpose of the ordinance. Mr. Potter agreed that there are a lot of building options available. Mr. Guzman repeated his commitment to furnish the manual and map. Additional comments were solicited but none given.

Vice Chairperson Rogers suggested that future agendas include all of the Sections of CCMC Title 18 so that discussion could occur on any item within it. Mr. Canfield agreed to do so if possible. (Commissioner Farley stepped from the room--6:57 p.m. A quorum was not present.)

No formal action was taken on the Code revisions.

**F-11. MPE-99/00-2 - DISCUSSION AND ACTION ON THE REVIEW AND ADOPTION OF THE CARSON CITY NOISE ELEMENT AND A RESOLUTION BY THE PLANNING COMMISSION (1-2986)** - Vice Chairperson Rogers indicated that the Commission would hear the item but no action would be taken this evening. Action may be taken on December 20. (During his comments Commissioner Farley returned--7:00 p.m. A quorum was present although Chairperson Christianson and Commissioners Sedway and Larkin were absent.) Mr. Guzman indicated that the Board of Supervisors would be asked to act on the element at its December 21 meeting. If the Commission does not act on it on December 20th, the Board of Supervisors will be asked to continue the item. Mr. Guzman then explained the time taken to develop the proposal, its purpose, and

highlighted the element. Discussion ensued between Larry Osborne and staff regarding some information which had not been available at the workshop yesterday and its availability for the Commission. Mr. Guzman continued his review of the element. The map delineating the friction areas must be developed and will be provided to the Commission at a future meeting. Vice Chairperson Christianson asked that staff have the comments prepared for the absent Commissioners before the meeting on the 20th. Mr. Guzman explained the transit related noise standards included within the draft are the same standards used by NDOT. Vice Chairperson Rogers asked for a copy of the documents for review before the Commission is asked to approve the element. Mr. Guzman then explained the noticing process used for this element. Copies of the element are available for public review and had been since November 13. Section 1.10 had been supported by the Building Department who will enforce the construction noise restrictions. Vice Chairperson Rogers felt that examples should not be used in a policy statement as it could bias people and may not be used as guidelines, e.g., 7 a.m. may not fit all projects. (2-0025) Mr. Guzman explained that a lot of the complaints do not deal with the building industry. A majority of them were home owners working on projects late at night. He also explained that the manufacturing association felt that it should be allowed to police itself. He committed to getting the document out as quickly as possible. Vice Chairperson Rogers expressed his concern that the process was being expedited too quickly. He did not feel that justice could be done to the document in the timeframe suggested. He recommended that staff not agendize the item for the December 21 Board meeting. Reasons for his request were provided. Commissioner Wipfli cited areas of concern on pages 12 and 13 of the draft which could create a conflict where none exists today. Vice Chairperson Rogers felt that the items Commissioner Wipfli had cited supported his contention that specific examples should not be used in a policy document. Implementation of a noise ordinance should be done only after careful review and with a considerable amount of thought and consensus. Commissioner Mally felt that if element took this many pages, something is wrong with it. Mr. Guzman indicated that the same issue had been raised at the workshop yesterday. The effort was made to illustrate the different options which should be considered. The document is not an ordinance but rather an element/guideline of the master plan. Complaints should not be based on one of the statements found on pages 12 and 13. They should be used to develop land uses. If the element had been in place, it may have been possible for Signet to defend itself and remaining at its previous site which was adjacent to a residential area. Discussion yesterday had directed Mr. Guzman to assure that it is understood that these statements are not measurements which will be used to indicate what should or should not be done. The reader must be able to determine that the statements are policies only and not requirements. Vice Chairperson Rogers indicated that he understood the philosophy of the program. He suggested that it be expanded until it becomes a guideline within Community Development due to the need to promote the health, safety and welfare of the community. Mr. Guzman indicated that the document was to be used as a guideline for friction zoning areas which were described. Presentations last night indicated that the proposal requires a noise study to be completed prior to coming to the Planning Commission. The Commission could then impose the recommendations from the study. Discussion at the workshop suggested that the Commission determine when a noise study is required and then the recommendations contained within it would be implemented as part of the project conditions. This eliminates the need to incur the expense for a study which may not be needed.

Commissioner Farley pointed out the time involved to develop the document and the sudden need to present the document to the Board by December 21. She did not feel that the Board should be asked to review and act on it so quickly.

Mr. Guzman then explained the location of the noise study requirement. It contains a list of equipment which could create noise problems. Comments indicated that if mowers are added to the list, it should also include lawn mowers, snow blowers, and similar types of equipment. Vice Chairperson Rogers felt that Section 1.7.3 would determine when a noise study must be conducted. Mr. Guzman explained that barking dogs, guitar playing, loud singing, etc., are not considered in the master plan and are to be addressed by the Sheriff's Department. Vice Chairperson Rogers related his personal experience with a neighbor who had complained about his son's music practices. Discussion indicated that emergency equipment is not considered under the noise element, i.e., snow plows. Mr. Guzman reiterated that the proposal is not a noise ordinance but rather an element for the master plan. The standards used within the document and those which had been suggested were ones which are used nationwide. California's standards are more stringent. A consultant who was well recognized nationwide had been retained to assist staff in developing the element. Vice Chairperson Rogers explained the increasing need for a noise standard as indicated during the last five years. A lot of people felt that it was a major issue which should be addressed. Three years ago a committee was established to begin developing the element. The recommendation is

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to include the element in the master plan rather than develop an ordinance. He suggested that the element be considered an part of the goals with a guideline document which would be used to guide development.

(2-0425) Chamber of Commerce Executive Vice President Larry Osborne vocalized the Chamber's concerns that the element was being presented prematurely and the desire to take additional time to develop the final document. A guideline may have prevented the Signet issue as it would provide a balance for both sides. Several of his members had not been aware of the meeting last night due to the holidays and vacation plans. He felt that the document before the Commission did not have the revisions suggested at that meeting. Additional public comments should be allowed. Once the final revisions have all been made, then the Commission should consider the document in an open session. This will create a final document which could be supported by all.

Dennis Rose questioned the process used to regulate noise today, the area of acceptance throughout the community, the measurement process, the penalty for exceeding the standard, and the inclusion of the residences surrounding the airport. He felt that the airport's master plan called for expansion and would negatively impact those residents. He asked for a copy of the documents. Vice Chairperson Rogers responded by explaining that the City currently does not have a noise regulation. The measurements used within the document are for evaluation purposes. The current process is an attempt to address increasing noise volumes. Mr. Rose felt that expanding the airport would expand the present noise level and urged the Commission to address this issue. Vice Chairperson Rogers indicated that Section 1.9 includes the airport, however, it had not been completed. Mr. Rose stressed the need for measurements and regulations with enforcement which does not require residents to file a complaint. Vice Chairperson Rogers hoped to have additional details on this section by the 20th. Mr. Guzman explained that the FAA policy is very specific regarding noise studies. The Carson City airport has not had that type of study conducted. The Airport Authority had been advised about the need to have this document. When the study is completed, it is to be incorporated into the element. The Authority has indicated that the study will be conducted as part of the environmental analysis which must be conducted as part of the improvements for the master plan. The FAA has specific guidelines concerning the types of development allowed under specified noise levels. The airport must attempt to achieve those standards by acquiring the property or development rights, restricting the types of aircraft allowed to use the airport, or using other mitigation measures.

(2-0619) Don Langson felt that the Airport Authority was attempting to convert the current Class B airport facility into a Class C airport which will create additional noise and reduce the peaceful atmosphere of the Valley. Page 4 of the document indicated that the Board of Supervisors felt that the Authority should include a noise study as part of the environmental assessment needed to implement the Airport Master Plan Alternative. The alternative is to realign the runway which allows it to be extended, widened, and thickened to accomodate heavier aircrafts. He contended that aircraft is making unsafe landings today which should not be allowed to use the airport. His comments related specifically to the amphibious World War II aircrafts which shake the entire Valley when taking off. He did not have a problem with the jets which have been there for some time. The Authority had purportedly passed off the requirement for a noise study which is an FAA Part I noise study. He had been advised that one had been conducted four years ago, however, the Authority has been unable to produce the document. He was later advised that a study of some type had been conducted but that it was not a noise study. This document cannot be found. The study will designate the distances from the airport and the related noise levels. He questioned whether Section 1.7.3, Measurement 1 on Page 8 encompassed the airport construction plans. Mr. Guzman felt that it should be. Mr. Langson questioned whether Measurements 2 and 3 included the airport expansion project. Vice Chairperson Rogers clarified that if the project falls under anyone of the measurements, the noise study would be required. The airport is considered a category one which includes the noise requirement. It is not exempted. Mr. Langson agreed that the airport should comply with the requirement the same as any other private individual. Vice Chairperson Rogers pointed out that the discussions regarding such requirements should occur at the Airport Authority and not at the Planning Commission. Justification for this alignment was provided. Mr. Langson indicated that he had attended all of the airport meetings and had heard all of the comments from residents around the airport. The Authority is being run by a non-resident and has failed to weigh the residents' concerns. The runway realignment will put more aircraft directly over his property. The Authority's attitude is that it will not bother anyone and that it is nothing. During Mr. Langson's attempt to develop his property several years a Mr. Meeks had allegedly indicated the impact the development would have on the airport and its future. They are now refusing to consider the impact their expansion would have on his property. Discussion between Vice Chairperson Rogers and Mr. Guzman indicated that the Board of Supervisors had mandated a noise study as part of the master

plan. Neither were sure when the master plan would be presented to the Commission/Board. Mr. Guzman also explained the Open Meeting requirements and asked Mr. Langson to relate his comments to the requirement that the airport conduct a noise study. The Commission could not consider the issue regarding the Authority's failure to listen to his comments. If the element is adopted, it will be used as a standard for requesting a noise study when/if the airport project is proposed. He also noted the Commission's direction that the document not carry the same weight as an ordinance. Mr. Langson then expressed his feeling that other ordinances could be used to address noise concerns as indicated by Vice Chairperson Rogers. The proposal is too specific and is micro-managing. He then suggested that Page 14, Section 1.9. be revised to require that any updates of the airport master plan must require establishment of noise exposure contours around the airport. The current wording is too lenient. He also suggested that "if" be removed from the sentence beginning "If such noise contours are prepared, they are hereby adopted by reference....". He contended that the noise study presented during his project review was erroneous as it had indicated a noise level of 65 dBA over the runway and 60 dBA in the contiguous area beyond that. A report within the element shows jet engines at 240 meters above 100 dBA. A source in Appendix E was cited to illustrate other noise levels generated by aircraft which were above the 60 and 65 dBA levels. Clarification between Mr. Guzman and Mr. Langson explained the noise contour study which he had used for his project and the expanded noise study projected for 2005. Mr. Langson felt that a serious noise study should be done to establish the noise contours based on the types of aircrafts used at the Carson City airport. Mr. Meeks' study had purportedly been projected based upon certain criteria without conducting an actual study. Mr. Guzman explained that the guidelines included an appendix regarding the airport. Mr. Langson's point illustrates the reasons for needing the airport to conduct a comprehensive study regarding the noise contours. The chart is an attempt to explain the type of study required. Vice Chairperson Rogers felt that if the runway is moved, the project would be reviewed by the Commission at which time the noise study would be required. Mr. Guzman agreed that the Commission could require anything necessary to protect the health, safety, and welfare of the community and cautioned the Commission against prejudicing a project prior to hearing all of the evidence. At this time staff could not require the study. Even if one is conducted, staff lacked a frame of reference which could determine the validity of the report. The K-mart noise issue was cited to illustrate his concern. Until the City adopts a noise standard, it cannot make a determination on the level of noise which is acceptable. The determination must be made based upon what other communities feel are acceptable standards. Vice Chairperson Rogers felt that the Commission only reviews specific projects unless a master plan is presented. Commissioner Mally noted that the Airport Authority did not have a representative present. The airport had been there for some time. His experience as a B-25 pilot was noted. The residences had developed after the airport was there. Vice Chairperson Rogers halted the discussion between Mr. Langson and Commissioner Mally as it was off the agenda. He reiterated that changes to the airport would require a Commission review. Mr. Langson reiterated his point as being that the requirement should not be just part of the airport master plan but should be part of the City noise ordinance. Vice Chairperson Rogers reiterated that it is not an ordinance but rather an element to the City's master plan.

(2-1035) Glen Martel indicated his concurrence as a committee member who had worked on the noise element and as a member of the Builders Association of Western Nevada Legislative Committee with Mr. Osborne's comments. It was pre-mature to rush the element through the process by December 20. The guidelines should not be used as standards in the future. He supported the revision which would make the element a tool for staff rather than as a guideline.

(2-1060) Mr. Rose indicated that the discussion had related to lawn mowers, lawn blowers, and B-29 bombers. He had seen the final phase of the airport master plan. It will be quite big. Copies are available. It will take some time to accomplish. It will grow year by year with larger and larger aircrafts. Mr. Guzman indicated that the comments are that the City's master plan should contain the tools to assure that the airport master plan acquires the necessary studies, whatever they may be, to meet the health, safety and welfare requirements of the residents. Mr. Guzman explained his reasons for interrupting Mr. Rose were due to the Open Meeting Law requirements. Mr. Rose explained his concerns regarding the impact that the large jets would have on Eagle Valley. Vice Chairperson Rogers felt that all understood that the airport is a major noise element within the City. There will be more opportunities in the future to address it. Additional public comments were solicited but none given.

Discussion indicated the Commission should act to continue the matter. Commissioner Wipfli moved to continue the meeting to December 20. Commissioner Wipfli seconded the motion. Motion carried 4-0.

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**H. ADJOURNMENT (2-1115)** - Commissioner Farley moved to adjourn. Commissioner Wipfli seconded the motion. Motion carried 5-0. Vice Chairperson Rogers adjourned the meeting at 8:30 p.m.

The Minutes of the November 29, 2000, Carson City Planning Commission meeting

2001.

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

\_\_\_\_\_/s/\_\_\_\_\_

Allan Christianson, Chairperson