

REGIONAL PLANNING COMMISSION MINUTES

The Humboldt County Regional Planning Commission (RPC) meeting was held on Thursday, January 8, 2015 at 5:30 p.m. in the Meeting Room of the Humboldt County Courthouse located at 50 West Fifth Street, Winnemucca, Nevada.

COMMISSIONERS PRESENT

Brad Bauman
Ken Hladek
Jennifer Legarza
Jean Kinney
Ray Olsen
Vickie Rock
Lewis Trout

COMMISSIONERS ABSENT

STAFF PRESENT

Betty Lawrence

Niki Linn

LEGAL COUNSEL

Gabrielle Carr

PUBLIC PRESENT

Joyce Sheen
Dawn Baldwin
Mindi Leflar
Jennifer Peters

Mike Sheppard
Louis Mendiola
Amanda Garrison
Josh Yost

Marlene Brissenden
Darrel Neuenchwander
Cheryl Neuenchwander
Richard Cook

I. OPENING

- A. Chairman Trout called the meeting to order and led members and guests in the Pledge of Allegiance.
- B. Roll call was taken; there was a quorum present.
- C. **Public Commentary**
Chairman Trout called for public comment and hearing none, closed the public comment period.
- D. **Review, Correction and Approval of Minutes of November 13, 2014** – Chairman Trout asked if there were any corrections or additions to the minutes of November 13, 2014. Hearing none, Mr. Bauman made a motion to approve the minutes as submitted. Mr. Olsen seconded the motion, which carried with all in favor. Ms. Kinney abstained from voting.
- F. **Requests for Postponement of Agenda Items** – Chairman Trout asked if there were any requests for postponement of agenda items. Ms. Lawrence stated there were none.

II. CONSENT AGENDA

- A. **PW-13-31** An extension request submitted by Desert Mountain Surveying, as agent for

the T.G. Sheppard Limited Family Partnership, to extend the time of filing the final parcel map. Subject property is located on Construction Way; assessor's parcel #3638-31-300-009.

- B. PH-13-34** An extension request submitted by Desert Mountain Surveying, as agent for Maximiliano and Maria Herrera, to extend the time of filing the final parcel map. Subject property is located along the north boundary of Walther Lane between Nancy Street and Buckley Lane, Winnemucca; assessor's parcel #3638-32-103-012.

Chairman Trout invited Ms. Lawrence to provide information on these items, of which she had none. Chairman Trout asked if staff or commissioners wished to pull any item down for further discussion. Hearing none, he asked if any member of the public wished to pull an item down. No requests were made.

Mr. Olsen made a motion to approve items PW-13-31 and PH-13-34 per staff's recommendation. Ms. Rock seconded the motion, which carried unanimously.

III. PUBLIC HEARING - Discussion & Possible Action

- A. UH-14-24** A conditional use permit application submitted by Malinda Leflar (dba rLm Ranch) to allow serving "Farm to Fork"-based meals to the public and to operate a small market selling goods grown by the applicant. Subject property is located at 4430 West Commander Drive; assessor's parcel #3537-23-200-002.

Chairman Trout invited Ms. Lawrence to provide information on this item. Ms. Lawrence stated that the correct assessor's parcel number for this item is 3537-23-200-002. She reported that she received a letter dated December 19, 2014 from Ellen Kunz, State Health Division, which she read into the record (copy on file). She stated that the applicant is registered with the Farm to Fork program and added that she previously submitted an application for a use permit at her home address. She withdrew the application and resubmitted, using her parent's address for the business.

Chairman Trout called for comments from the commission. He invited the applicant to provide any additional information. Ms. Leflar stated she had nothing to add. Chairman Trout invited questions from members of the public. Hearing none, he called for a motion.

Ms. Rock made a motion to approve item UH-14-24 per staff's recommendation. Mr. Olsen seconded the motion, which carried unanimously.

- B. SP-14-08** A site plan review application submitted by Mike Sheppard, as agent for the Humboldt General Hospital (HGH). The application is for review of Phases 3, 4, and 5 of the addition and remodel to the hospital. Subject property is located at 118 East Haskell Street; assessor's parcel #3638-29-132-001 and a portion of #3638-29-132-002.

Chairman Trout invited Ms. Lawrence to provide information on this item. Ms. Lawrence distributed copies of a color-coded map showing the existing and proposed parking locations for the project, as well as a revised staff report. She read into the record a letter dated January 6, 2015 from Steve West (copy on file). She summarized that Mr. West believed that based on the parking space calculation, it appears that the HGH expansion plan meets the requirements for off-street parking spaces; however, it should

be verified as each phase of the construction project is submitted for approval. She offered to provide a copy of the letter to the RPC.

Ms. Lawrence read a memorandum dated January 6, 2015 from Mr. West (copy on file), which states that the lease agreement for the railroad property accounts for 162 of the required parking spaces, which could be terminated. He recommended that the RPC should include a requirement for long-term parking in any site plan approval.

Ms. Lawrence referred to the staff report "Finding" Item J, which was replaced by the following (a copy of the revised page was distributed at the meeting):

- J. Applicant shall be required to submit updated Hospital Complex parking calculations at such a time as construction drawings are prepared for each and every construction phase to assure continued compliance with the Winnemucca Municipal Code.*
- K. The 162 parking spaces included in the parking count located on property being leased from UP Railroad do not meet the requirement of assurance that the separate lot or parcel is permanently committed to parking pursuant to Winnemucca Municipal Code Chapter 17.25.090(B). The applicant shall obtain a variance to be able to utilize parking on the railroad property.*

Chairman Trout asked if the designated parking spaces meet what is required by the City Municipal Code 17.25.020. Ms. Lawrence referred to item C of the staff report, which addresses the satisfaction of parking requirements and does not include the supplemental parking along Mizpah or any other on-street parking spaces.

Chairman Trout disclosed that he owns Union Pacific Railroad shares; however, he did not believe he needed to recuse himself and added that he would participate in discussion and action. He commended Mike Sheppard on doing an excellent job on the latest construction project at the Senior Center and disclosed that he is now a member on the Senior Center Board; however, he reiterated that he would participate in discussion and action on this item. He invited Mr. Sheppard to speak.

Mr. Sheppard, Owner's Representative for HGH, stated that this construction project has been ongoing since 2010 and he is in communication with Mr. West. He added that he reviewed Municipal Code Chapter 17.24; however, he had not had a chance to review Chapter 17.25.090.B, which was brought to his attention just prior to this meeting. (Note: That section reads, "Whenever the use of a separate lot or parcel is proposed for fulfillment of minimum parking requirements, the owner shall submit as a part of his application, satisfactory assurance that the separate lot or parcel is permanently committed to parking use by deed restriction or other enforceable, legal measure.")

Mr. Sheppard reported that the HGH Board authorized a Construction Manager at Risk (CMAR) contract for the contractor, which is currently onsite for the approximate \$15 million project. He added that he is also close to receiving the building permit, which requires approval of this site plan. He summarized that time is of the essence.

Ms. Kinney referred to the recent water main rupture (along Haskell) and asked if it was a concern for construction. She also asked how patients would be transported to and from the helipad. Chairman Trout stated those items are not part of this discussion. Mr.

Sheppard clarified that the water main is a City issue; not the hospital. He added that patients would continue to be transported via ambulance.

Mr. Hladek referred to the parking issue and asked if the underground parking garage includes storm drains. Mr. Sheppard stated that a drain trench is planned. Mr. Hladek referred to the traffic study executive summary, which states that the information was based on existing conditions but then modified to include the clinic. He asked if the clinic is a separate project. Mr. Sheppard stated that the parking/traffic study is for the entire project. He added that Mr. West was able to use the traffic study to design the intersection improvements at Haskell and Bridge Streets.

Mr. Hladek stated he believed the parking garage would generate more trips, which is not reflected in the study. Chairman Trout stated that traffic issues are not part of this agenda item and added that the applicant must meet the Municipal Code. Mr. Hladek explained that public documents should be easily understood and requested meeting with Mr. Sheppard and Mr. West outside of this meeting to discuss the traffic study. He mentioned that the pedestrian crossings, including to and from the ball fields, needs to be addressed.

Mr. Olsen referred to the parking map and asked how pedestrians would be controlled. Mr. Sheppard stated that he cannot control jay walkers. He added that pedestrian crossing was not allowed at Harmony because Mr. West believed it was too close to the intersection. He also mentioned that crossing at Harmony was prohibited due to a drop inlet, which would prevent handicap access.

Chairman Trout referred to the 113 parking spaces for the new clinic and 49 spaces next to the helipad and stated that those properties are being leased from the railroad. Mr. Sheppard stated that the agreement was signed in 2011, which is automatically renewed annually. He explained that the lease agreement may be terminated with thirty (30) days notice by either party. He added that railroad leases are in place up and down the Union Pacific railroad tracks, many of which have been in existence for over 67 years (as long as he has been in Winnemucca). He summarized that he does not see it as a "short-term" lease.

Chairman Trout stated that at the April 22, 2014 HGH Board meeting, Mr. West stated that the proposed parking did not meet the long-term requirement and requested a meeting with hospital representatives; however, the meeting never occurred and he did not believe the parking issues had been addressed. Mr. Sheppard stated that he did not agree that there is not a long-term plan and added that HGH has gone above and beyond what others have done.

Chairman Trout again referred to Chapter 17.25.090 and stated that a variance from the City Council would be necessary. He added that in the past the railroad has exercised the option of terminating agreements, which could happen again. He stated that without the 162 parking spaces on railroad land, there are only 194 parking spaces, which does not meet the requirement. He stated that Mr. Sheppard has not provided the required documentation for providing the required permanent parking. He added that the condition to require a parking variance is certainly appropriate.

Mr. Sheppard stated that Mr. West referred to safety issues at the meeting; however, he did not mention a variance. Mr. Sheppard stated that the entire City Council showed up

at the April meeting, at which time the Council and Mr. West commended Louis Mendiola, HGH, for implementing a plan for employee parking, which opened up additional patient parking.

Ms. Carr asked Mr. Sheppard if he had an issue with the condition to require a parking variance. Mr. Sheppard stated that he had no problem with the condition if the site plan could be approved at this meeting and he could then apply for a variance. He added that there was a flurry of activity just prior to the meeting.

Discussion between Mr. Sheppard and Chairman Trout continued.

Ms. Rock explained that RPC members asked questions about the staff report, which led to the activities just prior to the meeting. Mr. Sheppard reported that he too asked questions because he noted that the findings and conditions in the staff report were inconsistent. He mentioned the condition of "Approval of this site plan application will be subject to the Hospital working out a mutually acceptable long term parking plan with the City", which is inconsistent with the finding that adequate parking is provided and stated that the hospital would be compliant with the law.

Ms. Kinney referred to the parking for the temporary modular and asked when doctors are moved from the building upon completion of the expansion, if the 113 spaces would be available for patients. Mr. Sheppard clarified that the clinic is not temporary; it is a permanent facility, which he believes will always be a medical facility.

Chairman Trout stated that he had an issue with the unquantifiable number of parking spaces based on 162 spaces not being in compliance with the Code. He stated that the RPC could go forward based on Ms. Lawrence's recommendations for the condition of securing a variance for parking. Mr. Sheppard stated that he is onboard with the recommendations.

Chairman Trout suggested that each phase should require review by the RPC. Mr. Sheppard stated he did not agree because action at this meeting would cover Phases 3 through 5. He did however agree with the condition of securing a variance. Ms. Lawrence stated that Mr. Sheppard would not be required to come back to the RPC for each phase. She read from Chapter 17.24.050 (copy on file).

Ms. Rock referred to item K and suggested that "submit and "request" be changed to "secure" or "obtain" a variance.

Chairman Trout called for questions from the public. Josh Yost, resident at Harmony and Bell Street, stated that his landlord had concerns that patients would park in front of the residence. Ms. Lawrence stated that the parking variance from 2010 was for Harmony only. Mr. Yost stated that contractors have parked in front of the house.

Chairman Trout reported that Louis Mendiola has been instrumental in addressing the parking issues. Ms. Lawrence stated that most of the parking on Harmony is for the memory care center or physical therapy.

Ms. Carr recommended a modification to the amended findings to include that the evidence shows that 162 parking spaces are located on property that is subject to a lease with the railroad, which does not satisfy the requirement of 17.25.090B of

permanent parking, which is the reason for the variance. Ms. Lawrence concurred and offered to provide copies of the updated staff report to members.

Chairman Trout invited further discussion. Ms. Carr suggested a possible motion to approve item SP-14-08, subject to the revisions as identified by Ms. Rock, legal counsel and staff. Mr. Hladek moved to approve item SP-14-08, subject to the revisions as identified by Ms. Rock, legal counsel and staff. Ms. Rock seconded the motion, which carried unanimously.

IV. COMMISSION / STAFF / LEGAL COMMENTS / COMMITTEE REPORTS / TRAINING OPPORTUNITIES - Discussion & Possible Action

- A.** Information regarding the 2015 American Planning Association Conference in Seattle, WA, April 18 – 21, 2015.

Ms. Lawrence referred to a memo she provided showing the cost breakdown for the conference, which she estimated at \$1,463. She explained that in fiscal year 2008/09, the training budget was reduced from \$1,500 to \$1,000; it remained the same for 2009/10; in 2011/12 the budget was reduced to zero because none had been used. She was told by the County Administrator that a request for travel could be made to the County Commission.

Members were very supportive of Ms. Lawrence attending the conference and suggested increasing the budget amount, which would be approved by the County Administrator.

- B.** Review of suggested application fee increases for the City and County.

Ms. Lawrence explained that in 2010 the RPC approved an increase in fees, which was to be included in the County Code; however, the proposal was never taken to the governing bodies. She reported that application fees have not increased since 2005 and Humboldt County fees are lower than nearby rural counties and the lowest in the state. She stated her recommendation was for a 30% increase. Ms. Rock requested physical justification for the proposed increases. Mr. Hladek stated that the proposed increases are justified and offered his support. Chairman Trout suggested holding a public hearing to discuss fees in February. Ms. Carr stated that fees have to be justified based on County costs.

- C.** Review of the old county C (Commercial) zoning designation and direction to staff to proceed with property owner notification regarding possible rezoning of property.

Ms. Lawrence referred to a memo provided to members. She explained that the C (Commercial) zoning is obsolete and not recognized in our ordinances. Legal staff recommended contacting each of the 91 affected property owners with an offer to change the zoning free of charge. She stated that she and Ms. Carr are exploring whether property owners could be required to change their zoning since the C zoning is obsolete and therefore, not in conformance.

Mr. Olsen suggested that the zoning should be on a case-by-case basis. Ms.

Carr agreed and suggested changing the zoning to match its current use.

Ms. Rock suggested revising the letter to sound like more of an incentive to change based on the cost saving. Mr. Hladek asked how the county could charge a property owner down the road for changing the zoning because the County was remiss in not changing it when the zoning became obsolete. Ms. Lawrence stated that the County could not force property owners to make the change at that time; however, since the zoning has been obsolete for such a long period, it might now be possible.

Ms. Carr offered to verify whether the rezoning could be required of property owners. Follow up will be scheduled for the RPC when appropriate.

- D. Report from Staff on meeting with Dr. Dave Jensen, School Superintendent, regarding incorporating local government information in classrooms and engaging students in the local government process.

Ms. Lawrence provided an update from the meeting she and Chairman Trout had with Dr. Jensen on December 17, 2014. Suggestions for reaching out to youth groups include Future Farmers of America (FFA), rodeo, leadership groups, etc. The group agreed that rather than focusing on the high schools, involvement could include the middle schools. She reported that she teaches Junior Achievement classes to third graders on the topic of "our city", which includes planning, banking, jobs, news and other topics.

Ms. Lawrence stated that the goal would be to teach students how local government works, including Open Meeting Law, budgetary process, etc. She stated that a suggestion was made that presentations to students be made by the Mayor, Assessor, Treasurer, City Manager, County Commission, City Council, building officials, etc. She added that Dr. Jensen offered to speak with teachers about scheduling such presentations and then follow up with Ms. Lawrence.

Chairman Trout clarified that this topic is in follow-up to a Winnemucca Futures recommendation to involve younger members of the community.

- E. Report on RPC Handbook update with possible recommendation to forward to the RPC Rules/Policies Subcommittee for review.

Chairman Trout reported that Ms. Rock, he and staff have reviewed and edited the RPC Handbook and suggested scheduling a meeting of the Rules and Policies Subcommittee to finalize the handbook. The subcommittee planned to meet on January 22, 2015.

Staff offered to speak with the newest RPC member about involvement in subcommittees and then to provide a list of membership to each RPC member.

Chairman Trout commended staff, including legal counsel, on compliance with the Open Meeting Law.

V. CORRESPONDENCE / BUDGET / PERSONNEL - Discussion & Possible Action

Ms. Lawrence stated that she had not received any correspondence.

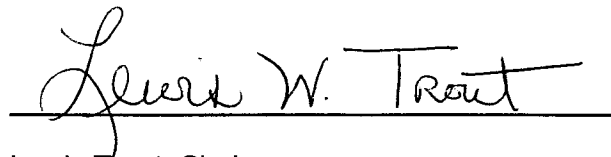
Chairman Trout welcomed Jennifer Legarza and thanked her for applying for the City-appointed RPC position.

VI. PUBLIC COMMENTARY

Chairman Trout called for comments from the public. Mr. Hladek thanked Chairman Trout for coordinating the recent fieldtrips to the airport industrial park.

Ms. Rock stated that she sent an email to Ms. Lawrence about a webinar related to the Federal Communications Commission (FCC) and its new requirements for cell towers. The webinar is scheduled for January 15, 2015 at 11:00 a.m. Ms. Lawrence offered to forward the email to members.

Chairman Trout called for additional comments from the public and hearing none, he adjourned the meeting at 8:03 p.m. until February 12, 2015 at 5:30 p.m.

A handwritten signature in cursive script that reads "Lewis W. Trout". The signature is written in black ink and is positioned above a horizontal line.

Lewis Trout, Chairman

UNOFFICIAL