

**PAHRUMP REGIONAL PLANNING COMMISSION  
MINUTES OF THE JANUARY 16, 2019 MEETING**

Members in Attendance:       Beth Lee  
  Leah-Ann DeAnda  
  Derek Fowler  
  Gary Bennett  
  Thomas Duryea  
  Carol Curtis

Members Absent:

Planning Staff:                 Steve Osborne  
  Brett Waggoner  
  Cheryl Beeman

District Attorney’s Staff:     Marla Zlotek

Public Works Staff:           Cody McKee

Other Attendees:               Commissioner Koenig  
  Darrell Lacy

Acronyms Used:

AP	=	Assessor Parcel Number
B & S	=	Building and Safety
BOCC	=	Board of County Commissioners
CUP	=	Conditional Use Permit
DA	=	District Attorney
MH	=	Manufactured Home
NCC	=	Nye County Code
NRS	=	Nevada Revised Statues
PRPD	=	Pahrump Regional Planning District
PW	=	Public Works
ROW	=	Right of Way
RPC	=	Regional Planning Commission
SFR	=	Single-Family Residential
TUP	=	Temporary Use Permit

**1. Pledge of Allegiance/Call to Order**

Meeting called to order at 6:00 pm.

**2. Public Comment (first) – No action will be taken on matters raised under public comment until the matter itself has been included on an agenda as an action item. (Three-minute time limit per person and speakers are requested to limit comments to items not on the agenda.)**

Public comment opened and closed at 6:01 with no comments.

**3. For possible action - Annual Election of Officers: Nomination and Election of Vice-Chairman for the remainder of fiscal year (July 1, 2018 to June 30, 2019). The election of an Officer shall be by affirmative vote of not less than four (4) members of the Planning Commission.**

Commissioner Bennett motioned to nominate Commissioner Duryea. Seconded by Commissioner Fowler.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

**Yes:** Beth Lee, Carol Curtis, Derek Fowler, Gary Bennett, Leah-Ann DeAnda, Tom Duryea.

4. **For possible action - Approval of Minutes:**

a. PRPC Meeting – December 12, 2018

Commissioner Lee stated she sent minor typographical changes to staff.

Commissioner Duryea motioned to approve the minutes of the December 12, 2018 meeting with the changes sent by Commissioner Lee. Seconded by Commissioner Bennett.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

**Yes:** Beth Lee, Carol Curtis, Derek Fowler, Gary Bennett, Leah-Ann DeAnda, Tom Duryea.

5. **For possible action - Approval of / Modifications to the Agenda:** Approval of the Agenda after Considering Requests to Rearrange, Hold or Remove Items.  
None.

6. **Correspondence and Announcements**

Commissioner Duryea stated he is part of a curling team with the Las Vegas Curling Club and they won the State championship and they will be going to Vancouver, BC for the Pacific International Cup this April. There will be a write up in the newspaper.

Item #6 reopened at 6:51 pm.

Commissioner Fowler stated he is announcing his resignation from the board, stating it has been a pleasure and honor to serve the town, he thanked Commissioner Koenig and the Planning staff for guidance and support. He will be here for one more meeting.

Commissioner Lee thanked him for his service.

7. **Commission/Committee/Director Reports:**

a. BOCC Liaison Report - BOCC Liaison – John Koenig  
None.

b. Director's Report

Brett Waggoner stated total applications processed for December 2018 were total Planning applications 85 received, processed 71. Total for entire year is 1608. Building Permits 28 for SFR, 22 for MH and total permits 161 and total inspections for all categories was 500. 2018 Building permits 458 SFR, 266 MH permits, and total permits 1913.

Code Compliance new complaints for December was 19, total for 2018 was 192.

Previous items that went to the BOCC WV-2018-000075 that went with CU-2018-000053 which was denied by the RPC and appealed to the BOCC 12/18 agenda and the denial was overturned. ZC-2018-000026 were recommended for approval by RPC and approved by the BOCC 12/18. ZC-2018-000027 was heard and approved by the BOCC on 12/18. ZC-2018-000028 will be heard by the BOCC on 1/23/19. MP-2018-000011 and ZC-2018-000029 failed at the RPC level will be heard by the BOCC on 1/23. There was a request to refund Lavon Salonic's application fees for her CUP that will be heard by the BOCC on 1/23 as well.

8. **Ex Parte Communications and Conflict of Interest Disclosure Statements**

Commissioner Fowler will abstain from item #11 his business in employed by Mountain Falls.

## SITTING AS THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE

9. **For Possible Action** – Presentation, discussion and possible direction regarding the update of the 2006-2015 Pahrump Regional Planning District Capital Improvement Plan (CIP). (DL)

Darrell Lacy reviewed what Impact Fees are and what he is trying to do with the Improvement Plan update. The BOCC chose not to approve storm and drainage fees they did approve impact fees for Parks, Police, Fire and Streets and Highways. The original impact fee calculation study was done in 2006 and 2007 when the growth rate was projected to be 6% per year. We had a recession and had slow growth. The current growth rate for 2017 – 2018 is at 2% right now. Working with Planning and Public Works they have identified 40 road sections and several new intersection improvements that they think should be added to the list of uncompleted roads from the previous CIP study. They have identified in the Master Plan things that would help growth on the Southside. Connection for Thousandaire to State Hwy 160, and a South loop which is Kellogg to 160. North on 160 the intersection of Manse and 160 is also the intersection for Eberhard and 160. Eberhard to the North would be proposed as an intersection and road entrance to the Great Basin College Campus. On the East bypass the MP showed picking up where Kellogg and Thousandaire hit 160. Those were based on an assumption of future disposal of land by BLM and private land in the area. Due to the lack of development in the area that isn't the appropriate place to start an East bypass somewhere around the fairgrounds/race track area. For an east bypass they would do phases 1A and 1B which would start in that area and go to Bell Vista. Road Construction starts at one (1) Million a mile. One of the next steps includes some possible flood control in this project. The original project that was studied in 2008 was a \$315 million flood control plan for the whole valley and included a piece of the east bypass. If we could start collecting money to enable surveying, ROW acquisition from BLM and get to a point we can move forward and start asking for grants.

John Koenig stated they talked about impact fees for the flood plain. Discussion with the old CIP board was that there was no point in an impact fee to collect per rooftop because we wouldn't generate that type of money.

Mr. Lacy stated they are looking at somewhere in the 11-million-dollar range for that section. If they can accumulate some funds and work on the ROW acquisitions it will give us something to work with.

Commissioner Lee asked if the list in the back up is listed by priority or yet to be determined.

Mr. Lacy stated that is to be determined. One of the CIP annual analysis is to reorganize projects by priority.

Commissioner Bennett asked what type of taxes we are collecting from Front Sight and the Race Track, the prison.

Mr. Lacy stated this is impact fees based on new homes or new commercial businesses. We get property tax for properties in town, gas tax for the roads. This impact fee doesn't allow us to maintain or rebuild existing roads, this is to expand existing roads or build new roads. Once we have impact fees PW, CIP, the RTC and the BOCC review and put road projects forward for priority and determine what project gets paid from what fund. We contributed CIP funding to NDOT to build the roundabouts, so it moved it up in priority for us.

Commissioner Koenig stated if we don't use the money within X amount of years or commit to using it has to go back to the developer that paid it.

Commissioner Fowler asked what X amount of years is?

Mr. Lacy stated committed in 5 spend in 10.

Commissioner Koenig stated what we get from Front Sight and the Racetrack is the same from anyone else. Front sight has no homes, so it is just property taxes.

Commissioner Bennett asked where the money from the Prison goes that they have to pay the county.

Commissioner Koenig stated it goes into the general fund.

Commissioner Fowler asked what the projected impact fee numbers are for the phases 1 and 2 at the Commercial Development at the track and the Front Sight new development plans for their condos.

Mr. Lacy stated impact fee per residential rooftop is \$1941 with potentially 77 homes. The commercial is around \$3 a square foot.

Commissioner Koenig stated if you build a 4,000 sq. ft, \$4 million-dollar home you pay \$1941 and if you put a \$100,000 manufactured home down you pay \$1941.

Commissioner Fowler asked if the funds they receive from the Race Track or Front Sight are better spent in that general vicinity.

Mr. Lacy stated impacts from development follow three areas. They will have to do everything onsite, then directly in front of them which is the State Highway and they will have to do a traffic study which they will look at local impact.

Commissioner Fowler asked how much of their data will be able to piggy back on when they look at starting the bypass?

Mr. Lacy stated if we can attribute activity in a certain area by their traffic count they would have paid mitigation fees on top of this. They will pay direct based on the traffic engineer study. This might be roads at Kellogg and Homestead or Bell Vista and Leslie based on what the CIP is priority.

Commissioner Fowler stated if we can get as creative as possible with the Race Track and the resources they put in or the DOE Funding that we might be able to get.

Mr. Lacy stated we have to have a statutory basis for any fee's we collect.

Commissioner Koenig stated we have to be careful how we spend the fees, we can't take fees from Pahrump and spend it on a road in Amargosa. We have to look at what the impact the race track will have on Pahrump, they want to be self-contained. They may or may not come into town to shop. That is the point of their commercial development.

Mr. Lacy stated they also get a room tax at 7% into the town of Pahrump tourism fund. Some of it goes to parks, the fair ground development and marketing.

Commissioner Curtis asked if there are ever any taxes on agricultural construction.

Mr. Lacy stated yes if they build buildings but if it is just farming no. He isn't sure if there is a agricultural project exemption,

Mr. Waggoner stated there is an agricultural exemption. If there is a building involved there is an impact involved.

Commissioner Curtis asked if that would be a commercial impact.

Mr. Waggoner stated yes.

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**Regular Agenda Items: Action may be taken by the Regional Planning Commission on the following items:**

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10. **For Possible Action – ZC-2018-000030:** Public Hearing, discussion and deliberation on a (Conforming) Zone Change application to change two contiguous parcels totaling 17.3 acres from the Mixed Use (MU) zone to the Suburban Estates Residential (SE) zone, located at 440 and 450 E. Wilson Road. Assessor Parcel Numbers 035-321-52 (5.0 acres) and 035-321-56 (12.3 acres). Wilson Capital Nevada Land, LLC – Property Owner. Jeffrey Gunter, Manager - Applicant. Heather J. Wilson – Agent. **(The Pahrump Regional Planning Commission makes a recommendation on this item. Final Action by the Board of County Commissioners is scheduled for February 19, 2019, or otherwise announced.) (SO)**

Steve Osborne stated the applicant has requested a continuation of the item to the March 13<sup>th</sup> RPC meeting.

Commissioner Lee asked if the applicant has paid the required continuation fee?

Mr. Osborne stated the applicant has a meeting next week to pay the fee.

Public comment opened and closed at 6:44 pm with no comments.

Commissioner Fowler motioned to continue ZC-2018-000030 to the March meeting. Seconded by Commissioner Bennett.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

**Yes:** Beth Lee, Carol Curtis, Derek Fowler, Gary Bennett, Leah-Ann DeAnda, Tom Duryea.

**Commissioner Fowler left the meeting.**

11. **For possible action – CU-2018-000059:** Public Hearing, discussion and deliberation on a Conditional Use Permit application to allow an Off-Premise Sign for Ovation at Mountain Falls located at 5740 S. Homestead Road, further described as File Number 443217, Parcel 4, Township 21 South, Range 53 East, Section 12, 2.67 acres, Assessor Parcel Number 044-531-21, zoned General Commercial (GC). Dawn Rabon, Theodore Rippen, Terry Lewis Trust, Randal Weaver Trust, et. al. - Property Owner. Motivational Systems, Inc. - Applicant. Carlos M. Ramos – Agent for Motivational Systems, Inc. **(This item is Final Action by the Pahrump Regional Planning Commission unless appealed to the Board of County Commissioners, or otherwise announced.) (SO)**

Steve Osborne reviewed his staff report. Back in September 2018 the RPC approved a waiver application for this proposed sign. With the waiver that was approved this sign conforms to all the requirements of NCC for an off-premise sign. Staff recommends approval of the application. On condition #5 they added in that the CUP valid up until the last home in the subdivision is built or 2 years after the approval whichever comes first.

Commissioner Lee asked if the condition of approval is in line with the condition of approval for the sign from December.

Mr. Osborne stated yes.

Commissioner Lee stated they were given a TUP to put the sign up after the waiver. Have there been any issues with the code since they installed the sign.

Mr. Osborne stated no.

Public comment opened and closed at 6:48 pm with no comments.

Carlos Ramos, applicant stated he explained what he needed with the prior waiver request.

Commissioner Duryea asked what was being done with NCC amendment to change the upright requirements.

Brett Waggoner stated that is being done and in the DA's office for review.

Commissioner Duryea motioned to approve CU-2018-000059 with staff recommendations and standard and special conditions of approval listed in the back up. Seconded by Commissioner DeAnda.

**Vote:** Motion passed (**summary:** Yes = 5, No = 0, Abstain = 1).

**Yes:** Beth Lee, Carol Curtis, Gary Bennett, Leah-Ann DeAnda, Tom Duryea.

**Abstain:** Derek Fowler.

Commissioner Fowler returned to the meeting.

Item #6 reopened at 6:51 pm.

12. **Future Meetings/Workshops: Discussion and Direction Concerning Items for Future Meetings/Workshops; Set Date, Location and Time.**

February 13<sup>th</sup> at 6:00 pm is the next meeting. Commissioner Duryea and Commissioner Bennett will be absent from that meeting.

**Public Comment:**

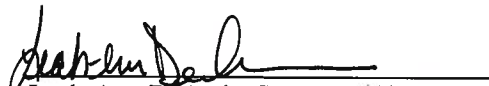
13. **Public Comment (second)** – No action will be taken on matters raised under public comment until the matter itself has been included on an agenda as an action item. (Three-minute time limit per person and speakers are requested to limit comments to items not on the agenda.)

Public comment opened and closed at 6:54 pm with no comments.

14. **Adjournment.**

Meeting adjourned at 6:54 pm.

  
Beth Lee, Chairman  
Pahrump Regional Planning Commission

  
Leah-Ann DeAnda, Secretary/Clerk  
Pahrump Regional Planning Commission