

**PAHRUMP REGIONAL PLANNING COMMISSION  
MINUTES OF THE FEBRUARY 13, 2019 MEETING**

Members in Attendance: Beth Lee  
Leah-Ann DeAnda  
Derek Fowler  
Carol Curtis  
Pamela Tyler

Members Absent: Gary Bennett  
Thomas Duryea

Planning Staff: Steve Osborne  
Brett Waggoner  
Cheryl Beeman

District Attorney’s Staff: Marla Zlotek

Public Works Staff: Cody McKee

Other Attendees: Commissioner Koenig

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 Statutes
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 at 6:00 pm.

Timothy Mattoon stated he would like to speak on item #8.

Commissioner Lee stated he will have an opportunity to speak later during the item.

Public comment closed at 6:02 pm.

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

**a.** PRPC Meeting – January 16, 2019

Commissioner Lee submitted some minor typographical errors to staff.  
Commissioner Fowler motioned to approve the minutes including the corrections. Seconded by Commissioner DeAnda.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).  
**Yes:** Beth Lee, Carol Curtis, Derek Fowler, Leah-Ann DeAnda, Pamela Tyler.

4. **For possible action - Approval of / Modifications to the Agenda:** Approval of the Agenda after Considering Requests to Rearrange, Hold or Remove Items.

None.

5. **Correspondence and Announcements**

Commissioner Lee stated this is Commissioner Fowlers last meeting and thanked him for his service on the board since 2017.

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

- a. BOCC Liaison Report - BOCC Liaison – John Koenig

Commissioner Koenig stated the record should show Commissioner Duryea is absent and thanked Commissioner Fowler for his service.

Commissioner Lee stated for the record that Commissioner Bennett and Commissioner Duryea are absent from the meeting.

- b. Director's Report

Brett Waggoner stated the Planning applications for the month of January – Planning applications taken in 171, 140 processed at this point. Building Permits – 40 Permits, 16 Manufactured Home permits, Total permits for all categories was 182 and total inspections for the month was 536.

Code Compliance new complaints 17, 4 were closed for the month.

Previous items ZC-2018-000078 was recommended for approval and approved by the BOCC 1/23, MP-2018-000011 and ZC-2018-000029 had no recommendation by the RPC because the motion failed and was denied by the BOCC on 1/23. CU-2018-000055 was a request to offer a refund for the CUP fees. It was approved by the4 BOCC and processed by Planning.

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

None.

8. **For Possible Action – ZC-2018-000031:** Public Hearing, discussion and deliberation on a (Conforming) Zone Change application to change two contiguous parcels totaling 18.37 acres from the Neighborhood Commercial (NC) zone to the Suburban Estates Residential (SE) zone, located at 2370 and 2470 E. Thousandaire Blvd. Assessor Parcel Numbers 044-551-39 (9.40 acres) and 044-551-40 (8.97 acres). Cliffwood Realty Nevada, 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 March 19, 2019, or otherwise announced.) (SO)**

Steve Osborne stated the applicant is requesting a continuation to the March RPC meeting on March 20th.

Commissioner Lee asked if they have paid their continuation fee.

Mr. Osborne stated yes, it was submitted today.

Public comment opened at 6:10 pm.

Timothy Mattoon stated he is against the item and lives across the street from the property and the Hemp creates a large stink and it irritates him. He drives past the operation on Vicki Ann and Manse and he and his truck always smell like a skunk and he doesn't want this smell in his house or yard.

Commissioner Lee stated this item is being asked to be continued to the March 20<sup>th</sup> RPC meeting and stated he will have an opportunity to come back and comment again then.

Mr. Mattoon stated he knows this zoning has been going on for the last 4 or 5 years and they just keep extending it and he doesn't want to see another problem started.

Public comment closed at 6:12 pm.

Commissioner Fowler stated he won't be here for the next meeting but would like to comment. His office was located between the grow operation on Thousandaire and Homestead and the one on Vickie Ann and Manse they both depending on the direction of the wind he smelt it every day. 18 acres is a lot of hemp. The grow operation wasn't even an acre and they stunk, this will be a lot of hemp.

Commissioner Koenig stated he has 40 acres at the end of his road that is extending to 80 or 120 and when the wind blows you can smell it.

Commissioner Fowler motioned to continue ZC-2018-000031 to the next RPC meeting. Seconded by Commissioner Tyler.

**Note:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

**Yes:** Beth Lee, Carol Curtis, Derek Fowler, Leah-Ann DeAnda, Pamela Tyler.

Cheryl Beeman stated she would like to explain to Mr. Mattoon that the next RPC meeting is March 20<sup>th</sup>.

9. **For Possible Action – WV-2018-000083:** Public hearing, discussion, and deliberation on an application for a Waiver from NCC 17.04.200.A.17 (Accessory Buildings and Accessory Uses) to allow construction of an accessory building (Garage/Workshop) in the RH-4.5 zoning district without establishing a principal residential dwelling, located at 3981 W. Blosser Ranch Road, a.k.a Parcel 1 of F#58538, Assessor Parcel Number 027-171-34. Larry F. Tross – Property Owners/Applicant. **(This item is Final Action by the Pahrump Regional Planning Commission unless appealed to the Board of County Commissioners, or otherwise announced.) (CB)**

Cheryl Beeman reviewed her staff report. This property has a capped well and to live on the property as a snowbird you must have permanent connection to water and ISDS. Staff is unable to find justification to recommend approval. They have received letters of protest that elude that a business will reside on the property and Mr. Tross has stated that is not his intent but to have a garage and workshop where he can lock and protect his property. Public Works has requested a 15-foot ROW to be dedicated to Nye County on the South half of Blosser Ranch across the subject property frontage. That is part of the regional flood control district service plan for a future drainage channel. If approved this construction will include multiple permits, completion of the well and septic system. If approved she suggests adding condition of approval #8 the completion of the well and installation of the ISDS.

Larry Tross, applicant stated he wants to put up a garage and put a 24' x 36' cement slab by the garage for his RV on so he can live in it full time while he is here. He can't afford to build now with the cost of living here.

Commissioner Tyler asked for clarification that there will be a 25' x 36' garage and a 20' x 36' cement slab correct.

Mr. Tross stated yes.

Commissioner Tyler asked if he is okay with putting in the septic and putting in the well.

Mr. Tross stated yes.

Commissioner Curtis stated she doesn't believe there is a minimum square footage for housing, would that not be within your plans possibly.

Mr. Tross stated 120 sq. ft. for living room, 70' or 80' minimum for bedroom and your open on bathrooms and kitchens.

Commissioner Curtis asked how many months he plans on staying there when he is in town.

Mr. Tross stated he wants to come back here when he feels like it but leave the trailer here full time, he would travel in his van.

Commissioner Fowler asked if he intends to use is his garage mainly as storage.

Mr. Tross state he would be locking up all his belongings and reload his own ammo.

Commissioner Fowler asked staff about the minimum square footage for a primary residence.

Mr. Waggoner stated he is unaware of a minimum square footage he just needs to meet the building codes for habitably.

Commissioner Fowler asked why there are two letters from neighbors referring to a business on this plan.

Mr. Tross believes they think he will have a commercial garage there.

Commissioner Fowler stated he could build a small humble primary residence along with something a little smaller on the garage side.

Mr. Tross stated he has spoken to two contractors and they gave him prices of \$200,000 for a 12' x 36' dwelling and 16' x 36' garage with one roof over metal building.

Commissioner Tyler stated they just put codes into place, so they don't have just an accessory building on a lot without some type of residence. If this is granted to you without understanding why this is a special circumstance means we have to also grant this to other applicants. We don't want to set a precedent when we just set a policy.

Public comment opened and closed at 6:29 pm with no comments.

Commissioner Lee stated she agrees with Commissioner Tyler. We are required to make findings by NCC and it is based on land use. Staff is unable to make those findings.

Commissioner Fowler stated they are being asked to go against a code they worked hard to put in place.

Commissioner Curtis stated she would like to see the applicant incorporate a living quarter within the garage.

Mr. Tross stated he could put living quarters within the garage.

Commissioner Tyler asked staff if he was to redesign his garage to include the living quarters he wouldn't need the use permit.

Mr. Waggoner stated correct.

Commissioner Fowler motioned to deny WV-2018-000083 based on staff's findings. Commissioner Tyler seconded.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

**Yes:** Beth Lee, Carol Curtis, Derek Fowler, Leah-Ann DeAnda, Pamela Tyler.

Commissioner Lee stated they have given Mr. Tross some options and he does have the option to appeal.

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

The next RPC meeting will be Wednesday, March 20<sup>th</sup>, 2019.

Commissioner Lee stated she would like to see at the next meeting a review of the Master Plan update. Chapter one can be left to staff's discretion to update. She asked for the board to be prepared to go over chapter 2 and 3 at the March meeting.

Mr. Waggoner stated the March meeting is fairly large with close to 18 applications.

Commissioner Lee stated they will be prepared for possibly only chapter 2 and get through as much as they can.

Commissioner Fowler stated he would like to thank everyone for serving with him and stated it has been an honor and pleasure to serve the community next to everyone.

**Public Comment:**


- 11. 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 at 6:37 pm and closed with no comments.

**12. Adjournment.**

Meeting adjourned at 6:37 pm.

  
Beth Lee, Chairman  
Pahrump Regional Planning Commission

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