

**PAHRUMP REGIONAL PLANNING COMMISSION  
MINUTES OF THE MARCH 11, 2020 MEETING**

Members in Attendance:     Beth Lee  
                                      Leah-Ann DeAnda  
                                      Carol Curtis  
                                      Walt Turner  
                                      Thomas Duryea  
                                      Pamela Tyler  
                                      Robert Blackstock

Members Absent:

Planning Staff:               Brett Waggoner  
                                      Celeste Sandoval  
                                      Devan Carrington  
                                      Cheryl Beeman

District Attorney's Staff:   Marla Zlotek

Public Works Staff:         Tyler Mulvey  
                                      Cody McKee

Other Attendees:             Commissioner Koenig

Acronyms Used:

AP	=	Assessor Parcel Number
BOCC	=	Board of County Commissioners
CIP	=	Capital Improvement Plan
CUP	=	Conditional Use Permit
FEMA	=	Federal Emergency Management Agency
GC	=	General Commercial
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
ZC	=	Zone Change

**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 pm.

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

- a.**   PRPC Meeting – February 12, 2020

Commissioner Tyler motioned to approve the minutes, seconded by Commissioner Blackstock.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 7).

**Yes:** Beth Lee, Carol Curtis, Leah-Ann DeAnda, Pamela Tyler, Robert Blackstock, Tom Duryea, Walt Turner.

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**

Brett Waggoner stated that the Master Plan survey was put online for the public.

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

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

None

- b. Director's Report

Mr. Waggoner stated in February there was 166 total applications which is an increase of 72 from January. Total applications processed was 168 which is 77 more applications than January. The Building Department had 31 single family residence applications which is an increase of 12 since last month. There were zero multifamily applications, 45 manufactured home permits which is an increase of 24 from last month. There was a total of 173 applications for all categories which is 23 more than January. The total number of inspections for all categories was 443 which is a decrease.

Code compliance had 54 new complaints which is an increase of 32. Code Compliance closed 34 cases which is an increase of 1 from last month. Cases previously heard by the RPC CU-2019-000088 the RPC denied the application and the applicant did appeal that to the BOCC and they upheld the RPCs decision. CU-2019-000089 was for an off-premise sign along Nevada Highway 372. It was heard by the RPC on the December 11<sup>th</sup>, 2019 agenda and recommended denial. It was appealed and heard by the BOCC on the February 19<sup>th</sup>, 2020 agenda and the RPC decision was reversed by the BOCC. ZC-2019-000043 was a zone change from RE-1 to RH-4.5 on Malibu Ave. The application was heard by the RPC on the December 11<sup>th</sup>, 2019 meeting and that zone change was approved. It was heard by the BOCC on the February 19<sup>th</sup>, 2020 agenda and it was also approved. ZC-2019-000042 zone change application to change 5 acres from VR-20 to RH-4.5 was heard on February 12<sup>th</sup>, 2020 and was recommended approval by the RPC. It will be heard March 17<sup>th</sup>, 2020 by the BOCC. ZC-2019-000044 another zone change application to change 3 contiguous parcels totally 7.1 acres from VR-20 to RE-1 that was heard by RPC on February 12<sup>th</sup>, 2020 agenda and it will also be heard on the March 17<sup>th</sup>, 2020 BOCC agenda.

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

Commissioner DeAnda stated that she needed to disclose on item 8 that Michael Selbach was her real estate agent 10 years ago.

8.

- a. **For Possible Action – CU-2020-000091:** Public Hearing, discussion and deliberation on a Conditional Use Permit application to allow an Off-Premise Sign advertising the Desert Greens subdivision, on property located at 5480 E. Manse Road. Assessor Parcel Number 045-031-47. Property Owner – Mark & Nicole Genet. Applicant - Michael Selbach/Pedley Family, LLC.

- b. **For Possible Action – WV-2020-000108:** Public Hearing, discussion and deliberation on a Waiver application to allow an Off-Premise Sign in the Rural Estates (RE-2) zoning district, to have three (3) support columns where a maximum of two (2) support columns are allowed, and to be located

less than five hundred feet (500') from a residential zone boundary, on property located at 5480 E Manse Road. Assessor Parcel Number 045-031-47. Mark & Nicole Genet - Property Owner. Michael Selbach/Pedley Family LLC - Applicant. **(These items are Final Action by the Pahrump Regional Planning Commission unless appealed to the Board of County Commissioners, or as otherwise announced.) (SO)**

Steve Osborne reviewed his staff report and stated that this is a request for an off-premise sign that would advertise the Desert Greens subdivision. The sign is proposed to be placed in a RE-2 zoning. Nye County Code allows off premise signs only in the General Commercial and Heavy Industrial zones; however, the applicant has applied for a waiver on that requirement, as well as, on the other three support columns and less than 500 ft from a residential zone restriction. Mr. Osborne stated that there are some unusual circumstances and based on those circumstances staff recommends approval.

Commissioner Curtis asked how long the sign would be there for?

Mr. Osborne stated that the sign was requested to be up for only 18 months.

Commissioner Lee asked if the 18-month period was a condition of approval advised by staff or requested by the applicant.

Mr. Waggoner stated that the applicant requested the 18-month duration for the sign.

Commissioner Lee stated the property is in a specific plan of development and asked if there are any requirements to have approvals from the development participant in that special plan of development?

Mr. Osborne stated that it is Master Planned in the specific plan of development; however, it is outside of Mountain Falls and the America West project to the south.

Michael Selbach stated that he owns properties throughout Pahrump; however, Darren with Pedley family is there to answer any questions.

Commissioner Duryea questioned whether 18 months was a good time.

Darren Proulx, applicant stated that he was hoping sooner.

Commissioner Lee asked whether Mr. Proulx has read, understood, and agreed to the conditions.

Mr. Proulx stated that he did.

Public comment opened and closed at 6:14 pm with no comments.

Commissioner Turner motioned to approve the application, seconded by Commissioner DeAnda.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 7).

**Yes:** Beth Lee, Carol Curtis, Leah-Ann DeAnda, Pamela Tyler, Robert Blackstock, Tom Duryea, Walt Turner.

- 9. For Possible Action – ZC-2020-000045: Public Hearing, discussion and deliberation on an application for a conforming Zone Change to change 2.50 acres from Neighborhood Commercial (NC) to Commercial Manufacturing (CM), located at 3621 W Bell Vista Ave, Assessor Parcel Number 028-231-12. Tinker Trust – Property Owner/Applicant. **(This item is a recommendation by the Pahrump Regional Planning Commission. The Board of County Commissioners is scheduled to take Final Action on August 20, 2020, or as otherwise announced.) (CB)****

Cheryl Beeman reviewed her staff report stating that the applicant requested the zone change on 2.5 acres from Neighborhood Commercial to Commercial Manufacturing district. In order to establish the outdoor storage of outdoor construction equipment, crane operations is what the applicant indicated. Stating that the CM zoning district allows for construction, heavy equipment, sales, rental, and contractor storage yards. As stated, they want to relocate their crane sales rental business to Pahrump for the parking and the storage. The existing business is in Las Vegas and that is where they will continue to do their refurbishing. The application will only be storing the cranes in Pahrump. Staff is recommending approval of the application. Public Works has requested that the applicant go through site development and that is staff's recommendation, as well.

Commissioner Tyler asked why there was such a large time gap the RPC and BOCC meeting.

Ms. Beeman stated that she was not sure why.

The applicant, John Rafacz, owner of Tinker Trust, stated that he does not know why there is such a delay.

Mr. Rafacz stated that they are ready to submit their plans.

Commissioner Koenig stated that August 20<sup>th</sup>, 2020 is not a BOCC meeting

Commissioner Lee requested that an earlier date be set, re-noticed and seen at the April 21<sup>st</sup> BOCC meeting.

Commissioner Curtis questioned whether the business is Top Notch.

Mr. Rafacz stated no. Top Notch is the neighbors next to him.

Commissioner Curtis asked if the applicant would be getting a business license.

Mr. Rafacz stated that he would be getting a business license for the crane business and the storage.

Commissioner Koenig asked if the height of the equipment would be discussed in the site plan.

Mr. Waggoner stated that Mr. Rafacz has to abide by OSHA's guidelines, and it will be addressed.

Commissioner Lee had a question regarding the site plan with the 6,000 sq. ft building that is at the back of the property.

Mr. Rafacz stated that it is not a building.

Mr. Rafacz stated that he was advised by Planning to put up a fence for the storage. He stated there will be a fence on Bell Vista.

Commissioner Lee confirmed that it is not a building that it is just a fenced area for storage.

Mr. Rafacz stated that was correct.

Commissioner Lee asked why it was at the back of the property.

Mr. Rafacz stated that was because the property is on the Highway and he was told that he needed a site plan put together with an entrance, so he decided to put it at the back of the property with all the heavy traffic in that area.

Mr. Waggoner stated, in reference to Commissioner Koenig's questions regarding height of the equipment, that everything will need to be done and reviewed to the development standards the Planning Department has and it does mention height and the maximums.

Public Comment opened and closed at 6:23 pm with no comments

Commissioner Turner motioned to recommend approval to the BOCC, seconded By Commissioner Tyler.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 7).

**Yes:** Beth Lee, Carol Curtis, Leah-Ann DeAnda, Pamela Tyler, Robert Blackstock, Tom Duryea, Walt Turner.

10. **For Possible Action – WV-2020-000107:** Public Hearing, discussion and deliberation on a Waiver application to allow a three foot (3') side setback where a five foot (5') side setback is required per Nye County Code, located at 5680 Mary Lou Street. Assessor Parcel Number 043-112-15. Edward & Joy LeBlanc, Jr. – Property Owner/ Applicant. **(This item is Final Action by the Pahrump Regional Planning Commission unless appealed to the Board of County Commissioners, or otherwise announced.) (QM)**

Qiana Medici reviewed her staff report and stated that the applicant has applied for a setback variance. There is not a lot of room on the East side of the property but on the West side of the property there is room. There is also a block wall in the back yard that the shader would be up against.

Mr. Waggoner stated that it did get approval by the HOA prior to the RPC meeting.

Ed LeBlanc, applicant, stated that he had no comment.

Commissioner Lee asked staff if there were any issues or concerns regarding how close it is to adjacent properties, storm water run-off, or any trespassing issues.

Mrs. Medici stated that nothing we were aware of.

Commissioner Lee asked Mr. LeBlanc if he has read, understood, and agree to the conditions of approval.

Mr. LeBlanc stated that he did.

Public comment opened and closed 6:27 with no comments.

Commissioner Duryea motioned to approve, seconded by Commissioner Blackstock.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 7).

**Yes:** Beth Lee, Carol Curtis, Leah-Ann DeAnda, Pamela Tyler, Robert Blackstock, Tom Duryea, Walt Turner.

11. **For Possible Action – AB-2019-000009:** Public Hearing, discussion and deliberation on a Road Abandonment application to abandon approximately 150 linear feet of E. Carlton Street that separates two parcels and revert the acreage to Assessor Parcel Number 035-381-35. Assessor Parcel Numbers 035-381-21 and 035-381-35. Mike Floyd – Owner/Applicant. **(This item is Final Action by the Pahrump Regional Planning Commission unless appealed to the Board of County Commissioner, or as otherwise announced.) (QM)**

Mrs. Medici reviewed her staff report stating that we have a boundary line adjustment and a road abandonment going concurrently to abandon that portion of Carlton St between the two properties owned by Mr. Floyd. If the abandonment is approved, then we can proceed with the boundary line adjustment and add it to the parcel.

Commissioner Curtis asked that if the road is abandoned if the applicant assumes ownership of the parcel.

Cody Mckee stated that with the abandonment it would extend his properties line to the existing width of the road to what would be the South property line to Threadz.

Commissioner Curtis asked if the applicant owned both properties.

Mrs. Medici stated that was correct.

Commissioner Curtis asked if there was a special condition of paid advertisement fees associated with this application?

Mrs. Medici stated that by statute that the applicant must pay for the noticing fees.

Mrs. Medici stated that we are waiting to get the fees from the newspaper and if it is approved the Chair and Secretary must sign off on the Order of Abandonment.

Commissioner Curtis questioned if the area would still look like a road or if the applicant is planning on fencing the area.

Mike Floyd, applicant stated that they are not going to fence it off and it will be for Goodwill drop off., stating that he is going to move his entry way to the back lot and fence the access off that is there, so the road is no longer needed. Mr. Floyd stated that the acreage would be added to parcel 381-35.

Public comment opened and closed at 6:33 pm with no comment.

Commissioner Lee ask the applicant if he read, understood, and agree to the condition of approval.

Mr. Floyd stated that he did.

Commissioner Turner motioned to approve the applications. Seconded by Commissioner Blackstock.

**Note:** Motion carried by unanimous roll call vote (**summary: Yes = 7**).

**Yes:** Beth Lee, Carol Curtis, Leah-Ann DeAnda, Pamela Tyler, Robert Blackstock, Tom Duryea, Walt Turner.

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

The next RPC meeting will be Wednesday, April 15<sup>th</sup>, 2020 at 6 pm. April 27<sup>th</sup>, 2020 is the date of the Master Plan Special Meeting

Mr. Waggoner gave an update on the zone change RE-1 and RE-2 subsistence farming and commercial farming along with definitions that were purposed.

Mr. Waggoner requested that we bring back a draft for the zone change as well as a draft on the definitions.

Mr. Waggoner stated that the next RPC meeting that he will be bringing the drafts back and will be sending out notices on the following BOCC meeting.

**Public Comment:**

17. **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 6:37 pm with no comments.

18. **Adjournment.**

Meeting adjourned at 6:37 pm.



Elizabeth Lee, Chairman  
Pahrump Regional Planning Commission



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