

**PAHRUMP REGIONAL PLANNING COMMISSION
MINUTES OF THE JUNE 13, 2018 MEETING**

Members in Attendance: Gregory T. Hafen II
Beth Lee
Leah-Ann DeAnda
Robert Adams
Gary Bennett

Members Absent: Derek Fowler

Planning Staff: Steve Osborne
Joe Ehrheart
Celeste Sandoval
Brett Waggoner
Cheryl Beeman

District Attorney's Staff: Ronni Boskovich

Public Works Staff: 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
DA	=	Development Agreement
DCP	=	Dust Control Plan/Dust Control Permit
MH	=	Manufactured Home
NCC	=	Nye County Code
NRS	=	Nevada Revised Statutes
PRPD	=	Pahrump Regional Planning District
PW	=	Public Works
RE	=	Rural Estates Residential
RH	=	Rural Homestead Residential
ROW	=	Right of Way
RPC	=	Regional Planning Commission
SFR	=	Single-Family Residential
VR	=	Village Residential

1. **Pledge of Allegiance/Call to Order**
Meeting was 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 6:01 pm and closed with no comments.
3. **For possible action - Approval of Minutes:**
 - a. PRPC Meeting – May 9, 2018

Commissioner Lee stated she provided staff with some minor typographical corrections.
Commissioner Adams stated on page 7 he meant phrased with a P.

Commissioner Lee motioned to approve with corrections submitted to staff. Seconded by Commissioner Bennett.

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

Yes: Beth Lee, Gary Bennett, Gregory T. Hafen II, Leah-Ann DeAnda, Robert Adams.

Commissioner Hafen stated for the record that Commissioner Fowler is not in attendance.

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 Hafen presented two plaques to Leo Blundo and Robert Adams for their service on the RPC.

Commissioner Adams stated he received a lot of positive comments on Pahrump at the Outdoor Nevada kickoff, it is a PBS show and they are looking at filling the season with outdoor ideas. They can be contacted at KLVX TV.

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

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

Commissioner Koenig stated he is going to the Central Nevada Regional Water Authority meeting on Friday.

- b. Director's Report

Brett Waggoner stated total applications across the counter last month was 151 new applications. Processed 138 applications, SFR 46 new permits pulled, and 22 Manufacture Home permits. Total permits issued through the Building Dept. was 149.

Code compliance received 24 new complaints and total new complaints this year is 198.

Previous items heard Bill 2018-08 proposing to remove the 40-acre minimum from SE was approved by the BOCC on May 15th. Bill 2018-09 Building Separation failed due to no motion and is agendized for July 17th. ZC and MP for the Spring Mountain Raceway received approval on May 15th. Bill 2018-07 Manufactured Homes was denied at the June 5th BOCC meeting. At this point we will have to follow NRS standards for the time being and staff is working on a new draft and possibly get it on the agenda for next month for review. We are still mandated by NRS to adopt some language. Next month he hopes to have a 6-month numbers for everything. Building permit numbers right now are approaching the number of permits issued for all of last year.

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

Commissioner Bennett stated for item #10 Mr. Taney is an acquaintance of his, it will not affect his judgement and plans on participating in the item.

8. **For Possible Action - CU-2018-000050:** Public hearing, discussion and deliberation on an application for a Conditional Use Permit for a swap meet/farmer's market on a Neighborhood Commercial (NC) zoned parcel, on approximately 1.20 acres located at 2401 S. Homestead Road, Calvada Valley Unit 1, Block 1, Lot 3, Assessor Parcel Number 042-391-17. Bertha Galan Kern – 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.) (CB)**

Steve Osborne stated staff recommends this item be continued to the next month. The applicant has applied for a ZC to go along with this item.

Public comment opened and closed at 6:11 pm with no comments.

Commissioner Lee motioned to continue to the July 11, 2018 meeting based on staff's conclusion. Seconded by Commissioner Bennett.

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

Yes: Beth Lee, Gary Bennett, Gregory T. Hafen II, Leah-Ann DeAnda, Robert Adams.

9. **For Possible Action – WV-2018-000068:** Discussion and deliberation on an application for a Waiver from the Street Naming and Property Numbering Ordinance for the Pahrump Regional Planning District, to allow the use of the property address of 1 Front Sight Road, Pahrump, Nevada, 89061 as the official address for the Front Sight Firearms Training Institute, located at 7100 E. Front Sight Boulevard. Front Sight Management, LLC – Property Owner / Applicant. Michael Meacher – Agent. **(This item is Final Action by the Pahrump Regional Planning Commission unless appealed to the Board of County Commissioners, or otherwise announced.) (SO)**

Mr. Osborne stated the official address for Front Sight Facility is 7100 E. Front Sight Blvd. The applicant is requesting 1 Front Sight Road. The request is in accordance with the ordinance to change Blvd to Road. Changing the property number from 7100 to 1 and that is out of sequence of the numbering system, Front Sight is 7 miles east of Blagg and it would have a 7100 number. However, staff feels there are special circumstances because it is surrounded by BLM and there is no other development nearby, the third request to remove the E part of the address and it doesn't appeal to be an issue because Front Sight is only on the E side of Blagg and doesn't cross over Blagg. Staff recommends approval and one condition is if there is any development at any time on adjacent parcels then the address would go back to 7100 E. Front Sight Road.

Commissioner Hafen asked how long they have been using 1 Front Sight Road.

Mr. Osborne stated they stated they have been using the address since 1999.

Mike Meacher – Agent stated they have used the address 18 or 19 years. The letter submitted supports the extenuating circumstances for the continued use of 1 Front Sight Road. They continue to have issues with deliveries from carriers and the USPS due to the address not coming up in the system. It is costing them time and money and it is an inconvenience and expense. They don't see any value in attempting to create compliance with the addressing program because they are rural and don't have neighbors and have no plans for neighbors.

Commissioner Hafen asked for confirmation that the access to their parcel is from Clark County.

Mr. Meacher stated that is correct. At the intersection of Tecopa Road and Front Sight that is in Clark County. If you travel 2 miles down Front Sight Road it is the County line.

Commissioner Adams asked if they are amendable to condition number 1.

Mr. Meacher stated no, the probability approaches zero. By nature of what they do they don't want development next to them and they agree to that condition.

Public comment opened at 6:20 pm.

Greg Dann stated he is a member of Front Sight, they are a great neighbor and they need to help them out and give them what they want, they are a great asset to the community.

Public comment closed at 6:21 pm.

Mr. Meacher asked staff to provide a letter as immediate a letter as possible addressing two issues. That they are agreeing to revert the address back to 1 Front Sight Road because the postal service won't do anything until that is provided. He also requests an indication from Nye County that there is nothing currently scheduled or in the immediate future planned for development that would abut Front Sight Road.

Commissioner Adams asked if staff has any issues with the additional requests from the applicant.

Mr. Osborne stated no.

Commissioner Adams motioned to approved based on findings from staff. Seconded by Commissioner Lee.

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

Yes: Beth Lee, Gary Bennett, Gregory T. Hafen II, Leah-Ann DeAnda, Robert Adams.

Mr. Meacher asked on the time limit for a response to provide the postal service.

Mr. Waggoner stated a final action memorandum would address the request, probably mid-week.

- 10. For Possible Action - AB-2018-000006:** Public Hearing, discussion and deliberation on a request to Vacate and Abandon an approximate 6,687 square foot portion of Mountain Falls Parkway located in Section 4, Township 21 South, Range 54 East, located within the Town of Pahrump, Nye County, Nevada. **(The Pahrump Regional Planning Commission makes a recommendation on this item. Final Action by the Board of County Commissioners is scheduled for July 17, 2018 at 11:00 a.m., or soon thereafter, unless otherwise announced.) (CB)**

Mr. Osborne stated it is a request to abandon a small portion of the Mt. Falls Parkway. It is a unbuilt portion of the parkway and is for the purpose of realignment. The ROW has already been dedicated and there will be a new map coming in to dedicate the new alignment. Staff is recommending approval.

Commissioner Bennett asked if this is at the entrance to ovation.

Mr. Osborne stated yes.

Commissioner Hafen asked for confirmation that they want to leave this as a public ROW.

Mr. Waggoner stated yes, and it is to accommodate a drainage channel they need to do.

Public comment opened and closed at 6:27 pm with no comment.

Commissioner Bennett motioned to recommend approval based on findings and subject to conditions. Seconded by Commissioner DeAnda.

Commissioner Hafen asked for clarification that the motion included the conditions.

Mr. Bennett stated yes.

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

Yes: Beth Lee, Gary Bennett, Gregory T. Hafen II, Leah-Ann DeAnda, Robert Adams.

11. **For possible action:** Discussion, deliberation and possible direction to staff and/or recommendation to the Board regarding a Draft Bill relating to Adequate Water Supply requirements for parcels of land. **(The Pahrump Regional Planning Commission makes a recommendation on this item. Final Action by the Board of County Commissioners has not yet be scheduled.)**

Mr. Osborne stated under NCC 16.20 Division of Land outside the PRPD under development standards shall have an adequate water supply and importation and storage is not considered an adequate water supply. Inside Pahrump it doesn't state that, they are taking the language that applies outside the PRPD and applying it within the PRPD.

Commissioner Hafen stated he did request this mainly to notify business owners when they are trying to develop their property that they need water rights. He appreciates it being brought over from Title 16 to encompass the entire county.

Commissioner Adams stated he is concerned that it states potable, there are areas of town that people use bottled water. It specifically states potable; how will we define potable and will this affect the parcels that have private domestic wells.

Mr. Waggoner stated not at all. For a C of O for a new building you have to have water source, running water. Storage of water is not an adequate water supply anywhere else in Nye County we are just adding the language in the PRPD.

Commissioner Hafen stated NDEP is the one who makes the determination when you get on the commercial side.

Commissioner Adams asked if there was a way to word that it wouldn't apply to private domestic wells in regard to the potability.

Public comment opened at 6:33 pm.

Greg Dann stated he agrees with Commissioner Adams. Section A - it is very broad and needs to be more specific, if it is for subdivisions it needs to say that, not all parcels. In domestic wells the parts per million of dissolved solids is increasing and the US recognizes 500 ppm as unpotable and Nevada says 1000 ppm of dissolved is unpotable water. Improving on the verbiage would help this a lot.

Debra Strickland stated she doesn't like this, she doesn't like the idea that we are limiting people from importing and storing water. Why are we in opposition to this, there are areas where drilling wells are too much. She would like to see this rejected.

Public comment closed at 6:38 pm.

Commissioner Hafen stated the intent is there, we have the right idea and he would like to see on applications where it's needed and that companies acknowledge that they need to bring water or prove they have water.

Commissioner Hafen asked Ms. Boskovich to look into the language that talks about utilizing the water for the public. The words should be for the public and address Commissioner Adams concerns and comments made under public comment so that it is clear it is for commercial developments and/or subdivisions on utilities.

Ms. Boskovich stated she will work with staff.

Mr. Waggoner stated this is not to address issues with existing homes or wells. This is meant to address new construction only. You can still request under certain circumstances, if there is no way to get water any other way they can apply for a waiver for a special need. This also addresses

if you are in a utility service area we can't give anyone the option to not connect into a utility. Even if it is an unbuildable lot it is still in a utility tariff area of the subdivision and might not be a parcel that is adequate for a well.

Commissioner Hafen directed staff to bring this back after the DA has met with staff to review language discussed.

12. **For possible action:** Discussion, deliberation and possible direction to staff and/or recommendation to the Board regarding a Draft Bill relating to the Posting of Informational Signs on Construction Sites relating to Dust Control. **(The Pahrump Regional Planning Commission makes a recommendation on this item. Final Action by the Board of County Commissioners has not yet been scheduled.) (SO)**

Mr. Osborne stated the Dust Control regulations within the PRPD were adopted in 2006 and they want to clarify they already exist and this is a proposed amendment to what is already in effect. In 2003 EPA was going to set the dust control requirements for Pahrump but there was an agreement for Nye County to adopt their own regulations. This bill proposes to change the dust control sign to be required at a half acre parcel and not the current requirement of half acre of disturbance or more. Fees are \$50 for a half acre and goes up \$50 an acre.

Commissioner Hafen asked for clarification that they aren't changing fees, just notifying the board what it costs.

Mr. Osborne stated correct this isn't changing fees, those are the current fees for a DCP. One requirement of a DCP is that you are required to post a sign, with project name, site address, contractor contact information and information about the project. That is only required if you have a DCP currently. This bill is proposing the sign be posted for any construction project.

Mr. Waggoner stated part of the intent to require a sign on all construction project is to provide an informational sign for the neighborhood and we receive several code complaints due to dust or trash blowing off the lot. This would help resolve any issues and be a way for them to contact the contractor prior to contacting our office for any additional action. If the project lasts less than 2 weeks they can request a waiver of the signage requirement. This is meant for projects that are 3 to 6 months, or longer. This isn't for drilling a well or putting in a water service.

Commissioner Hafen disclosed he has obtained a DCP in the past and has to do the signage and this will affect him as well as anyone else. He will have to modify his sign to meet these requirements if this moves forward. He will continue to participate in the item.

Commissioner Hafen stated there are a number of parcels that have no addresses. What would the requirement be for those, do they list a road or APN?

Mr. Waggoner stated any identifying information on the property will work.

Commissioner Hafen stated he would like discussion on disturbing ½ acre or greater changing to ½ acre or greater.

Commissioner Lee asked for clarification if changing the requirement from area of disturbance to size of parcel will the application fee be based on the parcel size or the area of disturbance.

Mr. Waggoner stated it would typically be based on the parcel size. If it was a 40 acre parcel we would be more concerned with disturbed area. If they are building a home you will clear the whole lot, the whole lot is disturbed, not just the footprint of the building. We can add language to clear that up.

Commissioner Lee stated if they own 40 acres and are only disturbing 1 or 2 acres they shouldn't have to pay for all 40 acres.

Mr. Waggoner agrees.

Commissioner Hafen stated if someone is only building a shop on a property that has an established home he is hesitant to change it to just parcel size. He asked if there is a requirement for contractors to provide their information on a sign at a project.

Mr. Waggoner stated currently there isn't a requirement. For example, if you are in Mtn. Falls they will have a permit and sign for the entire development with contact information. Individual lot homes don't have those. That is what they are trying to address.

Commissioner Hafen stated if they are small home builders and are building on spec, have a sign up for sale with contact information. There should be an acreage threshold they could set.

Commissioner Koenig stated there are some projects that aren't disturbing a ½ acre, but still create dust and something can be done.

Mr. Waggoner stated there is an acknowledgement form that they sign stating they are to follow best practices, they have to by code control the dust.

Commissioner Hafen is concerned that if they go away from the disturbed area that they will be charged for a full 40 acres and not the 5 acres they will be working. He would like that brought back for a future meeting.

Mr. Waggoner stated he believes it could be sufficient to add language of a threshold of up to an acre of land this is the fee and anything over that they could go off a calculated disturbed area.

Commissioner Adams asked for clarification on signage. Is a 8 x 10 weather proof sign on the front corner of the property, sufficient.

Commissioner Hafen stated that is on page 3. Those standards other than laminate plywood aren't changing.

Commissioner Koenig asked for clarification on fees, there isn't anything provided.

Commissioner Hafen stated staff discussed fees. We are talking about changing from disturbed area to overall acreage and it could make a difference for large parcels.

Commissioner Hafen stated direction to staff that the fees be structured of the disturbed portion and the rest is the parcel.

Commissioner Lee stated on paragraph C, page 2. All projects require the posting of an informational sign. If they have developers doing contiguous properties that could be ¼ acre each can they do one sign for all lots or do they need one for each lot.

Mr. Waggoner stated they could come up with language to address the situation.

Commissioner Lee asked if this bill does get adopted will there be a DCP update following that? There is a lot referenced here that is pulled out of the DCP.

Mr. Waggoner stated yes. They are just adding the requirements into the DCP it is still the same code but adding language to require signs on all projects.

Commissioner Hafen stated if adopted the DCP will need to be adopted with new language.

Public comment opened at 7:02 pm.

Debra Strickland stated it says all projects require the posting. She has talked with Mr. Waggoner about this and the posting of the sign is looking like a necessity on all projects to identify the responsible party. What happens in the real world is she pulls the DCP as dirt contractors and they are there for longer than 2 weeks. It would require them to put up a sign. If there is a builder coming in behind her she pulls the sign. You should be after the builder who is the long-term permit holder. The direction they are going is in adequate.

Dawn Murphy stated she pulls a lot of DCP and doesn't like the idea of all projects requiring the posting. If someone calls her to deliver a load of gravel does she have to put a sign up, she has to know what the parameters are on the signs. It needs to be area of disturbance and not state for all projects, it needs to have parameters.

Public comment closed at 7:07 pm.

Commissioner Hafen asked if there is a MOU with the EPA. Current code is to address the MOU on dust.

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

Next meeting is July 11, 2018 at 6 PM.

Public Comment:

14. **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 7:10 pm.

Greg Dann stated he spoke with Mr. Waggoner months ago he likes his approach and the right man for the job. He has been handicap by the lack of enforcement by Code Compliance and needs more tools to get the job done. He can't get the job done properly without code compliance.

15. **Adjournment.**

Meeting adjourned at 7:11 pm.


Gregory T. Hafent, Chairman
Pahrump Regional Planning Commission


Leah-ann DeArche, Secretary/Clerk
Pahrump Regional Planning Commission