

**PAHRUMP REGIONAL PLANNING COMMISSION
MINUTES OF THE AUGUST 12, 2020 TELECONFERENCE**

Members in Attendance: Beth Lee
Leah-Ann DeAnda
Carol Curtis
Pamela Tyler
Tom Duryea

Members Absent: Robert Blackstock
Walt Turner

Planning Staff: Brett Waggoner
Celeste Sandoval
Steve Osborne
Cheryl Beeman

District Attorney's Staff: Michelle Nelson
Marla Zlotek

Public Works Staff: Tyler Mulvey

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 6:03 pm.

3. For possible action - Approval of Minutes:

- a. PRPC Meeting – July 15, 2020

Commissioner Tyler motioned to approve. Seconded by Commissioner Duryea.

Public comment opened and closed at 6:07 pm with no comments.

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

Yes: Beth Lee, Carol Curtis, Leah-Ann DeAnda, Pamela Tyler, Tom Duryea.

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

None

Commissioner Tyler motioned to approve the agenda. Seconded by Commissioner Duryea.

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

Yes: Beth Lee, Carol Curtis, Leah-Ann DeAnda, Pamela Tyler, Tom Duryea.

Public comment opened and closed at 6:10 pm with no comments.

5. **Correspondence and Announcements**

None

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

a. BOCC Liaison Report - BOCC Liaison – John Koenig

None

b. Director's Report

Brett Waggoner stated he doesn't have a report for the board this month, they are seeing a lot of activity in the Planning Department with meetings and inquiries.

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

None

8. **For Possible Action – WV-2020-000115:** Public Hearing, discussion and deliberation on an application for a Waiver from Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, to waive home-based business regulations to allow an Ambulance Service to operate on property zoned Village Residential (VR-10), located at 211 S. White Burch Lane. Jomelie Uriarte and Brian Perry - Property Owner(s). Devon Eisma, CEO, OptimuMedicine – Applicant. **(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. Staff is recommending denial of the application, the primary use of the property would be the ambulance service. Home-based businesses are intended to be incidental and subordinate to the dwelling units use for residential purposes. In this case the primary use of the property would be the ambulance service and not incidental to the use as a residence. There is no unique circumstance that is beyond the control of the applicant. Staff doesn't believe that the required findings by NCC for a waiver have been met.

Commissioner Lee asked if the minimum permissive zoning district this would be allowed in is NC?

Mr. Osborne stated yes.

Commissioner Curtis asked if the ambulance service currently operating with a business license.

Mr. Osborne stated they do not have a Town of Pahrump business license at this time.

Devon Eisma, applicant stated their application is based on not having any suitable or commercial land available for this purpose. They want to become operational in Pahrump. Mercy Air leases a home that falls within Cottage Grove and their purpose is identical to ours. He stated they do have a Town of Pahrump Business License.

Meeting went into recess at 6:20 pm.

Meeting reconvened at 6:25 pm.

Mr. Eisma stated They have approval from the HOA and the landlord and signatures from surrounding property owners. They have also agreed to not utilize lights and sirens in the neighborhood.

Mr. Waggoner stated Mercy Air operates out of a home in the area, they are not licensed to operate out of the home, it is used for sleeping quarters only. They are licensed for their location on Calvada Blvd.

Commissioner Lee stated for clarification that they are renting a home in Cottage Grove, they aren't licensed there, or operating the business there, just using it for residential purposes.

Mr. Waggoner stated yes.

Commissioner Tyler stated Mr. Eisma said there were no suitable commercial properties available. She asked him to explain what would make a location suitable for them.

Mr. Eisma stated the main things they need are showers and sleeping facilities. He stated Mercy Air isn't using the property at 90 Mondale Ct. just as a residence. They have employees report to work there, clock in and spend their shifts there and complete transports as necessary. After their shift is over, they then go home. Their goal is to work towards building something that suits their needs or modifying a location.

Commissioner Lee stated in respect to Mercy Air they can't speak to that but they can speak on the application at hand and the findings that need to be made. Staff is required to make findings and they are unable to do that, she also reviewed NCC 17.04.915 paragraph B.

Public comment opened at 6:34 pm.

Randy Becker stated he lives the closest to the applicant and they are happy they are there, with this being a retirement community it is nice to have a company close by to transport them.

Jerry Mosier asked the applicant for the date they had gotten approval from the HOA. He spoke to Russ Meads and he gave no indication that the board gave approval. He also discussed the Mercy Air business, they aren't operating out of there like Mr Eisma is by parking an ambulance at the residence.

Mr. Eisma stated 2/21/2020 from Teresa Green at SF Residential.

Commissioner Lee reminded Mr. Mosier and Mr. Eisma they are there to speak on the application and we are not here to talk about 90 Mondale Court.

Public comment closed at 6:39 pm.

Commissioner Tyler asked Mr. Eisma for clarification on his statement that he couldn't find any place suitable was because they need a crews quarters for the employees.

Mr. Eisma stated yes, they found 2 or 3 places that could potentially work but weren't able to be modified for what they need. They will need to eventually have a building that is large enough modified or constructed, that is their end plan.

Commissioner Tyler asked how long they will be at this property.

Mr. Eisma stated 1 year would be reasonable time frame to find a properly zoned place to meet their needs.

Mr. Waggoner asked Mr. Eisma how long they have been operating at the current location.

Mr. Eisma stated since March 4th.

Commissioner Tyler asked staff if it is possible to grant a waiver for no more than 1 year and come back to the RPC if they extend past that time frame.

Mr. Waggoner stated the RPC can add a condition to a waiver if they would like.

Commissioner Tyler stated she understands the need for crew quarters and the difficulty to find that and is happy that there is a private company coming in to help our residents at no additional cost during this stressing financial time.

Mr. Waggoner stated he is having a hard time with this application being compared to another company but they will be looking into that other location. When the applicant applied a few months ago for the business license the claim was made before. They aren't licensed out of the home, and it is our understanding they are using it for crew quarters. He does believe it is a difference here. He asked Mr. Eisma if they are operating out of a SFR or a commercial location in Las Vegas.

Mr. Eisma stated out of a commercial property that has all of the needs they are looking for. They are wanting to go in that direction in Pahrump as well.

Mr. Waggoner stated the other location that is housing crew, they do have a mini van that parks there and is used to transport crews when they get a call to the helicopter pad.

Commissioner Duryea motioned to deny WV-2020-000115 based on staff findings outlined in the staff report. Commissioner DeAnda seconded.

Vote: Motion passed (**summary:** Yes = 4, No = 1, Abstain = 0).

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

No: Pamela Tyler.

Commissioner Lee reviewed the option for an appeal to Mr. Eisma and directed him to speak with staff if he wished to do so.

9. **For Possible Action - SN-2020-000020:** Discussion, deliberation and possible action on a request for proposed new street names for Mountain Falls Planning Area 2, Units 1 & 2 for (FM-2020-000013 & FM-2020-000014). Pursuant to NCC 15.24.100, New Street Names for Division of Land Maps, street names are reviewed and approved by the RPC. **(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 stating the list of approved streets are listed in the staff report.

Shannon Cooper, Taney Engineering representing the applicant.

Commissioner Lee asked if she has read through the street names and if it gives her enough names for both units.

Ms. Cooper stated yes.

Commissioner Lee asked if they have read through the requirements that go with the street naming.

Ms. Cooper stated yes.

Commissioner Curtis stated #16 says San Giovanni denied but says Giovanni or San Giovanni but not both. #27 approves Via Giovanni and asked if #16 was out or not.

Ms. Beeman stated it will be one or the other but not both. That is based on what the RPC approves she suggested we can ask the client.

Commissioner Lee asked the applicant if they have a preference between San Giovanni or Via Giovanni.

Ms. Cooper stated they will take Via Giovanni over San Giovanni.

Public comment opened and closed at 6:53 pm with no comments.

Commissioner Duryea motioned to approve the street names listed in the staff report. Seconded by Commissioner Tyler.

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

Yes: Beth Lee, Carol Curtis, Leah-Ann DeAnda, Pamela Tyler, Tom Duryea.

10. **For Possible Action:** Discussion, deliberation and possible direction to staff regarding the mandatory language in NRS 278.050(1) which requires the Regional Planning Commission to hold at least one regular meeting in each month.

Mr. Waggoner stated the opinion by the DA's office is the meeting still needs to be held. Even if the only items are to open the meeting approve minutes and schedule the next meeting.

Public comment opened and closed at 6:57 pm with no comment.

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

Next teleconference meeting will be September 9th at 6:00 pm.

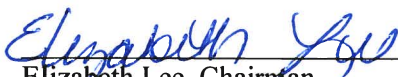
Public Comment:

12. **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 5:58 pm and closed with no comments.

13. **Adjournment.**

Meeting adjourned at 6:59 pm.



Elizabeth Lee, Chairman
Pahrump Regional Planning Commission



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