

**PAHRUMP REGIONAL PLANNING COMMISSION
MINUTES OF THE AUGUST 15, 2018 MEETING**

Members in Attendance: Gregory T. Hafen II
Beth Lee
Leah-Ann DeAnda
Derek Fowler
Gary Bennett
Carol Curtis
Thomas Duryea

Members Absent:

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

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
CUP	=	Conditional Use Permit
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

1. Pledge of Allegiance/Call to Order

Meeting was called to order at 6:03 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 with no comments.

3. For possible action - Approval of Minutes:

- a. PRPC Meeting – July 11, 2018
- b. PRPC Special Meeting – July 30, 2018

Commissioner Lee stated she submitted some minor typographical errors to staff for both meeting minutes.

Commissioner Lee motioned to accept the meeting minutes from July 11th and July 30th including the corrections submitted to staff. Seconded by Commissioner DeAnda.

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

Yes: Beth Lee, Carol Curtis, Derek Fowler, Gary Bennett, Gregory T. Hafen II, Leah-Ann DeAnda, 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.

Commissioner Hafen stated he received a request to continue Item #8.

5. **Correspondence and Announcements**

Cheryl Beeman stated that there was an appeal received by FEMA for the FEMA remapping of the Peak Springs fan area and a new time line to get the FIRM panels revised is Winter/Spring 2019.

Commissioner Hafen asked if the appeal was for the area of Gamebird and Manse Road.

Ms. Beeman stated yes.

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

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

None.

- b. Director's Report

Brett Waggoner stated the total applications received since January 1st was 1,120. Total applications for the month of July is 143. Building permits since January 1st through July 31st is 1,047 total and 295 being SFR, 142 being MH installations. For the Month of July 47 SFR and 19 MH. Total permits for the month of July is 172. Code Compliance cases since January 1st through the end of July is 265 complaints received. Out of 265 complaints 165 are in the noticing period or remediation period. 42 have been closed and 21 of those are under monitoring. Total complaints in July is 21.

Bill 2018-09 Building Separation will be scheduled for Public hearing by the BOCC on 8/21. Bill 2018-07 Manufactured Homes within the PRPD will be on the BOCC 8/21 to set a Public hearing for 9/18. Bill 2018-05 Development Agreement for ARES NV, will be on the BOCC 8/21 for Public hearing.

Commissioner Hafen stated it is his understanding some code complaints have went through the judicial review and are in the court system.

Mr. Waggoner stated that is correct.

Commissioner Hafen asked if they were able to hire a new code compliance officer or was it approved for the position.

Mr. Waggoner stated they were and they started this week on Monday.

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

Commissioner Hafen stated he will be abstaining from item # 9 the applicant is his grandfather.

Commissioner Fowler stated he will be abstaining from Item #10, his insulation company is in contract with William Lyon Homes.

8. **For Possible Action – WV-2018-000069:** Public hearing, discussion, deliberation and possible action on an application for a Waiver from NCC 17.04.740 (Landscaping), to remove the requirement to install the side yard landscape buffer along the east property line, in conjunction with the development of a marijuana cultivation and production facility, located at 1340 W.

Highway 372. Assessor Parcel Number 036-381-02. Evelyn Tooley, Trustee, Tooley Family Trust – Property Owner. GWGA, LLC – Applicant. Sandra Tiffany – 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 applicant has requested a continuation on the matter to the next regular RPC meeting. They want to submit additional drawings for what they want to do with the landscaping.

Public comment opened and closed at 6:13 pm with no comment.

Commissioner Lee motioned to continue WV-2018-000069 to the September RPC meeting. Seconded by Commissioner Bennett.

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

Yes: Beth Lee, Carol Curtis, Derek Fowler, Gary Bennett, Gregory T. Hafen II, Leah-Ann DeAnda, Tom Duryea.

Commissioner Hafen turned the meeting over to Commissioner Lee at 6:14 pm.

9. **For Possible Action – WV-2018-000071:** Public hearing, discussion, deliberation and possible action on an application for a Waiver from NCC 17.04.730 (Parking), to allow gravel drive aisles in conjunction with the development of a mini-storage facility, located at 5971 E. Santovito Street and 5991 E. Santovito Street. Assessor Parcel Numbers 045-151-30 and 045-151-31. Hafen Family Limited Partnership & Pahrump Utility Company, Inc. – Property Owners. M. Kent (Tim) Hafen - Applicant. **(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 reviewed his staff report stating they are recommending that the front parking area, outside the fence be paved and staff is recommending approval of the waiver.

Commissioner Duryea asked for clarification on condition #3.

Mr. Osborne stated they would need to apply water or dust inhibitor to prevent dust.

Commissioner Curtis asked if adding additional landscaping would be an additional condition of approval and asked for clarification on what extending the water infrastructure would be and would that be a condition of approval.

Mr. Osborne stated during the site development review, staff would review the landscaping requirements and verify that they have been met. They would provide water from the utility company by extending the water lines to the property.

M. Kent (Tim) Hafen, applicant, stated they intend to run the water line on the Hafen Ranch Rd. portion of the property and place a fire hydrant on the SE and NE portion of the property to be protected. The office would also be plumbed into, and they would pave the parking lot and pave entry from either Santovito or Hafen Ranch Rd going into the property. They intend to put a block wall along the entire project and a small gate on the SE corner for emergency or fire department entry as well as the main entry gate.

Public comment opened at 6:19 pm.

Robert Garrett stated he requests they pave the entry on Santovito side, so it doesn't tear up Santovito St.

Public comment closed at 6:20 pm.

Commissioner Fowler asked the applicant if they have read and understood the conditions of approval.

Mr. Hafen stated yes, and they agree to them.

Commissioner Curtis motions to approve. Seconded by Commissioner Fowler.

Vote: Motion passed (**summary:** Yes = 6, No = 0, Abstain = 1).

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

Abstain: Gregory T. Hafen II.

Meeting went in to recess at 6:22 pm.

Meeting reconvened at 6:27 pm.

Commissioner Lee reopened item #9 for clarification on the motion.

Commissioner Curtis motioned to approve WV-2017-000071 based upon the findings and subject to the conditions of approval. Seconded by Commissioner Fowler.

Vote: Motion passed (**summary:** Yes = 6, No = 0, Abstain = 1).

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

Abstain: Gregory T. Hafen II.

Commissioner Lee turned the meeting back over to Commissioner Hafen.

Commissioner Fowler left the meeting.

- 10. For Possible Action – SN-2018-000015:** Discussion, deliberation and possible action on a request for Proposed Street Names for Mountain Falls Planning Area 5A (TM-2018-000015), pursuant to NCC 15.24.100, new street names are 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)**

Ms. Beeman reviewed her staff report. Planning Area 5A needs 14 names and there are 15 street names available that have not been denied in the staff report.

Commissioner Hafen asked for clarification that the recommendation is to approve 15 names for the 14 streets and let the applicant choose what names to use.

Ronni Boskovich stated streets #16, 18 and 27 indicate that they were approved by the RPC, and asked if they were approved for this subdivision and not in use.

Ms. Beeman stated they aren't in use and they were approved on a prior application.

Ms. Boskovich stated for #25 it is stated that it sounds like Seneca that is in use, it that street name denied.

Ms. Beeman stated yes.

Public comment opened and closed at 6:32 pm with no comments.

Commissioner Lee motioned to approve the 15 street names as recommended by staff with the one change removing #25. Seconded by Commissioner Duryea.

Vote: Motion passed (**summary:** Yes = 6, No = 0, Abstain = 1).

Yes: Beth Lee, Carol Curtis, Gary Bennett, Gregory T. Hafen II, Leah-Ann DeAnda, Tom Duryea.

Abstain: Derek Fowler.

Commissioner Fowler returned to the meeting.

11. **For possible action:** Discussion, deliberation and possible direction to staff and/or recommendation to the Board regarding a Draft Bill proposing to amend Section 17.04.910 “Zoning Review Required.” **(The Pahrump Regional Planning Commission makes a recommendation on this item. Final Action by the Board of County Commissioners has not yet been scheduled.) (JE)**

Mr. Waggoner stated the comments from the public and RPC have been addressed in this draft. There is one change he recommends in Paragraph A on page 1, the paragraph that states “a zoning review is required before any start of construction or improvement that may require a building permit or site development plan review”. He would like to remove the portion that says, “a zoning review is required before the site development plan review”.

Mr. Waggoner also stated in the same paragraph where it says, “modification of exiting building or structure...solar or electrical panel installation”. Staff wanted to add the wording non-roof mounted solar panels.

Commissioner Hafen asked for clarification under #13 subsection 3 it states, “for approval from NDWR that water rights have been relinquished to allow the drilling a domestic well”. Will staff be requiring each individual lot to provide the documentation or once the subdivision has been signed off by NDWR and Planning acknowledges that at that time they wouldn’t have to get a letter but something that can be kept on file.

Mr. Waggoner stated because there are older subdivisions out there and we don’t have the resources to do the research he prefers each individual lot to provide some sort of verification that water rights have been relinquished to each of those parcels.

Commissioner Hafen asked if a will serve for the subdivision would suffice or would they need a separate will serve or intent to serve each time.

Mr. Waggoner stated it would depend on how the will serve or intent to serve is worded. If it is worded that it is evident that it is inclusive of the entire subdivision that would be acceptable.

Public comment opened and closed at 6:39 pm with no comments.

Commissioner Fowler motioned to recommend to the BOCC to approve the language as presented with amendments in Paragraph A, page 1 – to strike “or site development plan review” and to include “non-roof mounted” stipulation in front of solar or electrical panel installation. Seconded by Commissioner Bennett.

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

Yes: Beth Lee, Carol Curtis, Derek Fowler, Gary Bennett, Gregory T. Hafen II, Leah-Ann DeAnda, Tom Duryea.

12. **For possible action:** Discussion, deliberation and possible direction to staff and/or recommendation to the Board regarding a Draft Bill proposing to amend Chapter 15.28 “Dust Control Regulations Within the Pahrump Regional Planning District.” **(The Pahrump Regional Planning Commission makes a recommendation on this item. Final Action by the Board of County Commissioners has not yet been scheduled.) (BW)**

Mr. Waggoner stated a lot of feedback was received and staff has addressed those concerns.

Commissioner Koenig stated less than ½ an acre is mentioned several times. He has a problem with the way it is worded, and they need to think about how it needs to be worded. He had an instance where someone was doing a driveway and the dust was horrible.

Mr. Waggoner stated the first page paragraph A, regardless of the size of the project is required to sign an acknowledgement form that they will follow best practices and if there is a complaint received and it is investigated they can still receive a citation and impose a fee. We are tying this to a C of O. What we would like to require is a verification that that is being done, whether it is a physical inspection of the property or pictures submitted at the counter and signed off on at the office.

Commissioner Koenig stated to discuss it before it gets to the BOCC so it doesn't have to be discussed at the meeting.

Commissioner Hafen stated the scenario Commissioner Koenig stated is against current NCC and MOU with NDEP, they aren't using best practical methods.

Commissioner Lee motioned to recommend approval to the BOCC. Seconded by Commissioner Bennett.

Commissioner Fowler stated Commissioner Koenig asked for a discussion on one section with Planning. Will this recommendation be as is or does Planning still have the opportunity to change the verbiage if they come to an agreement to change the ½ acre.

Commissioner Hafen stated this will go as is, but the BOCC could always bring a recommended change to the meeting.

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

Yes: Beth Lee, Carol Curtis, Derek Fowler, Gary Bennett, Gregory T. Hafen II, Leah-Ann DeAnda, Tom Duryea.

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

If available they will move the next regular meeting to September 19th, 2018 at 6:00 pm. Commissioner Curtis will not be available next month.

Commissioner Fowler asked when they meet as the CIPC.

Commissioner Hafen stated Mr. Lacy is working on an update to the CIP on their behalf and could give an update at a future meeting.

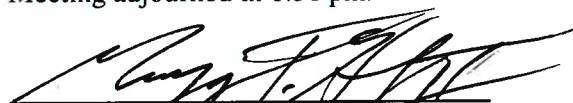
Public Comment:

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 and closed at 6:51 pm with no comments.

15. **Adjournment.**

Meeting adjourned at 6:51 pm.



Gregory T. Hafen, II, Chairman
Pahrump Regional Planning Commission



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