

Excerpt from Planning Commission Minutes of August 12, 2026:

3. Public Comment:

Michelle Anderson, 3355 Beverly Drive, wanted to ensure that by speaking now she was going to be afforded an opportunity to speak again later, and Chair Edgmon stated that anytime she calls for public comment, there would be a chance to speak again. Ms. Anderson expressed appreciation for the community to be able to speak. She said that there is a simple way to improve communication between the county and our community. Right now, public notices are published in the newspaper as required, but the reality is a lot of people simply don't read the newspaper anymore. That means residents may never see notices about zoning changes, parcel maps, development proposals, workshops, or meetings until something is already pretty far along in the process. She asked the Planning Commission to consider recommending that in addition to the required newspaper notices, these notices also be posted on the County Planning website and shared on the official Churchill County Facebook page. The same could be done for workshops, meeting notices, agendas, and other opportunities for the public to participate. These are communication tools that the county already has, so we're not talking about creating an entirely new system.

Ms. Anderson thinks that one of the frustrations we're seeing in the community is that people sometimes feel like they don't hear about something until the decisions are already being made. Whether or not that's actually the case, that's the perception, and that perception matters. Making this information easier to find would give people an opportunity to get involved earlier, ask questions, and better understand what's happening in the community. This is a small change that could go a long way toward improving participation, communication, and trust between the county and the people who live here.

8. New Business:

E. Consideration and possible action re: A zone change application, ZC26-2, filed by Mary Heapy of Arcadis, Inc. for Rivian. The property is located on the Lovelock Highway (Highway 95 North), Assessor's Parcel Number 004-431-44, in the RR-20 zoning district. The applicant proposes to change the zoning from RR-20 to I-3.

Attending via GoTo Meeting to represent the application were Lindsey Young, Senior Lead, Real Estate, Workplace Facilities; Scott Neumann, Lead, Project Planning, Workplace Facilities; Matthew Usbeck, Architect, Arcadis; and Isaac Morrison, New Nevada Lands.

Dan Cahalane, Senior Planner, said that the applicant is requesting to change a 218.57-acre parcel from Rural Resource, or RR-20, to Heavy Industrial, I-3. This site is remote, seven miles south of Trinity Junction. The applicant intends to establish destructive battery testing. This use is not permitted in RR-20; however, I-3 allows it with a special use permit. Staff is able to make all the required findings under the development code. Due to the audience in attendance, he went through all the findings in detail.

- The proposed amendment is in substantial compliance with and supports the goals and policies of the master plan. The staff has found that nine goals and policies are affected by this application, and it conforms with the master plan in that regard. This is in a master plan category area of industrial and in an area that the county has decided where it wants industrial. It's located far away from everything else in the county. The closest use is a gravel mine about two miles north. Then the next closest use is the Navy bombing range, which is about 11 miles away. And then Kennametal is about 13 miles to the south. The closest residential use, zoned for residential as A-10, is a property 17 miles south on Highway 95. This location is quite a long way from anything. He pointed this out on the master plan land use and growth management map that was displayed on the overhead screen as in the yellow area towards the top. This is in full conformance with the master plan as it is currently written.
- The proposed amendment will provide land uses compatible with the existing adjacent land uses and will not have detrimental impact to the other properties in the vicinity. There are no uses established in the vicinity adjacent on any of the parcels around there. The closest use that has been established

is a mine about two miles away. When he visited the site, he didn't see a house for about 10 minutes away as he was driving up Highway 95. There's not much close by, and it's not going to be detrimentally impacting.

- The proposed amendment will not negatively impact existing or planned public services or facilities, and will not impact public health, safety, or welfare. This is adjacent to and abuts Highway 95 and Pole Line Road. There is both legal and physical access to this site. Otherwise, there are no planned facilities in this area. The zone change request is for I-3, heavy industrial, and is defined in the county code as, "The purpose of this district is to provide for heavy industrial uses and land uses that have the great potential for impacting adjacent land uses and infrastructure. This type of zoning should be located away from people and other non-industrial uses, and uses within it may have to develop their own access to the roadway and/or railway transportation systems." Fundamentally, this type of zoning is intended for places that are remote and do not have access to normal services; therefore, remoteness is the point here. It does not impact on any public facilities or services. As for the impact of public health, safety, or welfare, public health and safety are dealt with by the fact that there is still good, clear access to the site along US Highway 95 that allows for fire and emergency access if anything happens on this site. This way its impact on neighbors would be within reason. Emergency services can take care of any fires or anything that goes on there and evacuate people who are injured on the site. He pointed out that, generally, the wind blows things towards the direction of the bombing range, so there's very little public health concern at this point. Any health concerns are dealt with at the site-specific review in terms of a conditional zoning permit, or a special use permit, which comes before this board. Regarding welfare, this industrial use is being proposed in a place where we want industrial, and these uses will generate income and revenue for the county.

Dan Cahalane stated that staff is able to make all three of the required findings and, therefore, recommends that the commission approve this application. He made one final note that this application is a request for a zone change. This is only dealing with a request to change the menu of what uses are permissible within a specific district. The RR-20 district is basically painted across the entire county because we have lots of areas where there's nobody and it's federally owned. Uses allowed in these areas include things like mineral extraction, geothermal, and the like. An I-3 zone change, as proposed here, is going to add potentially 33 new uses, and a list of these was displayed on the overhead screen, and include things similar to industrial, dealing with warehousing, manufacturing, explosive and combusted materials testing, auction houses, restaurants, towing businesses, and so forth. All of these new uses require either a conditional zoning permit, which allows staff to set conditions when the application for the use is reviewed, or a special use permit, which allows staff to review the application and recommend conditions, and the decision is made by the Planning Commission. He wanted it to be clear that this is changing, like at a restaurant, what you can pick from the menu as opposed to allowing for a specific use to be established. All of these uses still need entitlement through the special use permit or conditional zoning permit process.

Chair Edgmon asked if the applicant had anything to add. Lindsey Young, Senior Lead at Rivian Real Estate, said that she's been out to this site and noted that it is very vacant and peaceful. She agreed with everything that staff had presented.

Chair Edgmon asked where the other I-3 properties were located nearest this parcel. Dan Cahalane answered that there is a mining operation north of Trinity Junction and Kennametal south off of Highway 95 (Lovelock Highway), west of this parcel and south of Interstate 80 there are a few other parcels that were changed to I-3, and a couple of other parcels south of this site on Highway 95. The master plan map was displayed on the overhead screen, and Planner Cahalane pointed out where other I-3 parcels are located. Chair Edgmon verified that the list of uses that was displayed for I-3 could potentially be conducted from any of those parcels, and Dan Cahalane stated that to be accurate. He also said that there is also parcels zoned I-3 along Highway 50 (Reno Highway) going west about five miles from town as well. Chair Edgmon reminded the commission that the application they are considering is only for a zone change, and all of the other information regarding potential uses was informational only.

Chair Edgmon inquired if any of the commissioners had any questions or discussion.

Commissioner Mills saw in the packet provided that the Nevada Department of Wildlife (NDOW) was asked for input, and they basically said no comment. He assumes that's because this is just a zone change application. Any application for a specific use would prompt another comment request from NDOW, and if they have any wildlife concerns, they could express those at that time. Dan Cahalane stated that is exactly correct.

Vice Chair Goings confirmed with staff that even with the new I-3, I-2, and I-1 designations, there is a setback required from the Highway corridor. Dan Cahalane responded that there is a setback for particularly noxious uses, including brothels, explosive battery and destructive testing, explosive manufacturing, junkyards, and landfills, of a half mile from the road. Chair Edgmon, in an effort to help the public understand more, asked what is allowed in the RR-20 zone. Dan Cahalane remarked that there's a lot of things that are allowed in RR-20, and he doesn't know all of them offhand. Generally speaking, these include things like grazing, mineral extraction, geothermal, potentially solar, renewable generation for solar specifically, residential, and so on. These are very rural type uses that allow extractive industries where they make sense. Randy Hines, Public Works Director, pointed out the green areas surrounding the city on the master plan map, which are A-5 and A-10, or the agriculture zones. There is commercial, C-1 and C-2, as well as some Industrial, along Highway 50 going west of the city. There is a little agricultural area north of the city. The RR-20 zone is more of the "catch all" zone for everything else. A lot of it is vacant land. There are some specific uses listed for that zoning district as well as uses that are prohibited. The use that the owner would like to conduct at this location is not allowed in the RR-20 zone, so the applicant is requesting to change the zoning.

Commissioner Frey, reading out of the county's master plan, said that under Rural Resource District, RR-20, it says, "The purpose of this district is to protect and enhance every natural resource, including historical and archaeological sites, by limiting, controlling, and prohibiting specific uses of land." He hopes that clarifies what the purpose is of zone RR-20. He posed the question of what is needed for this site. Is this location more suited for an industrial setting, or is there something that needs to be protected and preserved that's archaeological, historical, natural, etc.? Director Hines restated that the zoning map in the master plan shows areas for potential industrial development, and this parcel is within that industrial area that has been designated that falls within the RR-20 zoning district.

Vice Chair Goings expressed appreciation to the Planning Department for doing a remarkable job, and there have been many workshops that were open to the public, where they proposed changes to the code to meet the desires of the community to move the industrial uses north of town and away from the residential areas. This is exactly what the community was begging for at the hearings where people did come to speak out regarding applications the Planning Commission has considered regarding certain industrial applications. That is what this I-3 was set up for—to move these types of industries north and away from the residential, away from the agricultural, out where nobody had to mess with them. There's not really much grazing or mining happening out there. This is exactly what the residents of this community have been asking for. This location is quite far from town for that type of application that would come forward later on.

Chair Edgmon questioned if staff could foresee that the intent of the I-3 is going to be on both sides of the corridor—it won't only be going north, but south as well. Do you foresee a majority of these zone changes coming in for I-3 in this area. Director Hines stated that no one can see the future, but if it's not in that area designated in the master plan as potential industrial, then staff would probably recommend denial because there are specific areas for potential industrial development stated in the master plan. The work has been done to show where the county wants the industrial parcels to be north of town, along Interstate 80 and north of Hazen.

Chair Edgmon called for public comment.

Michelle Anderson, 3355 Beverly Drive, said that she submitted documents previously asking some questions. One of her questions hasn't been answered, and she wondered if maybe an answer can be provided by Rivian. What type of destructive battery testing are they wanting to do with this I-3 zone change? Chair Edgmon remarked that she doesn't think that anything has been submitted at this

time. Staff may be able to answer that, and she requested that Ms. Anderson finish making her comment and asking questions during her allotted time, and then time can be given for responses and answers after her comments. Michelle Anderson reminded the Planning Commission that the reason for the change on this zone change application is for destructive battery testing, and with Rivian, that's usually lithium. She has already submitted written comments, which she would like the board to address before making a recommendation. She asked them to not look at this simply as another request to change a piece of property from RR-20 to I-3, Heavy Industrial. Churchill County is seeing multiple industrial and high-energy projects proposed. At some point, we have to stop looking at each project in isolation and look at it in cumulative impact and how that will be on our power, infrastructure, water, emergency services, environment, neighborhood properties, etcetera. The board has already stated previously, the commissioner's board, that we don't have enough emergency services. We already have a battery storage facility out here, a data center—a zone change to I-3 for data center planning, as well as a Tesla testing facility already. She also expressed concern about what battery testing actually means. Will this facility conduct destructive or abuse testing? What happens if a test results in thermal runaway, or a fire that exceeds the containment. We've seen the communities, including Monterey, deal with the consequences of major lithium-ion battery fires. While those facilities are not identical to what is proposed here, they could be, and that demonstrates why the risks deserve serious consideration. Before changing rural residential land to heavy industrial, we should know what types and quantities of batteries will be on site, what testing will occur, what fire suppression and environmental containment should and will be provided, and whether our local emergency services have the staffing, training, equipment, and resources to handle a worst-case scenario. Ms. Anderson pointed out another important issue. This zoning decision outlives Rivian. Once RR-20 becomes I-3, we need to consider everything that heavy industrial zoning could allow there in the future, not just the applicants standing before us today. She stated that she is not against the growth. She is asking for responsible, sustainable growth, and please require the appropriate studies, evaluate this against our master plan, providing meaningful public notice, and make sure that these questions are answered before recommending a permanent zoning change.

Commissioner Mills expressed appreciation for Ms. Anderson's comments. He noted that there are additional rounds of approval for anybody that wants to establish a new business in the county. All of the things that are being asked are things that will be addressed when an application comes forward for a particular use. This isn't something that they are ignoring, and they are not rubber-stamping anything. This company owns this land, and this land falls within a designated area in the master plan, which has been developed very carefully over the last 20 years. The county wants this area to be available for industrial development. He explained that he doesn't feel comfortable denying an application for industrial zoning in this area because of what might happen there. The purpose is, if someone thinks that they have a reason to shift to I-3, then that is what we want them to be able to do. He doesn't want anyone to think that they are taking these applications lightly. From his perspective, he doesn't see a reason to be asking these questions now.

Lane Mills, Deputy District Attorney, explained that normally a discussion isn't held regarding public comment. The discussion is more appropriate for the board to have amongst themselves.

Director Hines reemphasized that the current zoning is RR-20. The applicant did include a proposed use in the zone change application of battery testing. At the time of a zone change application, we don't require all of the same reports and everything that goes along with the proposed use, so this isn't something that can be analyzed right now. That takes time and money for the applicant to prepare the application for the land use permit, and they are just seeking to change the zone to something that would allow them to apply for the land use permit to do what they are proposing. This applies to all zone changes, not just for industrial uses. Dan Cahalane added that there are frequently zone changes that get approved, the economy changes, and the project doesn't get developed even though they went through a zone change. Many of the uses available within that zone change is what is being considered. They are considering that there is reasonable infrastructure given the zoning that the county is looking for in this area. It meets the intent of the master plan, and it isn't going to be impacting neighboring properties. These are the things that are considered at the zone change phase because those are what

can actually be evaluated. When staff starts looking at the specific site circumstances for a particular use, we are going to be looking at everything that affects neighboring public health, safety and welfare, and everything that goes into the special use permit findings. Likewise, when somebody comes in for a division of land, what we're looking at is what are the infrastructure requirements, how is that going to impact public health, safety, welfare, and how does that tie back to the master plan. Every step of making sure the public is protected is addressed through a different type of application phase.

Chair Edgmon thanked staff for doing so much diligent work when there is an application that comes forward. She knows that a lot of applications that come forward don't go anywhere because of the restrictions that are placed on them.

Michelle Anderson inquired from the audience if she could speak again, and Chair Edgmon remarked that a person is allowed one public comment under an item. She called for a motion, and Ms. Anderson continued to talk from the audience while the motion was being made.

Vice Chair Goings, based on the information provided in the application, in the staff report, and heard tonight, moved to find that the criteria found in CCC 16.08.060(E) have been met for Zone Change application, ZC26-2, to change the zoning of a 218.57-acre parcel from RR-20 to I-3 at Assessor's Parcel Number 004-431-44, and therefore recommend that the Board of County Commissioners approve the zone change application. Commissioner Ansotegui seconded the motion, and the decision carried by unanimous vote (6-0).

14. Public Comment:

Michelle Anderson, 3355 Beverly Drive, suggested the Planning Commission consider more with future zone change applications. When an applicant requests a zoning change, the application requires them to state the reason for that requested change. She believes that reason should become a meaningful part of the Commission's consideration when deciding whether to recommend rezoning. A zone change shouldn't be considered only as, is I-3 allowed here? Or does this parcel qualify for this zoning? If an applicant is asking to change the zoning specifically to accommodate a particular product or use, she believes the commission should also consider the impacts of that proposed use when determining whether the zoning change is appropriate. She understands that zoning stays with the land and that a future owner may use the property differently. In fact, she thinks that's another reason these decisions deserve careful consideration. But if the county requires applicants to explain why they want a zoning change, that information should have a purpose in the decision-making process. Her suggestion is that the Planning Commission and county consider formally incorporating the applicant's stated reason for the zone change, the foreseeable impacts of that proposed use, and its compatibility with surrounding properties and the master plan into the review of future zoning changes. She thinks that would lead to better land use decisions and give the public greater confidence that we're considering not just what a property can be zoned for, but why we're changing it in the first place.