

MINUTES OF THE CHURCHILL COUNTY PLANNING COMMISSION

155 N. Taylor St., Fallon, NV 89406

June 12, 2024

1. Call to Order:

The regular meeting of the Planning Commission was called to order at 7:00 p.m. on June 12, 2024 by Chair Blakey.

Present: Eric Blakey, Chair; Zack Bunyard, Member; Jeff Goings, Member; and Mark Hyde, Member.

Absent: Deanna Diehl, Member; Scott Nelson, Vice Chair; and Paul Picotte, Member.

Planning Staff Present:

Randy Hines, Public Works Director
Dean Patterson, Senior Planner
Savannah Dukes, Planning Technician
Loreli LeBaron, Code Compliance Official
Diane Moyle, Administrative Assistant

Civil D.A. Staff Present:

Joe Sanford, Deputy District Attorney

2. Pledge of Allegiance:

The Pledge of Allegiance was recited by the commission and public.

3. Public Comment:

There were none.

4. Verification of the Posting of the Agenda:

It was verified by Diane Moyle, Administrative Assistant, that the agenda for this meeting was posted on June 6, 2024, between 8:30 a.m. and 5:00 p.m., at all of the locations listed on the agenda, in accordance with NRS 241 and the Churchill County Code.

5. Consideration and possible action re: Approval of Agenda as submitted or revised:

Chair Blakey noted that Item 9.F. has been withdrawn from the agenda, and that Items 9. J. and K. would be discussion and presentation only and no action will be taken.

Member Bunyard moved to approve the agenda as revised. Member Hyde seconded the motion which carried by unanimous vote (4-0).

6. Verification of notification of all landowners in accordance with NRS and the Churchill County Consolidated Development Code:

Chair Blakey verified with the Administrative Assistant that notification was sent to all landowners in accordance with NRS and the Churchill County Code.

7. Consideration and possible action re: Approval of Minutes of the meeting held on:

A. April 30, 2024 Workshop

B. May 8, 2024 Public Hearing

Member Bunyard moved to approve the April 30, 2024 Workshop and May 8, 2024 Public Hearing minutes as written. Member Goings seconded the motion and the decision carried by unanimous vote (4-0).

8. Old Business

- A. Consideration and possible action re: Renewal of a temporary use permit for temporary quarters during home construction previously granted to Steven & Renzie Claire Easter. The property is located at 4143 Solias Road, Assessor's Parcel Number 006-472-37, in the A-5 zoning district. The applicant states that he is almost finished with the home and is awaiting a replacement window in order to pass the manufactured housing inspection.

Steven Easter, 4143 Solias Road, was available to speak regarding this application.

Director Hines explained that the applicant indicated that the home construction is substantially complete. At the time that the renewal application was submitted there was a window that needed to be replaced in order to pass the Manufactured Housing inspection. Mr. Easter was waiting for the replacement window to arrive, and once this installation is completed the final inspection and certificate of occupancy can be done.

Chair Blakey inquired if the applicant had anything to add, and Steven Easter said that the window had been installed. He will be calling for the final inspection next week and then the Building Inspector would need to check the rest to complete the conversion.

Chair Blakey asked the applicant if a renewal of three or six months would be sufficient for him to complete the home. Mr. Easter said that it would be. Chair Blakey inquired if any commissioners had any questions or something they wanted to discuss. Member Goings asked if three or six months would be better for him. Steven Easter responded that he could be done in three months.

Chair Blakey asked for any further comments; there being none he called for a motion.

Member Goings moved to approve the renewal of the temporary use permit for temporary quarters during home construction Steven Easter on APN 006-472-37 for three months. Member Bunyard seconded the motion and the decision carried by unanimous vote (4-0).

9. New Business:

- A. Consideration and possible action re: A sending site application filed by Denver Nygren for property located at 6725 Stillwater Road, Assessor's Parcel Number 009-091-05, consisting of +/- 80.0 acres with 65.95 irrigated acres of water righted property. The applicant proposes to place a conservation easement on the property.

Director Hines explained that this application is for a sending site and transfer of development rights. The property meets the minimum acreage and dust control requirements to qualify as an acceptable sending site as well as benefits the community by agriculture preservation with water right retention, protection of military operations and protection of water recharge area. Based upon the transfer of development rights (TDRs) calculation, the total TDRs for the property would be 98. The Sending Site Review Committee reviewed the application on May 20, 2024 and recommends approval.

Chair Blakey asked if any of the commissioners had any questions or discussion. There being none he called for a motion.

Member Bunyard, based on the information provided in the application, in the staff report, and this meeting, moved to recommend the following to the Board of County Commissioners:

a) approval of the Sending Site application for Denver Nygren based on

providing the community benefits of preserving 80.0 acres of farmland with surface water-rights; protecting nearby military operations and protection of water recharge areas; and

b) approval of 98 TDRs for the same property.

Member Hyde seconded the motion and the decision carried by unanimous vote (4-0).

B. Consideration and possible action re: A temporary use permit application for temporary quarters for general purposes filed by George & Anne Taylor. The property is located at 4909 Solias Road, Assessor's Parcel Number 006-435-35, consisting of 5.01 acres in the A-5 zoning district. The applicants propose to have their son reside in an RV on the property.

Anne Taylor, 4909 Solias Road, was available to speak regarding this application.

Savannah Dukes, Planning Technician, stated that the applicant seeks to provide temporary housing for their son, Eric, while he searches for stable employment and affordable, pet friendly housing. This request differs from other temporary use permits, which typically serve a purpose such as caretaking, farm help, watchman duties, or home construction. This proposal is to allow general RV living, which is not permitted under Churchill County Code. The applicant has the burden of proof to provide evidence that the proposed use is similar to and not more obnoxious or detrimental than a typical temporary use permit. Evidence must be provided that demonstrates an extraordinary need and demonstrates attempts to find alternative accommodation. As of May 24, 2024, Eric started a new full time job and is saving to move into permanent housing. Given current market conditions and his three pets, it may take some time to secure a lease; therefore, staff is recommending a limited duration approval of no more than six (6) months to allow Eric time to find permanent housing.

Chair Blakey inquired if the applicant had anything to add. Mrs. Taylor expressed her concern that she doesn't see Eric's situation turning around in six months, and she also doesn't see that for millions of young kids. They require three months of income before a person can get a lease. He has two cats that he has had since they were babies, and they are now eight years old, and he has a dog. His circumstances were unforeseeable, a breakup of a relationship, and she said that they can go every six months, but she doesn't see that it will be done in that time. He is kind of stuck unless he surrenders his animals, and then if can he afford a place on his income. They will have to take it day by day.

Chair Blakey asked if any of the commissioners had any questions or discussion.

Member Bunyard questioned staff if this application was a result of code enforcement action, and the answer was in the affirmative. He then asked how long Mrs. Taylor's son had been living on the property in the RV. Anne Taylor remarked that before he was living in their guest room, and then her daughter from Reno was hired at A & K Earthmovers and moved back to Fallon. Eric gave up the bedroom for her to live in, and they bought Eric an RV to live in on their property until her daughter could find a place to live. The daughter cannot get out of her lease in Reno until the lease expires, so Mrs. Taylor said that they have two grown children living with them again.

Member Goings stated that he understands their situation, and then pointed out that they see a lot of this now. One of the things that they have to be cautious about as a Planning Commission is allowing a lot of this to happen. He does see these timelines getting tighter. He thinks that they will probably see this as a six month approval, and he's not sure that if they come back at that time that they will get another approval. He suggested they be very diligent in moving forward and trying to get their son going somewhere because this affects the neighbors and others around them. This

application is kind of stepping out of the bounds of a normal temporary use permit with this situation. Anne Taylor said that she drove down Schindler Road, Solias Road, Toyon Drive, and Cody Road, and notes that she is surrounded with junk yards—camp trailers and broken down vehicles. She stated that the RV on her property just looks like it is being stored on the property. There is no junk around it, and she doesn't have junk all over her property. She does understand the eyesore, but that is not something that they would allow on their property. Comparing their special circumstances to everything else that is all of the way around them, they are surrounded by properties in much worse condition. She remarked that the situation isn't something that they expected to happen and with the economic circumstances they don't know what else to do.

Chair Blakey expressed understanding of their concerns and said that there isn't a good position for general purposes in the code, and this is more of a temporary permit to give someone access to a place to live to get things arranged. He thinks that this could be revisited in six months and to see how it goes. He mentioned that they cannot consider any other matters in the neighborhood.

Chair Blakey called for public comment.

Chip Bunker, 5111 Solias Road, pointed out that his property is right next to where the RV is located. He said that Eric had lived in that RV for a month or two, and this didn't bother him. There is a guy, two houses south of him, that has lived in a trailer for two years. He doesn't understand why there isn't a six months on that one, but there is a six month limit on this one. He is the closest neighbor to be affected by this, and he wanted to know what the difference is between the one that has been there for a year and a half and this one. Chair Blakey remarked that they can't speak to other addresses because they don't have that information. No one knows whether or not the other person has the proper permitting to be there. He recommended that Mr. Bunker speak with the Planning Department staff regarding this for more information. If he would wish to file a concern or complaint, the Code Compliance Officer could check into that matter to see what is going on there and if there is a violation of the code. If they are in violation, the County will take action. Chip Bunker said that he wasn't sure if they were in violation. What would be the process to get a correct permit to allow that? Chair Blakey recommended that Mr. Bunker meet with the Planning Department.

Chair Blakey asked for any further comments; there being none he called for a motion.

Member Hyde, based on the information provided in the application, in the staff report, and heard tonight, moved to find that the criteria found in CCC 16.08.070 have been met and therefore approve the Temporary Use Permit for Temporary Quarters for general purposes for no more than six (6) months for George and Anne Taylor. This approval is subject to conditions, as listed in the Staff Report. Member Bunyard seconded the motion and the decision carried by unanimous vote (4-0).

Recommended Conditions:

- 1. This temporary use permit is approved for six (6) months and will need to be approved by the Planning Commission for any renewal.*
- 2. The temporary quarters must comply with Churchill County Code. The applicant shall work with the Code Enforcement Officer to bring the property into compliance with County Code.*
- 3. All required Building Department approvals and safety certificates must be obtained, including any required set-up permits, and any inspections of water, septic and electrical connection.*

4. *The temporary quarters must use temporary construction practices. It may not be placed on a permanent foundation; and must use the existing water well, power supply, and septic system unless deemed infeasible by the Building Department, in which case an alternative solution must be used to the satisfaction of the Building Department.*
5. *When the temporary quarters is no longer needed or after the six (6) months, whichever comes first, it must be removed from the property or otherwise made to be conforming according to county requirements.*

Chair Blakey thanked the applicant and advised that there is a ten-day appeal period and to contact the department for further permitting procedures.

- C. Consideration and possible action re: A temporary use permit application for temporary quarters for home construction filed by Henry Schenkel. The property is located at 10073 Carson Highway, Assessor's Parcel Number 007-231-03, consisting of 22.25 acres in the A-10 zoning district. The applicant proposes to reside in an RV on the property while constructing a permanent dwelling.

Henry Schenkel, 10073 Carson Highway, was available to speak regarding this application.

Savannah Dukes, Planning Technician, stated that the applicant is requesting a temporary use permit to reside in his RV during home construction. The RV is a 1985 model year travel trailer that is currently set up on a neighboring parcel that is also owned by the applicant, which is shown as #2 on the aerial photograph site plan displayed on the overhead screen. The applicant plans to move it to parcel 007-231-03 once power, well and septic systems are installed. This may have been completed by the time of this meeting. The applicant has secured funding, ordered a new manufactured home, and expected this to be ready in a few months with funding covering all installation costs. He has obtained a septic permit, drilled a well, and is working with NV Energy for power connection. The primary concern with this application is access. The parcel has access easements without a physical road within the easement, and a physical road without access easements. The applicant currently uses a road crossing a Bureau of Land Management (BLM) parcel from the Carson Highway, and he has applied to the BLM for permission to continue using it. If not approved, he will construct a road within the existing easements. The Fire Marshal provided comment on the access situation and is requiring an all weather access road that will support a 68,000 pound fire apparatus to within 3,000 feet of any structures, which must be confirmed by a qualified engineer. Based upon the applicant's progress with purchasing the new home, securing the necessary utilities, and his commitment to resolving the access issue, staff is recommending approval of this application.

Chair Blakey inquired if the applicant had anything to add. Mr. Schenkel said that he has been working with Ms. Dukes in the Planning & Zoning Department, and he has completed the well because there wasn't one on the property prior to about three weeks ago. The well drilling company was supposed to come in last week to put the pump in. The septic system has been bought and paid for. The tank is in as of Monday. He is waiting for the contractor to come back to complete the septic system and hoping to have that done in the coming week. They have already had the Building Inspector out regarding the layout of the system. He has been working hard over the last 3 weeks and spent \$18,000 to try to get compliant with the Churchill County Codes. He pointed out on his site plan the locations of the power poles south of the buildings, and they won't install the electricity until he has his loan for the new home. He spoke with the attorney for BLM that day because he had an error on the form that he submitted to them, and he needs to rewrite that part.

Their attorney seemed to be more than happy to help him with whatever he doesn't understand. That will be submitted by Friday, and he hopes that it will be approved for him to use that access road. The attorney indicated that if he submits that by Friday, he should have an answer within three weeks or one year. Otherwise, he would have to spend about \$200,000 to construct a road within the legal easement.

Chair Blakey asked if any of the commissioners had any questions or discussion.

Member Goings questioned if the BLM road was going to meet what the Fire Marshal is requiring, or if there will need to be some improvements made to it. Savannah Dukes responded that the Fire Marshal is requiring that an engineer, or the Fire Marshal himself, comes to look at the road. She didn't have an answer to his question.

Chair Blakey called for public comment. Henry Schenkel remarked that he spoke with BLM at their office, and the road is actually graveled; it isn't a dirt road. It has been upgraded. He stated that after yesterday, having six dump truck loads of gravel brought in for his septic system, that those drivers had no problems with their trucks on that road. He also said that the maintenance of that road would be up to him should he be approved to use it. He did call Robison Engineering to come out, and he is awaiting a call from them.

Chair Blakey asked for any further comments; there being none he called for a motion.

Member 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 16.08.070(F) have been met and therefore approve the Temporary Use Permit for Temporary Quarters during home construction for Henry Schenkel. This approval is subject to conditions, as listed in the Staff Report. Member Goings verified that the applicant had read and understood these conditions that were listed in the staff report that was mailed to him. Member Bunyard seconded the motion and the decision carried by unanimous vote (4-0).

Recommended Conditions:

1. *The temporary quarters must comply with Churchill County Code, including but not limited to:*
 - a. *Permission must be obtained to utilize the BLM road, or*
 - b. *An access road meeting County standards shall be constructed within existing legal easements, capable of supporting a 68,000lb fire apparatus in all weather conditions, as verified by a qualified engineer.*
2. *All required Building Department approvals and safety certificates must be obtained:*
 - a. *Any permit necessary for the setup of the temporary quarters must be obtained along with any required inspections of water, septic and electrical connections of connecting to a service.*
 - b. *All necessary permits for manufactured home placement must be obtained.*
3. *The temporary quarters must use temporary construction practices. It may not be placed on a permanent foundation; and must use the existing water well, power supply, and septic system unless deemed infeasible by the Building Dept.*
4. *This temporary use permit is subject to annual renewal. **The applicant must show substantial progress of home construction during the annual review hearing.***
5. *Once home construction is complete enough to allow habitation, the RV must be disconnected from sewer/water/electric services and made lawful at its subsequent location.*

Chair Blakey thanked the applicant and advised that there is a ten-day appeal period and to contact the department for further permitting procedures.

D. Consideration and possible action re: A special use permit application for an emergency services facility filed by Reno Highway Properties, LLC on behalf of Banner Churchill Community Hospital. The property is located at 4490 Reno Highway, Assessor's Parcel Number 008-461-15, consisting of 3.41 acres in the C-1 zoning district. The applicant proposes to use the property for an ambulance garage and EMS Service.

Alan Harrison, 4490 Reno Highway, and Mike Berney, 120 N Bailey Street, were available to speak regarding this application.

Savannah Dukes, Planning Technician, stated that Banner Churchill Community Hospital's Emergency Medical Services is a hospital based ambulance service that covers the entire 5,000 square miles of Churchill County and occasionally provides assistance outside of the county. Banner Churchill EMS is proposing an expansion of their current services to operate on the western side of the community. They will use an existing building leased from Alan and Tracy Harrison. Banner Churchill EMS plans to store ambulances inside the shop and will make several tenant improvements to the building. These improvements will include creating a lounge space for emergency medical technicians (EMT) to rest between calls, two restrooms, and a breakroom. The facility will operate 24 hours a day, seven days a week, and will be staffed with two to four EMTs at all times. The building will not be open to the public as it is intended solely for the use of EMS personnel. Stockmen's Equipment Rental will continue to store their rental equipment on the property as shown on the site plan.

Ms. Dukes continued by saying that this strategic expansion aims to enhance emergency medical response times and coverage in the western areas of Churchill County ensuring better access to critical care for residents and visitors. In reviewing this application the commission has five criteria to consider, which are compatibility with existing surrounding land uses, substantial conformance with the Master Plan and Churchill County Code, that the project will not overburden public services and infrastructure, that the project will adequately mitigate road and traffic impacts, and that the project does not create adverse environmental impacts that may be detrimental to public health, safety or welfare. These criteria are addressed in detail in the staff report. The only notable concern relates to criteria five regarding adverse environmental impacts that may be detrimental, which is regarding the potential disturbance to nearby residences caused by the flashing lights and sirens of ambulance vehicles. There is a residential property to the east and a mobile home park across the Reno Highway from the property; however, given the predominantly commercial setting, the impact of the EMS service on the neighborhood would be minimal, and the EMS service operation is better suited here than in more residential areas of the county where the disturbance could be more significant. A recommended mitigating measure is to not use the sirens until the vehicle has entered the highway. Staff is recommending approval of this application.

Chair Blakey inquired if the applicant had anything to add.

Mike Berney asked Steve Towne, who is the EMS Director, to talk about the safety concern that was mentioned. Steve Towne, Banner Churchill Community Hospital, indicated that their one mitigating factor would be to not utilize the siren as they are coming out of the station. They want to be good neighbors and to be polite, and they want to preserve their safety for the staff and community when they are responding. They would observe the use of sirens as they are approaching the highway to ask for right of way during an emergency response. Their usage of responding red lights and sirens is only about 35% of their total call volume. Their impact should be

very minimal, and with traffic flows at night, they do not anticipate any issues at night.

Chair Blakey asked if any of the commissioners had any questions or discussion.

Member Hyde remarked that this is a great outreach for the community. When you think about the distance from Banner Churchill Community Hospital to the western border of the county it is a great distance, and he is happy to see this. As he reviewed this application, he didn't see any reason to object.

Chair Blakey called for public comment.

Arthur Johnson, who owns the property next to this one, sees this as a benefit for emergency response. It is a time waster to have to travel from the east side of town to the west side, and it inconveniences a lot of people and endangers lives at times when they have to go through red lights and traffic. The slight inconvenience of the people around there having to hear a siren at this location would be no more than hearing the same siren traveling along the highway as they are on their way to an emergency. He fully supports this application and thinks that it is a great move for our community.

Chair Blakey asked for any further comments; there being none he called for a motion.

Member Bunyard, based on the information provided in the application, in the staff report, and heard tonight, moved to find that the criteria found in CCC 16.08.080(H) have been met and therefore approve the Special Use Permit for Banner Churchill Community Hospital EMS. This approval is subject to conditions, as listed in the Staff Report. Member Hyde seconded the motion and the decision carried by unanimous vote (4-0).

Recommended Conditions:

1. *The project must be in conformance with County Code, including but not limited to:*
 - a. *A business license must be obtained and maintained.*
 - b. *All necessary building permits must be obtained.*
 - c. *ADA accessibility criteria must be met as deemed necessary by the Building Department.*
2. *Operations shall be conducted in a manner that does not create a nuisance (public or private) under Nevada law or Churchill County Code.*
3. *It is recommended that the use of sirens be avoided where possible until the vehicle has entered the highway.*

Chair Blakey thanked the applicant and advised that there is a ten-day appeal period and to contact the department for further permitting procedures. Mr. Harrison added a comment, knowing that Mr. Blakey has been involved in first responders and he has been involved for 25 years, one thing that is common is that people do not want to see law enforcement, fire personnel, or medical personnel until they need them, and then they want them 10 minutes before they got there. As you know, in the near future there will be horrific situations, literally life and death, and there will be people that survive because of this decision, and they will not know your names or faces or say thank you. Even if it sounds presumptuous, on behalf of those people he thanked them for the decision that they made that evening.

- E. Consideration and possible action re: An application for a variance from the height and size of an advertising sign filed by Arthur Johnson of Monarch Construction LLC. The property is located at 4510 Reno Highway, Assessor's Parcel Number 008-472-48, consisting of 1.44 acres

in the C-2 zoning district. The applicant proposes to construct a new 144 square foot sign for off-site advertising that is 25' tall.

Arthur Johnson, owner of the property at 4510 Reno Highway, was available to speak regarding this application.

Savannah Dukes, Planning Technician, stated that the applicant proposes a 144 square foot digital advertising sign that is 25' tall, located east of Sheckler Cut-Off before the Carson River bridge. He is seeking a variance from both height and size requirements in Churchill County Code 16.16.020.6. The request is for a 5' or 25% increase from the maximum allowed height of 20' and a 4 square-foot or 3% increase from the maximum allowed size of 140 square feet. After reviewing the provided photos and visiting the site in person, our staff observed that the topography of the proposed location for the sign is about three feet lower than the adjacent highway. This difference in elevation nearly offsets the requested height increase. Additionally, the four square foot increase in the sign's size is due to the electrical components, which are manufactured in standard sizes. The closest size that the manufacturer can produce without making a sign significantly smaller is 144 square feet. Based on the topography of the site and the minimal variance request from the size of the sign due to standard manufacturing specifications, staff is recommending approval of this application.

Chair Blakey inquired if the applicant had anything to add. Mr. Johnson thinks that Ms. Dukes covered things well.

Chair Blakey asked if any of the commissioners had any questions or discussion.

Member Goings questioned how much less is the next size smaller. Arthur Johnson replied that they come in increments of 2 square feet, and if you just take out 2 of those, then there is a block out of the corner that looks ridiculous. Member Goings stated that this is something else that should be added to their updated codes because it sounds like 144 square foot sign is a pretty common size for a sign. Director Hines remarked that the size of the sign could have been granted through an administrative variance; however, the difference in the height exceeded the administrative variance allowance, and so staff decided to just require that the application address both issues at the same time.

Member Hyde said that it sounds like that because of the topography that the land is actually three feet lower than the highway. Really, optically, they are looking at a sign that maybe is one foot higher than what they would normally require. If what Mr. Johnson is saying is that, should the size of the sign be reduced, it would look goofy, is it due to what is being put onto the sign? He asked why it doesn't look good to be smaller. Arthur Johnson added that Mr. Harrison's property, which is right next door to his, is higher where he comes out onto the highway, and with the ambulances and the trucks and equipment on the site, it is much better if they could look under the sign, where they have better visibility on the highway. He thinks that it will help everything to flow well. He wasn't trying to change any of the rules here, but he is trying to fit with what would work the best for everyone and be the safest.

Chair Blakey called for public comment. There was none.

Chair Blakey asked for any further comments; there being none he called for a motion.

Member Hyde, based on the information provided in the application, in the staff report, and heard tonight, moved to find that the criteria found in CCC 16.08.090(F) have been met and therefore approve the Variances from the height and size requirements for an off-site advertising sign for Arthur Johnson of Monarch Construction. This approval is subject to conditions, as listed in the

Staff Report. Member Goings seconded the motion and the decision carried by unanimous vote (4-0).

Recommended Conditions:

1. *The approved height of the sign is 25 feet.*
2. *The approved size of the sign is 144 square feet.*
3. *All necessary NDOT permits must be obtained.*
4. *The height and size variances apply exclusively to the sign described in the application. Any future signs must comply with the requirements outlined in CCC 16.16.020.6(B).*

Chair Blakey thanked the applicant and advised that there is a ten-day appeal period and to contact the department for further permitting procedures.

- F. Consideration and possible action re: A special use permit application for a kennel and dog training facility filed by Lori Haigler of Wild West Duck Dogs. The property is located at 6755 Stuart Road, Assessor's Parcel Number 009-131-06, consisting of 110 acres in the A-10 zoning district. The applicant proposes to construct a metal kennel building to house the dogs and will train them on the property.

This item was withdrawn by the property owner prior to the meeting.

- G. Consideration and possible action re: A special use permit application for a multi-tenant business complex filed by Rigoberto Uribe and Maria Herrera, of Desert Properties R.U.S. The property is located at 5070 Reno Highway, Assessor's Parcel Number 008-531-90, consisting of 2.1 acres in the C-2 zoning district. The applicant proposes to convert the existing building into a multi-tenant complex. *This application was postponed from the April 10 and May 8, 2024 meetings.*

Maria Herrera, 5070 Reno Highway, and Rigoberto Uribe were available to speak regarding this application.

Savannah Dukes, Planning Technician, stated that the applicants are requesting a special use permit to convert the old Winans Yoder furniture building, which has been vacant for some time, into a multi-tenant business complex for commercial businesses. Transitioning from a single user retail store to a multi-tenant complex necessitates substantial improvements, including a public water system, a commercial septic system, ADA (Americans with Disabilities Act) accessibility, parking and access improvements, landscaping, and individual climate utility access. The project is complicated by the fact that the building had been subdivided and leased to tenants without inspections or permits from the county. The county only became aware of this situation when one of the tenants came in to apply for a business license. Initial inspections revealed that the building had several health, safety and life issues that had to be addressed immediately. In the three months since the applicants have been working to address these critical issues and the work is expected to be complete by June 20, 2024. Many substantial improvements, which are detailed in the staff report, will still be required to bring the site into compliance with the Churchill County Code; however, these remaining improvements are not considered health, safety and life issues. Staff recommends allowing the applicants twelve months to complete the additional work.

The most significant issues identified with this project relate to criteria two regarding improvements required to be in compliance with the code and criteria four regarding road and traffic impacts. Sewer and water facilities are an important issue for this application. This site is

currently served by an onsite well and septic system. As a single user furniture store it was not required to be regulated by the state as a public water system; however, this development will exceed the thresholds that require state regulation. The applicant will need to obtain all necessary permits from the Bureau of Safe Drinking Water. The existing septic system consists of a 1,000 gallon tank with a single 60' leach line. This is likely inadequate for the demand produced by the proposed multi-tenant facility and may require a commercial septic system to be installed. The applicant will need to work with Nevada Division of Environmental Protection (NDEP) to make any required upgrades to the septic system and obtain all necessary permits.

Parking is also an important issue for this application. The rear of this site has a large open area to be used mostly for parking. There is also parking on the front of the building, and some of the parking will need to be added along the west side of the building. The project will require a minimum of 70 parking spaces; three of these must be ADA compliant. The required parking may be difficult to fit into the available space, and there are some issues with the provided layout, which will need to be addressed. The applicant will need to work with staff to submit a final parking plan. Traffic and access are also important issues for this application. Churchill County Code requires that site access must meet county or Nevada Department of Transportation (NDOT) standards. NDOT has submitted written comments that will require that the wide-open access across the frontage be limited to one location, specifically, the driveway on the west side of the parking lot, which also provides access to the rear of the building. This driveway will require a paved access apron. This also means that an obstruction of some sort needs to be installed along the rest of the frontage. Due to extremely limited space between the parking drive aisle and the NDOT right of way, this will be most easily accomplished by installing a split rail fence, or similarly thin barrier, at the edge of the right of way. Traffic estimated by the applicant is in the 200 trip per day range. This estimate may be accurate for the current tenant uses; however, future uses may have larger impacts to traffic. NDOT may require a trip generation letter and all future uses will need to be reviewed by the county individually for additional impacts. Based upon the substantial progress made in addressing the critical health, safety and life issues and the commitment to completing the remaining improvements within the next twelve months, staff is recommending approval of this application.

Chair Blakey inquired if the applicant had anything to add. Maria Herrera said that they are working to complete the list of things that need to be done. Chair Blakey questioned if they have a construction update as of today regarding the completion rate of what the scope was. Ms. Herrera remarked that she knows that they have to finish some fire walls are supposed to be done by Friday. They will also need to finish the ADA bathrooms. Chair Blakey asked when these would be done. Savannah Dukes provided an update on the status as of today that all firewall infills between the units have been completed and inspected by the Building Department. The new firewall in Unit C has been installed and inspected today by the Building Department. They can move forward with completing the grout between the bricks. They will begin construction on the bathroom and ADA ramp in Unit C tomorrow.

Chair Blakey asked if any of the commissioners had any questions or discussion.

Member Hyde questioned whether the necessary permits had been done for safe drinking water. Chair Blakey said this was covered in the conditions, and he would like to include time frames, like within twelve months, to be compliant with a water system, septic system, and all NDOT regulations in the motion since this was not included in the conditions. Joseph Sanford, Deputy District Attorney-Civil, agreed that they could set timeframes for each item individually or they could state that it needs to be completed within the one year timeframe that is in condition one.

Director Hines wasn't sure that the NDOT requirements would be doable in twelve months as these sometimes take a considerable amount of time. The septic system needs to be designed and submitted to the state as well, and that could take some extra time. It could also affect the application for a water system. He thinks that they should have a plan of some timeframes, but they should be achievable. Chair Blakey inquired if they could put a timeline of twelve months on the items, and then have the applicant prove that they have made efforts in a timely manner to achieve compliance with the conditions. Even if it isn't completed due to state agencies, they should be able to show that they didn't wait until the last few months of that year to get it started. Then the Planning Commission could extend these timeframes.

Member Goings asked regarding the timeline for the certificate of occupancy. Savannah Dukes answered that based upon discussions with staff and the Building Department, they talked about issuing a temporary certificate of occupancy after June 20, 2024 when the health, safety and life issues are addressed. Chair Blakey then verified that their approval would also be contingent on the temporary certificate of occupancy.

Chair Blakey called for public comment. There were none.

Chair Blakey asked for any further comments; there being none he called for a motion. He asked that the motion include the timeframe for the completion of NDOT, water system, and commercial septic system. He also wanted to make sure that the contingency of the temporary certificate of occupancy was included. Joseph Sanford, Deputy District Attorney-Civil noted that the certificate of occupancy is currently considered within the recommended conditions (2.c.). He also suggested that the conditions already consider a one year review hearing by this board to show the substantial progress. If they would like to consider a tighter timeframe than one year, then they should add it to their motion. One year is already covered in the recommended conditions.

Member Bunyard, based on the information provided in the application, in the staff report, and heard tonight, moved to find that the criteria found in CCC 16.08.080 have been met and therefore approve the Special Use Permit application for Rigoberto Uribe and Maria Herrera for a Multi-tenant Business Complex. This approval is subject to conditions, as listed in the Staff Report. Member Goings seconded the motion and the decision carried by unanimous vote (4-0).

Recommended Conditions:

1. *This permit is subject to review in one (1) year to show progress on meeting conditions of approval.*
2. *The entire business must be in conformance with County Code, including but not limited to:*
 - a. *Business licenses must be maintained. The property owner must obtain a Business License if they exceed 4 tenants.*
 - b. *All necessary improvements as required by the Building Department must be completed. All building permits must be obtained.*
 - c. *Businesses shall not occupy the rental units until a standard or temporary Certificate of Occupancy is issued by the building department.*
 - d. *Necessary modifications shall be made to meet lighting, signage and other code requirements discussed in the staff report. If requirements cannot be met, the applicant may submit a Variance application.*

- e. *The applicant must submit a final parking plan to the Planning Department staff that addresses the issues mentioned in the staff report, including but not limited to space count, spaces drawn to scale with compact spaces in front, parallel parking spaces on the west side of the building, a loading space, and at least one ADA space in the rear of the building.*
 - f. *The applicant must work with Planning Department staff to finalize and implement the landscape plan.*
 - g. *All necessary improvements as required by the Fire Marshall must be completed, including but not limited to exit signage, lighting, unit identification, firewall infill, and a new firewall in unit C.*
3. *The entire building and each unit must be individually ADA compliant.*
 4. *All required NDOT access permits and authorizations must be obtained. All access changes or improvements required by NDOT must be installed including but not limited to:*
 - a. *The street access shall be constrained to one point corresponding to the driveway on the west side of the building, and access along other points of frontage shall be obstructed at the edge of the NDOT right of way.*
 - b. *A paved access apron installed from the driveway on the west side of the building onto the highway.*
 5. *All State water system requirements shall be met, and all necessary permits shall be obtained from NDEP Bureau of Safe Drinking Water.*
 6. *All State commercial sewage disposal requirements shall be met and all necessary permits shall be obtained from NDEP.*
 7. *The commercial coach must obtain a Temporary Use Permit and Placement Permit from the County or it must be removed.*
 8. *The building on the far north side of the property shall be used solely for storage purposes and other commercial activities within that structure are prohibited.*
 9. *The northern 75 feet of the property should be reserved exclusively for parking to maintain a friction zone buffer between the agricultural and commercial uses.*
 10. *All future uses will be reviewed by the County individually for additional impacts and compliance with County Code.*
 11. *Operations of the entire business shall be conducted in a manner that does not create a nuisance (public or private) under Nevada law or Churchill County Code.*

Chair Blakey thanked the applicant and advised that there is a ten-day appeal period and to contact the department for further permitting procedures.

- H. *Consideration and possible action re: A special use permit application for personal training classes filed by Dan Muller of Gracie Jiu-Jitsu Fallon. The property is located at 5070 Reno Highway, Assessor's Parcel Number 008-531-90, consisting of 2.1 acres in the C-2 zoning district. The applicant proposes a martial arts training facility in part of the building. This application was postponed from the April 10 and May 8, 2024 meetings.*

Dan Muller, 5070 Reno Highway, was available to speak regarding this application.

Savannah Dukes, Planning Technician, stated that the applicant is requesting a special use permit to open a jiu-jitsu school, called Gracie Jiu-Jitsu Fallon. The applicant has leased a 6,100 square foot space in the multi-tenant business complex, which was heard earlier on this agenda. Normally, leasing space within an approved multi-tenant complex ensures that the building has already undergone thorough code compliance review and meets all of the necessary requirements

for business operation. In this instance, units were leased prematurely before the building was fully prepared. The landlord is currently working diligently to bring the entire building up to code. These efforts are detailed in the multi-tenant complex's special use permit that addresses collective improvements pertinent to the building rather than individual tenants. It is important to note that all health, safety, life and code compliance requirements specific to this applicant's unit have been satisfactorily completed. The remaining health, safety, and life improvements in other areas of the building are expected to be completed by June 20, 2024. The jiu-jitsu business will offer classes for children and adults and proposes an initial class schedule of 4:00 p.m. to 8:00 p.m. Mondays-Fridays and 9:00 a.m. to 12:00 p.m. on Saturdays. The interior area will feature an open floorplan with approximately 3,100 square feet of vinyl covered mats where the classes will take place. There will be a small kiosk style desk, changing areas, a water fountain, and an ADA (Americans with Disabilities Act) compliant restroom. Daily operations are expected to include two employees and forty students. No exterior modifications or storage areas are proposed. In reviewing this application, the commission has five criteria to consider that include compatibility with existing surrounding land uses, substantial conformance with the Master Plan and Churchill County Code, that the project will not overburden public services and infrastructure, that the project adequately mitigates road and traffic impacts, and that the project does not create adverse environmental impacts that may be detrimental to public health, safety or welfare. These criteria are addressed in detail in the staff report. The only notable concern relates to criteria five regarding adverse environmental impacts that could be detrimental to public welfare, which is the potential disturbance to nearby commercial and agricultural operations from typical pedestrian traffic and noise levels between the jiu-jitsu school and the parking area, and the potential for dust to be generated in the large parking area. To mitigate potential dust issues for nearby properties and residences, the parking area has been graveled. Based upon the applicant's unit being entirely up to code and all necessary findings being met, staff recommends approval of this application.

Chair Blakey inquired if the applicant had anything to add. Dan Muller expressed appreciation to the Planning Department and Building Department that have helped them work through this process. He is excited to bring a business like this to Churchill County.

Chair Blakey asked if any of the commissioners had any questions or discussion.

Member Goings wanted to make sure that Mr. Muller had read and understood the conditions that are recommended, specifically number three related to staggering the class times to reduce the demand for parking. Dan Muller responded in the affirmative and indicated that they planned to allow thirty minutes between classes in order to help with the traffic congestion for the property and the surrounding area.

Chair Blakey called for public comment. There were none.

Chair Blakey asked for any further comments; there being none he called for a motion.

Member Hyde, based on the information provided in the application, in the staff report, and heard tonight, moved to find that the criteria found in CCC 16.08.080 have been met and therefore approve the Special Use Permit application for Dan Muller of Gracie Jiu-Jitsu Fallon. This approval is subject to conditions, as listed in the Staff Report. Member Goings seconded the motion and the decision carried by unanimous vote (4-0).

Recommended Conditions:

1. *This permit is subject to review in one (1) year to show progress on meeting conditions of approval.*
2. *The entire business must be in conformance with County Code, including but not limited to:*
 - a. *Business licenses must be obtained and maintained.*
 - b. *The business shall not open to the public until a temporary Certificate of Occupancy is issued by the Building Department.*
 - c. *All necessary improvements as required by the Building Department must be completed, including ADA compliance. All building permits must be obtained.*
 - d. *All necessary improvements as required by the County Fire Marshall must be completed.*
3. *Class times shall be staggered by 30 minutes to reduce the overlap in parking demand.*
4. *Operations of the entire business shall be conducted in a manner that does not create a nuisance (public or private) under Nevada law or Churchill County Code.*

Chair Blakey thanked the applicant and advised that there is a ten-day appeal period and to contact the department for further permitting procedures.

- I. Consideration and possible action re: A special use permit application for an outdoor club and game hunting facility filed by Chip Bunker of Lahontan Valley Bird Dog Club. The property is located on Fitz Lane, Assessor's Parcel Number 009-231-15, consisting of 201.79 acres in the A-10 zoning district. The applicant proposes a bird dog training and hunting facility with occasional events.

Walter Goodman, 2868 Trento Lane, was available to speak regarding this application.

Savannah Dukes, Planning Technician, explained that the Lahontan Valley Bird Dog Club is requesting a special use permit for a game hunting ranch near Stillwater National Wildlife Refuge on a parcel they are purchasing from the US Fish and Wildlife Service. A game hunting ranch is not an exact match for the proposed use, but the Director has determined that the use is most similar to a game hunting ranch that also has occasional events. The Club, which has been operating in Fallon for about 15 years, is relocating after losing their lease on their current location. They plan to establish a new area for training hunting dogs with live birds and hosting hunting dog competitions. Specific hours of operation are not proposed as club members may visit the site in their own time to train their dogs individually or in small groups. Most visits will be on the weekends. Large competitions are typically held twice a year, though they may be held more often. The Club will develop a parking area and access trail for ATV (All Terrain Vehicle) and food traffic and a bird pen for keeping live birds. Additionally, they will place one shipping container onsite for storing equipment used during the training competitions. They will also set up an area for event headquarters and gun safety instruction as well as an area with portable toilets and hand washing stations. In reviewing this application, the commission has five criteria to consider, which are:

- Compatibility with existing surrounding land uses.
- Substantial conformance with the Master Plan and Churchill County Code.
- That the project will not overburden public services and infrastructure.
- That the project adequately mitigates road and traffic impacts.
- That the project does not create adverse environmental impacts that may be detrimental to public health, safety or welfare.

These criteria are addressed in detail in the staff report. The only notable concern relates to criteria one and five regarding compatibility with surrounding land uses and public safety. Specifically,

staff is concerned that the firing of shotguns could result in pellets leaving the property, which creates a potential hazard to surrounding properties and the public. The application references setting back activities to avoid problems with adjacent properties. Staff recommends a safety buffer of 50 yards to be established around the perimeter of the training and competition area where shooting cannot take place. Staff is recommending approval of this application.

Chair Blakey inquired if the applicant had anything to add. Walter Goodman replied that they have been in operation for 15 years with no incidents regarding safety while they were on Berney Road. Chip Bunker reiterated that they had been doing this for a while on a piece of Navy property, who reallocated it, so they had to find a new place. This is the location they found where they could pretty much do the same thing that they have been doing at the other location. He pointed out on the aerial photograph site plan that was displayed on the overhead screen the red outlined area where the primary training would take place. There are two houses that are within one-half mile—Trevor deBraga and Lester deBraga, and these houses are too far distant for any shotgun to cause damage to their properties; they use shotguns, not rifles.

Chair Blakey asked if any of the commissioners had any questions or discussion.

Member Hyde noted that in the staff report it mentions that the surface gravel needs to be improved to support emergency vehicles and reduce dust and mud, but he didn't see it in any of the recommended conditions. Savannah Dukes said that the condition was removed because they are not proposing construction of buildings at this time. Should they propose buildings in the future, they would need to comply with the fire department requirement. Walter Goodman remarked that this property was purchased from US Fish and Wildlife Service, and with Phase 1 they have been granted access and have been clearing the ground. That will be disced. One of the very positive things that US Fish and Wildlife was interested in is that they will spend quite a bit of money irrigating and planting native grasses. Two hundred and one acres will stay in natural habitat, which will be enhanced significantly over the three phases of their development for the bird dog training area.

Chair Blakey called for public comment.

David Holmgren, 104 Finger Rock Wash Road, Luning, Nevada, owns the old Lawson property on Swope Lane (1100 Swope Lane). He expressed concern about traffic from people going out to this property and using Swope Lane instead of Stillwater Road for access to the property on Fitz Lane. He has seen people speed down county roads and causing impacts to this quiet neighborhood. He shared his experiences with people in the off road racing events on his ranch in Mineral County, and how careless they are and the damage they cause. He also pointed out the disrespect shown by many drivers on county roads that do not obey the rules of the road or watch out for people and pets. He wanted to share the potential for harm that this could bring to this area in disturbing the peace and quiet of the neighborhood at the beginning of this process.

Chair Blakey inquired if the applicant wanted to speak to mitigating this issue. Chip Bunker responded that this is open to members only. They do hold a couple of AKC (American Kennel Club) events, and they would provide directions (maps) to the property using Stillwater Road. Most people would rather drive on the paved road instead of the graveled ones.

Ted deBraga said that his family has been in the valley for more than 100 years. His family owns about 400 acres in this area. He thinks that people will use Stillwater Road instead of Swope Lane because it is the main road. Mr. deBraga noted that people have been hunting in that area for a long time without any negative incidents, and he doesn't think that will change with this project. He understands that they might have a couple of events, but he doesn't think there will be much more traffic than there is on a daily basis. He asks the commission to approve the application and not

deny it based on the possibility of one person maybe taking a different road to get to the property. Chair Blakey asked for any further comments; there being none he called for a motion.

Member Bunyard, based on the information provided in the application, in the staff report, and heard tonight, moved to find that the criteria found in CCC 16.08.080(H) have been met and therefore approve the Special Use Permit for Chip Bunker and the Lahontan Valley Bird Dog Club. This approval is subject to conditions, as listed in the Staff Report. Member Goings seconded the motion and the decision carried by unanimous vote (4-0).

Recommended Conditions:

1. *The project must be in conformance with County Code, including but not limited to:*
 - a. *A business license must be obtained and maintained.*
 - b. *All necessary building permits must be obtained.*
 - c. *ADA accessibility criteria must be met as deemed necessary by the Building Department.*
2. *Any canal crossings must be approved by TCID and B.O.R.*
3. *A safety buffer of 50 yards must be established around the perimeter of the training and competition area where shooting cannot take place.*
4. *Events shall be limited to four times per year.*
5. *Operations shall be conducted in a manner that does not create a nuisance (public or private) under Nevada law or Churchill County Code.*

Chair Blakey thanked the applicant and advised that there is a ten-day appeal period and to contact the department for further permitting procedures.

- J. A major special use permit application for Phase I of the Sierra Solar renewable energy facility, accompanied by requests for multiple communication towers, filed by Kristine Apikian of NV Energy. The properties are located on Sagehen Creek Road, north of the Interstate 80 Nightingale Exit, Assessor's Parcel Numbers 004- 331-01, 004-331-11, 004-351-02, 004-351-03, 004-351-04, 004-351-05, 004-351-07, 004-351-08, 004-351-09, 004-351-10, 004-351-11, 004-351-14, 004-351-15, 004-351-16, 004-351-21, 004-351-22, and 004-351-36, in the RR-20 zoning district. The applicant proposes to construct and operate a major renewable power generation facility that includes communication towers dedicated to facility use.

Kristine Apikian, 7155 South Lindell Road, Las Vegas, Nevada, was available to speak regarding this application.

Dean Patterson, Senior Planner, said this is an application for a large solar power facility. NV Energy has submitted several applications for the project located in the Brady Hot Springs area on Sagehen Creek Road. This is a very large facility that will be built in two phases with the full solar power facility estimated to produce approximately 1,000 megawatts of power. Phase 1 is planned to produce 400 megawatts and Phase 2 will produce 600 megawatts. The special use permit for Phase 2 will be submitted later. The full project is expected to be completed before 2032. This facility is likely to be the largest individual solar facility in the United States and one of the largest in the World. Such distinctions change quickly, and some areas like Las Vegas, have multiple large facilities. Phase 1 will be larger than most of the largest existing facilities in the US with the bulk of the facilities occupying most or much of five square miles. Additional facilities occupy small portions of other parcels including the associated power transmission lines and associated

communication towers on nearby hilltops. Phase 2 will be developed in the future and is expected to occupy a larger amount of additional land. Mr. Patterson gave a comparison that the City of Fallon is about 3.5 square miles to the five square miles of this facility.

Dean Patterson continued explaining that the facility has three major components that need special use permits. A major special use permit is needed for the major power generation facility, which is regulated as a renewable energy facility in County Code. A general special use permit is needed for the transmission lines proposed to connect the solar facility to the state transmission line grid. A general special use permit is needed for the two communication towers proposed to serve only the facility, and these are located on APN 004-351-05. He noted that there are four towers shown in the application submittal, and in Appendix A there are four different tower configurations. Only two of these are in Churchill County; the other two are in other counties.

Mr. Patterson pointed out that along with the special use application there are applications requesting four variances from different code standards. One is to reduce the road setbacks, mainly for solar arrays, from the 60' requirement on roads with speed limits over 25 miles per hour down to 30', and also to reduce the rear setbacks from 40' to 30'. Another variance is to waive the landscaping requirements that are normally required along roads and in parking lots. A third request is to waive the renewable energy facility coloration requirements on the battery storage units and inverters. The last variance request is to waive the stream protection and easement requirement for streams passing through the properties. He noted for the commissioners' information that there are multiple road abandonments that have already been approved to relocate roads going through the properties to the perimeter of the properties, so they have already seen that part of the project.

Dean Patterson demonstrated on the overhead screen the location of the project that is approximately 20 northeast of Fernley, Nevada. It is in the Hot Springs Flat Valley with parts of the project in North Valley. These lands are in the checkerboard area of the county, so federal lands abut each side of the applicants' lands. The first phase will be in the north half nearest to the power transmission lines. He pointed this out on the displayed map as well as Phase 2, which would be south of that location and closer to the freeway. That will require additional permit review. He noted that the Chair read a very long list of parcels, and more than half of those parcels listed in the application will not have actual solar facilities on them, but rather are only involved due to the corner crossing where a road or power line needs to cross from one project property to another across the checkerboard corner points. Permission to cross those small triangular corners of a non-project property have to be obtained.

Mr. Patterson summarized some of the project components:

- The solar arrays are described in detail in the application materials. They will be on about 2,500 acres of valley floor. Solar panels are mounted on steel pilings driven into the ground. Panels that are approximately 8' long will be mounted on rotating, sun tracking mechanisms with a high point rotation at about 12' above ground although that can vary. He pointed out in a photograph displayed on the screen what a minimal disturbance strategy would look like where they don't clear and grade the entire site. The applicants are proposing this type of approach for this project for much of the area. He also showed an example of areas that would not use the minimal disturbance strategy, so they could see how the land would be cleared for the panels as a comparison.
- There are power inverters interspersed among the solar array groupings to concentrate and alter power. He showed a picture on the overhead screen of the inverter that is white, and this relates to one of the variance applications because the renewable energy facility (REF) requirements in the code requires these to be repainted a different color to blend in with the environment.

Another picture showed the battery yard, which also contains equipment that is white. These are pre-painted at the time of manufacturing. The energy collection system is throughout the solar arrays connecting all of the power handling components and passing power to the substation mostly through underground cabling. The battery energy storage system, which the applicant calls the BESS, allows power to be stored and distributed as needed and is located along Sagehen Creek Road. He demonstrated the battery storage facility, the substation, and the operations and maintenance building on the aerial map displayed. Nearby is the staging area, which is a large area that will be used for bringing in materials and distributing them throughout the project.

- The operations and maintenance building has the central power control office and employee facilities.
- The Gen-tie Line, which is a generation tie line, sends power from the facility westward to the Lantern Switching Station. He showed how the Gen-Tie Line would run along the perimeters to leave the solar array area, go into the hills, and eventually ends up at the Lantern Switching Station.
- The Lantern Switching Station routes power to the above ground power transmission lines. It is located on the hills west of the solar arrays. That is also the road to North Valley, which is where the transmission lines are located. He shared an aerial map of this area.
- The Line Fold Transmission Lines connect the Lantern Switching Station westward, over the hills, to the main transmission lines. It transmits power between the transmission line and the switching station.
- There are two communication towers of different configurations. They are near the Lantern Switching Station—one in the yard and one nearby. They are dedicated to and provide data communication for solar facilities.
- There are internal driveways, replacement roads for the abandonments that were approved, fencing, gates, and security systems around the different facilities. Those will not be obstructing the public access roads around the area.

Mr. Patterson stated that he would allow the applicant time to share their presentation, and then he would summarize the specific issues in the review.

Chair Blakey asked if the applicant had anything to add. Kristine Apikian thanked Mr. Patterson for his great introduction and summary of the project. She shared a short presentation to add a few notes. The project is a very important source of renewable energy for the state. It would help NV Energy meet its renewable portfolio standard requirements, which would be to meet 50% renewable energy by 2030. They are working toward 100% renewable energy by 2050. It would also greatly benefit the county in that there would be over \$72 million in tax benefits that would go to the county over the life of the project and approximately \$10 million in tax benefits that would go to the state over the life of the project. At the peak of construction, they will have upwards of 500 full-time employees for the course of the construction period, which they expect to be between two and a half and three years. She thinks that would also be a benefit to the county's economy.

Ms. Apikian shared more about their schedule, and they expect to be in construction by September 2024. They would like to start with grading for the substation and the BESS yard, and then they would move on to begin grading the Lantern Switching Station areas. They expect to be in full construction by January 2025. The first part of the project, which would be the BESS spoke, would include the BESS facility (battery energy storage systems supplied by Tesla), and the project substation along with the Jump Tie Line and Lantern Switching Station, which would all be completed by May 2026. This would be followed by the solar facility and operations and

maintenance building to be completed by February 2027. They will likely be out in the field for a few months after that to complete the punch work and fully complete the project.

Kristine Apikian noted that they have two EPC (engineering, procurement and construction) contractors—Kiewit, who would be constructing the solar field and the operations and maintenance building, and ECI, who would be constructing the battery energy storage system, the project substation, the Lantern Switching Station, and the Gen-tie line. NV Energy's transmission team will construct the 3422 Line Fold into Lantern, which was shown on the presentation slide of the 3422 Line Fold, and it traverses two parcels that are not owned by NV Energy; however, they are currently in the process of obtaining the grant of easement from each of the landowners there. They currently have a right of entry for both parcels, and they just completed the appraisal of the easement areas for each parcel. They have the grants of easement documents drafted and ready for execution. They expect to have those documents completed within the next month or so.

Ms. Apikian went on to show samples of the monopole tower and the elevation for the lantern tower in her presentation along with the locations marked on the aerial map. Both of these would be in the Lantern area, and the other two would be in the lower left portion of the map at Comstock Meadows and Eagle Ridge North outside of Churchill County. The Comstock Meadows will be an additional monopole in the existing facility, and at Eagle Ridge North they will be adding some dishes to the existing facility.

Kristine Apikian shared more information about how large in size this facility will be. While showing the Sierra Solar Phase 1 slide of her presentation she shared:

- BESS facility, which would generate 400 megawatts of storage with a four hour battery, contain 456 Tesla megapacks.
- Over 1.1 million solar panels will be installed in the solar fields. These will be Solar Series 7 bi-facial panels.
- There will be 115 inverters that would be installed in the solar fields.
- Two to four wells are also expected to be drilled during the construction period, utilizing 250 acre-feet of water per year during the construction phase of the project. They have an existing water right that will be transferred to NV Energy from the previous landowner as part of their purchase and sale agreement with them. They will be able to utilize 9 acre-feet of water from that existing source for the operations and maintenance building, which would be ongoing.

Chair Blakey reminded the commission that this is a discussion item only and then asked if any of the commissioners had any questions or discussion.

Member Goings inquired what the life expectancy is of this project. Kristine Apikian responded that they expect it to last about 30 years. Member Goings questioned regarding the easements for the Line Fold lines and what would happen if that fell apart. It seems that there is a lot designed there on a property that they do not even have an easement on yet. Ms. Apikian remarked that it would derail the project; however, they are confident that they are going to get those signatures.

Member Bunyard asked if they have reached an agreement with these landowners that they just haven't signed yet. Is that what they mean by being confident? Ms. Apikian answered that it is a matter of scheduling the meeting in order to obtain the notarized signatures. They have agreed to it. Member Bunyard mentioned the comment made regarding the revenue generated by the project would be about \$72 million to the county. Will it come through other economic development, or would that be actual tax revenue to the county? Kristine Apikian said that she didn't do the calculations, and they are based upon the most recent calculations and estimates from their team. Mark Warden, NV Energy, confirmed that this is based upon the abated tax revenue. He couldn't

give the exact breakdown right now, but it is calculated and based upon current law and with the current taxes that would be generated by the facility based on property taxes and sales and use taxes. That is calculated, assuming that they would receive an abatement from the Governor's Office of Energy. It wouldn't be at the standard rate, but it would be an abated rate. Member Bunyard understood that they were working toward an abated rate, so it would be a significant reduction to the taxes paid to the county with that abatement. He was curious how they came up with \$72 million. Mark Warden reiterated that was over the life of the project—30 years. He then answered that it is based upon the anticipated abatement that the project would receive from the Governor's Office of Energy. There was more discussion regarding the reduction in the taxes, and Mr. Warden explained that typically in the State of Nevada, in order to encourage the development of these projects as they transition to a renewables economy, the Governor's Office of Energy provides the opportunity for these projects to receive abated tax rates. The number that they shared was based upon that abated rate that they anticipate receiving. They are in the process of submitting the applications for this. Member Bunyard stated that he understands the benefit to NV Energy and this project, but he wasn't sure how that benefits the county by allowing this project. He wondered how the \$72 million comes to the county. Does the difference in taxes come from the Governor's Office to the county? Joseph Sanford explained that the county with its standard property taxes without an abatement would be significantly above \$72 million. In this case, the county would have a standard tax roll and the \$72 million would come through that assuming they are using standard depreciation with no special depreciation or unique requests. These things affect the calculation of the property tax. He understands that due to the size of the project the \$72 million would be property taxes regularly incurred post abatement. Mark Warden agreed and said that the county would receive the sales and use tax at the time of the operation of the facility on the equipment, and then the property taxes would be provided to the county during the normal tax collection process. It would just be at a reduced rate if the abatement is granted. Member Goings inquired if all of the buildings, operation and maintenance areas, towers, lines, etc. would be included in the abatement. Mr. Warden replied that the abatement is on the entire project.

Chair Blakey asked the applicant to talk about the potential for glare. Joseph Sanford, DDA-Civil, noted that Dean Patterson had some information related to this in his report and that he was planning to go over some of the concerns that staff may have. He thought this might answer some of the questions that the commissioners may have.

Dean Patterson continued sharing information from the staff report regarding the review of the application and identifying potential impacts. He stated that the staff report provides a review of the five special use permit criteria, which identifies a number of specific issues that result in recommended conditions of approval. He went over these:

- Criteria 1 is about compatibility with the nearby area. They did not find any compatibility issues.
- Criteria 2 is about conformance with the Master Plan and county code. After reviewing the normal code subjects, he found only minor conformance issues except for those related to the requested variances. Some of these issues have conditions of approval recommended for them. The staff report also reviewed the renewable energy facility (REF) code and found only minor conformance issues except for the REF coloration requirement variance request. Some issues have recommended conditions for them as well. These include coordination with NAS Fallon; addressing traffic impacts and road maintenance; obtaining water for construction and operations—this is underway in a satisfactory manner; providing closure, removal, and post closure plan with a bond; and providing monitoring reports for both weeds and glare.

- Criteria 3 is about public services and infrastructure. The main issue under this criterion is that large battery facilities can be prone to fire and explosions, along with the potential for hazardous fire fighting conditions and hazardous materials being released. This is not normal or expected, but like a fuel storage facility, you need to have containment protocols, and staff recommends that a containment and contamination cleanup plan be developed.
- Criteria 4 is about road and traffic impacts during construction and operations. There will be a lot of traffic during construction—about 20 large delivery trucks per day and workforce traffic of around 460 persons according to the submittal. The traffic will use the I-80 interchange and Sagehen Creek Road. Nevada Department of Transportation (NDOT) and the Churchill County Road Department have been notified of the project. No comments have been received from NDOT and staff recommends a condition of approval that their requirements be met. The Road Supervisor is satisfied with the code requirement for a road maintenance agreement, so that any damage to the road during construction is repaired. Lastly, staff recommends a condition for approval that modern public road easements be established for all of the roads on the project property, including Sagehen Creek Road and the road to North Valley.
- Criteria 5 is about environmental impacts. There are many identified potential impacts in the staff report. These often result in recommended conditions, most of which are fairly standard. He noted a few of these:
 - The potential for glare impacts, which is discussed in detail in the staff report. While glare should not be a problem based on the glare study that was provided, the points of glare do get close to the roads in some locations being 17 feet above the road in one location. There is a recommended condition to require monitoring of glare on local roads to account for the discrepancies between the study data and on the ground conditions. The study data may have inaccurate information that real life conditions may find result in a different outcome.
 - Covering multiple square miles with solar panels may not affect any threatened or endangered species, but the Nevada Department of Wildlife (NDOW) has expressed concerns about migrating wildlife. Also, the applicant's study noted the potential to encourage invasive weeds.
 - Related to the variance to waive the stream protection requirements, at this location streams mainly pass flash flood waters and the sediment that those floods move. Covering the stream pathways with panels should have minimal impacts, but the grading plans show some extensive grading of ravines and deep fill in the channels up to the property lines, which will increase flooding and sedimentation on adjacent properties. The recommended condition would not allow this. He understood that the applicant provided some additional information that the grading plan was preliminary, and it should not be a problem to deal with the potential issue of causing additional flooding and sedimentation on adjacent properties. In addition, property line fencing that captures debris, flood flows and sediment would also do the same thing, and the recommended condition would not allow that.

Staff recommends approval of this special use permit.

Dean Patterson went on to discuss the four variance applications. These are reviewed against the variance criteria in the staff report.

- Setbacks – the request is to reduce the road and rear setbacks mainly for solar arrays because the roads are following around the solar array areas. Staff recommends approval, but recommends simplifying the variance to be all setbacks reduced to 30' except for Sagehen Creek Road, which would remain 60'.
- Landscape – the request is to waive all substantive landscaping requirements. Staff

recommends approval since this is a remote, desert location.

- REF coloration – the request is to waive the coloration requirements to allow the prepainted white color for the BESS and inverter components that are prefabricated. Staff recommends approval since darker colors could increase interior heat and affect electronics function.
- Stream protection – the request is to waive the stream protection and easement requirements so that streams can be graded and rerouted around component facilities and so that panels can be installed within the stream channels. This includes the steep areas adjacent to streams, such as ravines, gullies, and steep sided washes. The staff report does not have a recommendation and leaves the decision to the Planning Commission. The consequences are discussed in detail under the special use permit criteria relating to environmental impacts.

Member Goings questioned regarding NDOW being involved in this review. Has NDOW made their recommendations on this? Mr. Patterson stated that they provided comments sharing their concerns about migration patterns of wildlife in the area. He imagined that it had to do with the larger animals, like antelopes. There is a state law requiring communication between a major power generator and NDOW. As he understands Kristine Apikian has been in touch with them and could probably provide the latest information about their communications. Ms. Apikian remarked that they have been in contact with NDOW, and other than what was expressed by Mr. Patterson they haven't made any additional comments. Mark Warden stated, with respect to the migration, that this is in the checkerboard area, and they will only be fencing the one square mile that belongs to them. There would only be fencing on the four parcels they own, and the remaining properties would not be fenced. He didn't think it would inhibit any migration in that way.

Dean Patterson believes that Ms. Apikian has been in contact with NAS Fallon and said that the county hasn't had any communication with them. Since this is a requirement in the renewable energy facility code, he thought she could share what they have discussed. Kristine Apikian said that this effort is ongoing. NAS Fallon seems supportive, and they will continue to work with them.

Member Hyde stated that he was really happy to be here talking about a project that would benefit the county and the state instead of something like a hazardous waste facility. He asked staff regarding the setback on Sagehen Creek Road being different than the others. Dean Patterson explained that the way the code is set up, any road with over a 25 miles per hour speed limit has an extra 30' added on to the setback, so the base setback is 30', then you add another 30', and that makes it 60'. When it comes to the solar arrays, which is where most of these roads will be next to, staff didn't feel that it was a problem to reduce the setback to the base of 30'. Since Sagehen Creek Road has trucks going by at much faster speeds than they may be on the perimeter roads, it made more sense to keep that area at 60'. The applicant's materials also show that it is 60'. Mark Warden confirmed that they designed it that way, anticipating this requirement.

Member Hyde, regarding the variance application for the REF Coloration, wondered why they would want to give a variance for this. If he read this correctly, it seems like almost no one will be out there, and he wasn't sure if they would have to worry about safety. There are two Bureau of Land Management (BLM) grazing permits in that area, where you may have individuals pushing cows or whatever. He is understanding that the variance is so that they won't have to label things related to safety. Kristine Apikian pointed out that there is a thermal impact on the equipment and the function of the equipment if they are colored in a darker color than the white as they are premanufactured. Member Hyde said that he may have misunderstood, but he thought that the REF coloration was a system of coding and coloring items for protection. Is that not the case? Mark Warden interjected that as he understands the code requirement is to make things simply blend into the environment making it more aesthetically pleasing. This would be a darker tan color like the

color of the geothermal pipes that can be seen driving to Fernley. The issue with this is that this is quite a way from anyone that would ever see it, so from an aesthetics perspective it won't really be seen like the geothermal pipes that are right next to the road. Also, is that this is highly sensitive electronic equipment that has been designed to very exact specifications. Tesla is very sensitive about any changes that they want to try to make to their equipment. They felt that it would likely delay the project significantly, and they were not confident that it would ever be accepted by the equipment manufacturer to change the color.

Member Hyde verified that the project will be completed in 2027, and the longevity is 30 years, and there is a BLM right of way of 10 years. Kristine Apikian confirmed except the BLM right of way would be indefinite once they have the corner crossings process completed. Member Hyde wondered if there was a way that the citizens of Churchill County could benefit from a reduction in energy rates. Mark Warden thought that was something that is outside of their expertise. That would go into the way that rates are made and all of those types of things. There was some discussion regarding the power that is generated in the county and tracking where it goes and so forth. Mark Warden pointed out that there are franchise agreements that they enter into with local government entities. He also mentioned that there is a benefit to the county from a reliability perspective. Having the generation right in their back yard, if there is an issue somewhere on the grid, they have the electricity there. He wasn't the expert in the routing of the power to the community, but they would have it right here as opposed to pulling it from somewhere else. There was some discussion regarding the transmission of power and line folds. Member Hyde inquired if the battery systems are designed to hold power for four hours. Kristine Apikian agreed. Joseph Sanford, DDA-Civil, clarified that Churchill County cannot and would not condition approval on any type of benefit provided outside of the code requirements.

Member Goings questioned regarding the variance for the stream flows. We know that there is no live water out there, but those existing stream flows are typically there due to thunderstorms with a massive amount of water that comes down through there. Based upon the information that he read, at some point the applicant would have to interrupt those flows. Is there anything in the plans that would show them how they intend to interrupt those or change their directions or whatever, that will not impact the neighboring properties or existing roads? Kristine Apikian introduced the engineers from Kiewit to answer that, and she pointed out that those plans are still in development. Mike Gammill-Area Manager and Kolby Poteet, Project Civil Engineer, with Kiewit Power Constructors stated that they are aware of those drainage ditches/channels. They have to do some leveling of those ditches, "smoothing", in order to get the racking system that holds the modules/panels up to be within specifications. They are buying racking that would bend and contour with the terrain and will leave things as much as they can; however, there are some edges that are pretty steep. They will fill them in while widening and softening them to allow the same flow in direction without damming it up in adjacent properties. They need to soften those up to put it in specification with the racking system. They are not in final design, but will keep the same direction, volume, and try to keep the same water flow velocity and volume. Mr. Poteet described that they run a 2-D model on the existing and proposed situation and evaluate all of the depths in areas and where the flow is going throughout the site. Mr. Gammill then stated that once they are finished with the final design, they will provide a hydrology report. Member Goings asked if the county would have its representative be able to see those as well? Will that be something that we need prior to approval? Director Hines wasn't sure why the variance is requested if the intent is to leave them as they are, unless they are being modified. Mike Gammill responded that they will affect the shape of the channels or drains/ditches. Mr. Hines verified that they are leaving them

where they are, but they are modifying the dimensions. Mr. Gammill agreed. Dean Patterson said that we have the requirements (conditions of approval) and as they start building and constructing there will be grading permits, and we will have a chance to look over these and ensure that they are not creating a problem for adjacent properties. Joseph Sanford, DDA-Civil, said that this commission may not review and make a decision on these reports; however, the conditions will establish a requirement to get approval of these plans. Member Goings expressed his concern that by fixing one problem it could create others, and he wanted to make sure that this project doesn't create another problem. He thinks that this is a concern that anyone making a decision on this project would like to have answered. Director Hines followed up with Kiewit, who will be modifying the channel (keep the same alignment, but change the channel), and stated that they have two of the last six years where there was a significant amount of water in this valley, and if we modify those, is there any provision for stabilization, erosion, etc. He wanted the commission to have a better idea of what they plan to do. Mike Gammill explained how they would do this. Director Hines assured the commissioners that the county will review the plans. Staff proposes to send these out to a third party for review also. Member Goings felt more comfortable after Mr. Sanford pointed out that the recommended conditions would ensure that the county gets to review and approve the plans. Mark Warden said that Kiewit is one of the largest constructors in the United States and have done some of the biggest and most complex, civil projects in the nation. He has a high level of confidence that they will get the water modifications done properly. Director Hines reassured the commissioners that they will be sending these out for third party review and comments as well as requesting a third party for the testing and inspection. This will not be done in house.

Member Goings asked for clarification that it was stated there will be a million panels when it is completed. Kristine Apikian confirmed this to be accurate—over a million. Member Goings inquired if that would be the largest solar array project in the United States. Mark Warden said that the largest one that was done in the state was Gemini, which is located in southern Nevada by Valley of Fire, and is 690 megawatts. They have a power purchase agreement with that supplier. They didn't build it, but they are the off taker for that project. They just signed a power purchase agreement (PPA) with a company called Arrivia for 700 megawatts, so that one just barely surpassed that project. That is in the Esmeralda area. This is a large project, but it is not the largest in the state. In other parts of the world, particularly in China, they build them incredibly large. They don't have the benefit of Planning Commissions that we do to make sure that construction and development are done in a way that is harmonious with the needs of the community and the environment, so they just build some very large projects out there.

Director Hines informed that the county would take care of the drainage stuff in the design, and the other one that staff had a concern with was for glare. He wanted the applicant to address the concern for potential impact. He shared an example of a potential issues, and then he asked what the ease of adjustability on those panels to alleviate that, or what is that process? Mark Warden reiterated that they do not anticipate any glare off of those panels. These are First Solar Series 7 panels, which is the latest technology developed and made in the United States with an anti-reflective coating. They are likely going to be seeking domestic content benefit, so they will be sourcing all US steel and components. He has been assured that there will not be any glare, and they are on a tracking system, so the tilt can be adjusted on those panels. He didn't think that Phase 1 would even be seen from I-80. Director Hines agreed that I-80 will probably not pose the problem; however, the guy driving on the other roads—hunters, truck drivers, etc.—could be affected by a glare. Mark Warden noted that these are not concentrated solar panels. There are different

technologies related to solar, and he went over these and gave examples.

Member Hyde inquired what happens at the end of the 30 years, which is the life expectancy of this project. Mark Warden said that it is difficult to answer at this time. They don't have an exact plan right now because they aren't sure how long the project will actually last. This is on private property. The technology is to a point where there is an estimated life, but none of those panels have reached that number of years to show whether they will exceed that lifespan. He mentioned that there is a robust, in house, recycling program for these solar panels. They haven't executed an agreement for that yet because they are still in the early years of this type of technology. Member Hyde thinks there should be a plan in writing regarding what would be done. He shared examples of open mines where there were no plans for reclamation that are scaring our lands. At the end of the project, he doesn't think it would be of benefit to leave these in place because they are not as beautiful as nature. Mark Warden said that Dean Patterson mentioned that one of the conditions would be a decommissioning bond, which would require that they decommission it. He gave an example of what they have done by decommissioning some of their other facilities. Joseph Sanford, DDA-Civil, said that there is a requirement already for some form of decommissioning bond. If they want to replace the panels with newer ones, that would be allowed. Even though we do not know what the plan is because we are not sure on the exact life of the project or whether it will be renewed, the facility will not be permitted to be left out there.

Director Hines believes that Kristine Apikian mentioned that there would be 500 employees during the construction of the project, and she replied that it would be up to 500 employees at peak construction. Director Hines stated that this was a little different than what was in the application if he remembered correctly. It was determined that they said 460 in the application. Director Hines noted that staff is looking at the road maintenance agreement, and he wanted to bring this up as a reminder due to the wear and tear on the road. Mark Warden remarked that he believes that the intent of Kiewit is to actually shuttle people. They would have a staging/parking area. Mike Gammill agreed that they would likely have traffic in on Sagehen Creek Road to the staging area, and then there would be another road that would be used for construction and traffic out to alleviate some of that concern. Joseph Sanford, DDA-Civil, restated that the 500 employees would be during the construction period only, and then operationally it would be a significantly reduced number—Mr. Warden and Ms. Apikian confirmed it might be two or three. Chair Blakey thought that if they are going to have that much traffic, they would mitigate the road all of the time because they don't want to tear up their equipment and trucks. He agreed that it should be in the road agreement that starts when they start construction. He assumes that someone from the county would go out there periodically to confirm that the agreement is being met. Director Hines explained that he was under the impression that 500 employees would be after construction, not during. Member Goings shared an example of the road situation with Dixie Valley Road. Now it is back to a gravel road from something that used to be paved. Director Hines stated that the intent is to put the road back as it is now or better when the construction has been completed. Mark Warden questioned how long the peak employment period might last, and Mike Gammill thinks that it would be 8-10 months on the solar field at full production. Mr. Warden said that after that has been done there would just be operations and maintenance traffic. Director Hines encouraged them to coordinate with the mine during construction because they use that road quite often and it cannot be blocked off. There will need to be some traffic control implementation there and coordination with the mine traffic so that they can still operate as well.

Chair Blakey noted that during the discussion of Item J there was also discussion on Item K. He asked if the applicant had anything to add for Item K since he hadn't announced what they were

discussing for Item K. Kristine Apikian expressed appreciation for the commission considering this project. Chair Blakey inquired if there were any questions or discussion from the commissioners regarding Item K. There were none. He then called for public comment for either Item J or Item K, and there were none.

Due to an error on the posted agenda, no decision could be made at this meeting. This application was forwarded to the July 10, 2024 meeting for a decision.

Joseph Sanford, DDA-Civil, noted that the county will be working with NV Energy to accept their plans and proposals in the interim based upon the possibility that this is approved as presented. Hopefully, there won't be any delays. Mark Warden expressed thanks for the thoughtful questions and consideration. He appreciates Randy Hines and Dean Patterson's efforts to work through this complex project. Chair Blakey thanked the applicant for attempting to bring this project to Churchill County.

K. Consideration and possible action re: Variance applications filed by Kristine Apikian of NV Energy related to the Sierra Solar renewable energy facility - phase 1. The properties are located on Sagehen Creek Road, north of the Interstate 80 Nightingale Exit, Assessor's Parcel Numbers 004- 331-01, 004-331-11, 004-351-02, 004-351-03, 004-351-04, 004-351-05, 004-351-07, 004-351-08, 004-351-09, 004-351-10, 004-351-11, 004-351-14, 004-351-15, 004-351-16, 004-351-21, 004-351-22, and 004-351-36, in the RR-20 zoning district. The applications request to reduce County Code requirements as follows:

- 1) Reduce front setbacks from public roads from 60 feet to 30 feet.
- 2) Waive the landscaping requirements.
- 3) Waive the stream protection requirements.
- 4) Waive the Renewable Energy Facility color requirements.

Discussion for this item was combined with the previous agenda item.

Due to an error on the posted agenda, no decision could be made at this meeting. These applications were forwarded to the July 10, 2024 meeting for a decision.

10. Consent Agenda: All matters listed under the Consent Agenda are considered routine and may be acted upon by the Planning Commission with one action and without an extensive hearing. Any member of the board or any citizen may request that an item be taken from the Consent Agenda, discussed and acted upon separately during this meeting.

- A. Consideration and possible action re: Termination of a temporary use permit previously granted to Shawn & Casey Reich for temporary quarters during home construction at 4886 Oran Road, Assessor's Parcel Number 006-292-74, on August 9, 2023. The applicants decided not to enact the permit; therefore, it should be terminated.
- B. Consideration and possible action re: Termination of a special use permit for three (3) Utility/Wireless Tower sites previously granted to Michael J. Clark for property located at 5787 Mission Road, Assessor's Parcel Number 007- 551-44, on April 14, 2021. The permit was not enacted; therefore, it should be terminated.
- C. Consideration and possible action re: Termination of a special use permit for a home based HVAC and plumbing contractor business previously granted to Dustin Galdarisi. The property is located at 4375 Sheckler Road, Assessor's Parcel Number 006-231-71. The applicant has moved the business to a commercial location and no longer needs the permit; therefore, it should be terminated.
- D. Consideration and possible action re: Termination of a temporary use permit previously

granted to John Warkentin for temporary quarters for hardship/caretaker at 5340 Cox Road, Assessor's Parcel Number 008-121-70, on October 13, 2021. The applicant responded that the permit is no longer needed; therefore, it should be terminated.

Member Bunyard moved to approve the consent agenda as submitted. Member Goings seconded the motion and the decision carried unanimously (4-0).

12. Public Comment:

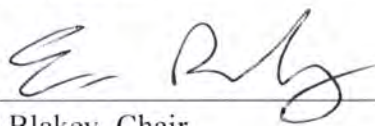
There were none.

13. Adjournment:

There being no further business to come before the Planning Commission, Chair Blakey adjourned the meeting at 9:28 p.m.

14. Appendix:

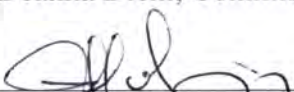
Supporting Documentation

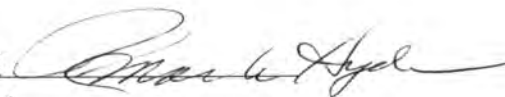
Approved: 
Eric Blakey, Chair

Approved: Not Available
Scott Nelson, Vice Chair

Approved: Not Available
Zack Bunyard, Commissioner

Approved: Not Available
Deanna Diehl, Commissioner

Approved: 
Jeff Goings, Commissioner

Approved: ~~NOT AVAILABLE~~ 
R. Mark Hyde, Commissioner

Approved: 
Paul Picotte, Commissioner

ATTEST: 
Diane Moyle, Administrative Assistant



CHURCHILL COUNTY
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STAFF REPORTS FOR
PLANNING COMMISSION MEETING – June 12, 2024

LIST OF STAFF REPORTS

- Denver Nygren Sending Site Application Page 2
- George and Anne Taylor Temporary Use Permit for General Purposes Page 3
- Henry Schenkel Temporary Use Permit for Home Construction Page 5
- Banner/Harrison Special Use Permit for Ambulance and EMS Station Page 7
- Monarch Construction Variance from Sign Standards Page 10
- Wild West Duck Dogs Special Use Permit for Kennel and Training Facilities Page 12
- Desert Properties R.U.S Special Use Permit for Multi-Tenant Complex Page 16
- Gracie Jiu-Jitsu Fallon Special Use Permit for Personal Training Classes Page 22
- Lahontan Valley Bird Dog Club Special Use Permit for Gun Club/Game Hunting Page 26
- Sierra Solar Major Special Use Permit: Page 29
 - for Major Power Generation Facility / Renewable Energy Facility
 - for associated Utility Transmission Lines – Level 2
 - for associated Communication Towers X2
- W/ 4 Variance requests:
 - to reduce Setbacks
 - to waive Landscaping requirements
 - to waive REF Coloration requirements
 - to waive Stream Protection requirements
- Consent Agenda Page 48

Application:	Transfer of Development Rights – Sending Site
Applicant:	Denver Nygren
Owner:	Denver Nygren
Site:	6725 Stillwater Rd (APN 009-091-05) – 80.00 ac.
Designations:	Master Plan – Agricultural // Zoning – A-10

Summary: This application is for approval of a Sending Site and Transfer of Development Rights calculation. Almost the entire property is water righted, with the remainder being canals, drains, county roads, farm road, farm work area, and home site area. See the maps.

Sending Sites have minimum requirements:

- 20-acre minimum parcel size or identified as a special site (CCC 16.14.050).
- Areas removed from irrigation or stripped of vegetation do not pose a dust liability (CCC 16.14.030.D).

Sending Sites must provide a community benefit listed below, by means identified in CCC 16.14.030.B:

- Agricultural preservation and retention of water rights.
- Protection of military operations.
- Protection of water recharge areas.
- Protection of open space.
- Protection of wildlife habitat.
- Providing public access.
- Other special benefits.

This property qualifies for the minimum standards by meeting the acreage requirement and dust control requirement. This property provides community benefit by

- a) Agricultural preservation with water rights retention on nearly the full acreage of all parcels.
- b) Protection of military operations on both parcels.
- c) Protection of water recharge areas.

The Sending Site Committee reviewed the application on May 20, 2024 and recommends approval of the sending site. The Committee recommended a total of 98 TDRs.

STAFF RECOMMENDATION: **APPROVAL**

MOTION: The motion should be modified by the Planning Commission as needed.

☐ Based on the information provided in the application, in the staff report, and this meeting, I move to recommend the following to the Board of County Commissioners:

- a) approval of the Sending Site application for Denver Nygren based on providing the community benefits of preserving 80.0 acres of farmland with surface water-rights; protecting nearby military operations and protection of water recharge areas; and
- b) approval of 98 TDRs for the same property.

Application:	Temporary Use Permit – General Purposes
Applicant:	George and Anne Taylor
Owner:	George and Anne Taylor
Site:	4909 Solias Rd (APN 006-435-35) – 5.01 ac.
Designations:	Master Plan – Agriculture // Zoning – A-5

Summary: This application is the result of Code Enforcement action. The applicant is requesting a Temporary Use Permit for a Temporary Quarters for General Purposes to allow a 2006 recreational vehicle (RV) on the property. The RV is already on-site and set up for use.

The applicant seeks to provide temporary housing for their son, Eric Taylor, while he searches for stable employment and affordable pet-friendly rental housing. The application states that Eric had to move out of the home he was sharing with his significant other when the relationship came to an end and was then laid off from his job due to workforce reductions. He has been doing odd jobs for local farmers but does not make enough to afford a rental. Eric will live in the RV while the applicants reside in the permanent home.

The RV is located on the southwest area of the property and shares utilities with the permanent home, pending approval from the Building Department. Access is from Solias Road. The surrounding parcels are similar large-lot residential or vacant land. The RV is parked behind mature trees, providing concealment from view, and appears to meet setback requirements.

Criteria Review: CCC 16.08.070(F) Findings requires the Planning Commission to find that the criteria for a general-purpose quarters in CCC 16.08.070(B)6 are met. The applicant has a burden of proof to provide evidence supporting the request. The criteria is:

A temporary residence for a person or persons for a purpose that is similar to and not more obnoxious or detrimental to uses listed in subsections B1 through B5 of this section. Evidence must be provided that demonstrates an extraordinary need and demonstrates attempts to find an alternative accommodation.

This request differs from other Temporary Use Permits, which typically serve purposes such as caretaking for the elderly or disabled, farm help, commercial watchman duties, or home construction. The proposal is to allow general RV living, which is not permitted under Churchill County Code. However, the applicants argue that this situation is not more detrimental than other temporary quarters allowed by code. The applicants (Eric's parents) previously had an approved temporary use permit to live in their RV during home construction at the same address, and this situation is not any more detrimental than that.

UPDATE: As of May 24, 2024, Eric has started a new full-time job and is saving to move into permanent housing, but given current market conditions and his three pets, it may take some time to secure a lease. Therefore, staff recommends a limited duration approval of no more than six months to allow Eric time to find permanent housing.

STAFF RECOMMENDATION: **LIMITED APPROVAL** for no more than six (6) months.

MOTION: The motion should be modified by the Planning Commission as needed.

Based on the information provided in the application, in the staff report, and heard tonight, I move to find that the criteria found in CCC 16.08.070(F) **HAVE BEEN** met and therefore **APPROVE** the Temporary Use Permit for Temporary Quarters for general purposes for George and Anne Taylor. This approval is subject to conditions, as listed in the Staff Report.

Recommended Conditions (NOT PART OF MOTION): Based on code requirements and issues raised during review of the project, the following conditions of approval are recommended to be included with any approval:

1. This temporary use permit is approved for six (6) months and will be terminated thereafter.
2. The temporary quarters must comply with Churchill County Code. The applicant shall work with the Code Enforcement Officer to bring the property into compliance with County Code.
3. All required Building Department approvals and safety certificates must be obtained, including any required set-up permits, and any inspections of water, septic and electrical connection.
4. The temporary quarters must use temporary construction practices. It may not be placed on a permanent foundation; and must use the existing water well, power supply, and septic system unless deemed infeasible by the Building Department, in which case an alternative solution must be used to the satisfaction of the Building Department.
5. When the temporary quarters is no longer needed or after the six (6) months, whichever comes first, it must be removed from the property or otherwise made to be conforming according to county requirements.

Application:	Temporary Use Permit – Home Construction
Applicant:	Henry Schenkel
Owner:	Henry Schenkel
Site:	10073 Carson Highway (APN 007-231-03) – 22.25 ac.
Designations:	Master Plan – Agricultural // Zoning – A-10

Project Summary: The applicant is requesting a Temporary Use Permit for Temporary Quarters during Home Construction. The applicant initially came in to discuss his plans for placing a manufactured home on his property when staff discovered that he was already living in his RV on the property and informed him that he would need to obtain a Temporary Use Permit to continue living in his RV until his manufactured home is installed. The applicant immediately submitted this application to remedy the issue.

Criteria Review: CCC 16.08.070(F) Findings requires the Planning Commission to find that the criteria for temporary quarters for home construction in CCC 16.08.070(B)4 are met. The applicant has a burden of proof to provide evidence supporting the request. The criteria are:

“On a lot or parcel when the temporary living quarters are parked on the same parcel of land and utilized as a temporary residence during the construction or placement, renovation, or remodel of an on-site permanent dwelling. The temporary use permit shall be subject to yearly renewals and shall terminate upon expiration of the building permit or within thirty (30) days of the issuance of a certificate of occupancy or if the Planning Commission denies the renewal. Each yearly renewal will require evidence of substantial progress toward the construction or placement of the permanent residence in order to be granted.”

The RV, a 1985 model year travel trailer, is currently set up on a neighboring parcel owned by the applicant (#2 on the site plan). The applicant plans to move it to parcel 007-231-03 once power, well, and septic systems are installed, which may have been completed by the time of this meeting. The RV will be located in the center of the north half of the parcel, connected to future home utilities. The applicant expects to need this Temporary Use Permit for less than a year. He has secured funding, ordered a new manufactured home, and expects it to be ready in a few months, with funding covering all installation costs. He has obtained a septic permit, drilled a well, and is working with NV Energy for power connection.

Access is a concern, as the parcel has access easements without a physical road and a physical road without access easements. The applicant currently uses a road crossing a Bureau of Land Management (BLM) parcel from the Carson Highway and is applying for BLM permission to continue using it. If not approved, he will construct a road within his easements. Both TCID and Fire have provided comments regarding the access issues. TCID stated that the ditch road cannot be used unless permission is obtained from the Bureau of Reclamation (BOR). The applicant does not intend to use the ditch road. The Fire Marshall is requiring an all-weather access road that will support a 68,000 pound fire apparatus to within 300 feet of any structures which must be confirmed by a qualified engineer.

STAFF RECOMMENDATION: **APPROVAL**

MOTION: The motion should be modified by the Planning Commission as needed.

- ☐ Based on the information provided in the application, in the staff report, and heard tonight, I move to find that the criteria found in CCC 16.08.070(F) **HAVE BEEN** met and therefore **APPROVE** the Temporary Use Permit for Temporary Quarters during home construction for Henry Schenkel. This approval is subject to conditions, as listed in the Staff Report.

Recommended Conditions (NOT PART OF MOTION): Based on code requirements and issues raised during review of the project, the following conditions of approval are recommended to be included with any approval:

- 1) The temporary quarters must comply with Churchill County Code, including but not limited to:
 - a. Permission must be obtained to utilize the BLM road, or
 - b. An access road meeting County standards shall be constructed within existing legal easements, capable of supporting a 68,000lb fire apparatus in all weather conditions, as verified by a qualified engineer.
- 2) All required Building Department approvals and safety certificates must be obtained:
 - a. Any permit necessary for the setup of the temporary quarters must be obtained along with any required inspections of water, septic and electrical connections of connecting to a service.
 - b. All necessary permits for manufactured home placement must be obtained.
- 3) The temporary quarters must use temporary construction practices. It may not be placed on a permanent foundation; and must use the existing water well, power supply, and septic system unless deemed infeasible by the Building Dept.
- 4) This temporary use permit is subject to annual renewal. ***The applicant must show substantial progress of home construction during the annual review hearing.***
- 5) Once home construction is complete enough to allow habitation, the RV must be disconnected from sewer/water/electric services and made lawful at its subsequent location.

Application:	Special Use Permit
Use Listing:	Emergency Services
Applicant:	Mike Berney, Banner Churchill Community Hospital EMS
Owner:	Alan and Tracy Harrison, Reno Highway Properties LLC
Site:	4490 Reno Highway (APN 008-461-15) – 3.41 acres
Designations:	Master Plan – Urbanizing // Zoning – C-1

Summary: Banner Churchill Community Hospital’s Emergency Medical Services (EMS) is a hospital-based ambulance service that covers the entire 5,000 square miles of Churchill County and occasionally provides assistance outside the County. Banner Churchill EMS is proposing an expansion of their current services to operate on the western side of the community. They will use an existing building leased from Alan and Tracy Harrison of Reno Highway Properties and Stockman’s Equipment Rental.

Banner Churchill EMS plans to store ambulances inside the shop and will make several tenant improvements to the building. These improvements include creating a lounge space for the Emergency Medical Technicians (EMTs) to rest between calls, two restrooms, and a breakroom. The facility will operate 24 hours a day, seven days a week, and will be staffed with 2-4 EMTs at all times.

The building will not be open to the public, as it is intended solely for the use of EMS personnel. Stockman’s Equipment Rental will continue to store their rental equipment on the property, as shown on the site plan. This strategic expansion aims to enhance emergency medical response times and coverage in the western areas of Churchill County, ensuring better access to critical care for residents and visitors.

Criteria Review: CCC 16.08.080(H): Findings from a preponderance of evidence must indicate that the proposed use:

1. Is compatible with the existing surrounding land uses and development.

Surrounding land uses are predominantly commercial, including construction contractors, mini storage facilities, HVAC companies, and plumbing services. There is a residential property to the east and a mobile home park located across the Reno Highway from the property. With the majority of neighboring properties being commercial, the proposed EMS service a suitable addition to the area. It aligns well with the current commercial activities, which ensures that it will not disrupt the existing business environment. While there is a residential property to the east and a mobile home park across the highway, the facility will not be open to the public, reducing noise and activity levels compared to more public-facing commercial enterprises.

2. Is in substantial conformance with the master plan and policies and will be constructed and operated in full compliance of this code.

The **Master Plan** establishes land use districts that are implemented by the zoning districts. **Emergency Services are a listed use** in the use table for the C-1 zone, needing a SUP to be approved. Most Master Plan policies are not applicable to the development of commercial uses or are neutral in terms of general commercial activity. The main applicable section in the Master Plan is Chapter 11 Land Use, which requires protection of the community from new development.

GOAL LU 2 All new development must be comprehensively designed to ensure a sustainable, safe, and healthy environment that integrates into the surrounding neighborhoods.

Policy LU 2.1 In reviewing any development proposal Churchill County shall consider issues of community character, balance, sustainability, environmental impact, safety, aesthetics, and efficient service provision.

Compatibility issues are discussed under criteria 1 & 5. Environmental Impacts are addressed in Criteria 5.

The proposed development must conform to the County Development Code. Conditions of approval will address specific issues, including:

- **Setbacks and Easements:** The EMS service will utilize an existing building and no new buildings are proposed. The existing building meets the necessary setback requirements.

The property contains a drainage easement on the north side which will not be impacted by operations on the property.
- **Friction Zones:** The Code requires a buffer between commercial uses and adjacent residential uses. There is a residence next door, however the site has long been a commercial use next to the residence which will not change with this application.
- **Sewer and water facilities:** The site is currently served by an onsite well and septic system. The NDEP Bureau of Safe Drinking Water has reviewed the application and discussed the project with the applicant. This site does not meet the definition of a public water system and will not be required to be regulated by the state as such.
- **Parking and Loading Requirements:** Emergency services does not have specific parking requirements, so it is determined by the Public Works Director. The application does not propose a specific number of spaces, though the size of the open lot provides more than adequate space for parking.
- **Landscaping:** The landscaping requirement is not triggered by a change in use when no expansion is proposed. This project does not propose an expansion, and the property has always been neatly maintained and free of weeds. Landscaping is not required.
- **Lighting & Signage & Outdoor Storage:** The EMS service will utilize existing lighting on the building. Any new lighting would be required to meet Dark Skies requirements. Signage is not specifically proposed, though the application states that it would be placed on the building if Banner Churchill EMS decides to add one. No outdoor storage is proposed.

3. *The project will be constructed and operated in a manner that will not overburden public services and infrastructure.*

The site is currently served by a private onsite well and septic system. Public water and sewer infrastructure will not be affected. Power and telecommunication service exists on-site. Public road infrastructure is discussed below.

Police and fire service demand is unlikely to be increased. The Fire Marshall has reviewed the application and has no objections or suggestions. Services will not be overburdened.

4. *Adequately mitigates road and traffic impacts generated by the construction and build out of the project.*

The property takes access off the Reno Highway. The applicant anticipates a maximum of 16 trips per day. Ambulance services typically involve fewer vehicle movements than retail or high-traffic commercial businesses, so the EMS operation is expected to generate less traffic entering and exiting the highway compared to other commercial operations. The Reno Highway can accommodate this minor increase in traffic.

5. ***Does not create adverse environmental impacts, including, but not limited to, noise, glare, fumes, and odor that may be detrimental either to public health, public safety, or general welfare of the persons or property in the vicinity or the wildlife and/or natural resources.***

Primary environmental concerns include the potential disturbance caused by the flashing lights and sirens of ambulance vehicles to nearby residences. However, given the predominantly commercial setting, the impact of the EMS service on the neighborhood would be minimal. One reason that Emergency Services normally require a Special Use Permit is the disruption to adjacent residential uses from lights and sirens. Although the light and siren activity would be more noticeable for the home to the east and the mobile home park across the highway, the EMS operation is better suited here than in more residential areas of the county, where the disturbance could be more significant. A recommended mitigating measure is to not use the sirens until the vehicle has entered the highway.

STAFF RECOMMENDATION: **APPROVAL**

MOTION: The motion should be modified by the Planning Commission as needed.

- ☐ Based on the information provided in the application, in the staff report, and heard tonight, I move to find that the criteria found in CCC 16.08.080(H) **HAVE BEEN** met and therefore **APPROVE** the Special Use Permit for Banner Churchill Community Hospital EMS. This approval is subject to conditions, as listed in the Staff Report.

Recommended Conditions (NOT PART OF MOTION): Based on code requirements and issues raised during review of the project, the following conditions are recommended for any approval:

1. The project must be in conformance with County Code, including but not limited to:
 - a. A business license must be obtained and maintained.
 - b. All necessary building permits must be obtained.
 - c. ADA accessibility criteria must be met as deemed necessary by the Building Department.
2. Operations shall be conducted in a manner that does not create a nuisance (public or private) under Nevada law or Churchill County Code.
3. It is recommended that the use of sirens be avoided where possible until the vehicle has entered the highway.

Application:	Variance from Sign Standards
Applicant:	Arthur Johnson, Monarch Construction
Owner:	Arthur Johnson, Monarch Construction
Site:	4510 Reno Highway (APN 008-472-48)
Designations:	Master Plan – Urbanizing // Zoning – C-2

Project Summary: The applicant proposes a 144 sqft digital sign which will sell advertising space that is 25 ft tall located east of Sheckler Cutoff before the Carson River Bridge. The applicant is seeking a variance from both the height and size requirements in CCC 16.16.020.6(B). The request is for a 5 ft (25%) increase from the maximum allowed height of 20 ft, and a 4 sqft (3%) increase from the maximum allowed size of 144 sqft.

Notably, the 25% height variance requires a standard variance application, while the 3% size variance qualifies for an administrative variance application at the discretion of the Director, but it can also be heard by the commission as a normal variance.

CCC 16.08.090(F) Findings: In order to approve a variance, the commission shall make the following findings:

- 1. The property is characterized by an extraordinary or exceptional situation or condition, such as exceptional narrowness, shallowness or shape, or it has exceptional topographic conditions at the time of enactment of the regulations.***

The applicant – Proposed sign location is lower than adjacent area. 144 square feet sign is a better fit of the electronic components.

Staff – Staff has reviewed the photos provided of the proposed sign location and visited the site in person. The topography of the proposed location is approximately 3 feet lower than the adjacent highway. Increasing the height of the sign by 5 feet would make it appear as a 22-foot-tall sign from the highway. Staff agrees that the site's topography justifies the height increase. Conversations with the applicant and the sign manufacturer revealed that the electrical components of the sign come in set sizes, influencing the overall sign dimensions. The manufacturer can produce a 144 sqft sign, which is the closest to the 140 sqft requirement without making it significantly smaller.

- 2. The strict application of the regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property.***

The applicant – Added 5' height will be safer for drivers. Electric components fit this size and work far better.

Staff – While a 20 ft tall sign that sits below grade probably would not have any negative impacts to drivers, a 25 ft tall sign would only provide clearer line of sight for drivers on the Highway and for those pulling out onto the highway from adjacent driveways. As mentioned above, the electrical components of the sign come in set sizes, influencing the overall sign dimensions. The manufacturer can produce a 144 sqft sign, which is the closest to the 140 sqft requirement without making it significantly smaller.

- 3. Granting of this variance will not be materially detrimental to the public health, safety, or welfare, or injurious to the property or improvements in the vicinity.***

The applicant – Our intent is to maintain a safe non-distracting advertising on this sign (no flashing or provocative content).

Staff – A sign with distracting content could pose a risk to public health, safety or welfare for drivers on the Reno Highway. Staff has discussed this issue with the applicant, and the applicant does not intend to advertise any provocative or flashing content that could create a distraction for drivers. NDOT has provided comment

and is requiring the applicant to apply for a highway sign permit, and a supplemental permit for commercial electronic variable message signs. NDOT requires highway signs to display static only messages without animation. The static messages must display for a minimum of 8 seconds and must transition from one message to the next instantaneously to the human eye. Staff has recommended conditions that address this. A sign that is slightly taller will be minimally noticeable to viewers and will not be materially detrimental to the public.

4. The proposed variance is consistent with the intent and purpose of this title.

The applicant – With the lower ground, the additional height will help it match the intended 20' and fit with the code. The additional 4 sqft is only to get the components to work and is only a small amount over.

Staff – The intent and purpose of the size requirements for signs is to encourage the effective use of signs as a means of communication in the county; to enhance the aesthetic environment to attract sources of economic development and growth; to minimize the possible adverse effects of signs on nearby public and private property; to improve traffic safety. Staff agrees that the proposed sign meets the intent and purpose of the title, so long as the sign's content does not create a safety concern for traffic on the highway.

STAFF RECOMMENDATION:

APPROVAL

MOTION: The motion should be modified by the Planning Commission as needed.

- ☐ Based on the information provided in the application, in the staff report, and heard tonight, I move to find that the criteria found in CCC 16.08.090(F) **HAVE BEEN** met and therefore **APPROVE** the Variances from the height and size requirements for an off-site advertising sign for Arthur Johnson of Monarch Construction. This approval is subject to conditions, as listed in the Staff Report.

Recommended Conditions (NOT PART OF MOTION): Based on code requirements and issues raised during review of the project, the following conditions of approval are recommended to be included with any approval:

1. The approved height of the sign is 25 feet.
2. The approved size of the sign is 144 square feet.
3. All necessary NDOT permits must be obtained.
4. The height and size variances apply exclusively to the sign described in the application. Any future signs must comply with the requirements outlined in CCC 16.16.020.6(B).

Application:	Special Use Permit
Use Listing:	Animal Kennel for Dogs with Training
Applicant:	Lori Haigler, Wild West Duck Dogs
Owner:	Toby Scoggin
Site:	6755 Stuart Road (APN 009-131-06) – 110.0 acres
Designations:	Master Plan – Agriculture // Zoning – A-10

Summary: The applicant proposes a kennel facility to house and train dogs. With 23 years of professional experience in training obedience, gundogs, advanced gun dogs, and hunt tests for retrievers, the applicant will train dogs that live on-site during training. She is leasing space on a 110-acre property owned by Mr. Toby Scoggins, located northwest of Harmon Reservoir on Stuart Road. There is a home on the property which is only occupied on occasion by the property owner. The applicant will live off site.

The applicant plans to construct an 1,800 sqft metal building on a concrete pad with two 15x30 exercise yards on either side. The building will feature 14 10x5 kennels, an office with a restroom, and a dog wash area, and will be insulated for sound and climate control. The dogs will not have open access to the exercise yards and will only be let out during supervised daytime hours. The concrete floor will include drains leading to a new septic system so that it may be hosed off for easy cleaning of dog waste. The building will meet ADA standards, including an ADA parking space. Operating hours will be 8am to 5pm, 7 days a week, with potential summer hours from 7am to 6pm. The applicant currently operates alone but hopes to hire one part-time employee in the future. She will operate as board and train program where dogs live on-site for training, with their owners visiting every other week for scheduled sessions. Only one dog owner will visit at a time, and group training classes are not proposed. The applicant will use the southwest corner of the property for field training, transporting dogs from the kennel to the training area in a trailer designed for safe transport. This training involves blowing a whistle and firing 22-caliber blank rounds. The whistle and gun are not used daily, and if the gunshots become a nuisance, the applicant will cease using the gun on the property.

It is important to note that the property owner, Toby Scoggins, has received approval from the sending site committee for a conservation easement, though it has not yet been established. Normally, a new commercial operation would not be permitted if the easement were in place, but since it is not, this application is allowed to proceed. The project will not take land out of agricultural production. The Navy has been notified of this application but has not yet provided comments.

Criteria Review: CCC 16.08.080(H): Findings from a preponderance of evidence must indicate that the proposed use:

1. Is compatible with the existing surrounding land uses and development.

A dog kennel typically raises concerns about neighborhood compatibility, particularly regarding dog barking, which is addressed under Criterion 5. The proposed kennel is in an A-10 zone, with a Master Plan designation of Agriculture. This part of the County is primarily agricultural, featuring farm fields, dairy operations, cattle, and equestrian activities. The immediate surrounding land consists of large agricultural parcels, some with residences and some vacant. Harmon Reservoir is southeast of the property, just across Stuart Rd. The nearest residence is approximately 1,200 feet away, and the next nearest is about 4,000 feet from the proposed kennel. Given the rural agricultural setting, the kennel and training facility would have minimal impact on the neighborhood and would be more suitable here than in more populated areas of the County.

2. Is in substantial conformance with the master plan and policies and will be constructed and operated in full compliance of this code.

The **Master Plan** establishes land use districts that are implemented by the zoning districts. ***Animal Kennels are a listed use*** in the use table for the A-10 zone, needing a SUP to be approved. Most Master Plan policies are not applicable to the development of commercial uses or are neutral in terms of general commercial activity. The main applicable section in the Master Plan is Chapter 11 Land Use, which requires protection of the community from new development.

GOAL LU 2 All new development must be comprehensively designed to ensure a sustainable, safe, and healthy environment that integrates into the surrounding neighborhoods.

Policy LU 2.1 In reviewing any development proposal Churchill County shall consider issues of community character, balance, sustainability, environmental impact, safety, aesthetics, and efficient service provision.

Compatibility issues are discussed under criteria 1 & 5. Environmental Impacts are addressed in Criteria 5.

The proposed development must conform to the County Development Code. Conditions of approval will address specific issues, including:

- **Setbacks and Easements:** The proposed kennel structure does appear to meet the front- 30', side- 30' and rear- 40' setbacks.

The property has been approved from the sending site committee for a conservation easement, though it has not yet been established. Normally, a new commercial operation would not be permitted if the easement were in place, but since it is not, this application is allowed to proceed. The project will not take land out of agricultural production. The Navy has been notified of this application but has not yet provided any comments.

- **Friction Zones:** The Code requires a buffer between commercial uses and adjacent residential or agricultural uses. The existing ~1,200 ft of separation between the proposed kennel and the home to the southwest is adequate to meet the requirement in this case. Similarly, the significant distance to any adjacent agricultural uses is adequate to meet the requirement. No additional buffering is required.
- **Sewer and water facilities:** The site is developed with a well, and a new septic system will be installed for exclusive use by the kennel. Because this is a commercial use, the new septic system will need be a commercial septic approved by the Nevada Department of Environmental Protection. Water may be used for cleaning and providing drinking water for the dogs. There will be a onsite ADA compliant restroom in the kennel which customers and any future employees can use.
- **Parking and Loading Requirements:** The parking code (including handicapped parking) does not address kennels; however, the code requires 1 space per 300 SQ FT for retail/services type uses. This 1,800 sq ft building would require 6 spaces, one of which must be ADA compliant. The applicant plans to pour an approved ADA parking space with ADA compliant access to the kennel and restroom as required by the Building Department. The site has a gravel driveway and large gravel parking area that meets general parking and access requirements.
- **Landscaping:** The property features extensive mature landscaping, especially along the Stuart Road frontage, the west property line, and east of the proposed kennel site, providing screening and meeting County landscape requirements.
- **Lighting & Signage & Outdoor Storage:** Lighting is not mentioned in the application, though any new lighting on the building will need meet Dark Skies requirements. Any sign in the A-10 zone must be approved along with the use in an SUP. A logo sign, no larger than 3' x 3', is proposed on the entrance gate. A photo of her logo has been provided with the application materials. No outdoor storage is proposed.

3. *The project will be constructed and operated in a manner that will not overburden public services and infrastructure.*

There are no public water or sewer services on the site. On-site water service exists and can be used for the kennel. The on-site home, which is not part of this project, has its own septic system which will not be used by the kennel. A new septic system will be installed for exclusive use by the kennel. Power will be provided by the existing provider. Emergency services already serve the area. The Fire Marshall has reviewed the application and has provided comment that the kennel building will be required to meet the 2019 NFPA 150 code which has been adopted by the State Fire Marshall's office. This requires a partial fire sprinkler system above the kennel area only, and a fire alarm system. The Churchill County Sheriff has reviewed the application and has no suggestions or objections regarding the business or its operations. Public road infrastructure is discussed below.

4. *Adequately mitigates road and traffic impacts generated by the construction and build out of the project.*

The property takes access off Stuart Road over a well-constructed newer bridge which is approximately 16 ft wide. The Fire Marshall has inspected the bridge and determined that it is sufficient for emergency vehicle access. Per CCC 16.16.010.1(A), "Where an existing bridge is to be utilized as access, evidence must be provided from a professional engineer licensed in the state of Nevada that the bridge is structurally sound." Conditions of approval are recommended. The applicant anticipates a maximum of 6 trips on any given day, though typically there will only be 2-4 trips. Traffic will be similar to or less than the surrounding residential and agricultural uses. Stuart Road and the surrounding roads can accommodate this minor increase in traffic.

5. *Does not create adverse environmental impacts, including, but not limited to, noise, glare, fumes, and odor that may be detrimental either to public health, public safety, or general welfare of the persons or property in the vicinity or the wildlife and/or natural resources.*

The primary potential environmental concerns are the handling of animal waste, noise from dogs, the training whistle and gun shots. Odors from animal waste will be mitigated with frequent cleaning and sanitizing of the kennels. The concrete floor will be designed in a manner that allows dog waste to be washed into drains that are connected to the septic system, so dog waste will not accumulate outdoors or in a trash can.

Noise from barking dogs is addressed in the application by keeping dogs indoors at night, and supervision of dogs during the day. Dogs who bark excessively will wear bark collars during the day. The kennel will be insulated, which will reduce any noise inside the building.

The field training involves blowing a whistle and firing 22-caliber blank rounds. The whistle and gun are not used daily, and if the gunshots become a nuisance, the applicant will cease using the gun on the property. Conditions of approval are recommended.

STAFF RECOMMENDATION:

APPROVAL

MOTION: The motion should be modified by the Planning Commission as needed.

☐ Based on the information provided in the application, in the staff report, and heard tonight, I move to find that the criteria found in CCC 16.08.080(H) **HAVE BEEN** met and therefore **APPROVE** the Special Use Permit for Lori Haigler of Wild West Duck Dogs. This approval is subject to conditions, as listed in the Staff Report.

Recommended Conditions (NOT PART OF MOTION): Based on code requirements and issues raised during review of the project, the following conditions are recommended for any approval:

1. Approval of the Animal Kennel is limited to the following. Exceeding these limits will require a new SUP:
 - a. The number of dogs shall be limited to 25.
 - b. This kennel shall only be used to house dogs. Other animals, and activities such as group training classes are not allowed without a new SUP.
2. The project must be in conformance with County Code, including but not limited to:
 - a. A business license must be obtained and maintained.
 - b. All necessary building permits must be obtained.
 - c. ADA accessibility criteria must be met as deemed necessary by the Building Department.
 - d. Evidence must be provided from a professional engineer licensed in the state of Nevada that the bridge is structurally sound.
 - e. Lighting shall meet Dark Skies requirements.
3. The project must be in conformance with 2019 NFPA 150 as adopted by the State Fire Marshall.
4. The new septic tank must be a commercial system approved by NDEP.
5. Operations shall be conducted in a manner that does not create a nuisance (public or private) under Nevada law or Churchill County Code.
 - a. Animal waste will be cleaned from the kennels daily.
 - b. Dogs must be kept indoors after 6pm.
 - c. If the use of the .22 caliber blank rounds becomes a nuisance, it must be discontinued.

Application:	Special Use Permit – Desert Properties R.U.S.
Use Listing:	Multi-Tenant Business Complex
Applicant:	Rigoberto Uribe and Maria Herrera
Owner:	Rigoberto Uribe and Maria De La Cruz Herrera
Site:	5070 Reno Highway (APN 008-531-90) – 2.1 ac.
Designations:	Master Plan – Urbanizing // Zoning – C-2

This Staff Report was prepared for the April 10th Planning Commission meeting. Updated information received since the application’s postponement in April is identified in the report.

Summary: The applicant is requesting a Special Use Permit (SUP) to convert the old Winans-Yoder Furniture building into Multi-Tenant Business Complex (Shopping Center) for commercial businesses. The 2.1-acre site is developed with approximately 23,000 sq ft of buildings, of which 21,220 sq ft is rentable space. The remaining 2,048 sq ft consists of a detached storage building according to the Assessor’s records. Originally a furniture store, the building remained vacant for several years until the Uribe’s acquisition in 2021. The primary building has been subdivided into 3 units, all of which have been leased out to various tenants (including NDOT, an online retail sales and craft business, and a proposed Jiu Jitsu school on this agenda). With proper tenant improvements, the building could potentially accommodate up to 6 units. Space has also been rented behind the building for Construction Materials Engineers Inc. (CME) to place a commercial coach as a temporary office. This was done without County permits and will either need to be removed or will need to pursue a Temporary Use Permit and Placement Permit. Transitioning from a single-user retail store to a multi-tenant complex necessitates substantial improvements including ADA accessibility for each unit, parking, access improvements, restroom improvements, landscaping, individual climate and utility access. Based on initial inspections by the Building Department, two of the units, currently rented by Gracie Jiu Jitsu and Construction Materials Engineers, Inc., require only minimal improvements to meet code standards. However, the remaining unit will require significant improvements which the applicant will need to work with the Building Department to resolve.

Parking is an important issue for this application. The rear of the site has a large open area to be used mostly for parking. There is also parking in the front of the building, and some parking will need to be added along the west side of the building. ADA parking improvements will be required. Parking is discussed in detail below. Traffic and access are important issues for this application. The application states that the estimated number of trips per day is 120-200 including customers, deliveries, and business operations. It is unknown what the distribution among the different uses is, or if it accounts for future uses that may differ from the current tenant uses. This is discussed in detail below. Street access for business traffic will be from the Reno Hwy. (US 50), which lies within its own strip of state-owned land. NDOT controls access onto the highway and has provided comments requiring improvements, encroachment and occupancy permits due to the change in use and increase in previous traffic levels. Access is discussed in detail below.

Update 5/1/24: Comments have been received from the Fire Marshall which include bringing emergency exit signage and lighting up to code, identifying each unit from the front of the building, the infill of shared walls with same fire resistance as the existing CMU wall, and the installation of a new firewall in unit C. The Fire Marshall identified the signage, lighting, unit identification and infill as needing to be addressed immediately. The new firewall in unit C must be completed by the one-year review date of this permit.

Dan Muller of Gracie Jiu-Jitsu Fallon, and the tenant of unit A, has been working diligently to make the necessary improvements to his unit as well as some improvements for the benefit of the entire building. He has provided staff with a detailed list of work that he has completed, and that list is included in the report packet.

The Uribe's hired Jorge Cruz of Silver State Construction LLC as the general contractor who will be making the required improvements. As of May 1st, 2024 Mr. Cruz informed staff that he was 80% completed on the improvement plans and he intends to apply for a building permit by May 3rd. Staff requested the plans from Mr. Cruz but has not yet received them.

Update 6/5/24: Jorge Cruz, the general contractor for the project, has obtained a building permit and started work on the three life, safety, health items which have been holding the project up. These items are the firewall infill between the units, the ADA restroom in unit C and the ADA ramp in unit C. The contractor will also be repairing a damaged firewall in unit C. As of 6/5/24, the infill has been finished and signed off by the County Building inspector, Ray Brown. The remaining work is on schedule to be completed by June 20th. Dan Muller, the tenant of unit A, has completed all necessary work to his unit.

Criteria Review: **CCC 16.08.080(H): Findings from a preponderance of evidence must indicate that the proposed use:**

1. Is compatible with the existing surrounding land uses and development.

Master Plan designates the area around the site as Urbanizing. The property is located within a strip of C-2 zone along the highway. The land uses to the west, east, and south are all commercial uses such as welding, farm equipment sales, trailer sales, mini storage, emissions abatement solutions, and septic care. The property to the north is a 6.8-acre agricultural operation with a residence. There are other residences located approximately 500' northwest of the proposed multi-tenant complex, all of which are in the General Commercial C-1 zone. This development is compatible with the other commercial uses.

2. Is in substantial conformance with the master plan and policies and will be constructed and operated in full compliance of this code.

The **Master Plan** establishes land use districts that are implemented by the zoning districts. **Multi-tenant Business Complex is a listed use** in the use table for the C-2 zone as needing an SUP if greater than 10,000 sq ft. Most Master Plan policies are not applicable to the development of commercial uses or are neutral in terms of general commercial activity. The main applicable section in the Master Plan is Chapter 11 Land Use, which requires protection of the community from new development.

Chapter 11 states: "The appearance of a community as seen from the main streets and highways expresses the community character and leaves a lasting impression on visitors and potential future residents and businesses. Special attention should therefore be given to the types of land uses that are permitted along these corridors... To promote a positive image of the County, all development within these gateways must adhere to appropriate landscaping and signage requirements and only those land uses that are aesthetically appealing should be encouraged."

GOAL LU 2 All new development must be comprehensively designed to ensure a sustainable, safe, and healthy environment that integrates into the surrounding neighborhoods.

Policy LU 2.1 In reviewing any development proposal Churchill County shall consider issues of community character, balance, sustainability, environmental impact, safety, aesthetics, and efficient service provision.

Compatibility is addressed in Criteria 1.

The proposed development must conform to the County Development Code. Conditions of approval will address specific issues, including:

- **Setbacks and Easements:** Setbacks are: Front- 30'; Rear- 10'; Side- N/A. The existing structures appear to meet setbacks. There are two 20' easements on the property, one on each side of the building. The

easements extend north from the front property line, one for a distance of 153' that is non-exclusive for power utility and road, and the other for approximately 300' for a road.

- **Sewer and water facilities:** The site is currently served by an onsite well and septic system. As a single-user furniture store, it was not required to be regulated by the state as a Public Water System; however, this development will exceed the thresholds that require state regulation. The applicant will need to obtain all necessary permits from the Bureau of Safe Drinking Water. According to Building Department records, the existing septic system consists of a 1000-gallon tank with a single 60' leach line. This is likely inadequate for the demand produced by the proposed multi-tenant facility and may require a commercial septic system to be installed. The applicant will need to work with NDEP to make any required upgrades to the septic system and obtain all necessary permits.
- **Outside Storage Requirements:** No outside storage is proposed with this application.
- **Parking and Loading Requirements:** The parking code (including handicapped parking) requires 1 parking space per 300 sq ft of gross floor area. Based on the 21,220 sq ft of rentable floor area, a total of 70 parking spaces are required. The site will require a minimum of 3 ADA parking spaces, one of which must be van accessible. A loading area must also be identified that does not occupy parking spaces. The parking area in the front currently has two ADA accessible parking spaces, though they are both lacking an access aisle, so they will require improvements. The provided site plan includes a layout for 75 spaces, including the 3 ADA spaces. There are some issues with the provided layout which need to be addressed, and the applicant will need to work with staff to submit a final parking plan.
 - 1) The angled parking spaces on the west side of the building will need to be changed to 4 parallel spaces due to space constraints from the 20' easement which only leaves approximately 8' between the edge of easement and the edge of the building.
 - 2) Not all spaces appear to be drawn to scale which is an important consideration when space is limited. County Code requires regular spaces to be 8' x 20', and compact spaces to be 8' x 15'. Only 35% of all spaces can be compact. Staff recommends designating the spaces in front as compact to accommodate the NDOT right of way barrier and a drive aisle.
 - 3) The site plan does not include the location of the septic system, and some spaces are drawn over physical features like a fence. Vehicle traffic and parking will need to be routed around these.
 - 4) It does not include the required loading space, though there does appear to be enough space to accommodate one.

It is important to note that because each unit must be individually ADA compliant, at least one ADA space must be located at the rear of the building where the primary access point is located for the rear unit(s). The applicant will need to work with the Building Department to ensure compliance with ADA parking requirements. All future uses will need to be reviewed by the County individually for additional parking impacts.

- **Friction Zones:** The property to the north is zoned commercial but has historically been used as a residence with agricultural production. Friction Zone requirements can be triggered by commercial uses adjacent to residential or agricultural uses. The standards require a 200' separation between buildings, a landscape strip along common lot lines, and may include a sound wall. The residence to the north is more than 500' away, no new buildings are proposed, and the applicant plans to reserve the northern 75 feet of the property exclusively for parking. Additionally, the northern most structure is intended only for storage, so commercial activities will be limited to the primary structure which is further away. The friction zone standards are met.

- **Landscaping:** The landscaping code requires the property to be landscaped with a minimum of 4 parking lot trees and a 10' landscape buffer along the highway frontage. Initial discussions with the applicant resulted in a plan to install the 4 parking lot trees, and two large planter boxes on either side of the front parking area. The proposed site plan reflects this arrangement. This adjustment was necessitated by the presence of a paved highway access spanning most of the frontage, and an inadequate amount of space between the highway right of way and the parking area to install the typical 10' landscape buffer. An irrigation system is required for live landscaping.
- **Lighting:** The building currently features a range of outdoor lighting fixtures. Recessed lights installed under the awning along the front and side of the building adhere to Dark Skies requirements, ensuring minimal light pollution. However, sconce-type fixtures facing the front parking spaces fail to meet Dark Skies standards and will require replacement or dim bulbs. Additionally, lighting in the rear parking area necessitates repair or replacement to ensure adequate illumination. Any fixtures must be chosen to meet the requirements to use Dark Skies fixtures which direct light downward.
- **Signage Requirements:** The application includes a master signage plan which involves repairing and updating the existing Winans-Yoder Furniture sign with a multi-tenant sign layout.
- **Water rights and impact fees:** Additional fees are not required.

3. *The project will be constructed and operated in a manner that will not overburden public services and infrastructure.*

The site is currently served by a private onsite well and septic system. Public water and sewer infrastructure will not be affected.

Power and telecommunication service exists on-site. Public road infrastructure is discussed below.

Police and fire service demand will be increased somewhat, but existing services are adequate. Services will not be overburdened.

4. *Adequately mitigates road and traffic impacts generated by the construction and build out of the project.*

County Code requires the site access to meet County or NDOT standards. Access for the site is taken from US 50, a paved NDOT facility. The highway lies within its own strip of land. NDOT has two common issues they look for outside of urban areas: (1) paved access aprons, (2) limited points of access on a frontage.

NDOT has submitted written comments which require that the wide-open access across a frontage be limited to one location, specifically the driveway on the west side of the parking lot which also provides access to the rear of the building. This driveway will require a paved access apron. This also means obstructions of some sort need to be installed along the rest of the frontage. Due to limited space between the parking drive aisle and NDOT right of way, this would most easily be accomplished by installing a split rail fence or similarly thin barrier at the edge of the right of way.

Traffic estimated by the applicant is in the 200 trip/day range. This estimate may be accurate for the current tenant's uses; however future uses may have a larger impact to traffic. NDOT may require a trip generation letter, and all future uses will need to be reviewed by the County individually for additional impacts.

5. *Does not create adverse environmental impacts, including, but not limited to, noise, glare, fumes, and odor that may be detrimental either to public health, public safety, or general welfare of the persons or property in the vicinity or the wildlife and/or natural resources.*

Potential impacts would primarily affect nearby commercial and agricultural operations, with minimal impact on residential areas. These impacts may include typical commercial traffic and noise levels. To mitigate potential dust issues for nearby properties and residents, the parking area has been graveled. While

normal commercial traffic impacts are expected to be minor. The concerns raised by NDOT warrant attention.

STAFF RECOMMENDATION:

APPROVAL

MOTION: The motion should be modified by the Planning Commission as needed.

□ Based on the information provided in the application, in the staff report, and heard tonight, I move to find that the criteria found in CCC 16.08.080 **HAVE BEEN** met and therefore **APPROVE** the Special Use Permit application for Rigoberto Uribe and Maria Herrera for a Multi-tenant Business Complex. This approval is subject to conditions, as listed in the Staff Report.

Recommended Conditions (NOT PART OF MOTION): Based on code requirements and issues raised during review of the project, the following conditions are recommended for any approval:

1. This permit is subject to review in 1-year to show progress on meeting conditions of approval.
2. The entire business must be in conformance with County Code, including but not limited to:
 - a. Business licenses must be maintained. The property owner must obtain a Business License if they exceed 4 tenants.
 - b. All necessary improvements as required by the Building Department must be completed. All building permits must be obtained.
 - c. Businesses shall not occupy the rental units until a standard or temporary Certificate of Occupancy is issued by the building department.
 - d. Necessary modifications shall be made to meet lighting, signage and other code requirements discussed in the staff report. If requirements cannot be met, the applicant may submit a Variance application.
 - e. The applicant must submit a final parking plan to the Planning Department staff that addresses the issues mentioned in the staff report, including but not limited to space count, spaces drawn to scale with compact spaces in front, parallel parking spaces on the west side of the building, a loading space, and at least one ADA space in the rear of the building.
 - f. The applicant must work with Planning Department staff to finalize and implement the landscape plan.
 - g. All necessary improvements as required by the Fire Marshall must be completed, including but not limited to exit signage, lighting, unit identification, firewall infill, and a new firewall in unit C.
3. The entire building and each unit must be individually ADA compliant.
4. All required NDOT access permits and authorizations must be obtained. All access changes or improvements required by NDOT must be installed including but not limited to:
 - a. The street access shall be constrained to one point corresponding to the driveway on the west side of the building, and access along other points of frontage shall be obstructed at the edge of the NDOT right of way.
 - b. A paved access apron installed from the driveway on the west side of the building onto the highway.
5. All State water system requirements shall be met, and all necessary permits shall be obtained from NDEP Bureau of Safe Drinking Water.
6. All State commercial sewage disposal requirements shall be met and all necessary permits shall be obtained from NDEP.

7. The commercial coach must obtain a Temporary Use Permit and Placement Permit from the County or it must be removed.
8. The building on the far north side of the property shall be used solely for storage purposes and other commercial activities within that structure are prohibited.
9. The northern 75 feet of the property should be reserved exclusively for parking to maintain a friction zone buffer between the agricultural and commercial uses.
10. All future uses will be reviewed by the County individually for additional impacts and compliance with County Code.
11. Operations of the entire business shall be conducted in a manner that does not create a nuisance (public or private) under Nevada law or Churchill County Code.

Application:	Special Use Permit for Gracie Jiu Jitsu
Use Listing:	Personal Training Service and Classes
Applicant:	Dan Muller, Gracie Jiu-Jitsu Fallon
Owner:	Rigoberto Uribe and Marie Herrera
Site:	5070 Reno Highway (APN 008-531-90) – 2.1 ac.
Designations:	Master Plan – Urbanizing // Zoning – C-2

This Staff Report was prepared for the April 10th Planning Commission meeting. Updated information received since the application’s postponement in April is identified in the report.

Summary: The applicant, Dan Muller, is requesting a Special Use Permit (SUP) to open a Jiu-Jitsu school called Gracie Jiu-Jitsu Fallon. The applicant has leased a 6,100 sq ft space (according to assessor’s records) in the multi-tenant business complex owned by Rigoberto and Maria Uribe which was heard earlier on this agenda for approval of an SUP. The unit leased by Mr. Muller requires only minimal improvements to meet code standards and Mr. Muller has been working closely with the Planning and Building Departments to make the necessary improvements. The business proposes an initial class schedule of 4:30pm to 8:00pm Monday through Friday, and 9:00am to 12:00pm on Saturday. Daily operations are expected to include two employees and 40 students. No exterior modifications or storage areas are proposed. The interior area will feature an open floorplan, with approximately 3,100 sq ft of vinyl covered mats where the classes will take place. There will be a small kiosk style desk, changing areas, a water fountain and at least 1 ADA compliant restroom. The applicant has plans to complete the build out of a second ADA restroom. The applicant has provided a detailed floorplan.

The 6,100 sq ft Jiu-Jitsu school requires a minimum of 20 parking spaces (1 per 300sq ft), one of which must be ADA. It should be noted that the conditions of approval of the property owner’s multi-tenant business complex SUP includes providing 70 parking spaces and making the necessary ADA improvements. Parking is discussed in the detail below. Street access for business traffic will be from the Reno Hwy. (US 50), which lies within its own strip of state-owned land. NDOT controls access onto the highway and has provided comment requiring the property owner to obtain the necessary encroachment and occupancy permits and make improvements due to the change in use and increases previous traffic levels. Access is discussed in detail below.

Update 5/1/24: Comments have been received from the Fire Marshall which include bringing emergency exit signage and lighting up to code, adding an extinguisher near the front door, identifying the unit from the front of the building, the infill of shared walls with same fire resistance as the existing CMU wall.

Mr. Muller has been working diligently to make the necessary improvements to his unit as well as some improvements for the benefit of the entire building. He has provided staff with a detailed list of work that he has completed, and that list is included in the report packet.

Update 6/5/24: Jorge Cruz, the general contractor for the project, has obtained a building permit and started work on the three life, safety, health items which have been holding the project up. These items are the firewall infill between the units, the ADA restroom in unit C and the ADA ramp in unit C. The contractor will also be repairing a damaged firewall in unit C. As of 6/5/24, the infill has been finished and signed off by the County Building inspector, Ray Brown. The remaining work is on schedule to be completed by June 20th. Dan Muller, the tenant of unit A, has completed all necessary work to his unit.

Criteria Review: ***CCC 16.08.080(H): Findings from a preponderance of evidence must indicate that the proposed use:***

1. Is compatible with the existing surrounding land uses and development.

Master Plan designates the area around the site as Urbanizing. The property is located within a strip of C-2 zone along the highway. The land uses to the west, east, and south are all commercial uses such as welding, farm equipment sales, trailer sales, mini storage, emissions abatement solutions, and septic care. The property to the north is a 6.8-acre commercially zoned property with a residence and agricultural production. There are other residences located more than 500' northwest of the proposed multi-tenant complex, all of which are in the General Commercial C-1 zone. This development is compatible with the other commercial uses.

2. Is in substantial conformance with the master plan and policies and will be constructed and operated in full compliance of this code.

The **Master Plan** establishes land use districts that are implemented by the zoning districts. ***Personal Training Service and Classes is a listed use*** in the zoning district or use table for the C-2 zone, needing an SUP. Most Master Plan policies are not applicable to the development of commercial uses or are neutral in terms of general commercial activity. The main applicable section in the Master Plan is Chapter 11 Land Use, which requires protection of the community from new development.

Chapter 11 states: "The appearance of a community as seen from the main streets and highways expresses the community character and leaves a lasting impression on visitors and potential future residents and businesses. Special attention should therefore be given to the types of land uses that are permitted along these corridors... To promote a positive image of the County, all development within these gateways must adhere to appropriate landscaping and signage requirements and only those land uses that are aesthetically appealing should be encouraged."

GOAL LU 2 All new development must be comprehensively designed to ensure a sustainable, safe, and healthy environment that integrates into the surrounding neighborhoods.

Policy LU 2.1 In reviewing any development proposal Churchill County shall consider issues of community character, balance, sustainability, environmental impact, safety, aesthetics and efficient service provision.

Compatibility is discussed in Criteria 1.

The proposed development must conform to the County Development Code. Conditions of approval will address specific issues, including:

- **Setbacks and Easements:** Setbacks are: Front- 30'; Rear- 10'; Side- N/A. The existing structures appear to meet setbacks. There are two 20' easements on the property, one on each side of the building. The easements extend north from the front property line, one for a distance of 153' that is non-exclusive for power utility and road, and the other for approximately 300' for a road.
- **Sewer and water facilities:** The site is currently served by an onsite well and septic system. As a single-user furniture store, it was not required to be regulated by the state as a Public Water System; however, this development will exceed the thresholds that require state regulation. The property owner will need to obtain all necessary permits from the Bureau of Safe Drinking Water.
- **Outside Storage Requirements:** No outside storage is proposed with this application.

Parking and Loading Requirements: The parking code (including handicapped parking) does not have a parking rate for businesses providing classes, so the Director must determine the required parking number. Nearby jurisdictions have a parking rate of 1 space per 150 sq ft which the Director will use. Based on the 6,100 sq ft floor area of Gracie Jiu-Jitsu Fallon, a total of 40 parking spaces are required, 2

of which must be ADA accessible. Between the 14 spaces in front of the building, 4 parallel spaces that can be added on the west side of the building and the open parking area behind the building, Gracie Jiu-Jitsu Fallon will not have any trouble meeting the parking requirements for their operation so long as the parking calculations for the other businesses do not over burden the existing parking lot. The business proposes an initial class schedule of 4:30pm to 8:00pm Monday through Friday, and 9:00am to 12:00pm on Saturday. It is important to note that Gracie Jiu-Jitsu Fallon's hours of operation are complimentary to those of the other businesses in the building and should not overburden the demand for parking, but Staff recommends staggering classes by 30 minutes to reduce an overlap in parking demand.

The property owners have been conditioned by their SUP to make parking and ADA accessibility improvements for the entire building. At least 70 spaces, 3 of which will be ADA accessible will be provided by the property owners.

- **Landscaping:** The property is not currently landscaped; however, the property owner has been conditioned by the approval of their Special Use Permit for the Multi-Tenant Business Complex to install the required parking lot trees and landscaping to the satisfaction of Staff.
- **Lighting:** The building currently features a range of outdoor lighting fixtures. Recessed lights installed under the awning along the front and side of the building adhere to Dark Skies requirements, ensuring minimal light pollution. There are also sconce type fixtures in front of the building and flood type light fixtures that are in disrepair in the back of the building, which do not meet Dark Skies. The property owners have been conditioned by their SUP to ensure all lighting meets Dark Skies. No additional lighting is proposed in this application.
- **Signage Requirements:** The applicant does not propose any signage; however, the property owners have submitted plans to repair and update the existing Winans-Yoder Furniture sign with a multi-tenant sign layout that Gracie Jiu-Jitsu Fallon will have the option to use.
- **Water rights and impact fees:** Additional fees are not required.

3. *The project will be constructed and operated in a manner that will not overburden public services and infrastructure.*

The site is currently served by a private onsite well and septic system. Public water and sewer infrastructure will not be affected. See Criteria 2 regarding septic and well requirements for this commercial use. Power and telecommunication service exists on-site. Public road infrastructure is discussed below. Police and fire service demand will be increased somewhat, but existing services are adequate. Services will not be overburdened.

4. *Adequately mitigates road and traffic impacts generated by the construction and build out of the project.*

Traffic estimated by the applicant is in the 84 trip/day range. The highway has capacity to handle the volume.

The property owner has been conditioned by their SUP to obtain all required NDOT access permits and authorizations must be obtained and to make all access improvements required by NDOT.

5. *Does not create adverse environmental impacts, including, but not limited to, noise, glare, fumes, and odor that may be detrimental either to public health, public safety, or general welfare of the persons or property in the vicinity or the wildlife and/or natural resources.*

Potential impacts would primarily affect nearby commercial and agricultural operations, with minimal impact on residential areas. These impacts may include typical pedestrian traffic and noise levels between the Jiu-Jitsu school and parking area, and the potential for dust to be generated in the large parking area. To mitigate potential dust issues for nearby properties and residents, the parking area has been graveled.

STAFF RECOMMENDATION:

APPROVAL

MOTION: The motion should be modified by the Planning Commission as needed.

- Based on the information provided in the application, in the staff report, and heard tonight, I move to find that the criteria found in CCC 16.08.080 **HAVE BEEN** met and therefore **APPROVE** the Special Use Permit application for Dan Muller of Gracie Jiu-Jitsu Fallon. This approval is subject to conditions, as listed in the Staff Report.

Recommended Conditions (NOT PART OF MOTION): Based on code requirements and issues raised during review of the project, the following conditions are recommended for any approval:

1. This permit is subject to review in 1-year to show progress on meeting conditions of approval.
2. The entire business must be in conformance with County Code, including but not limited to:
 - a. Business licenses must be obtained and maintained.
 - b. The business shall not open to the public until a temporary Certificate of Occupancy is issued by the Building Department.
 - c. All necessary improvements as required by the Building Department must be completed, including ADA compliance. All building permits must be obtained.
 - d. All necessary improvements as required by the County Fire Marshall must be completed.
3. Class times shall be staggered by 30 minutes to reduce the overlap in parking demand.
4. Operations of the entire business shall be conducted in a manner that does not create a nuisance (public or private) under Nevada law or Churchill County Code.

Application:	Special Use Permit
Use Listing:	Game Hunting Ranch with Occasional Events
Applicant:	Chip Bunker, Lahontan Valley Bird Dog Club
Owner:	US Fish and Wildlife Service
Site:	APN 009-231-15 – 200.0 acres
Designations:	Master Plan – Agriculture // Zoning – A-10

Summary: The Lahontan Valley Bird Dog Club is requesting a Special Use Permit (SUP) for a Game Hunting Ranch near Stillwater National Wildlife Refuge, on a parcel they are purchasing from the US Fish and Wildlife Service. A Game Hunting Ranch is not an exact match for the proposed use, but the Director has determined that the use is most similar to a Game Hunting Ranch that also has occasional events. The Lahontan Valley Bird Dog Club, which has been operating in the Fallon area for at least 15 years, is relocating due to losing their lease on the current location. The LVBDC holds regular training sessions where members gather to share training techniques in the field. They also host an annual competition that tests the abilities of participants and their dogs against competitors from across Nevada and the West. These competitions are family-friendly events, attracting attendees of all ages, from toddlers to seniors, who come to watch various dogs demonstrate their skills in finding game and retrieving it to a hunter's bag.

The Club plans to establish a new area for training hunting dogs with live birds and hosting hunting dog competitions. Hours of operation are not discussed in the application, though in discussions with the applicants, club members may visit the site on their own time to train their dogs individually or in small groups. Most visits will be on the weekends. Large competitions are typically held twice per year. They will develop a parking area, an access trail for ATV and foot traffic, and a bird pen for keeping live birds. Additionally, they will place one shipping container on site for storing equipment used during training and competitions. The Club will also set up an area for event headquarters and gun safety instruction.

Criteria Review: CCC 16.08.080(H): Findings from a preponderance of evidence must indicate that the proposed use:

1. Is compatible with the existing surrounding land uses and development.

A Game Hunting Ranch typically raises concerns about neighborhood compatibility, particularly regarding the firing of guns, which is addressed under Criterion 5. The proposed Game Hunting Ranch is in the A-10 zone, with a Master Plan designation of Agriculture. The immediate surrounding land consists of large agricultural parcels, some with residences and some vacant. The Stillwater Wildlife Refuge is just east of the property. The nearest residence is approximately 1,400 feet away from the training and competition area.

The firing of shotguns could result in pellets leaving the property which creates a potential hazard to surrounding properties. The applicant references setting back activities to avoid problems with adjacent properties. Staff has recommended a condition to address this.

Given the rural agricultural setting, the Bird Dog Club would have minimal impact on the neighborhood and would be more suitable here than in more populated areas of the County.

2. Is in substantial conformance with the master plan and policies and will be constructed and operated in full compliance of this code.

The **Master Plan** establishes land use districts that are implemented by the zoning districts. **Game Hunting Ranch is a listed use** in the use table for the A-10 zone, needing a SUP to be approved. Most Master Plan policies are not applicable to the development of commercial uses or are neutral in terms of general commercial activity. The main applicable section in the Master Plan is Chapter 11 Land Use, which requires protection of the community from new development.

GOAL LU 2 All new development must be comprehensively designed to ensure a sustainable, safe, and healthy environment that integrates into the surrounding neighborhoods.

Policy LU 2.1 In reviewing any development proposal Churchill County shall consider issues of community character, balance, sustainability, environmental impact, safety, aesthetics, and efficient service provision.

Compatibility issues are discussed under criteria 1 & 5. Environmental Impacts are addressed in Criteria 5.

The proposed development must conform to the County Development Code. Conditions of approval will address specific issues, including:

- **Setbacks and Easements:** No buildings are proposed. The proposed container appears to meet the front- 30', side- 30' and rear- 40' setbacks.

The property contains several drainage and canal easements, two of which separate the parking area from the training and competition area. Should the club need to construct a crossing for ATVs and foot traffic over the canals, they will need to obtain permission from TCID and the Bureau of Reclamation.

- **Friction Zones:** A Game Hunting Ranch is classified as an agricultural use. Since it is surrounded by other agricultural uses, the friction zone requirement is not triggered, and no buffering is necessary.
- **Sewer and water facilities:** The site does not have water and sewer services. No buildings are needed or proposed, and the site only occasionally has people present, so permanent restroom and water facilities are not required. Historically, the club has used portable toilets and hand washing stations, and they are now looking into procuring an ADA-compliant portable toilet. Club members and visitors bring their own drinking water for themselves and their dogs.
- **Parking and Loading Requirements:** A Game Hunting Ranch does not have specific parking requirements, so it is determined by the Public Works Director. The application does not propose a specific number of spaces, but rather a general parking area which could accommodate up to 150 cars. This is deemed adequate; however, the surface is partly soft dirt which will degrade over time and turn to mud with precipitation. The surface gravel needs to be improved to support fire vehicles and reduce dust and mud.

Normally a use must provide handicapped accessible parking spaces with an accessible path to the building, an accessible building entrance and an accessible building interior. However, an outdoor field use would have no use for these. This permit does not require an accessible parking space, but other permits or agencies may.

- **Landscaping:** The landscaping requirement is not applicable to agricultural uses such as this.
- **Lighting & Signage & Outdoor Storage:** Lighting and signage is not proposed. No outdoor storage is proposed.

3. *The project will be constructed and operated in a manner that will not overburden public services and infrastructure.*

The site does not have any utility services. Historically, the club has used portable toilets and hand washing stations, and they are now looking into procuring an ADA-compliant portable toilet. Club members and visitors bring their own drinking water for themselves and their dogs. There will not be any impact to public infrastructure. There will be a small increase in public emergency services, but the Churchill County Sheriff has reviewed the application, visited the site and discussed the project with the applicant. The Sheriff has no objections or suggestions. The Fire Marshall has also reviewed the application and visited the site and has provided recommended conditions of approval if a building is proposed. Any future buildings will require a new SUP.

4. Adequately mitigates road and traffic impacts generated by the construction and build out of the project.

The property takes access off Fitz Lane. The applicant anticipates 1-3 visits per week. The occasional events will bring more traffic a couple of times per year of perhaps 100 visits. The typical amount of traffic outside of the events will be similar to or less than the surrounding residential and agricultural uses. Fitz Lane and the surrounding roads can accommodate this minor increase in traffic.

5. Does not create adverse environmental impacts, including, but not limited to, noise, glare, fumes, and odor that may be detrimental either to public health, public safety, or general welfare of the persons or property in the vicinity or the wildlife and/or natural resources.

The property includes part of the Stillwater Slough, though no negative environmental impacts are expected from the project. The Club plans to plant 50 acres of native grasses and shrubs to enhance the wildlife habitat for dog training. During the clearing and planting process, dust generation will be typical of operations in neighboring agricultural fields. The property borders the Stillwater Wildlife Refuge, home to deer, quail, and migratory birds.

Primary environmental concerns include ammunition shells left on the ground, noise from dogs, dog whistles, and gunshots. Given the rural agricultural setting, the Bird Dog Club would have minimal impact on the neighborhood and is more suitable here than in more populated areas of the County.

STAFF RECOMMENDATION:

APPROVAL

MOTION: The motion should be modified by the Planning Commission as needed.

☐ Based on the information provided in the application, in the staff report, and heard tonight, I move to find that the criteria found in CCC 16.08.080(H) **HAVE BEEN** met and therefore **APPROVE** the Special Use Permit for Chip Bunker of the Lahontan Valley Bird Dog Club. This approval is subject to conditions, as listed in the Staff Report.

Recommended Conditions (NOT PART OF MOTION):

Based on code requirements and issues raised during review of the project, the following conditions are recommended for any approval:

1. The project must be in conformance with County Code, including but not limited to:
 - a. A business license must be obtained and maintained.
 - b. All necessary building permits must be obtained.
 - c. ADA accessibility criteria must be met as deemed necessary by the Building Department.
2. Any canal crossings must be approved by TCID and B.O.R.
3. A safety buffer of 50 yards must be established around the perimeter of the training and competition area where shooting cannot take place.
4. Events shall be limited to four times per year.
5. Operations shall be conducted in a manner that does not create a nuisance (public or private) under Nevada law or Churchill County Code.

Application #1:	Major Special Use Permit
Use Listing:	Sierra Solar Major Power Generation // Renewable Energy Facility (REF)
Use Listing:	Associated Utility Transmission Lines – Leve 2
Use Listing:	2 Associated Communication Towers (2 in Churchill Co., others in Washoe Co.)
Application #2:	Variance to reduce road/front setbacks
Application #3:	Variance to waive landscaping requirement
Application #4:	Variance to waive REF coloration requirement
Application #5:	Variance to waive stream protection easement requirement
Applicant:	Sierra Pacific Power Co. DBA NV Energy
Owner:	Sierra Pacific Power Co. – main properties Cerasola Brothers LLC – leased land Forty Mile Desert LLC – leased land Bureau of Land Management – leased land
Site:	Several properties totalling several square miles – See below for APNs No addresses along Sagehen Creek Rd. Mainly located in Hot Springs Flat Valley, with parts in North Valley
Designations:	Master Plan – Rural // Zoning – RR-20

NOTE TO READER BEFORE READING APPLICATION MATERIALS

This staff report identifies the **recommended reading material** in the application submittal that is *much less* than the total number of pages. See the 4th page of this staff report.

OVERVIEW:

NE Energy has submitted several applications for a solar power facility, associated transmission lines, associated communication towers, and other associated facilities in the Brady Hot Springs area on Sagehen Creek Road. ***This is a very large facility*** that will be built in 2 phases, with the full solar power facility estimated to produce approximately 1000 megawatts (MW) of power for. Phase one is planned to produce 400 MW, and phase two will produce 600 MW. The Special Use Permit for Phase 2 will be submitted later. The full project is expected to be completed before 2032. In addition to outright producing a large amount of power, this project also serves to meet the renewable energy requirements established in State law.

This facility is likely to be the ***largest individual solar facility in the US*** (by MW) and one of the largest in the world, though such distinctions change quickly. And, of course, some areas like Las Vegas have multiple large facilities. Phase 1 will be larger than most of the largest existing facilities in the US, with the bulk of the facilities occupying most or much of ***5 square miles*** (5 parcels of 1 square mile each). Additional facilities occupy small portions of other parcels, including the associated power transmission lines, and associated communication towers on nearby hilltops. Phase 2 will be developed in the future and is expected to occupy a larger amount of additional land. ***By comparison, the City of Fallon city limits occupy about 3.7 square miles.***

PERMIT APPLICATIONS:

The applicant is requesting approval of several applications for the Sierra Solar power facility. Both the major power generation facility, associated transmission lines, and communication tower uses are allowed uses in the use table for the RR-20 zoning district, needing Special Use Permits (SUPs).

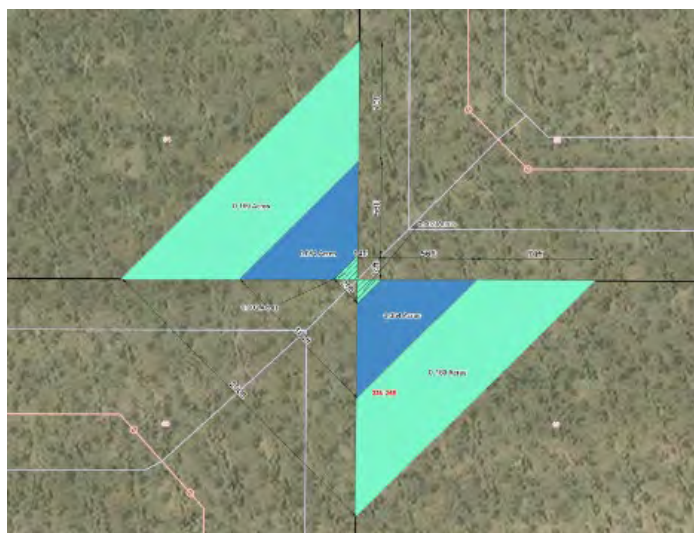
- **Major Special Use Permit (SUP)** is needed for a **Major Power Generation Facility**, which is regulated as a Renewable Energy Facility in County Code.
- **General Special Use Permit** is needed for the transmission lines proposed to connect the solar facility to the state transmission line grid, as shown in Appendix A.
- **General Special Use Permit** is needed for 2 communication towers proposed to serve only the facility located on APN 004-351-05, as shown in Appendix A.. **Note that** 4 towers are shown in the submittal, but in communications with the applicant, only 2 towers will be in Churchill Co. and the other 2 towers are to be in other counties.
- **4 Variances** are requested from different Code standards:
 - o To reduce road/front setbacks from 60' on roads of over 25 mph to 30', and reduce rear setback from 40' to 30'.
 - o To waive landscaping requirements normally required along roads and in parking lots.
 - o To waive the REF coloration requirement on the battery storage units.
 - o To waive the stream protection easement requirement for the streams passing through the properties.
- **Multiple road abandonments that have already been approved** to relocate roads through the properties to the perimeters of the properties.

LOCATION:

The site is located approximately 20 miles NE of Fernley, and north of the I-80 Nightingale/Brady Hot Springs interchange in Hot Springs Flat Valley, with parts in North Valley. These lands are in the “checkerboard” area of the County, so federal lands abut each side of the applicant’s lands. The project will be developed in 2 phases. The 1st phase will be the north half nearest to the power transmission lines in the NW corner of the County. The 2nd phase will be the south half, located closer to I-80, and will require additional permit review.

Table 2 of the SUP Narrative in the application materials itemizes the parcels and the facilities placed on them. It is excerpted below. The list contains the names of facility components which are described in the **project summary** section.

NOTE that many parcels are only involved due to a “**corner crossing**” where a road or power line needs to cross from one project property to another that is “kitty-corner” at one of the “checkerboard” corner points. Doing so means a small triangular corner of a non-project property has to be crossed, and permission to do so is needed. See the image below from the project’s BLM application for corner easements.



**Table 2. Project SUP
Parcel Information**

345 kV Line Fold	004-331-01	Forty Mile Desert Parkway	T 23 N, R 25 E, S 1
345 kV Line Fold Corner Crossing	004-351-36	BLM	T 23 N, R 26 E, S 6
345 kV Line Fold, Lantern Switching Station, Gen-Tie Line	004-351-05	Sierra Pacific Power Company	T 23 N, R 26 E, S 5
Gen-Tie Corner Crossing	004-351-04	BLM	T 23 N, R 26 E, S 4
Solar Array Area	004-351-03	Sierra Pacific Power Company	T 23 N, R 26 E, S 3
Collector Line and Road Corner Crossing	004-351-02	BLM	T 23 N, R 26 E, S 2
345 kV Line Fold Corner Crossing	004-331-11	BLM	T 23 N, R 25 E, S 12
345 kV Line Fold	004-351-07	Cerasola Brothers LLC	T 23 N, R 26 E, S 7
345 kV Line Fold Corner Crossing	004-351-08	BLM	T 23 N, R 26 E, S 8
Solar Array Area	004-351-09	Sierra Pacific Power Company	T 23 N, R 26 E, S 9
Gen-Tie, Collector Line, and Road Corner Crossing	004-351-10	BLM	T 23 N, R 26 E, S 10
Solar Array Area	004-351-11	Sierra Pacific Power Company	T 23 N, R 26 E, S 11
Gen-Tie, Collector Line, and Road Corner Crossing	004-351-16	BLM	T 23 N, R 26 E, S 16
Solar Array Area, Project Substation, BESS, O&M Building	004-351-15	Sierra Pacific Power Company	T 23 N, R 26 E, S 15
Collector Line, and Road Corner Crossing	004-351-14	BLM	T 23 N, R 26 E, S 14
Collector Line and Road Corner Crossing	004-351-21	BLM	T 23 N, R 26 E, S 22
Solar Array Area	004-351-22	Sierra Pacific Power Company	T 23 N, R 26 E, S 23

PROJECT SUMMARY

The solar facility components are described in detail in the application materials – especially the SUP Narrative. Below is a brief list of components:

- **Solar Arrays** (and sun tracking systems) on about 2500 acres of the valley floor, with power conversion **Inverters** interspersed among arrays. Solar panels are mounted on steel pilings driven into the ground. Panels that are approximately 8 feet long will be mounted on rotating sun-tracking mechanisms, with the high point of rotation about 12 feet above the ground.
- **Clearing and Grading Strategy using a minimal disturbance strategy** for solar array areas. This is particularly important in determining the consequences and impacts of the project.
- **Power Inverters** placed among the solar array groupings to concentrate and alter power.
- **Energy Collection System** throughout the solar arrays that connect the power handling components and pass it to the facility substation, mostly through underground cabling.
- Battery Energy Storage System (“**BESS**”) allowing power to be stored or distributed as needed, located along Sagehen Creek Road.
- Project **Substation** to gather power within the project, located along Sagehen Creek Road.
- Operations and Maintenance (“**O&M**”) Building with a central power control office and employee facilities located along Sagehen Creek Road.
- Generation Tie (“**Gen-Tie**”) Line to send power from the solar facility westward to the Lantern Switching Station on the hills, mostly through above ground transmission lines.
- “**Lantern**” Switching Station to route power to the above ground power transmission lines. It is located in the hills west of the solar arrays, along the road to North Valley.

- **“Line Fold” transmission lines** to connect the Lantern switching station westward over the hills to the main transmission lines in North Valley.
- **2 Communication towers** of different configuration, on the hills in APN 004-351-05, are dedicated to and provide data communication to the solar facility. **NOTE** that the application shows diagrams for 4 towers, but only 2 will be at the site, while the other 2 will be outside the County.
- **Internal driveways & abandonment replacement roads**
- Fencing, gates, and security systems around the different parcels and facilities, but excluding replacement and remaining roads.

NOTE that the abandonment replacement roads were approved by the County Commissioners at their May 2, 2024 hearing. This moved existing road segments (mostly RS 2477 roads) within the applicant’s property to the perimeters. Approval was subject to the roads being engineered for public use, replacement road and utility easements being established, and the new road being constructed – all before the existing road can be abandoned and eliminated.

APPLICATION MATERIALS SUMMARY & RECOMMENDED READING

The submittal has many parts, including many appendices. A Project Materials Summary list is provided below as an orientation to the materials. **Each item includes a recommended reading suggestion** to help focus the reader’s reading time. Since many documents have appendices within them, they can be long, but the useful reading is much less.

The hearing packet includes hard copies for

- the SUP and the project Narrative,
- the 4 Variance applications and narratives
- the site plans and other documents to illustrate what is being proposed.

Other materials listed in the Project Materials Summary are provided digitally, with additional hard copies available in the Public Works and Planning Department. **Note** that most of the appendices are required by the Renewable Energy Facility code section CCC 16.20.030.E, and are of limited information value. The SUP Narrative Section 6 includes a table that references these submittal requirements to the location in the application submittal.

The Project Narrative provides a good overview of the project; and its Figure 2 provides a visual layout, while Figure 4 shows the previously approved roads abandonment map. Appendix A provides a selection of drawings and other information to illustrate different parts of the project. As noted above, the 4 Variance applications request to reduce or waive several code standards.

PROJECT MATERIALS	Length	Recom. Reading
SUP Narrative (no form – see Apdx B)	64 pg	All
Variance Application Submittal (w/forms)	68 pg	All
Appdx A. Drawings and Specifications (many files)	~240 pg	First 130 pg
Appdx B. SUP and Zoning Review Forms	15 pg	All
Appdx C. Leases, easements, etc.	120 pg	none
Appdx D. Records Search Verification & Title Reports	32 pg	none
Appdx E. LGIA (Power agreement with self)	115 pg	none
Appdx F. Water Usage Plan	4 pg	2 pg of text
Appdx G. Fire & Emergency Response Plan	114 pg	Pages 1-6
Appdx H. Biological Resources Assessment (ESA species)	70 pg	Pages 1-14

Appdx I. USACE AJD Request & Wetland Delineation Report (determination of federal jurisdiction)	89 pg	Pages 1-13
Appdx J. Preliminary Hydrology & Drainage Study (stormwater and erosion report)	100 pg	~6 pg text + 20 pg maps
Appdx K. Water and Wind Erosion Control Plan (methods of control)	39 pg	none / scanning
Appdx L. Glint & Glare Analysis (solar panel reflection)	155 pg	7 Pages text and maps
Appdx M. Photos of other NVE REFs	1 pg	none
Appdx N. Permit Matrix (description of other permits)	7 pg	scan 7 pages of status

ALSO

County review of project's Glint and Glare study (Appendix L)
County review of project's Wetland and Streams study (Appendix I)
County review of project's Biological-wildlife study (Appendix H)
County review of project's Hyrology and Drainage study (Appendix J)

As seen in the list of appendices, 4 larger studies are provided. The County hired consultants to review these specialized documents. The findings of each study and the County review are discussed in the SUP criteria review:

PRIMARY ISSUES

This project is served by several roads that are considered to be **historic RS 2477 roads, which means they do not have official easements** compared to todays practices to establish roads. Where these roads have been approved for abandonment and replacement, the replacement roads will receive modern easements. Where existing roads will remain, modern easements are needed for them. This is discussed in the criteria review below.

This project is complicated by the fact that the **roads in this part of the County are not maintained** by the County, but rather by private parties (namely businesses) using the roads. Construction can damage roads, which must be addressed. Roads through the property that are being replaced by perimeter roads, and roads that are the primary access for project components need to be maintained by the project.

The project is covering square miles of land in solar panels, which would normally have profound **consequences to the natural function of the landscape**. This is partially mitigated by the proposed Clearing and Grading Strategy that uses a minimal disturbance approach for the solar array areas. However, areas that are too steep for standard solar panel installation (~15% of the site, being about ½ square mile), including areas where streams enter the property, will instead receive intensive land grading. In addition, other facility sites will use standard intensive grading construction practices. This is discussed in the criteria review below. A Variance is submitted to waive the requirement to protect streams, which is also discussed in the criteria review below.

COUNTY CODE SUP REVIEW

Special Use Permits (SUPs) are required for (A) the Major Power Generation use, (b) the Utility Transmission Line use, and (C) the Communication Tower uses. They are reviewed against the approval criteria below. However, the motion for decision for them, and the recommended conditions of approval are provided at the end of the staff report.

Special Use Permit Criteria Review:

CCC 16.08.080(H): Findings from a preponderance of evidence must indicate that the proposed use:

1. Is compatible with the existing surrounding land uses and development.

The area around the proposed facility is very remote, with a Master Plan designation of Rural. The general area of the site is zoned RR-20. There are few uses in the valley. Nearby properties are very large (1 square mile) parcels of federal land interspersed with private land that is vacant, used for wildlife or recreation, used for grazing, or used for mining. The proposed energy facility and associated communication towers are compatible with the other uses in the valley. Also see Criterion 5.

2. Is in substantial conformance with the master plan and policies and will be constructed and operated in full compliance of this code.

The **Master Plan** designates this area with the Rural land use designation, which is implemented by the RR-20 zoning district. **Major Power Generation facilities, power transmission lines, and communication towers are allowed** in the use table for the RR-20 zone, needing SUPs. Most Master Plan policies are not applicable to most development, however specific goals and policies are provided for renewable energy facilities in CNR 4 (see below). Otherwise, the main applicable section in the Master Plan is Chapter 11 Land Use, which requires protection of the community from new development.

GOAL CNR 4 Promote development of renewable energy projects and provide adequate regulation to minimize or eliminate potential adverse impacts associated with project development and operation.

Policy CNR 4.1 Encourage and support development of renewable energy and geothermal activity which provides benefit to Churchill County without adversely impacting the surrounding community and environment.

Policy CNR 4.2 Ensure that renewable energy projects are viable, adequately maintained, compatible with surrounding environments.

Policy CNR 4.3 Renewable energy projects will be required to consult with NAS Fallon.

Policy CNR 4.4 Renewable energy projects will not encroach upon residential development, and shall be located a suitable distance from existing homes and neighborhoods.

Policy CNR 4.11 Ensure that solar farms and other projects with large areas of impervious surface consider the stormwater volumes generated from the site.

The SUP Narrative discusses Master Plan policies in Section 5.2.1, particularly relating to wildlife, the minimal disturbance strategy, decommissioning the project, NAS Fallon, and stormwater control. Other goals and policies are also discussed. **Goal CNR 3** and its Policies are focused to “Protect water features in Churchill County.”

Compatibility issues are discussed under criterion 1, above. Environmental Impacts are addressed in Criterion 5. The proposed development must conform to the **County Development Code**. Conditions of approval will address specific issues, as noted below.

The SUP Narrative Section 5.2.2 discusses development code standards in detail.

- Setbacks for the RR-20 zone are NOT being met; however, the application includes a Variance request to reduce the EXTRA 30’ setback required along higher speed roads from the total of 60’ to 30’, and also reduce the 40’ REAR setback to 30’. See the Variance review.
- Height limits for the zoning district are 35’, which is met for all structures except communication towers and similar normally tall structures, which are exempt from height limits under CCC 14.04.060.

- The application proposes 30+ regular and handicapped spaces that are provided at the O&M Building. The County Code does not provide specific parking requirements for Major Power Generation or Communication Tower uses, so the Director determines that the proposed parking is adequate.
- The application includes a Variance request to waive the landscaping standards. Landscaping provided will need to be consistent with the Variance decision.
- No signage is proposed.
- No outside storage is proposed that will need screened fencing.
- Facility lighting is proposed to meet “Dark Skies” code standards – and typical schematics are provided in Appendix A.
- CCC 16.16.010 requires the protection of streams, waterways, and drainageways to be protected, including by using an easement. The application includes a Variance request to waive the stream protection standards. The treatment of ephemeral streams will need to be consistent with the Variance decision.
- The County Code requires businesses to pay community development fees, which is a recommended condition of approval.

CCC 16.16.030 Renewable Energy Facilities, including subsections 16.16.030.1 & 16.16.030.2, apply to solar facilities. Requirements are generally met, except that items of particular interest are discussed below.

16.16.030(D) Requires coordination with NAS Fallon. The application indicates that NO coordination has taken place, though recent communications indicate that meetings may be underway. Staff has been unable to contact NAS Fallon to determine their issues. A recommended condition will require changes based on coordination with the base.

16.16.030(E) This section provides the list of submittal requirements. The SUP Narrative Section 6.1 provides a table referencing REF submittal requirements to the application materials that address the requirement. The required items have been submitted, including clarifications noted below.

16.16.030(E)(5)(a, b, & c) Churchill County may require additional technical studies and assessments to determine the project’s overall impact on the surrounding environment. Through conversations with the County, the applicant has provided studies for wetlands, wildlife, stormwater, and solar panel reflection. The County hired consultants to review these studies, which have been found to be generally acceptable.

16.16.030(E)(6) addresses traffic impacts, which are discussed under SUP Criterion 4.

16.16.030(E)(8) requires a screening plan and the use of coloring to blend the facilities into the landscape. The application includes a Variance request to waive the coloration standard for the prefabricated BESS and Inverter components. The facility coloration will need to be consistent with the Variance decision.

16.16.030(E)(10) The water usage plan anticipates needing 170 acre feet per year for construction (2 yr.) and 300 gallons per day for ongoing operations. The plan proposes installing new groundwater wells for construction and operations water in the amount of 200 acre feet. The State names this sub-basin as the “Brady Hot Springs Area” and has “designated” the basin as nearly over-appropriated. Based on communications with the State Div. of Water Resources, it is unlikely that the applicant can obtain new groundwater rights. This means they will need to acquire water from another party and transfer it to the facility location. An amount of 200 acre feet for construction is probably not available, but temporarily using another party’s water source is probably feasible. On the other hand, a volume adequate for the daily operations can probably be obtained. This needs to get underway ASAP due to slow state review times. A recommended condition of approval would require obtaining adequate water for the operations facility.

16.16.030(E)(11) A Fire and Emergency Protection plan is required in consultation with local authorities, and a draft is provided in the submittal. Of particular concern is the large battery facility, which can be prone to fire and explosions, with the potential for hazardous firefighting conditions and hazardous materials being released. The Plan is specifically oriented toward the BESS. This issue is discussed under SUP Criterion 3.

16.16.030(E)(13) & (F)(2) A Closure, Removal and Postclosure plan is required for when the solar facility is no longer used, and is briefly described under Section 5.5.10 Solid Waste. A formal plan and bond will be required as a condition of approvals.

16.16.030.1(C) requires a road maintenance and repair agreement with the Road Dept. This will be a condition of approval.

16.16.030.1(F) requires that the operator maintain \$1,000,000 in liability insurance. This will be a condition of approval.

16.16.030.2 allows the County to require a monitoring plan. Staff recommends an annual monitoring report for both weeds and glare, as described under those discussions.

3. *The project will be constructed and operated in a manner that will not overburden public services and infrastructure.*

There is no public sewer and water services on or near the site. Private sewer and water service is proposed for serving the solar facility. Temporary facilities will be provided during construction. Public infrastructure will not be overburdened. Social public services will not be affected.

The Sheriff has not commented on problems with the proposed security provisions, and no impacts are expected. A draft Fire and Emergency Response Plan for the BESS facility is provided in the submittal. Large battery facilities can be prone to fire and explosions, along with the potential for hazardous firefighting conditions and hazardous materials being released. The plan discusses the safety measures going into fabrication and testing the battery and inverter equipment by the manufacturer to deal with and contain the spread of an event. The Fire Marshal has been in consultation with the applicant and has reviewed the plan. A recommended condition will require finalization of the plan to the satisfaction of the Fire Marshal. In addition, Staff recommends that a containment and contamination cleanup plan be developed in the event of a battery failure, similar to containment measures for fuel and chemical spills. This can be incorporated into the Emergency Response Plan, the stormwater control design, or other documentation.

4. *Adequately mitigates road and traffic impacts generated by the construction and build out of the project.*

The SUP Narrative describes construction and operations trip generation in Section 5.4. During construction, the submittal estimates about 20 delivery trucks per day, and workforce traffic for around 460 persons. The estimated peak commuting hour traffic is 437 vehicles coming or going. After construction, the operations traffic will drop to 5 employee visits, plus delivery visits, plus on-road operations and maintenance traffic. The substantial amount of construction traffic (and smaller operations traffic) will use the I-80 interchange and Sagehen Creek Road. NDOT and the Road Department have been notified of the project. No comments have been received from NDOT, and Staff recommends a condition of approval that their requirements be met.

The Road Supervisor is satisfied with the Renewable Energy Facility code requirement for a Road Maintenance Agreement so that any damage to the road during construction is repaired, which is a recommended condition of approval.

A previously noted, the RS 2477 roads in the area are historic and do not have a modern road easement. The County has already agreed to abandoning the road segments running through the project property. At that time the replacement roads will have new road and utility easements placed on them. In addition, the project will be responsible for the maintenance of those segments as a requirement of the abandonment.

For roads that are remaining, Staff recommends a condition that modern public road easements be established where they pass through the project property, including Sagehen Creek Road and the road to North Valley.

5. *Does not create adverse environmental impacts, including, but not limited to, noise, glare, fumes, and odor that may be detrimental either to public health, public safety, or general welfare of the persons or property in the vicinity or the wildlife and/or natural resources.*

Potential impacts of the **2 communication towers** include the following.

- **Hazards to air traffic safety:** NDOT Aviation and NAS Fallon have been notified, though no comments have been received, and the towers will not be on the highest features in the area. A recommended condition requires changes that are recommended by either agency.
- **New road building impacts from stormwater, dust, and weed infestation:** The location of the 2 towers is generally near existing roads and will only need a small amount of road building. Minor impacts are expected.

Potential impacts of the **new transmission lines and towers for the Gen Tie and Line Fold** components include the following.

- **Hazards to air traffic safety:** NDOT Aviation and NAS Fallon have been notified, though no comments have been received, and the towers will not be on the highest features in the area. A recommended condition requires changes that are recommended by either agency.
- **New road building impacts from stormwater, dust, and weed infestation:** The location of Gen Tie line is generally near existing roads and will only need a small amounts of road building. Minor impacts are expected. The location of Line Fold transmission lines will require new roads for most of their length. Staff recommends that roads be designed to avoid capturing stormwater, use minimal disturbance strategies, and weed control practices be used similar to the solar array installation. With such practices, minor impacts are expected.

The **solar panels** can have **glint and glare impacts** on adjacent landowners and the traveling public. The applicant performed a **Glint and Glare Study** of reflection from the solar arrays. It found that there is no glint or glare at the study locations. The County's consultant reviewed the study and generally agreed with the findings, with some qualifications. The review document also clarifies that glint is the direct reflection (i.e. from a mirror surface), while glare is the broader halo effect reflection (i.e. from a non-mirror surface). Modern solar panels tend to use "matte" surfacing, so glare is the larger problem. In addition, the document describes the practice of "**back tracking**" for solar tracking systems, which is adjusting the tilt of the panel at critical times of day so reflections will not be directed at the ground where glare can be observed. This is a **fundamental method of reducing or avoiding glare** from solar facilities. The consultant also performed additional analysis and identified issues and recommendations.

- The Consultant agrees that there are no impacts for locations away from the solar arrays, but points out that roads and uses closest to the arrays are where the impacts are most likely. These are Sagehen Creek Road and the abandonment replacement roads around the property perimeters.
- The Consultant agrees that locations on adjacent roads should have no impacts, but those are also where the elevation of glare come close to the ground. Several spots are quite low, with one spot

was as low as 17 feet above the road, which is getting close to the height of an 18-wheeler driver's cab.

- The fact that the study uses desktop data rather than on-the-ground data increases the risk of error that may allow glare to impact drivers in these locations where glare is close.
- The Consultant recommends a variety of mitigation alternatives.
- One alternative is increasing distance (a setback) between the road and the panels. The study (and review) did not have the current locations of the solar panel arrays. The current layout does provide varying distances from the road, with some being substantial.
- However, the easiest alternative to deal with glare at a location is to adjust the angle used in the "back tracking" system so that glare is not a problem at a particular site.
- In a worst case scenario, another alternative would be to provide screening for the glare, such as screened fencing or berms.

To deal with the possibility of inaccuracies in the glare study, Staff recommends a monitoring and correction condition to ensure that glare impacts that are identified during operations will be corrected. This would most likely be through adjusting the backtracking angle of the tracking software. With this contingency, glint and glare impacts should be minimal.

The **intensively developed components** will use normal construction methods. The main facility components (BESS, Substation, O&M Building, Lantern switching station, staging areas, etc.) are proposed on approximately 50 acres, and will include ground alterations and structures. Approximately 60 acres of staging areas are also proposed, that will use intensive grading and surfacing, but will not have structures. Several miles of new road building is proposed that will also use intensive grading and surfacing. Potential impacts include the following:

- **Stormwater, dust, and weed infestation impacts:** Extensive grading and construction will have standard construction impacts that have known solutions including stormwater and dust control, which is discussed in the submittal, and will have minor impacts. The Biological study recommends managing and controlling weeds to minimize the impacts of large area disturbances. This is common for very large projects like this, and Staff recommends that a Weed Monitoring and Management Plan be developed and implemented.
- The very large number of batteries in the BESS contain heavy metals and other potential contaminants, and **large battery packs are susceptible to fire, explosion, or other failure**. A draft Emergency Response Plan has been submitted that is generally acceptable to the Fire Marshal. However, Staff recommends that a contamination and cleanup plan be developed (as would be the case for a fuel or chemical storage facility) to deal with contamination from an accidental release.
- **Conversion of more than 100 acres of native natural areas** to intensive uses will have consequences, but they are on a scale of normal development and are dwarfed by the consequences of the solar array areas discussed below.

New **solar array construction covering multiple square miles of land** could have profound ecological impacts to the existing natural environment, wildlife, and natural resources. There is a framework for thinking about the severity of impacts. Converting native vegetation to agricultural fields has moderate consequences, and converting it to structures (such as a cityscape) has the largest consequences. The consequences are larger when endangered or threatened species occupy the native landscape. The solar facility uses a combination of alterations. The solar arrays will be more similar to agricultural fields, while the intensively developed areas will be more like cityscape (as described above).

- The applicant performed **Biological study** – mainly for threatened and endangered species. The study determined that sensitive species have limited presence at the site and are minimally affected by the project. The study had several recommendations. It did not assess general wildlife impacts and the author did not consult with wildlife agencies, but recommended consultation with wildlife agencies regarding fencing off the project and other mitigation measures. It recommended weed control measures to protect on-site and nearby native vegetation from infestation. It recommended additional surveys for specific animals and mitigation measures specific to them. Minimizing the disturbance of the site is often referenced.

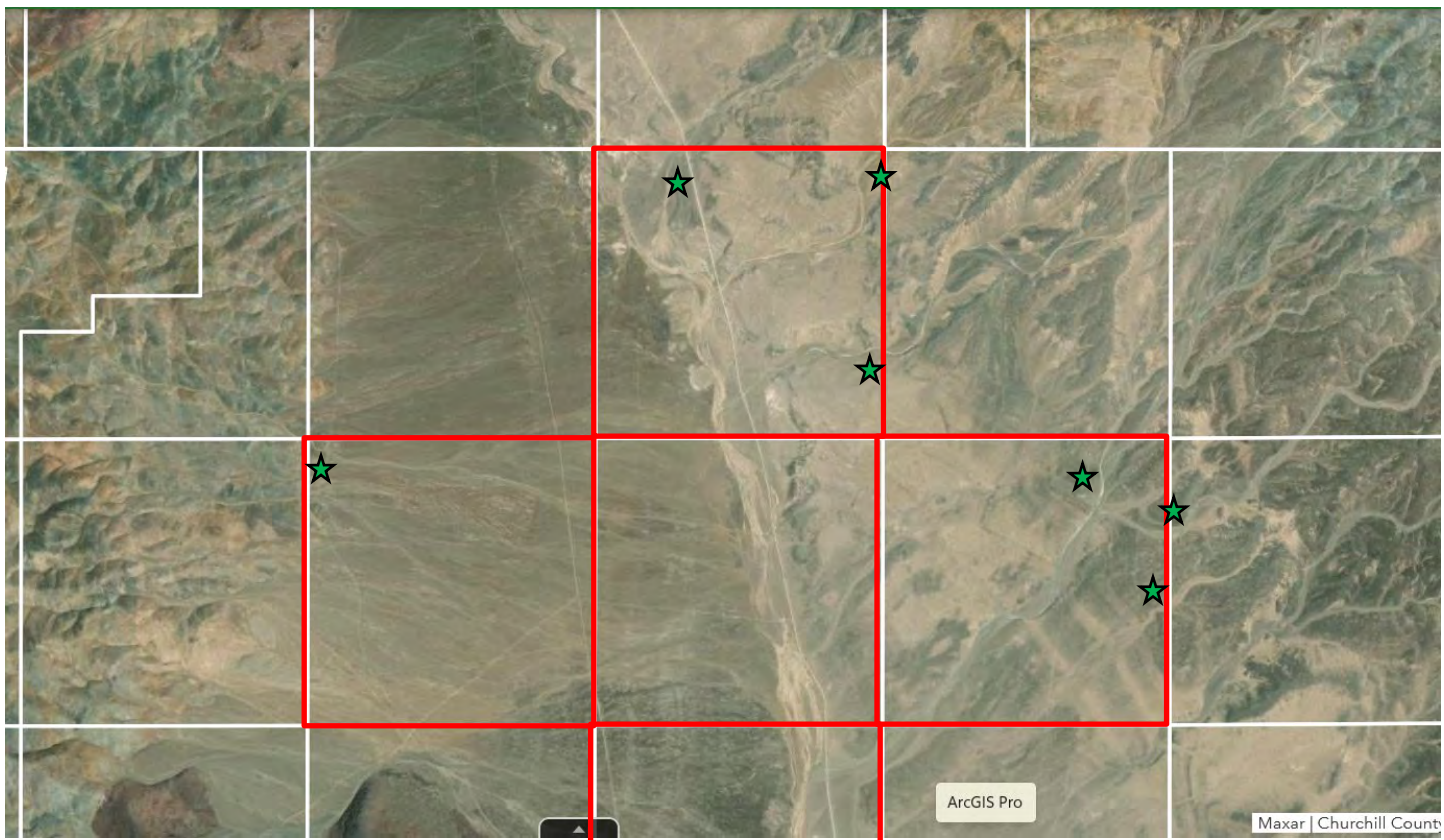
The County's consultant reviewed it and generally agreed with the findings, particularly consultation with the NV Dept. of Wildlife (NDOW). They noted that additional species data is available and should be obtained. They also recommended considering whether sage grouse should be included in the study. The consultant recommended adding a Weed Monitoring and Management Plan, and using the proposed minimal disturbance strategy. Lastly, multiple small issues were identified.

NRS 701.600-640 requires proponents of energy projects to provide 30-day notification to and consult with Nv. Dept. of Wildlife (NDOW) when a project is submitted to state agencies or local governments. From communications, it appears this may be underway. Comments have not been received from NDOW, though they are expected.

- Animals that cannot pass through the security fencing will be excluded from the solar facility, including the minimal disturbance areas of the solar arrays. Security concerns will not allow alternatives.
- Larger animals can be blocked from crossing through the valley by a project of this size. But this can be mitigated by the existence of the checkerboarding pattern and adequate “corner crossing” pathways that can allow animal passage between properties. Communications with NDOW indicate they are concerned with this.
- There will be ground damage during installation the solar panels, more so near the inverters and the low-intensity internal driveways. This will be somewhat mitigated by the minimal disturbance strategy in the solar array areas, so that plants can recover in most locations. This won't be the case for the 15% of the solar array affected by steep slopes, including where streams enter the project. Those lands will be intensively graded.
- Land disturbance on the square miles of solar arrays will make them more prone to invasive weeds, even with a minimal disturbance strategy. The wildlife study recommended measures for controlling the establishment of weeds. Staff recommends the implementation of a Weed Monitoring and Management Plan to help control their spread.
- The panels will subsequently cause extensive shading of land. This could be a positive impact by reducing the heat stress on the remaining plants and small animals.
- The cover created by the panels will make hunting by raptor birds more difficult within the multiple square miles of solar array. There is no simple mitigation for this impact.
- The applicant performed a **Preliminary hydrology and scour report** that concluded that there would be very little change in stormwater runoff, though it does recommend the use of stormwater control measures. These are likely in the limited areas of intensive development, where there will be increased stormwater. The study assumed little or no change in runoff resulting from the square miles of solar arrays. The study also identified the scour potential of

stream beds. The County's consultant reviewed it and generally agreed with the findings. But they recommended consideration of upstream drainage areas for water coming into the site.

- The applicant performed a **wetland and stream assessment to determine federal jurisdiction**. It confirmed the absence of wetlands and suggests that federal jurisdiction of wetlands or streams is unlikely. It found many ephemeral streams, and the main stream has a sizable FEMA Floodplain running through the project lands that is being avoided in the facility design. The County's consultant reviewed it and generally agreed with the findings, though multiple small issues were identified.
- County Code requires protecting pathways of streams, waterways, and drainageways, including the ephemeral streams coming out of the mountains and through the facility. This would apply to segments with contained pathways, but not apply to alluvial fans with dispersed pathways. Most streams come out of the mountains and eventually disperse on an alluvial fan. ***The image below*** shows the locations where the main streams enter the project. The 15% of steep slope area that will need regrading is concentrated where streams enter the site in contained pathways, being the ravines, gullies, and steep sided washes. Rather than protect these areas, the application proposes to cover the stream pathways and perform grading on the steep areas near them. A Variance is requested to waive the stream protection standards. The treatment of ephemeral streams will need to be consistent with the Variance decision.



- Covering stream pathways coming out of the mountains would have unacceptable impacts for more ecologically important streams that have regular water flow, stream vegetation, and wildlife use. But the ecological function of the ephemeral streams in the project area is less. They function to move water and sediment rapidly, mostly during flash flood events caused by

rainstorms. Placing panels on pilings within the stream beds and flow paths should have small effect on these functions.

- Extensive grading and rerouting of streams will disrupt their ability to move flash flood waters and sediment, usually resulting in sedimentation at the points of alteration, and usually unforeseen channel changes downstream. These features and their nearby steep slopes will be excavated and graded to smooth out the land surface, and streams will be rerouted to avoid facility components. Staff recommends that stream alterations not be allowed at the property perimeter where sedimentation and flooding changes could affect adjacent properties, but rather made within the interior of the project properties.
- Placing chain-link fences across stream pathways will cause flash flood debris, water, and sediment to be obstructed and cause additional flooding, sedimentation, and channel shifting on upstream properties. The fences will also inevitably fail during the greatest point of obstruction, thus increasing the flood and its consequences through the property, including passing large segments of destroyed fencing through the facility. Staff recommends that alternative fencing be used across the stream paths to minimize the capture effect of chainlink fencing.

County Code Variance Review:

4 Variance applications have been submitted, as noted below. Each is reviewed in the approval criteria below. However, each will need a separate approval motion and decision, which are provided at the end of this document.

Setback Variance:

CCC 16.16.020.1 (dimensional standards table) establishes that the setbacks for the RR-20 zone are:

Front (road) – 30' + 30' on roads >25 mph // Rear – 40 feet // Side – 30 feet

The request is to reduce the EXTRA 30' setback required along higher speed roads from the total of 60' to the base 30'. The request excludes Sagehen Creek Road and certain other roads on the exhibit map. It would also reduce the 40' REAR setback to 30', excluding certain property lines on a map.

Staff recommends simplifying the approved Variance to be ALL setbacks reduced to 30' except for Sagehen Creek Road.

Landscaping Variance:

CCC 16.16.020.4 Landscape Requirements. The request is to waive all substantive landscaping requirements – see request for specifics.

REF Coloration Variance:

CCC 16.16.030.E.8 Screening Plan requires coloration to match the natural landscape.

The request is to waive REF coloration requirements to allow the pre-painted WHITE color for the BESS and Inverter components, which are pre-fabricated.

Stream Protection Variance:

CCC 16.16.010.C & D require that easements be provided for streams, waterways, and drainageways, and the areas be protected from disturbance. This requirement should only apply to contained stream channels, and not to dispersed flow paths on an alluvial fan.

The request is to waive the stream protection and easement requirements so that streams can be graded and rerouted around facility components, and so that panels can be installed within the stream channels. This includes the steep areas adjacent to streams, such as ravines, gullies, and steep sided washes.

Variance Criteria Review:

CCC 16.08.090(F) Findings: In order to approve a variance, the commission shall make the following findings:

1. The property is characterized by an extraordinary or exceptional situation or condition, such as exceptional narrowness, shallowness or shape, or it has exceptional topographic conditions at the time of enactment of the regulations.

Setbacks The EXTRA 30' of road setback was most specifically intended to deal with homes being placed near higher speed roads or near adjacent uses; and the 40' of rear setback is intended to separate adjacent uses. The exceptional situation is that this project is non-residential, the setbacks in question will rarely have people at all, and there are no landowners present on adjacent lands.

Landscaping The landscaping code is most specifically intended to address locations where an attractive image of the community is most important. The most substantive requirement is road landscaping. The applicant proposes to retain existing native vegetation using a minimal disturbance strategy for the solar array areas. The exceptional situation is that this remote desert location does not have the "community image" need, and the site will have rare visitors and infrequent traveling public. In addition, the retention of native vegetation will serve some of the function of landscaping.

REF Coloration The coloration requirement is intended to make the facility less visible to the traveling public and nearby landowners. The exceptional situation is that the battery unit and power inverters are pre-fabricated, engineered, and painted white to meet exacting heat and electrical specifications, and requiring them to be painted can affect their performance.

Stream Protection The stream protection requirement is intended to ensure the continued function of County's natural stream resources. The applicant does not want to design the project to avoid them, and plans to reroute them to avoid project components.

2. The strict application of the regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property.

Setbacks The EXTRA 30' of setback and the large 40' rear setback reduces the area of solar array usability and power generation of the facility, but provides little benefit for the community or adjacent landowners.

Landscaping The facility will front several miles of road, which would be prohibitively expensive and difficult to landscape. It will also require substantial water and maintenance costs to keep new landscaping alive.

REF Coloration Requiring the battery unit and power inverters to be painted can affect their performance, require alterations to deal with heat absorption, etc.

Stream Protection The stream protection standards require a project to be designed to deal with on-the-ground conditions. Designing the project to accommodate stream and steep slope site limitations will require the project to spread out on additional land. Designing the project without consideration to site limitations will generate the most power and revenue.

3. *Granting of this variance will not be materially detrimental to the public health, safety, or welfare, or injurious to the property or improvements in the vicinity.*

Setbacks Eliminating the EXTRA 30' of road setback and reducing the 40' rear setback to 30' will have little or not effect on public health safety and welfare, since there is little or no traveling public, nor adjacent landowners.

Landscaping Not installing landscaping in this remote desert location in favor of retaining existing native vegetation where possible will not affect public health safety and welfare, since there is little or no traveling public, nor adjacent landowners.

REF Coloration Waiving the coloration requirement for the battery facilities in this remote location will not affect the public health safety and welfare, since there is little or no traveling public, nor adjacent landowners. Waiving the coloration requirement for the Inverters will not affect viewers since they are located within and surrounded by the solar arrays and will be minimally visible to people outside the arrays.

Stream Protection Altering the stream courses should not affect public services or facilities. But such changes often causes problems on upstream or downstream properties .

4. *The proposed variance is consistent with the intent and purpose of this title.*

Setbacks The EXTRA 30' of road setback was most specifically intended to deal with homes being placed near higher speed roads or near adjacent uses; and the 40' of rear setback is intended to separate adjacent uses. The reduction of setbacks will have little or no effect on the traveling public or adjacent landowners.

Landscaping The landscaping code is most specifically intended to address locations where an attractive image of the community is most important. Not providing landscaping in remote desert locations will not impair the intent of the landscaping requirements. Eliminating landscaping requirements in these situations is a code change that is under consideration already.

REF Coloration The coloration requirement is intended to make the facility less visible to the traveling public and nearby landowners. The remote location of the facility makes all parts minimally visible to others. Since inverters are within the solar array areas, only the BESS units will be readily viewable by the small number of drivers passing them on Sagehen Creek Road.

Stream Protection The stream protection requirement is intended to ensure the continued function of County natural resources. See SUP Criterion 5 for a discussion of impacts to stream resources. It is unknown if the alterations will continue to allow the water and sediment flows to continue to function.

Motions For Decision And Conditions Of Approval:

SPECIAL USE PERMIT RECOMMENDATION: **APPROVAL OF** Major Power Generation Facility
Utility Transmission Line – Level 2
2 Communication Towers

MOTION FOR SPECIAL USE PERMIT: The motion should be modified by the Planning Commission as needed.

- Based on the information provided in the application, in the staff report, and heard tonight, I move to find that the criteria in CCC 16.08.080(H) **HAVE BEEN** met and therefore **APPROVE** the Special Use Permit application for the Sierra Solar
 - Major Power Generation Facility,
 - with associated Power Transmission Line – Level 2
 - and with 2 associated Communication TowersThis approval is subject to conditions, as listed in the Staff Report.

4 VARIANCE PERMIT RECOMMENDATIONS:

Reduction of Road and Rear Setbacks - APPROVAL

Waiver of Landscaping Requirements - APPROVAL

Waiver of REF Coloration Requirements – APPROVAL

Waiver of Stream Protection Requirements - NO RECOMMENDATION

MOTION FOR SETBACKS VARIANCE: The motion should be modified by the Planning Commission as needed.

- Based on the information provided in the application, in the staff report, and heard tonight, I move to find that the criteria found in CCC 16.08.090(F) **HAVE BEEN** met and therefore **APPROVE** the Variance from the front and rear setback requirements for the Sierra Solar Renewable Energy Facility located on several properties north of the I-80 Nightingale Interchange. This approval is subject to conditions, as listed in the Staff Report.

MOTION FOR LANDSCAPING VARIANCE: The motion should be modified by the Planning Commission as needed.

- Based on the information provided in the application, in the staff report, and heard tonight, I move to find that the criteria found in CCC 16.08.090(F) **HAVE BEEN** met and therefore **APPROVE** the Variance from the landscaping requirements for the Sierra Solar Renewable Energy Facility located on several properties north of the I-80 Nightingale Interchange. This approval is subject to conditions, as listed in the Staff Report.

MOTION FOR REF COLORATION VARIANCE: The motion should be modified by the Planning Commission as needed.

- Based on the information provided in the application, in the staff report, and heard tonight, I move to find that the criteria found in CCC 16.08.090(F) **HAVE BEEN** met and therefore **APPROVE** the Variance from the REF Coloration requirements for the Sierra Solar Renewable Energy Facility located on several properties north of the I-80 Nightingale Interchange. This approval is subject to conditions, as listed in the Staff Report.

MOTION FOR STREAM PROTECTION VARIANCE: The motion should be modified by the Planning Commission as needed.

- Based on the information provided in the application, in the staff report, and heard tonight, I move to find that the criteria found in CCC 16.08.090(F) **[[HAVE BEEN // HAVE NOT BEEN]]** met and therefore **[[APPROVE // DENY]]** the Variance from the stream protection requirements for the Sierra Solar Renewable Energy Facility located on several properties north of the I-80 Nightingale Interchange. This approval is subject to conditions, as listed in the Staff Report.

Recommended Conditions (NOT PART OF MOTION): Based on code requirements and issues raised during review of the project, the following conditions of approval are recommended to be included with any approval:

Special Use Permit Conditions

1. This approval is for Phase 1 of the project only. Phase 2 will require additional permit approvals. Construction of project facilities is expected to take multiple years, but all facilities must be constructed within 5 years. Facilities not completed will require a new SUP for construction.
2. This permit is subject to annual review until the Planning Commission determines that annual review is no longer necessary.
3. The project must be constructed and remain in compliance with Churchill County Code, including but not limited to:
 - a. Building permits must be obtained for all structures, and all pertinent impact fees must be paid.
 - b. A business license must be obtained and maintained.
 - c. Proof of liability insurance covering all aspects of the operation in the amount of \$1,000,000 shall be provided to Churchill County before the power operations begin.
 - d. All permanently installed lights will comply with the Dark Skies requirements. Floodlighting used during nighttime repairs and maintenance shall be directed toward the center of the facility.
 - e. A closure/decommissioning plan shall be prepared and approved by the Director, before the power operations begin. A bond in conformance with County Code shall be provided for the plan.
 - f. Minor site changes may be made and authorized by the Public Works Director per CCC 16.16.030(E)(13).
 - g. A Road Maintenance Agreement shall be entered into with the Road Department before project grading or construction begins, to provide for the repair of roads used in project construction.
 - h. The project shall meet required setbacks, except as approved in the Variance application and limited within these conditions of approval.
 - i. The project shall provide required landscaping, except as approved in the Variance application and limited within these conditions of approval..
 - j. The project shall meet required REF coloration standards, except as approved in the Variance application and limited within these conditions of approval.
 - k. The project shall provide easements and protection measures, except as approved in the Variance application and limited within these conditions of approval.

4. The applicant shall comply with state and federal agencies permits and requirements, including but not limited to:
 - a. Nevada Division of Environmental Protection Bureau of Air Pollution Control Surface Area Disturbance permit
 - b. Nevada Division of Environmental Protection Bureau of Water Pollution Control Storm Water Pollution Prevention Plan
 - c. All requirements and changes required by the Bureau of Land Management.
 - d. NV Dept. of Wildlife consultation and mitigation requirements.
 - e. All required permits and reviews from NV Dept. of Transportation.
5. The draft Fire and Emergency Plan shall be modified as deemed necessary by the Fire Marshal, and it shall be updated in the future as deemed necessary by the Fire Marshal.
6. A containment and contamination cleanup plan shall be developed to the satisfaction of the Director to deal with events of a battery failure in the BESS, which can be incorporated into other facility documentation.
7. Water for construction of the project and facility operations shall be obtained in compliance with State water laws. Documentation shall be provided to the Director.
8. Water supply and sewage disposal for the facility office and employees shall be provided before operations begin.
9. Construction of the facility may not begin on a particular parcel until the abandonment replacement roads have been completed and are operable to the satisfaction of the Road Supervisor.
10. A 60' public road and utility easement shall be established on the existing segments of Sagehen Creek Road and other roads not being abandoned that pass through the applicant property before construction begins.
11. All roads, whether existing or abandonment replacement roads, that are within the project properties shall be maintained by the project for the life of the project. The road to North Valley from Sagehen Creek Road to the Valmy transmission lines in North Valley shall be maintained by the project for the life of the project.
12. An annual monitoring report shall be provided to the Director that identifies locations of glare observed by project staff. If glare is found to effect public roads, measures shall be taken to mitigate the impact, and documented in the monitoring report. Prompt attention shall be given to observed or reported glare to avoid it being determined to be a nuisance.
13. Development of the solar array areas shall use the proposed Minimum Disturbance Strategy to minimize impacts of the project.
14. A Weed Monitoring and Management Plan that is acceptable to the Director shall be developed and implemented, which includes identifying a reporting interval.
15. Construction of transmission line roads and spurs shall use strategies to minimize capture of hillslope stormwater, and minimize excavation and grading. Weed control practices shall be included in the Weed Monitoring and Management Plan.
16. All changes to the solar facility recommended by NAS Fallon shall be made before power operations begin.
17. All changes to the communication towers recommended by NAS Fallon and NV Dept. of Transportation Aviation office shall be made before power operations begin.
18. Operations shall be conducted in a manner that does not create a nuisance (public or private) under Nevada law or Churchill County Code.

Setback Variance Conditions

19. All setbacks for the project shall be set at 30', except that the Sagehen Creek Road front setback is not reduced.

Landscaping Variance Conditions

20. No landscaping is required for the project.

REF Coloration Variance Conditions

21. The pre-fabricated BESS and Inverter units are not subject to the REF coloration requirements. All buildings are subject to the requirements.

Stream Protection Variance Conditions

22. Alterations to stream routing shall not be allowed within 300' of a property perimeter.
23. Alternative perimeter fencing shall be used where streams cross into the property. Fencing in these locations must minimize the capture of flood debris and sediment, and minimize the effect of floodwater backing up and subsequent sedimentation on upstream properties.

Consent Agenda:

NOTE: All matters listed under the Consent Agenda are considered routine and may be acted upon by the Planning Commission with one action and without an extensive hearing. Any member of the commission or any citizen may request that an item be taken from the Consent Agenda, discussed and acted upon separately during this meeting.

Please review the Consent Agenda to determine if you have any concerns.

RECOMMENDED MOTION

- I move to **Approve** the Consent Agenda as submitted.
- ***[IF YOU WISH TO REMOVE ANY ITEM FOR FURTHER DISCUSSION]***
I move to ***remove Item***____ for further discussion, and to approve the remainder of the Consent Agenda as submitted.

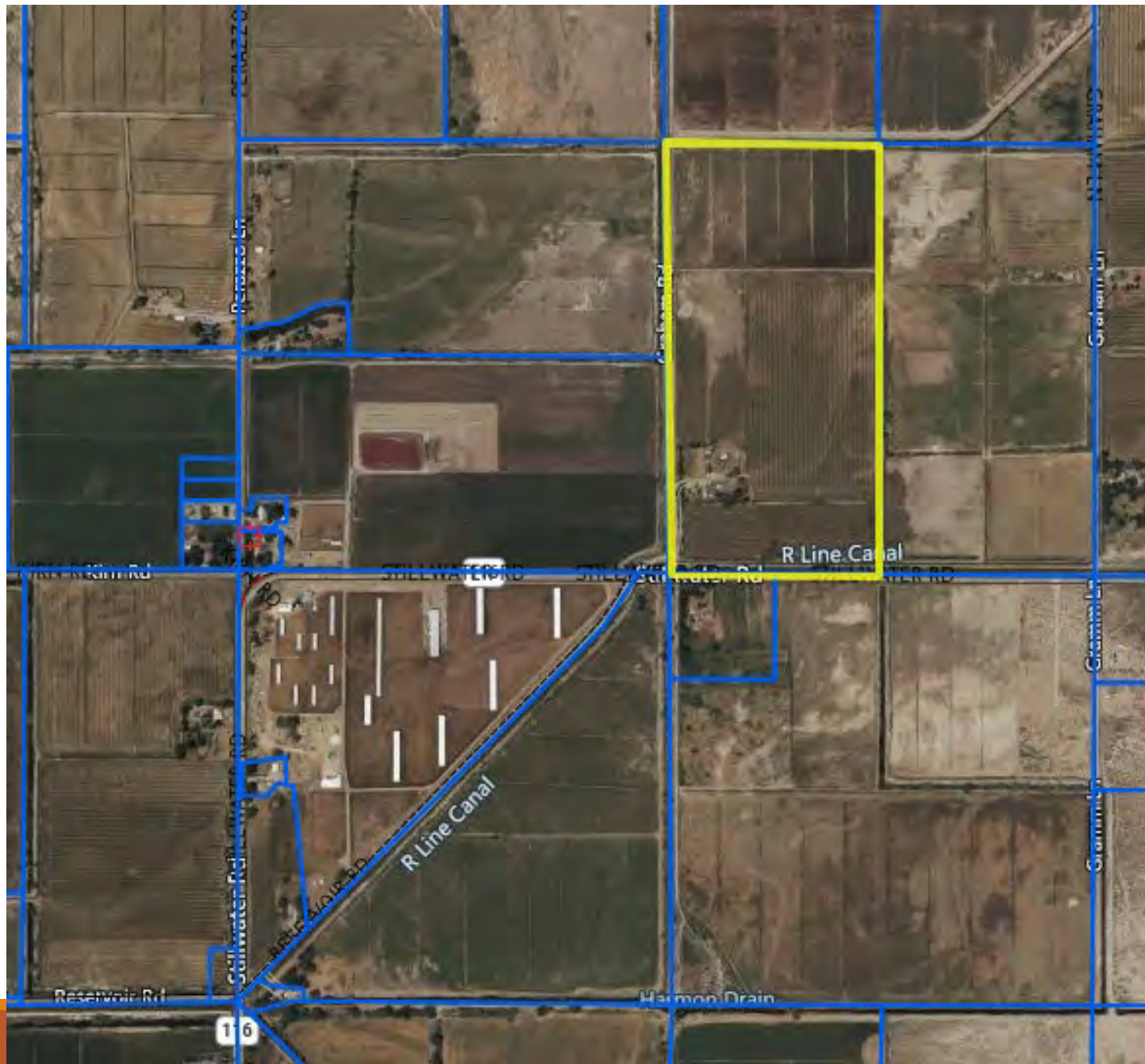


**CHURCHILL COUNTY
PLANNING
COMMISSION
HEARING
June 12, 2024**

Steven Easter, TUP Renewal, 4143 Solias Rd, APN 006-472-37







APN 009-091-05 Denver Nygren Property



Legend

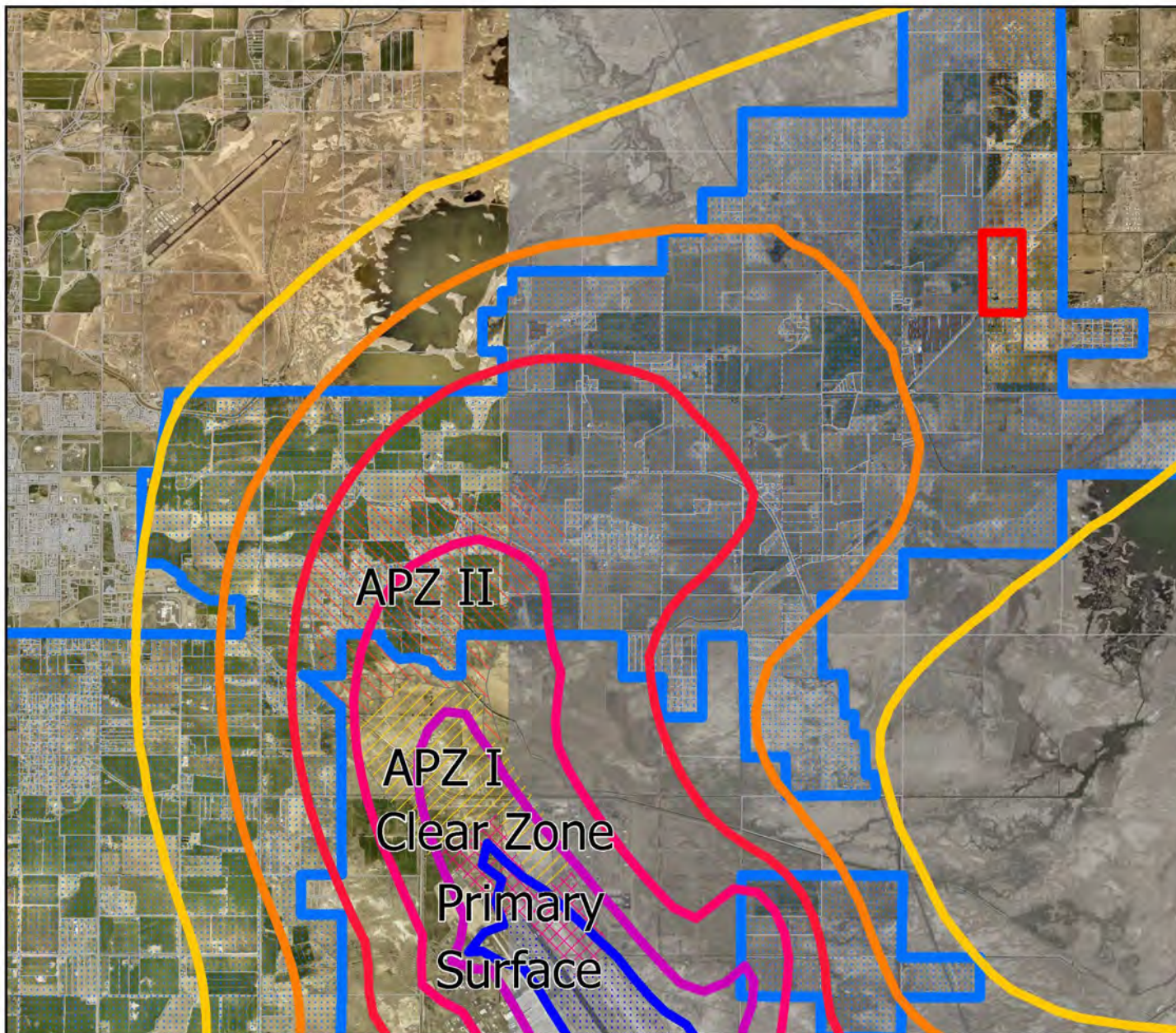
Roads

- State
- County
- City
- Navy
- Tribe
- Private/Other
- 60 dB
- 65 dB
- 70 dB
- 75 dB
- 80 dB
- 85 dB

Accident Potential Zones

ZONE

- APZ I
- APZ II
- Clear Zone
- Primary Surface



2,100 0 2,100 4,200 6,300 8,400
Feet

Map Prepared by: adm
April 11, 2024
Churchill County Planning Department



This map is intended to depict approximate boundaries and does not represent a survey. For accurate boundaries and acreages a survey by a licensed surveyor is needed. No liability is assumed by Churchill County concerning the accuracy of the data delineated hereon. Use of this map for other than illustrative purposes is not recommended, and Churchill County expressly disclaims any liability for use other than for illustrative purposes.

Taylor, TUP application, 4909 Solias Rd, APN 006-435-35



TOYON DR

006-435-35



006-435-34

SAB

COLLIER RD



Solias
416'

Toyon 658.7' (911.18' Fence)

Fence N
Fence W
Toyon Entrance

Hangar

86.478'

S

Fence 329.31 (229.31 Fence)

Building

29'

NEW Home

79'

Power

Pumphouse
existing well

Residential Driveway

Septic - existing Septic
- existing utilities
Temporary Residence

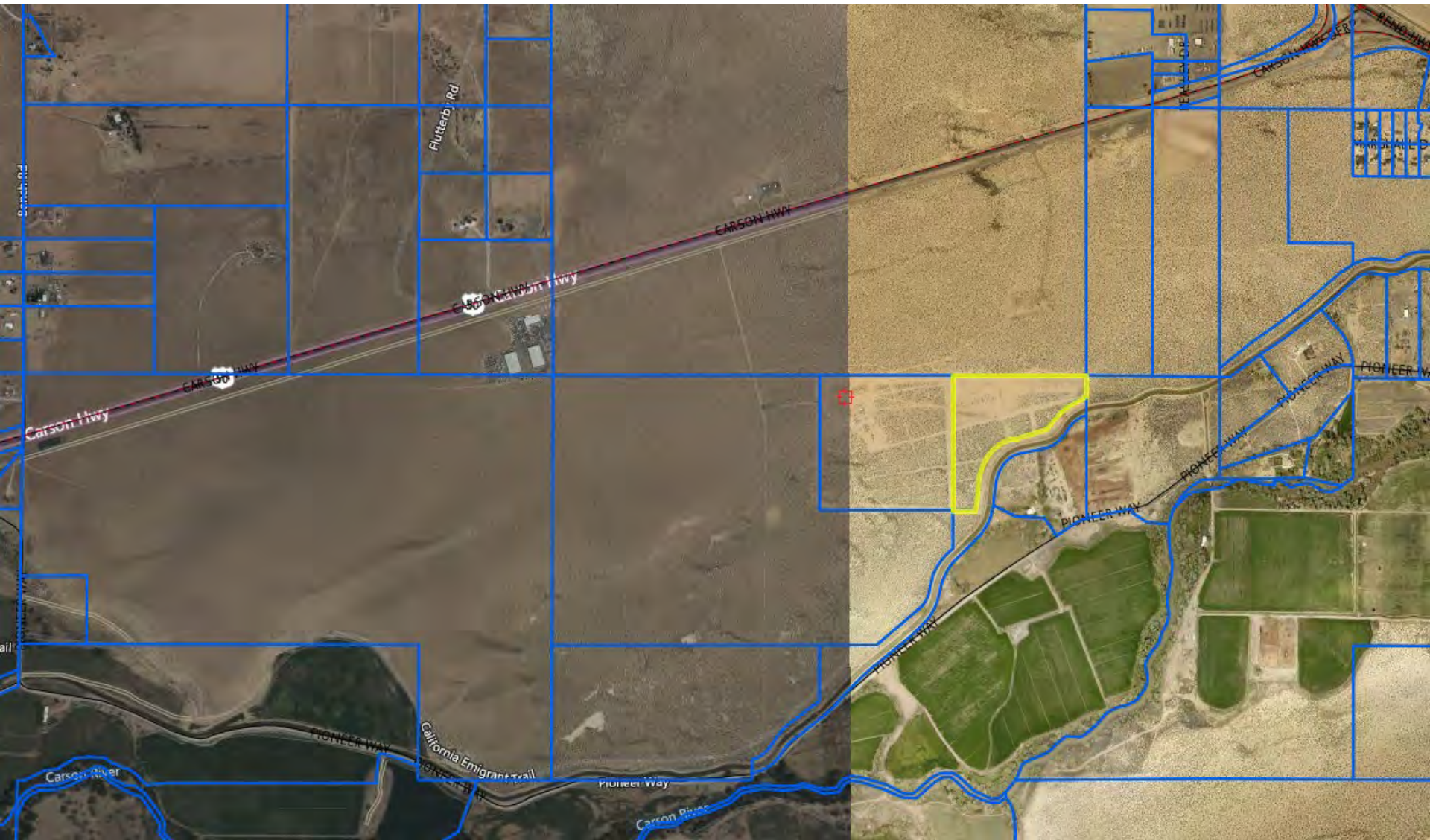
Burn

21.891'

329.39'

Chip
Bunker

Schenkel, TUP application, 10073 Carson Hwy, APN 007-231-03

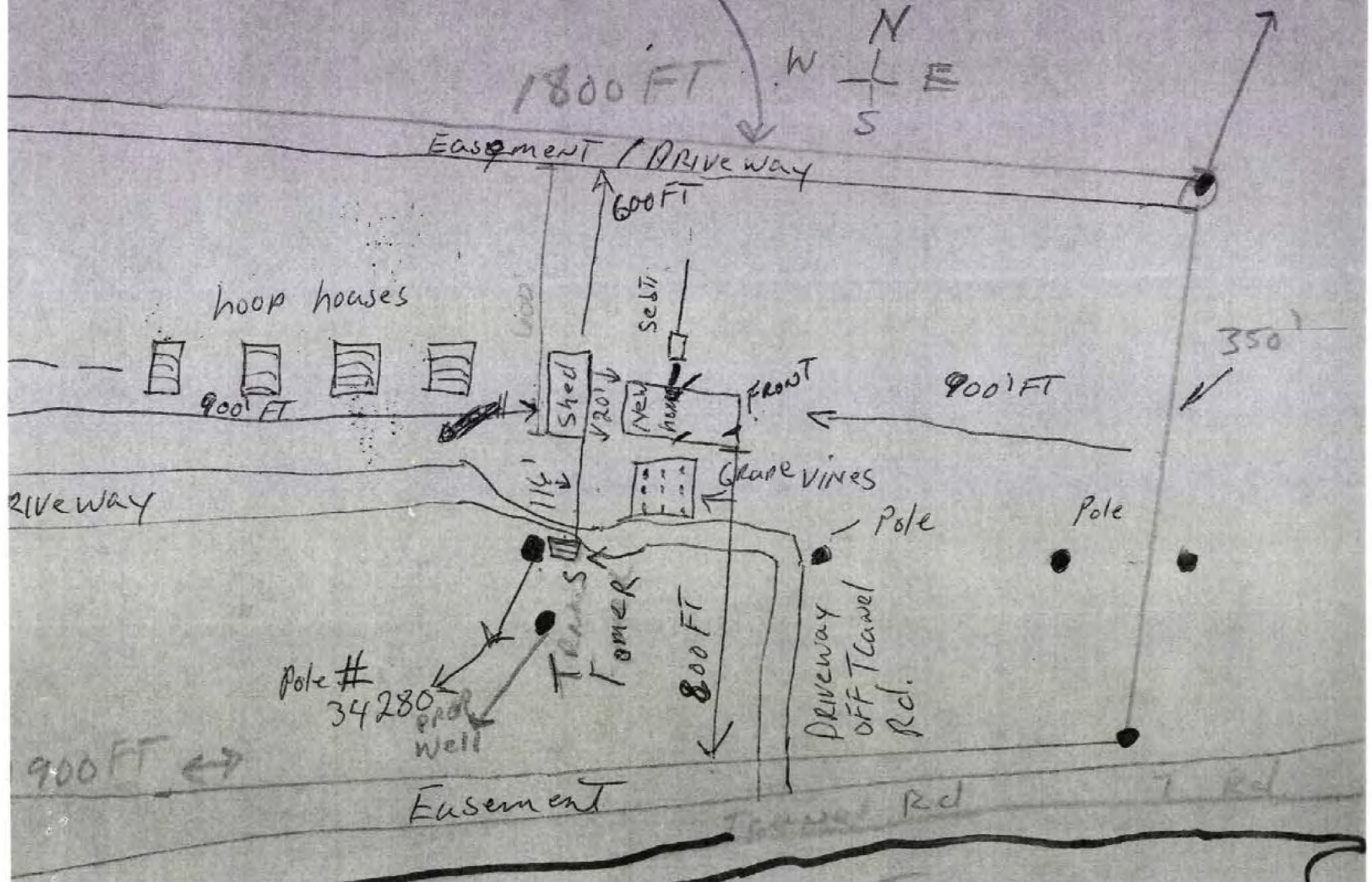




- #1. Blue dots are Power Poles
- #2. RV Placement
- #3. New Storage Shed and Location of New home + Septic System
- #4. Hand draw map showing more details of construction Area
- #5. Placement of hoop houses

LOT #
APN - 007-231-03

(OWNER) 775-378-6502
10073 Carson Hwy.
Fallon NV 89406



MODEL
1482D

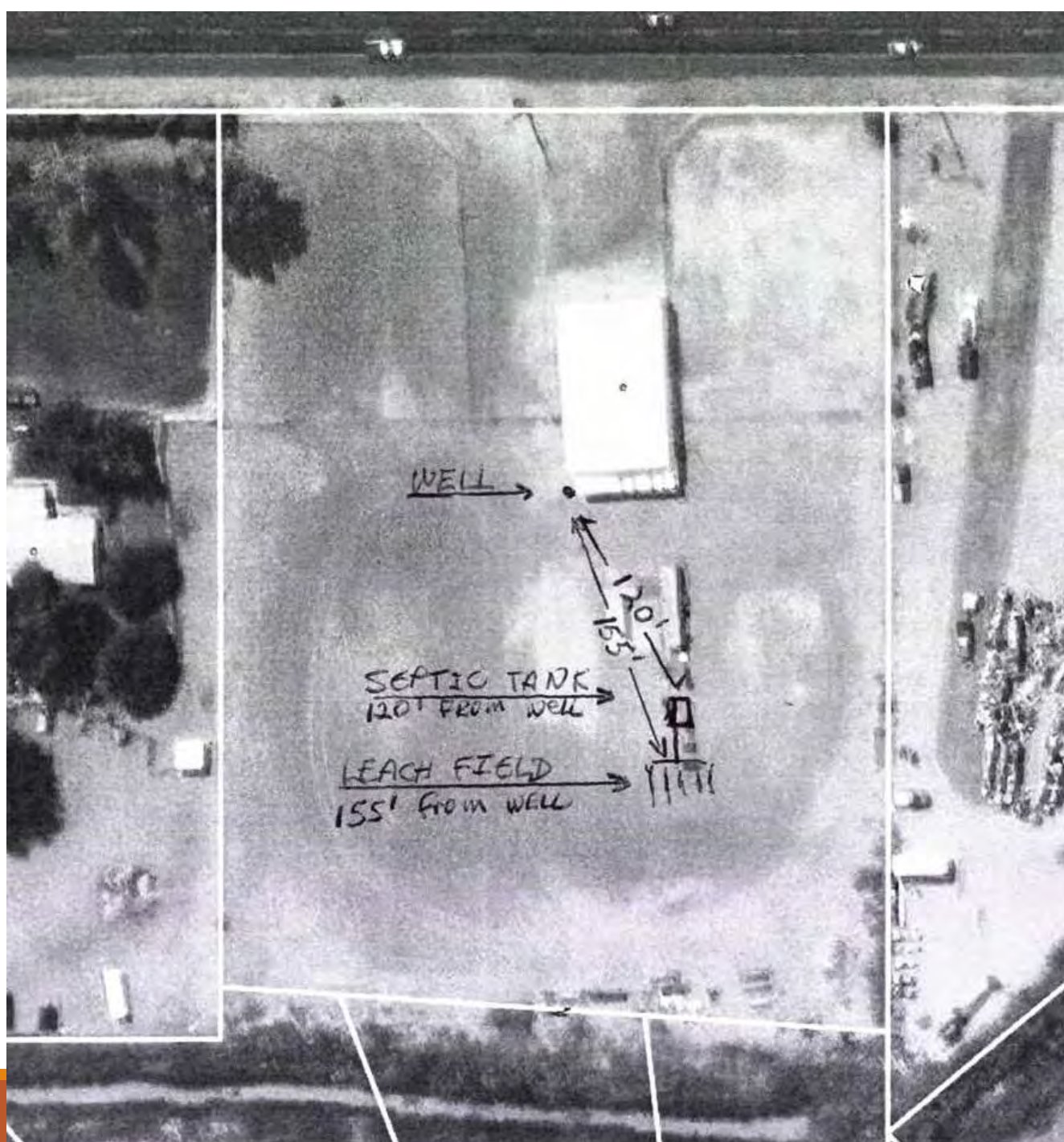
NEW home Floor Plan



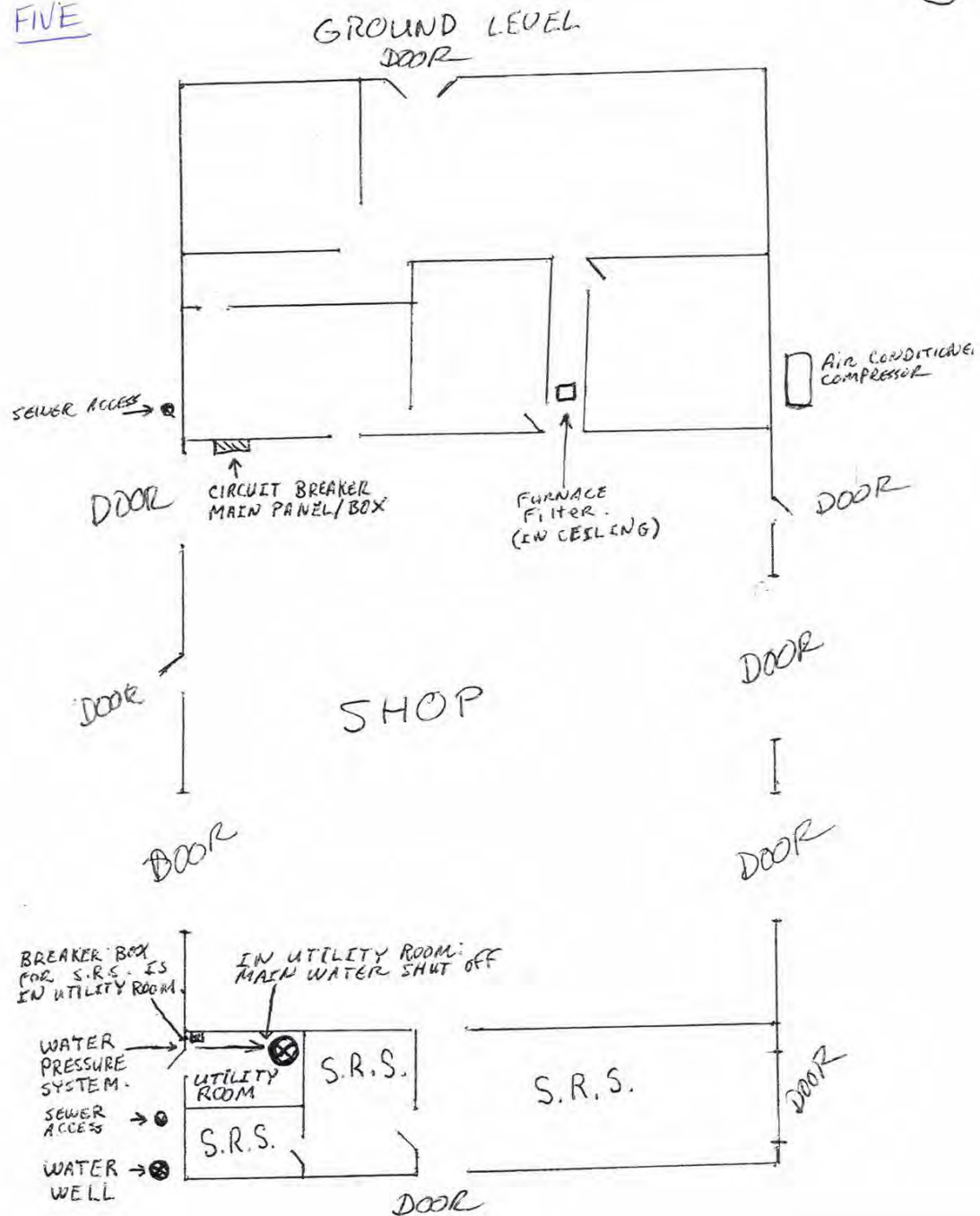
2 BED- 1 BATH | 560 SQ. FT.

Reno Hwy Properties, SUP application, 4490 Reno Hwy, APN 008-461-15





FIVE



Monarch Construction, Variance application, 4510 Reno Hwy, APN 008-472-48





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This sign is installed in accordance with the requirements of Article 800 of the National Electrical Code and / or other applicable local codes. This includes proper grounding and bonding of the sign.



Revisions

No.	Date / Description
1	10/10/2023
2	10/10/2023
3	10/10/2023
4	10/10/2023
5	10/10/2023
6	10/10/2023
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Org. 04.22.2024



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JO #

Approval

A/E Sign / Date

Client Sign / Date _____

Cirrus Systems Inc.

4510 Reno Hwy
Fallon NV 89406

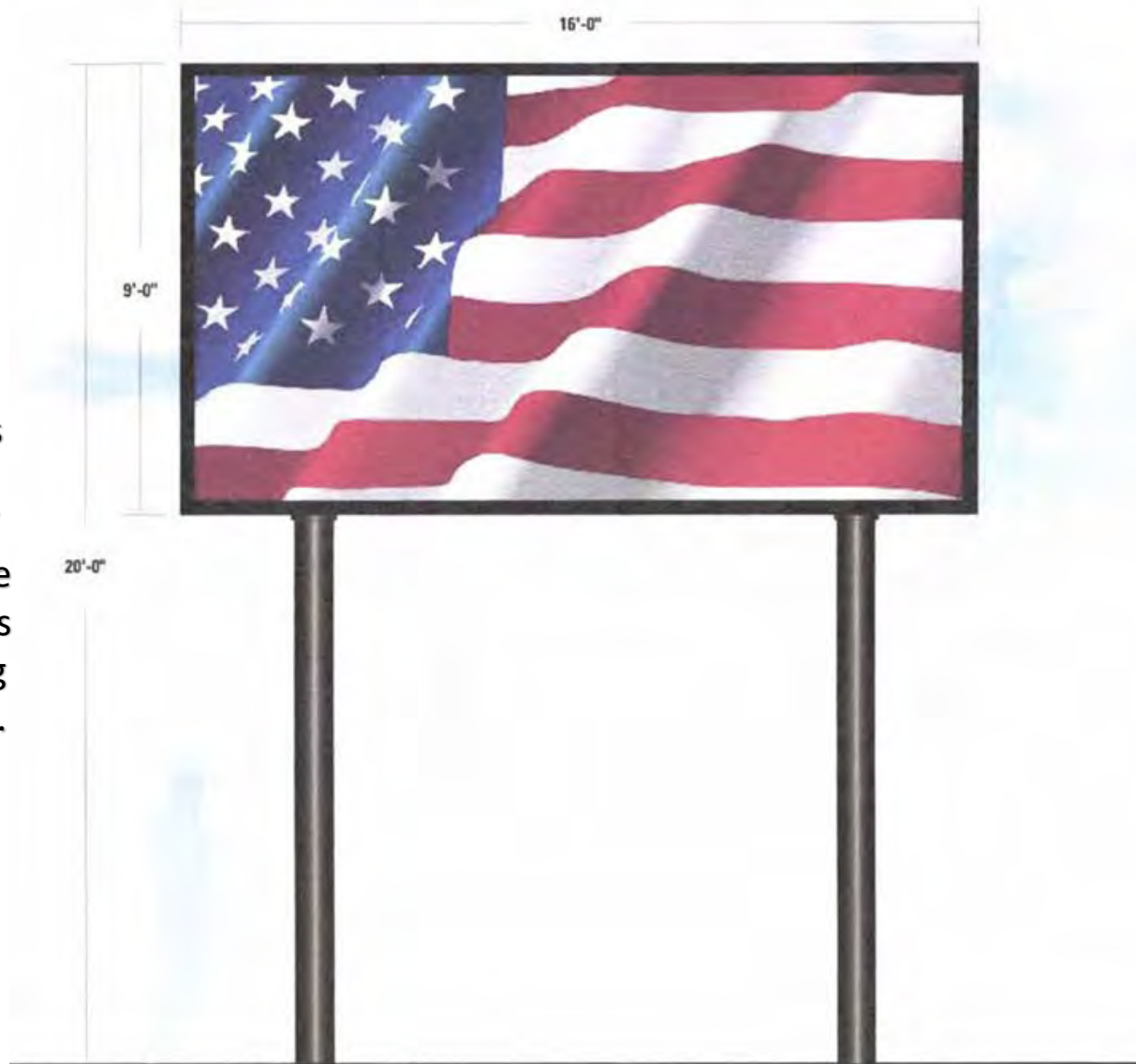
Acct. Exec: Eric Larson
Designer: Cheryl Lewis

OPY-62927 R0

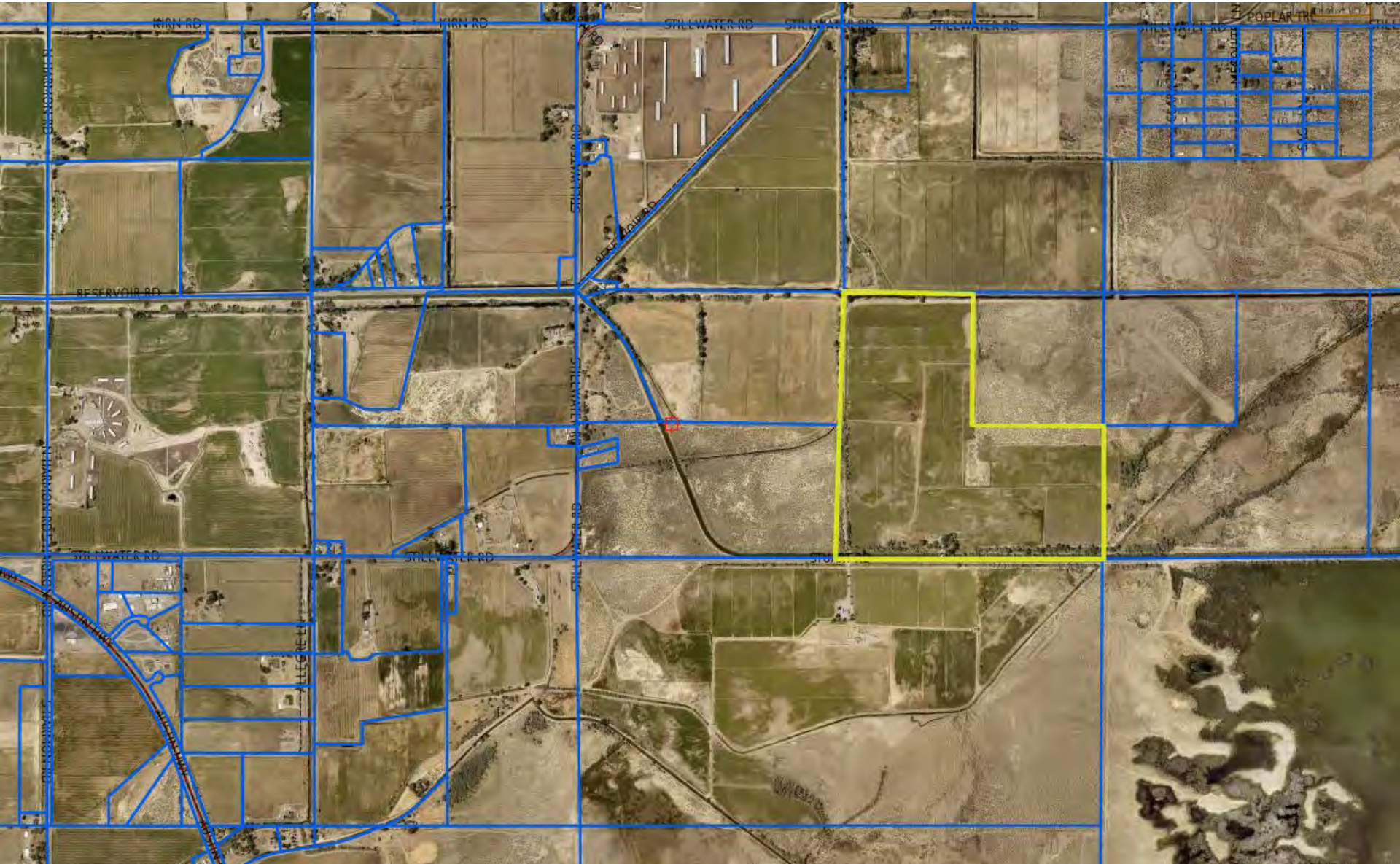
LOC 0.1



Note: This exhibit shows 20' height. The applicant is requesting 25' height.



Wild West Duck Dogs, SUP application, 6755 Stuart Rd, APN 009-131-06





STU. IN. RD.

1 Approx 150 ft From Ditch to Building 1

2nd septic system

Yard

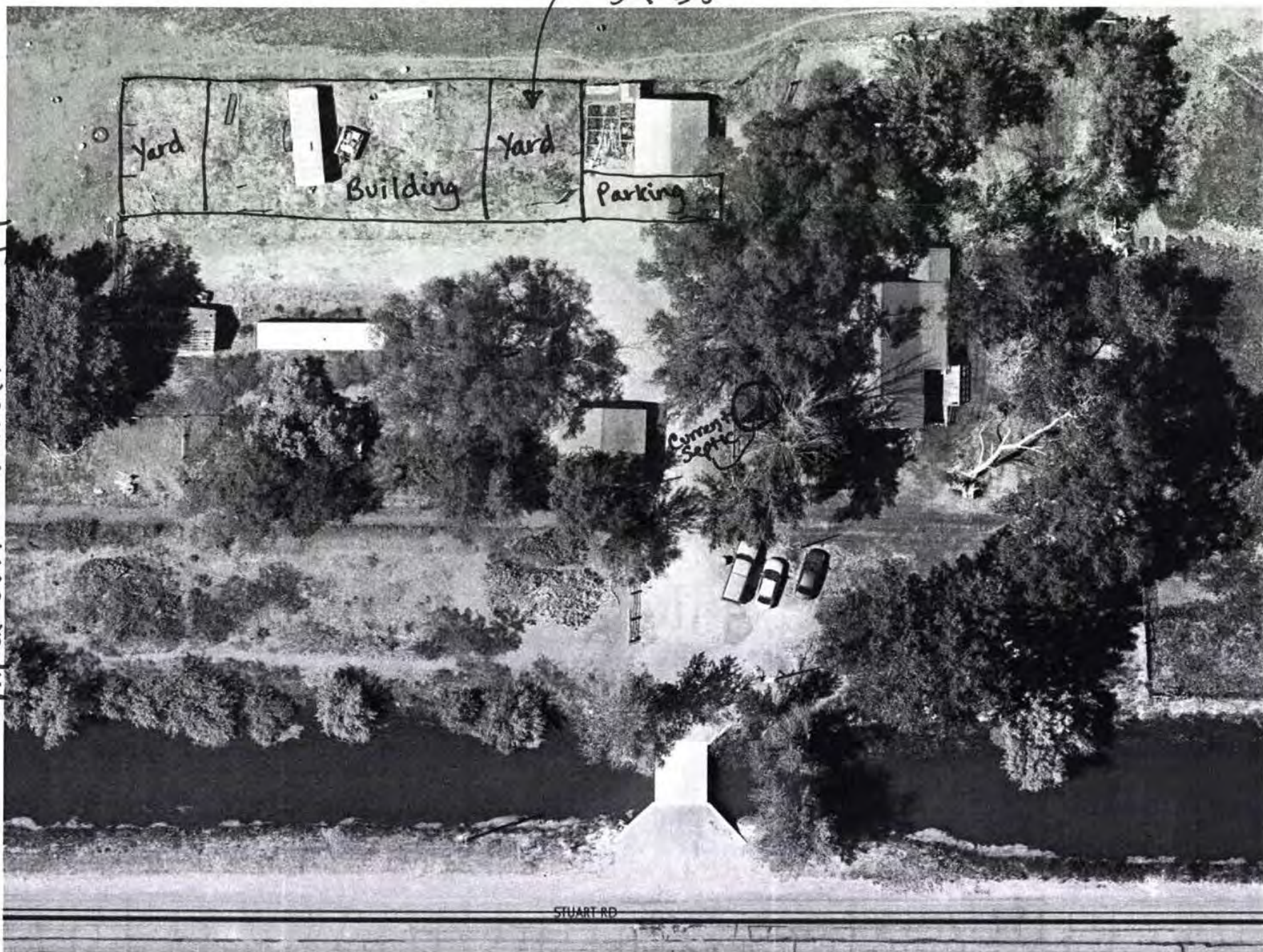
Building

Yard

Parking

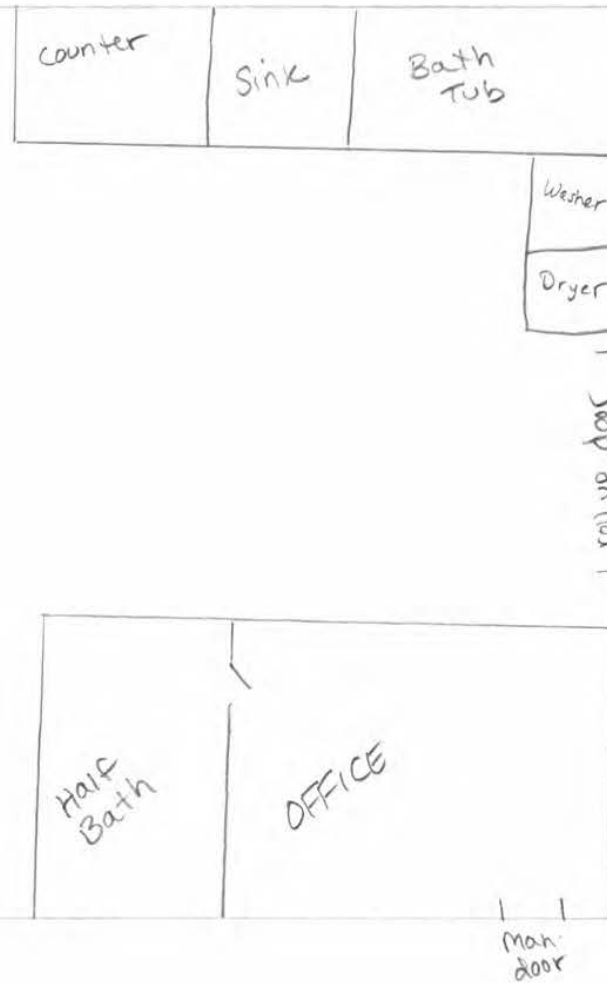
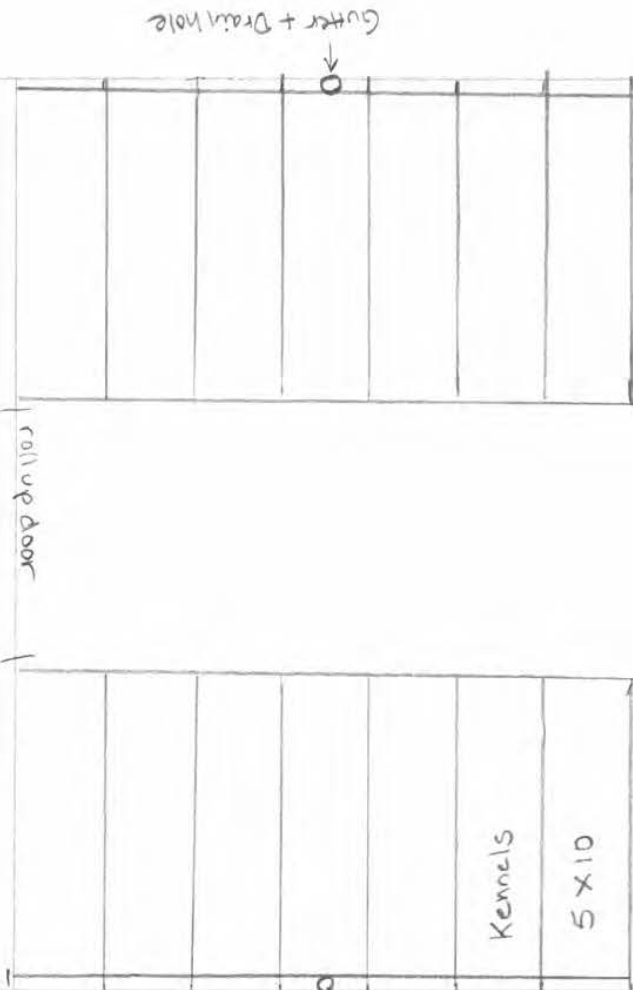
Current
Septic

STUART RD

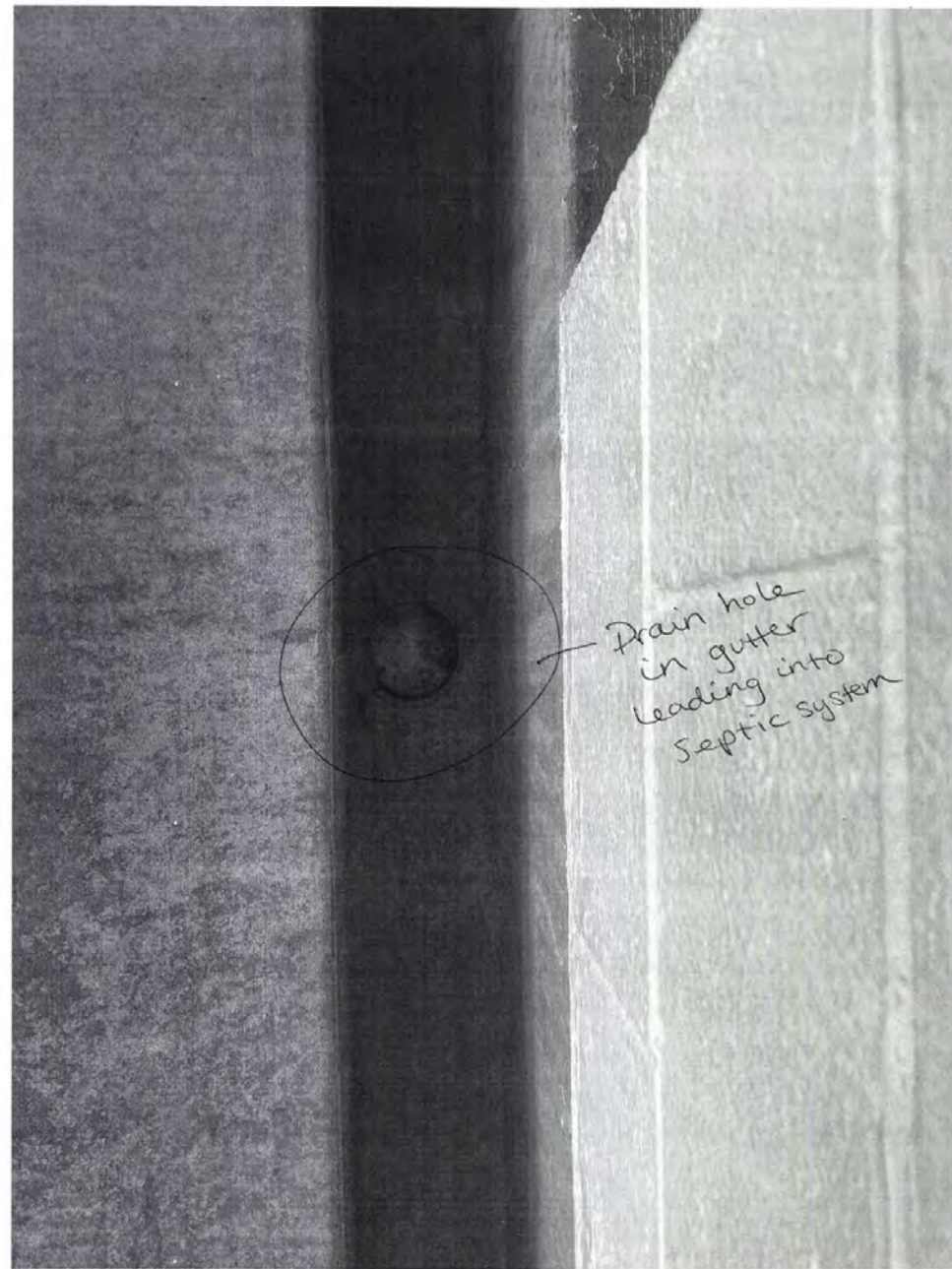
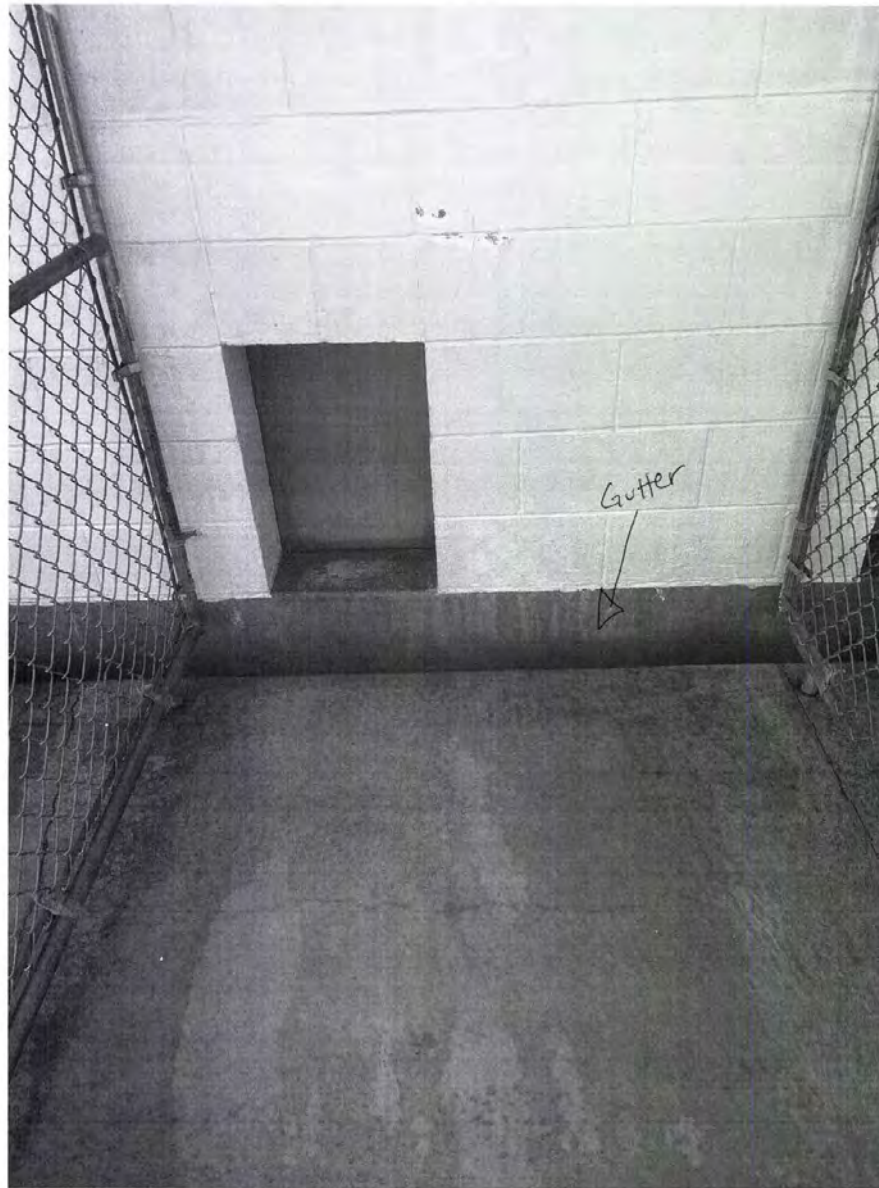


30 ft.
Exercise
Yard

15 ft



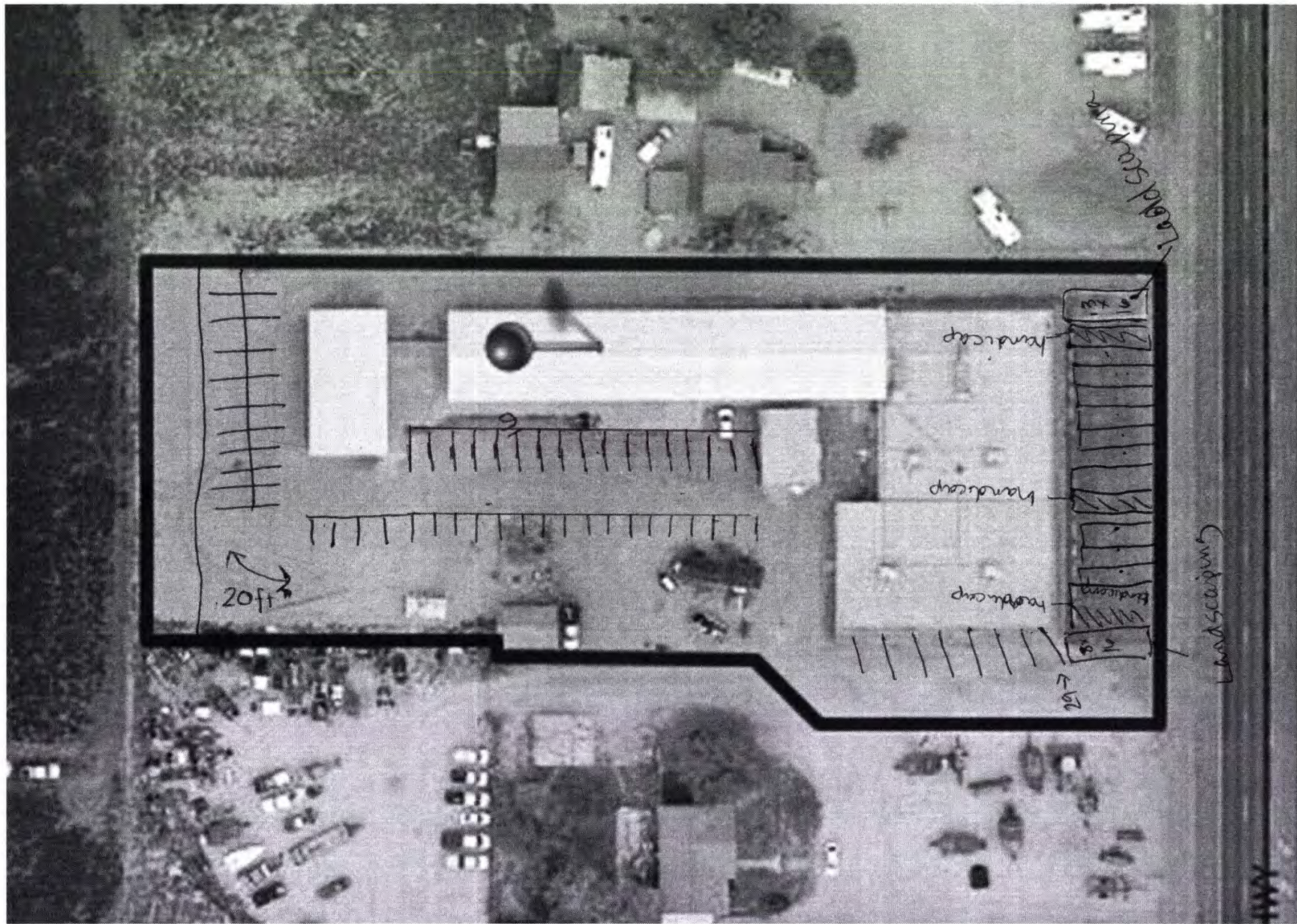
Exercise
Yard



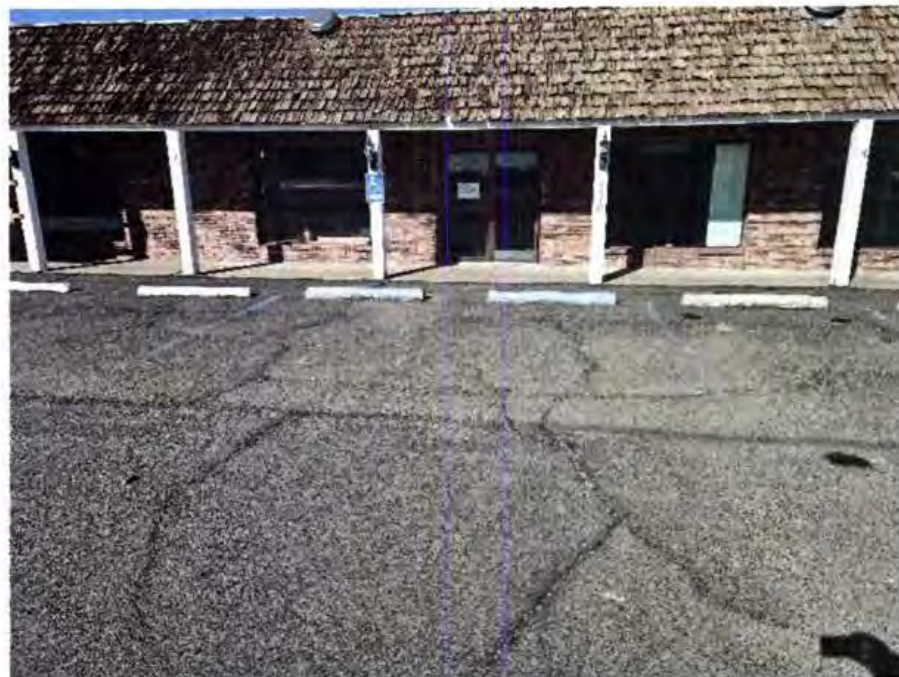


Desert Properties R.U.S., SUP Application, 5070 Reno Hwy, APN 008-531-90

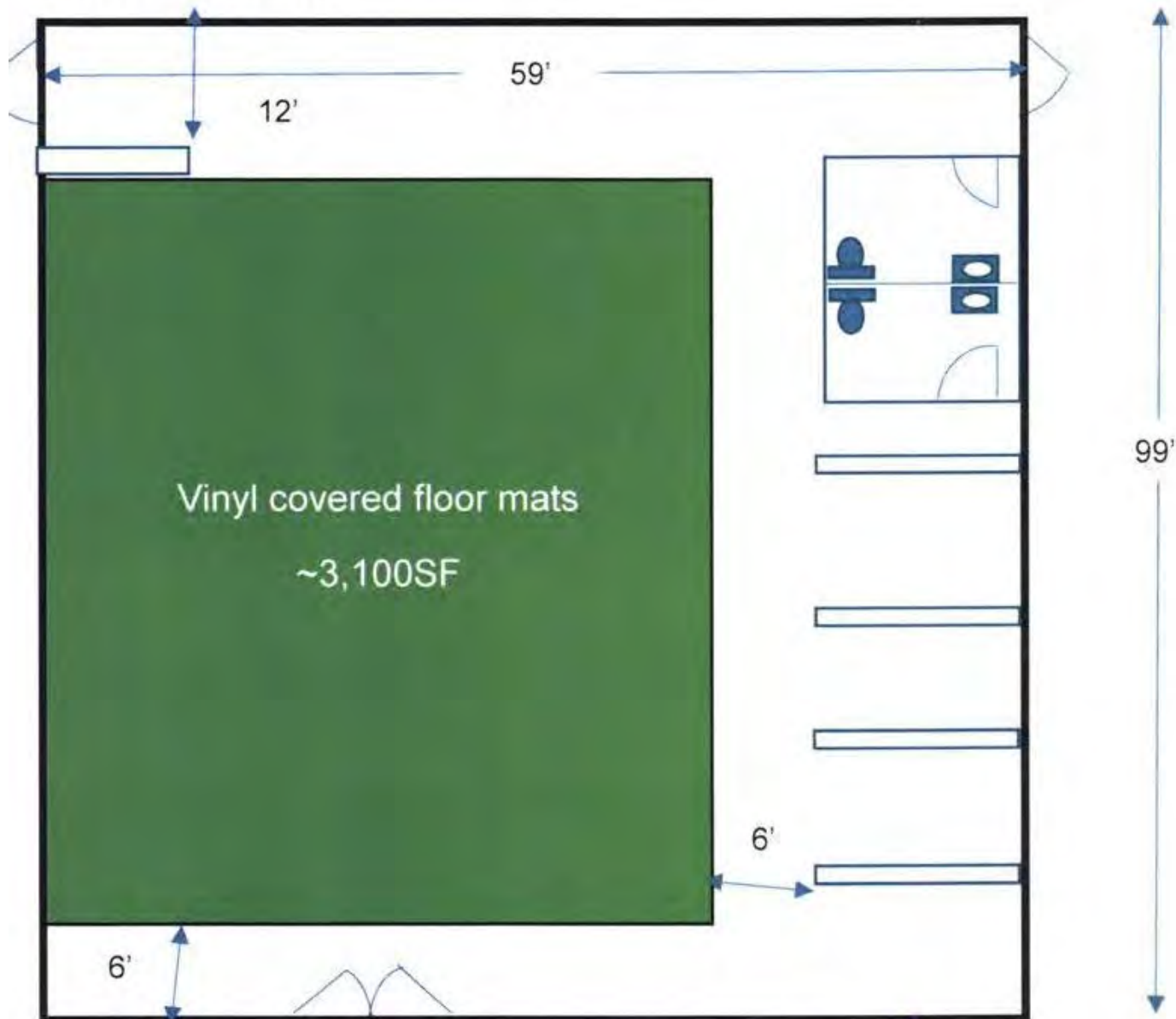








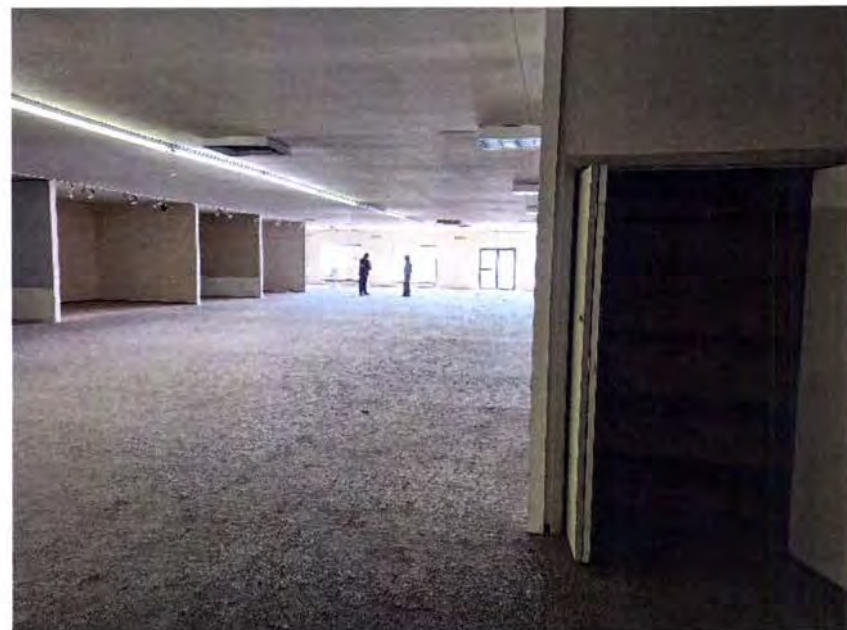
Layout Diagram:



*Not to scale.

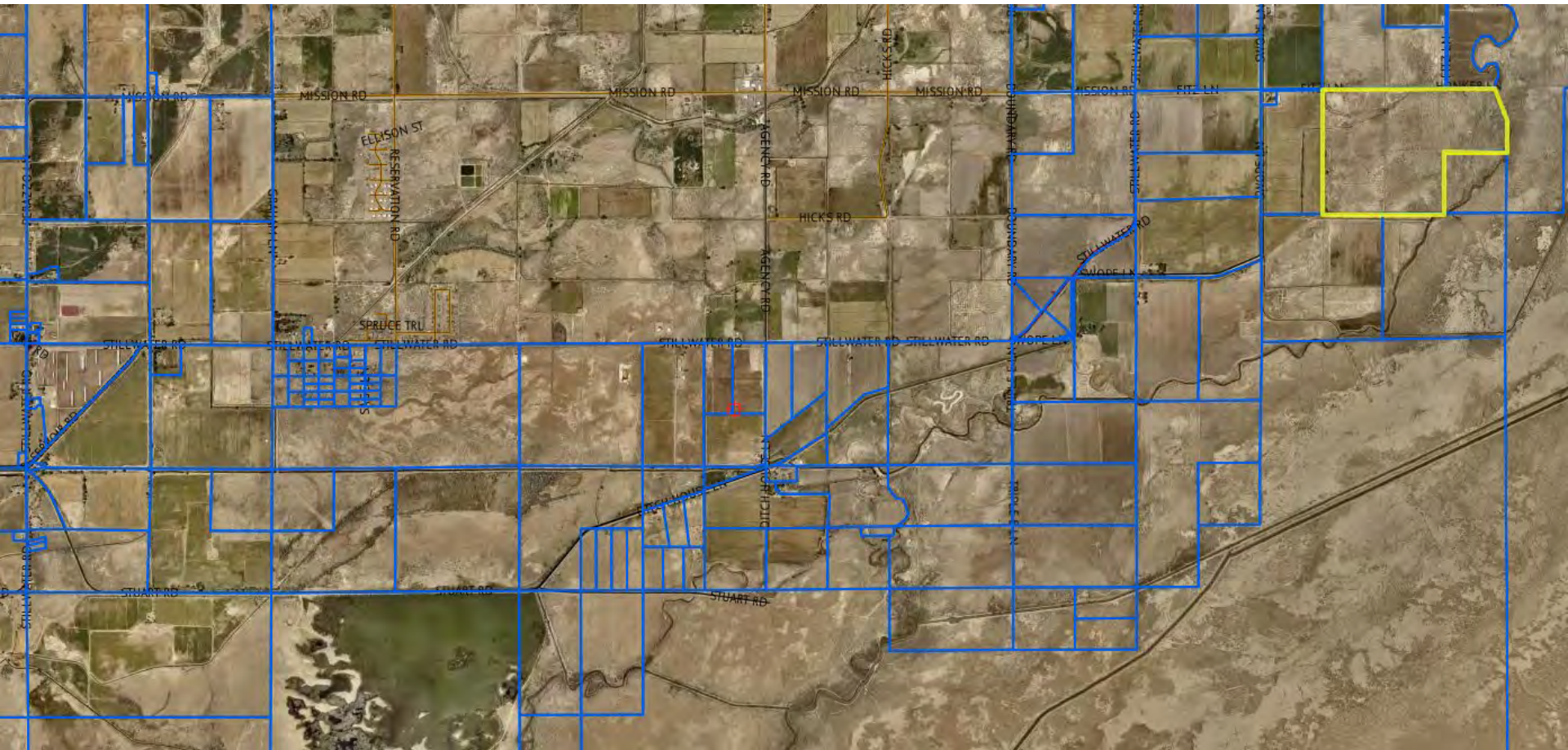


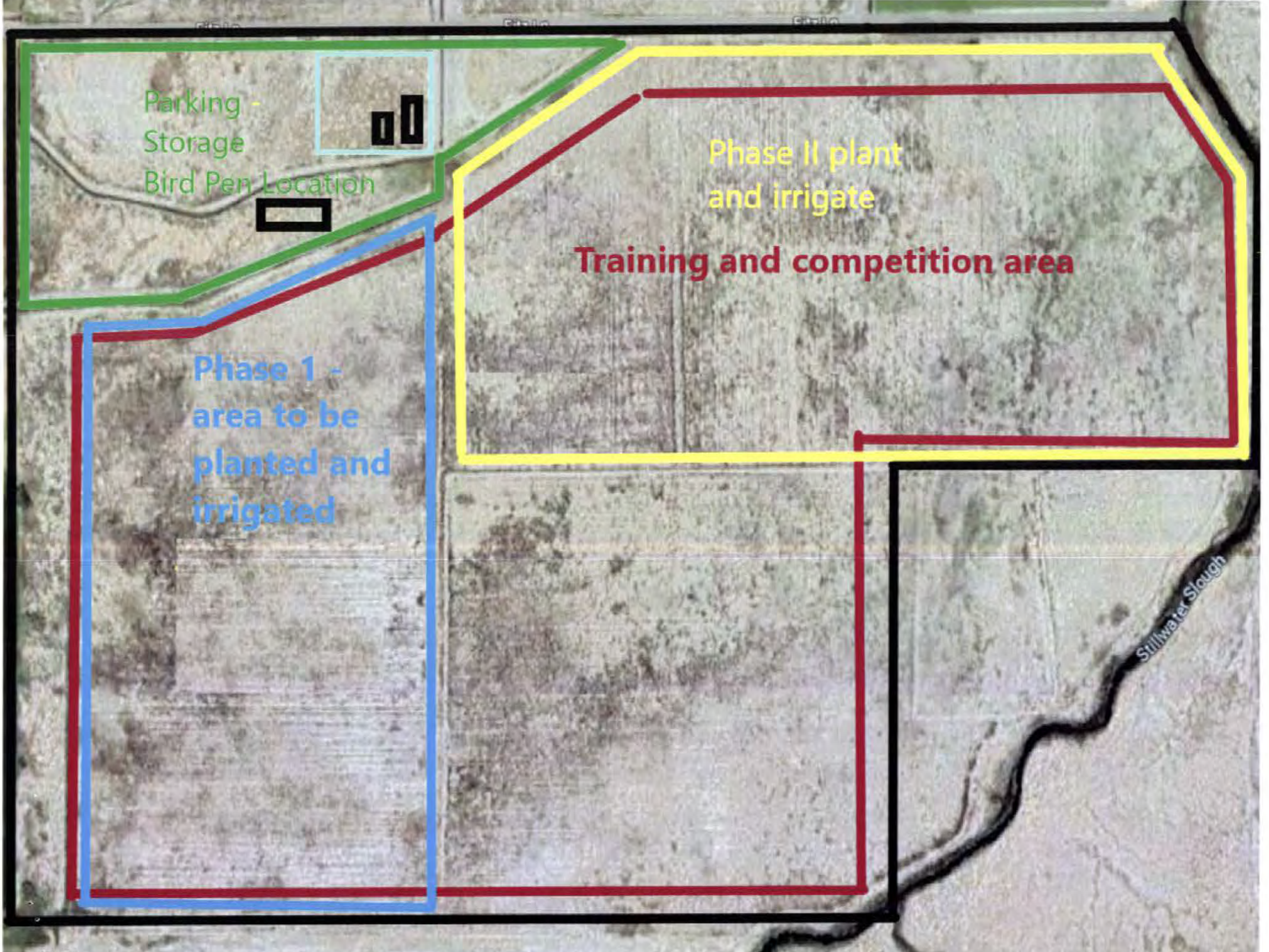
Interior view of Unit#1 looking North.



Interior view of Unit #1 looking South

Lahontan Valley Bird Dog Club, SUP Application, Fitz Ln, APN 009-231-15





Parking -
Storage
Bird Pen Location

The map shows a large rectangular area divided into several sections. A green outline in the top-left corner encloses a parking and storage area, with a small black rectangle indicating a bird pen location. A blue outline in the bottom-left corner marks the area for Phase 1 planting and irrigation. A red outline covers the bottom and right portions of the map, including a large area for Phase II planting and irrigation. A yellow outline within the Phase II area specifically designates a training and competition area. A winding slough, labeled 'Stillwater Slough', runs along the bottom-right edge of the map. The entire project area is bounded by a thick black line.

Phase II plant
and irrigate

Training and competition area

Phase 1 -
area to be
planted and
irrigated

Stillwater Slough

NV Energy, SUP & Variance Applications, Sagehen Creek Rd, Multiple APNs

NV Energy Sierra Solar Phase I

**Figure 1
Project Location**

Churchill County, NV

Project Features

- Project Gen-Tie
- 3244 Line Fold
- Lantern Switching Station
- Project Substation
- BESS Boundary
- Project Area

Transportation

- Interstate Highway
- Local Roads
- Abandoned RS2477 Roads

Boundary

- County
- County Parcel

Utility Line

- Tracy to Valmy and
Valmy to Tracy 345 KiloVolt
Transmission Lines



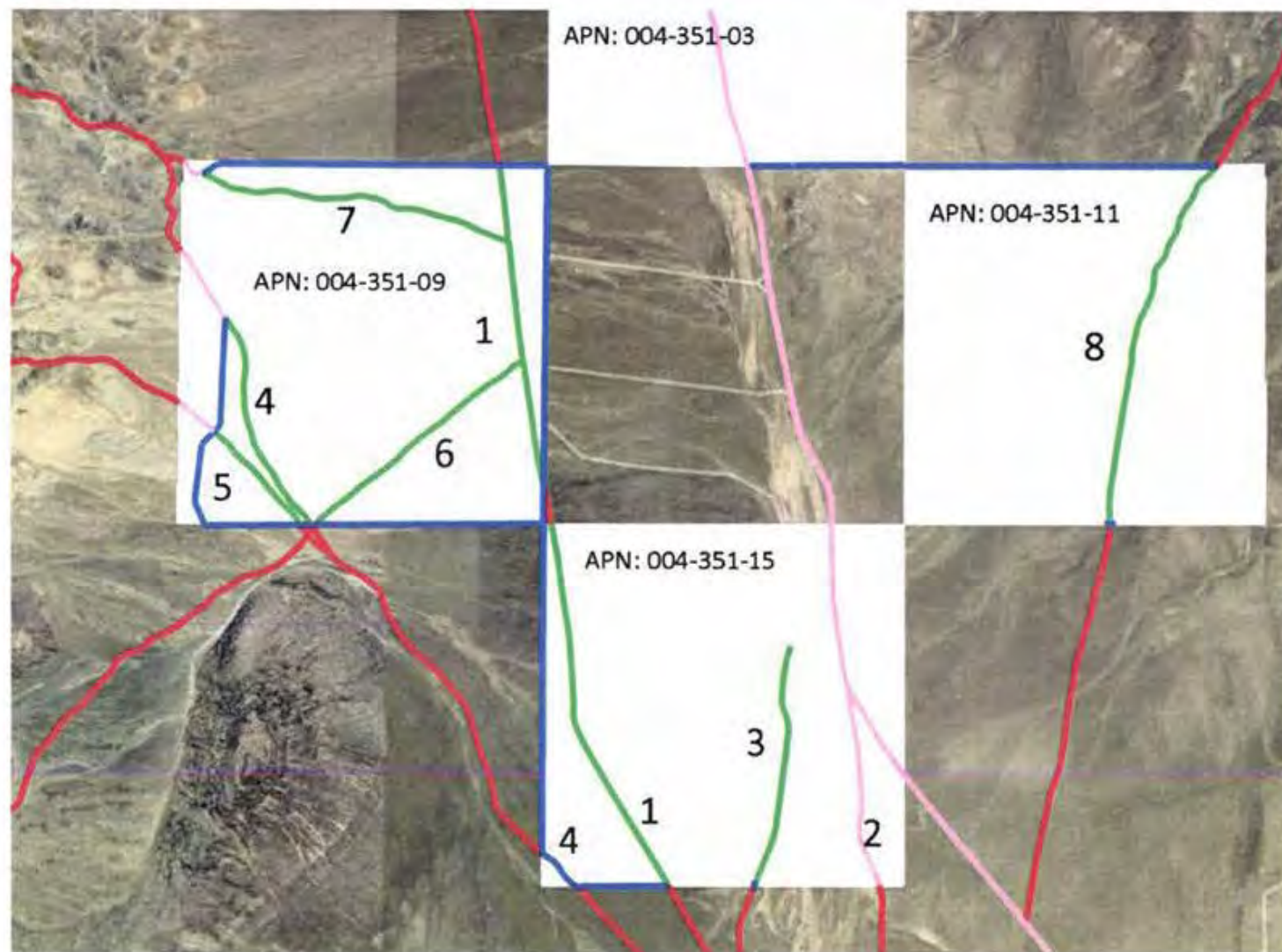
NOT FOR CONSTRUCTION

Reference Map



- APN List
- 004-351-01
- 004-351-02
- 004-351-03
- 004-351-04
- 004-351-05
- 004-351-06
- 004-351-07
- 004-351-08
- 004-351-09
- 004-351-10
- 004-351-11
- 004-351-12
- 004-351-13
- 004-351-14
- 004-351-15
- 004-351-16
- 004-351-17
- 004-351-18
- 004-351-19
- 004-351-20

Updates With Staff's Recommendations



RS-2477
roads not
on project

RS-2477
roads on
project to
be
abandoned

Roads NOT
to be
abandoned

Re-routes
subject to
staff's
conditions

**NV Energy
Sierra Solar Phase I**

**Figure 5
Project Ingress/Egress**

Churchill County, NV

Project Features

- 20-acre Staging Area
- Entrance Gate Locations Per Site Layout
- Haul Route
- Project Gen-Tie
- 3244 Line Fold
- Solar array area
- Lantern Switching Station
- Project Substation
- BESS Boundary
- O&M Fencing
- Project Area

Transportation

- RS2477 Roads
- Abandoned RS2477 Roads
- Rerouted RS2477 Roads

Boundary

- County Parcel

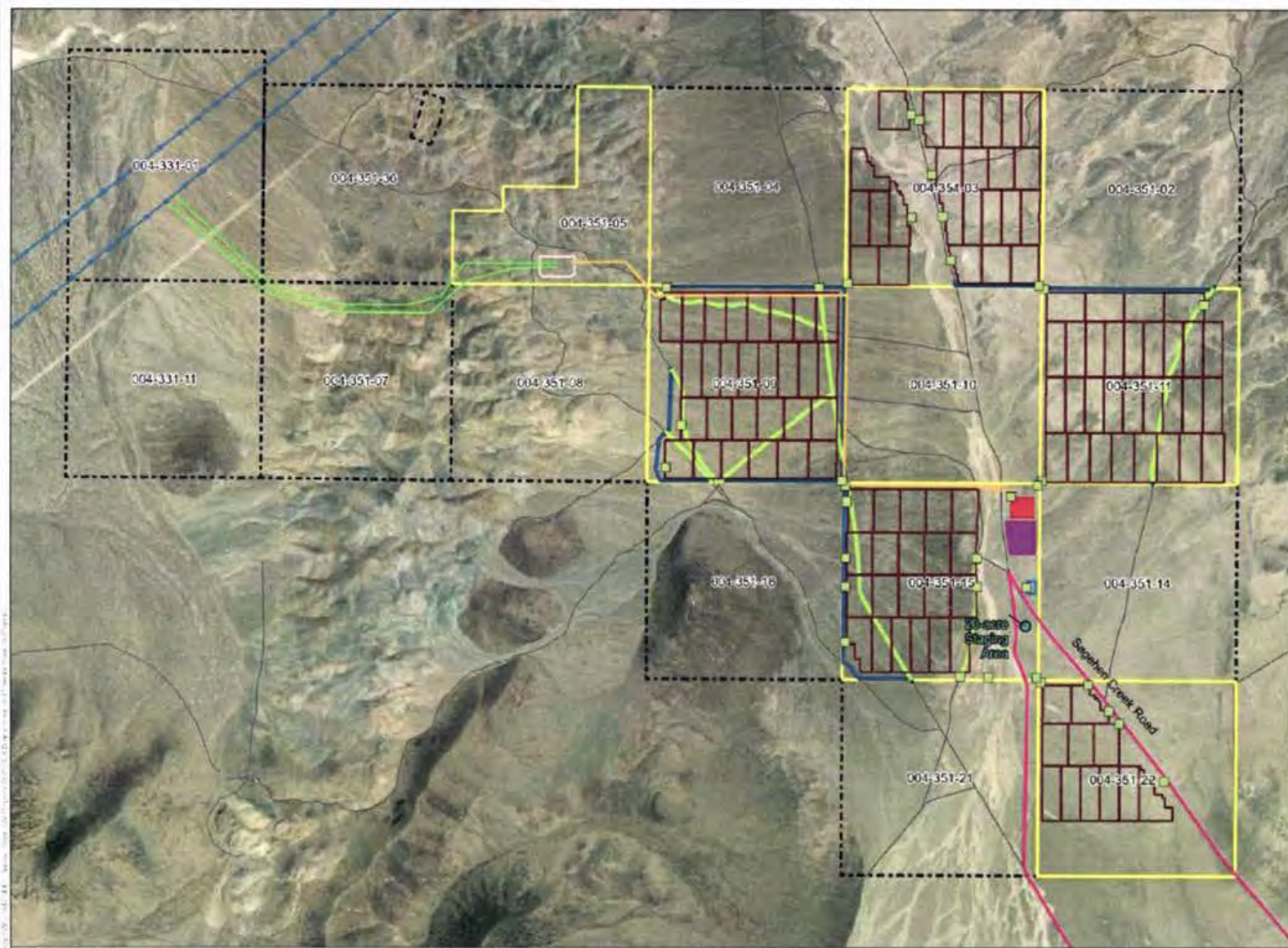
Utility Line

- Tracy to Vahmy and Vahmy to Tracy 345 KiloVolt Transmission Lines



NOT FOR CONSTRUCTION

Reference Map



1:30,000

NAD 1983 StatePlane Nevada West FIPS 2703 Feet

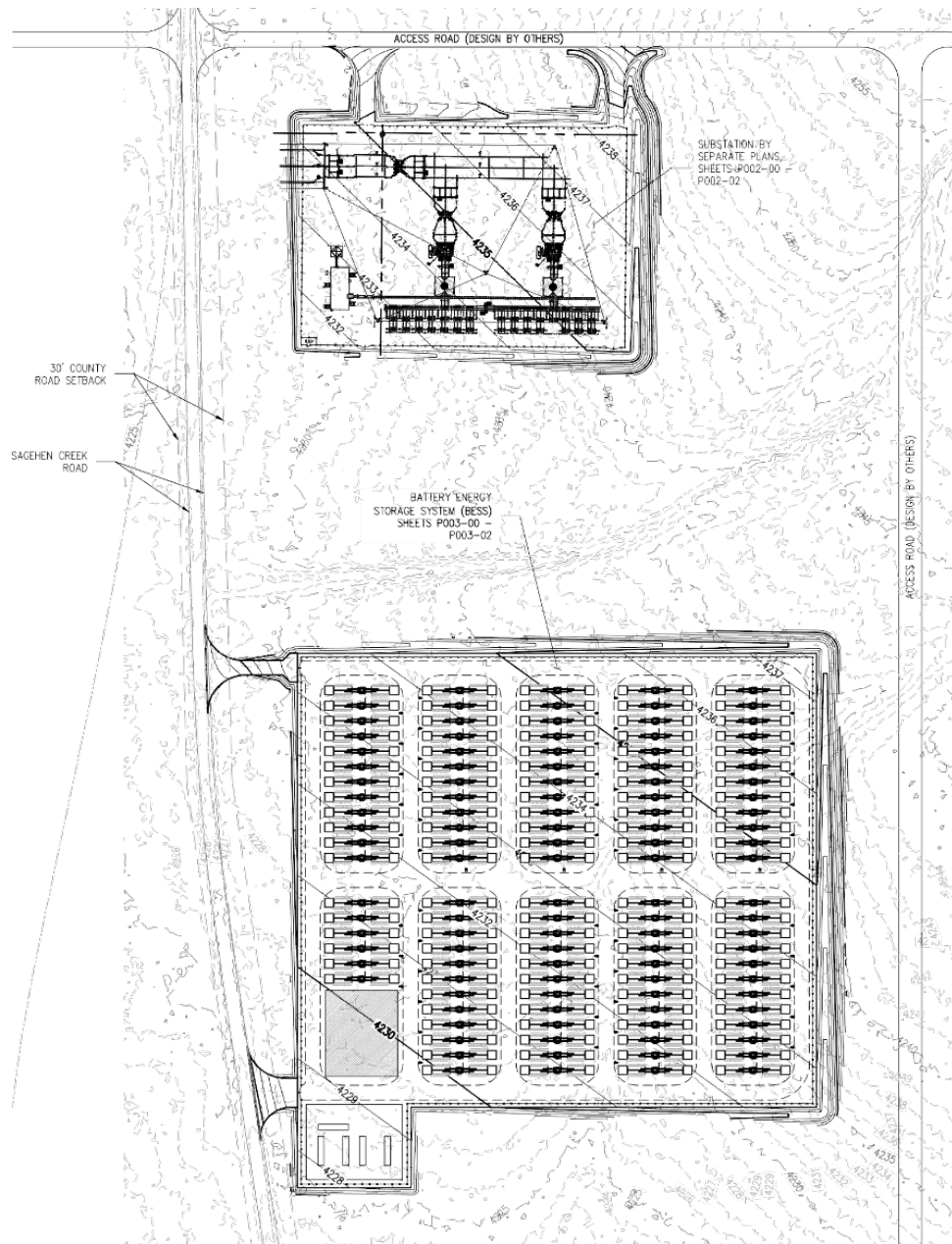
0 1 2 Miles

Source: ESRI, USDA NIP, US CENSUS, BTS

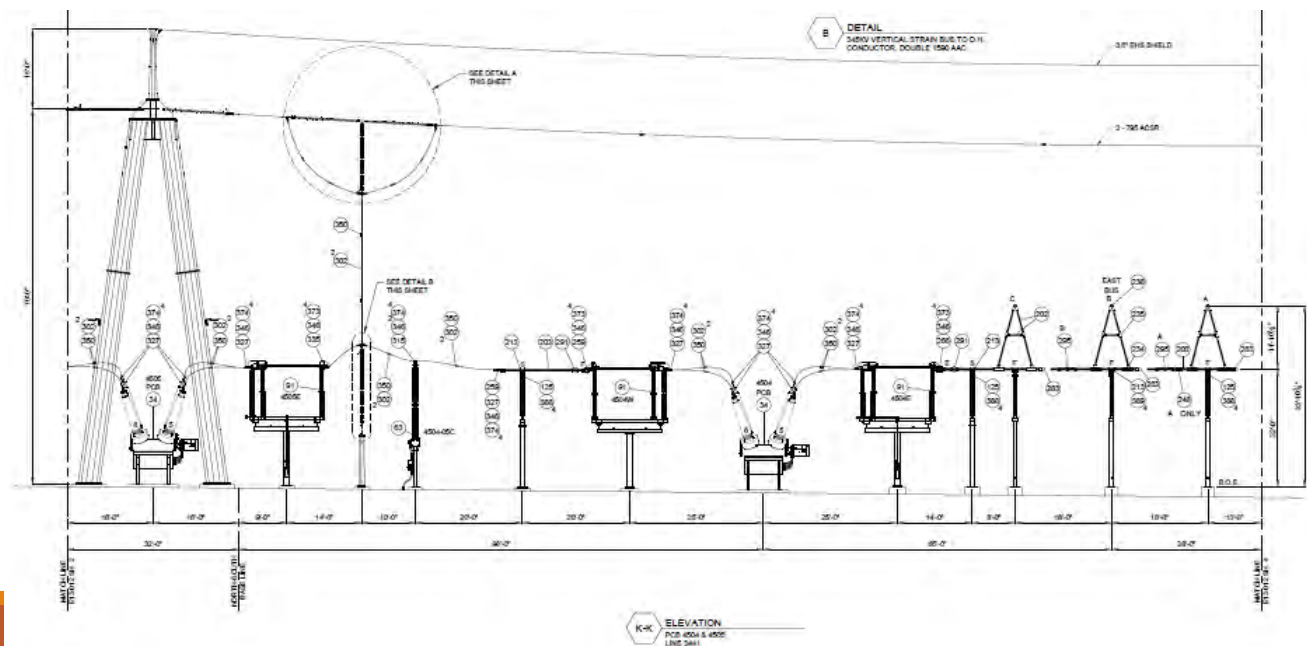
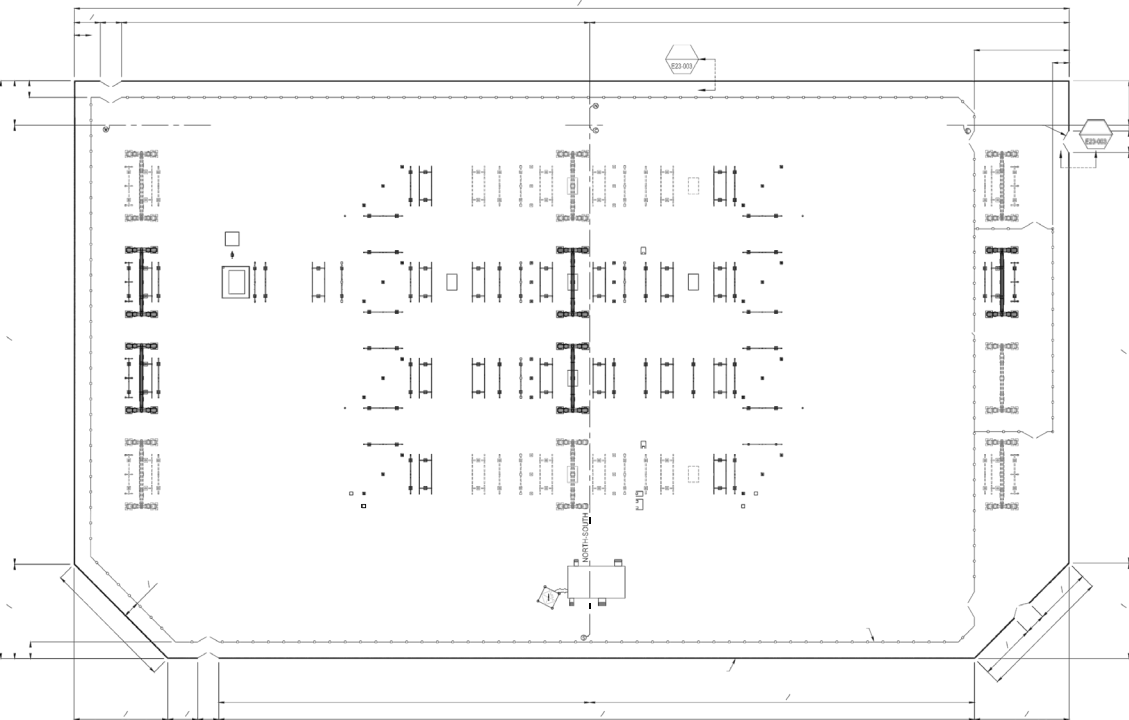










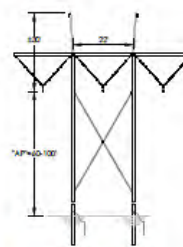


LANTERN SWITCHING STATION TRANSMISSION LAYOUT

APRIL, 2024

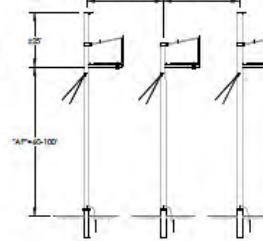
LEGEND

- PROPOSED TRANSMISSION
- EXISTING TRANSMISSION (TO REMAIN)
- EXISTING TRANSMISSION (TO BE REMOVED)
- EXISTING ACCESS ROADS
- PROPOSED ACCESS ROADS



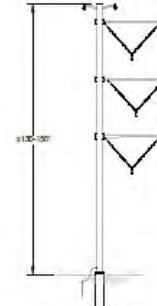
DT571H

QTY = 8



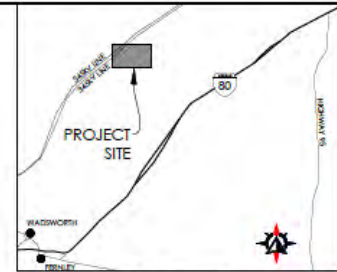
HA571H

QTY = 12

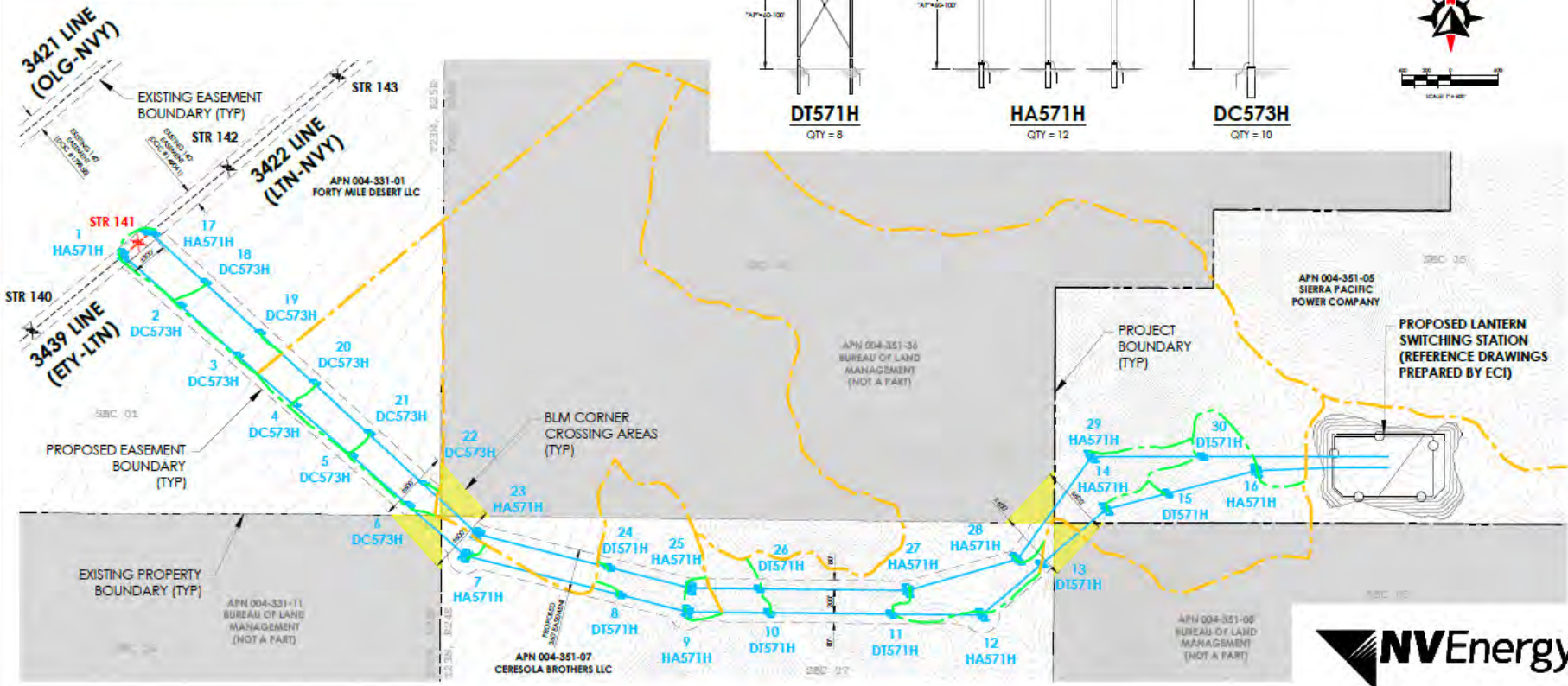


DC573H

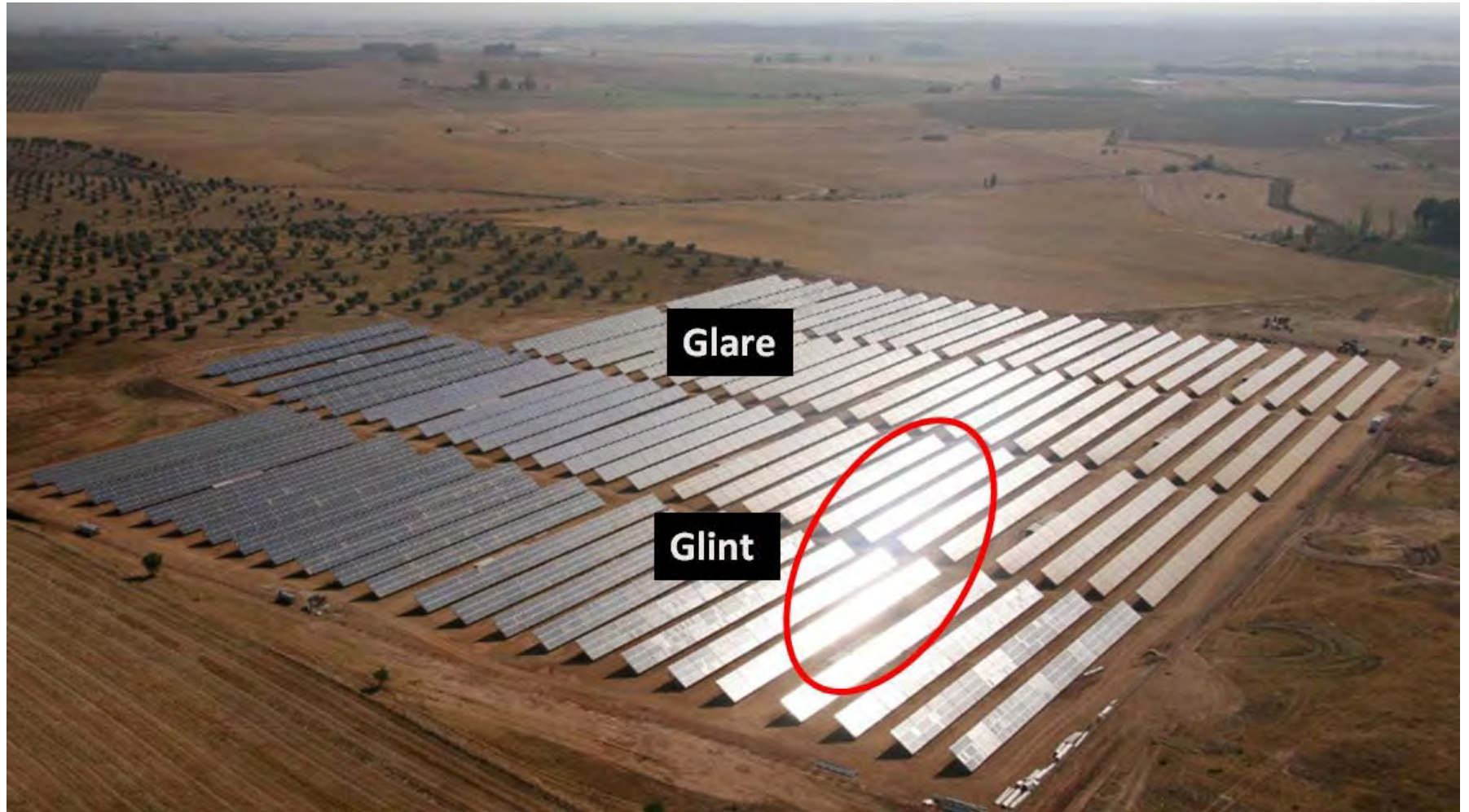
QTY = 10



PRELIMINARY - NOT FOR CONSTRUCTION



ISSUES



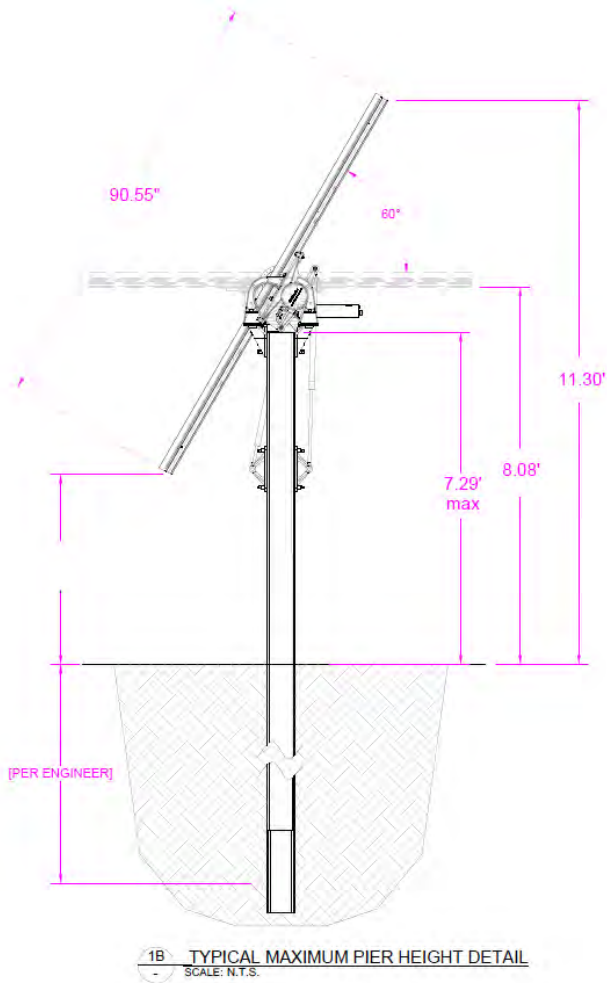


Figure 13a. Mutual Shading Without Backtracking

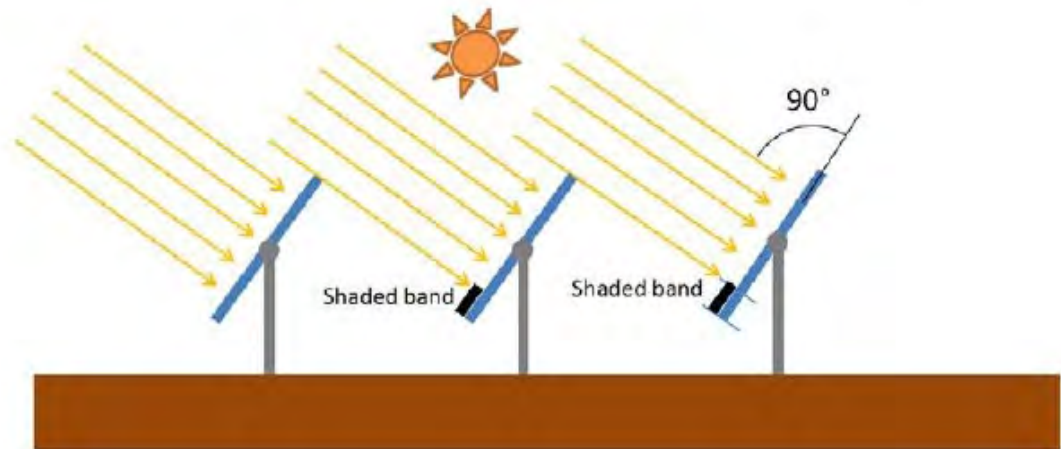
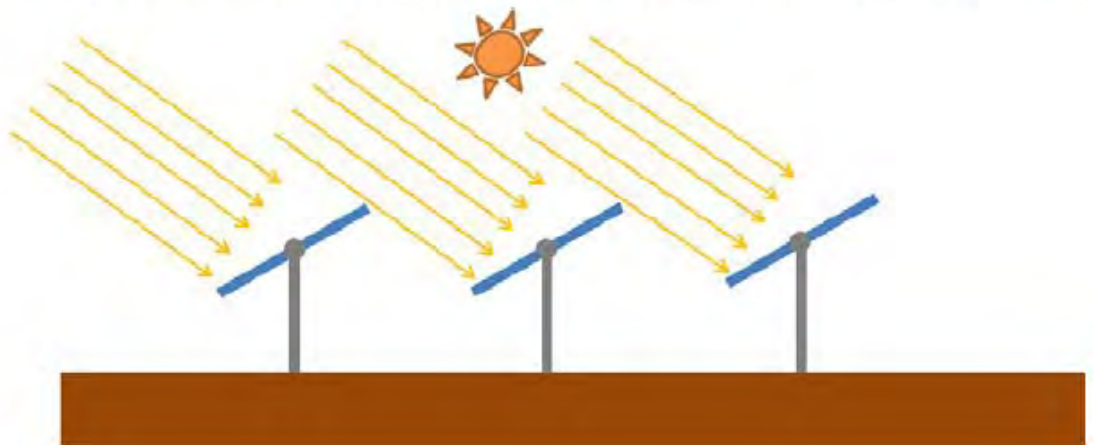
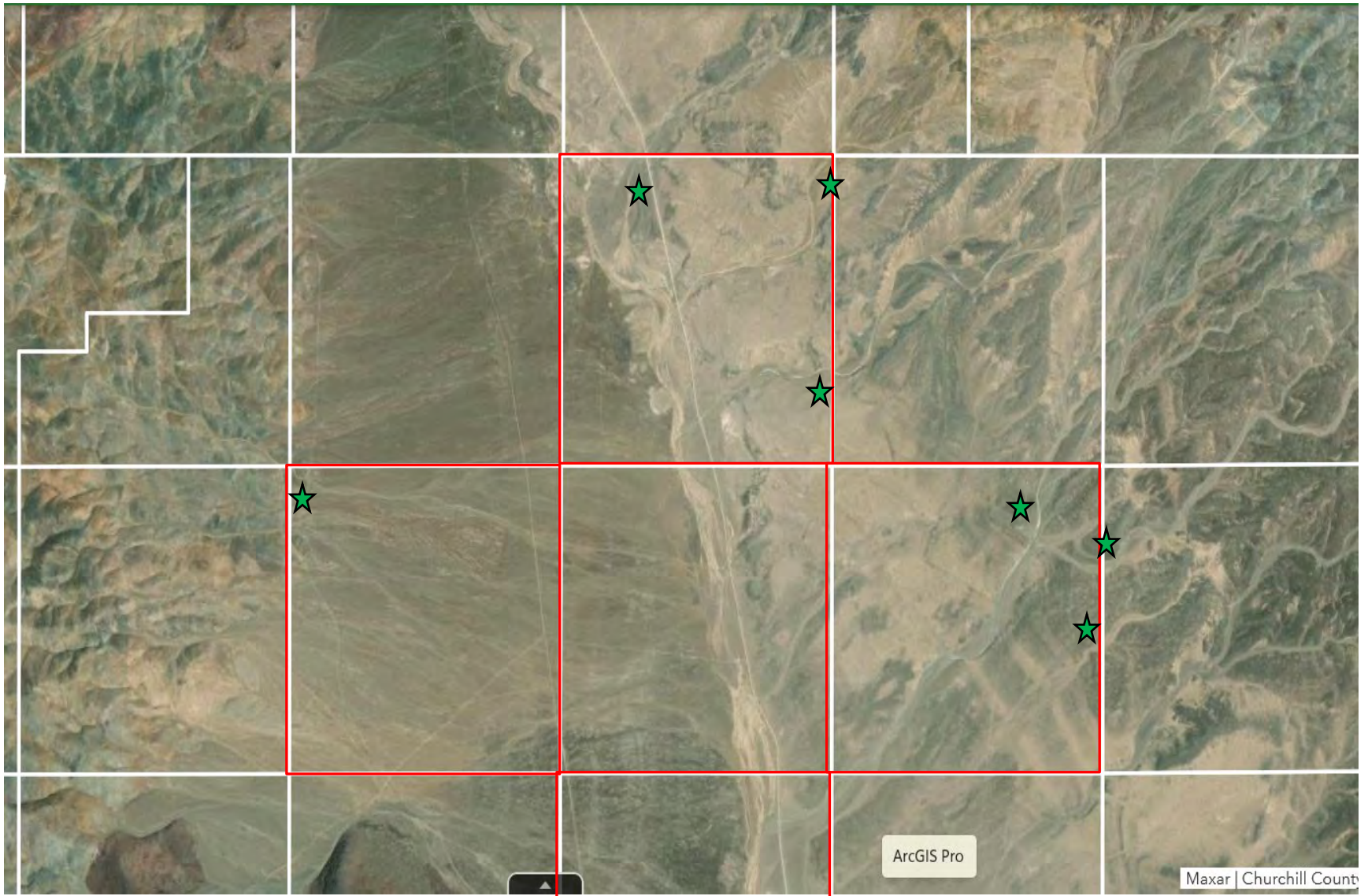


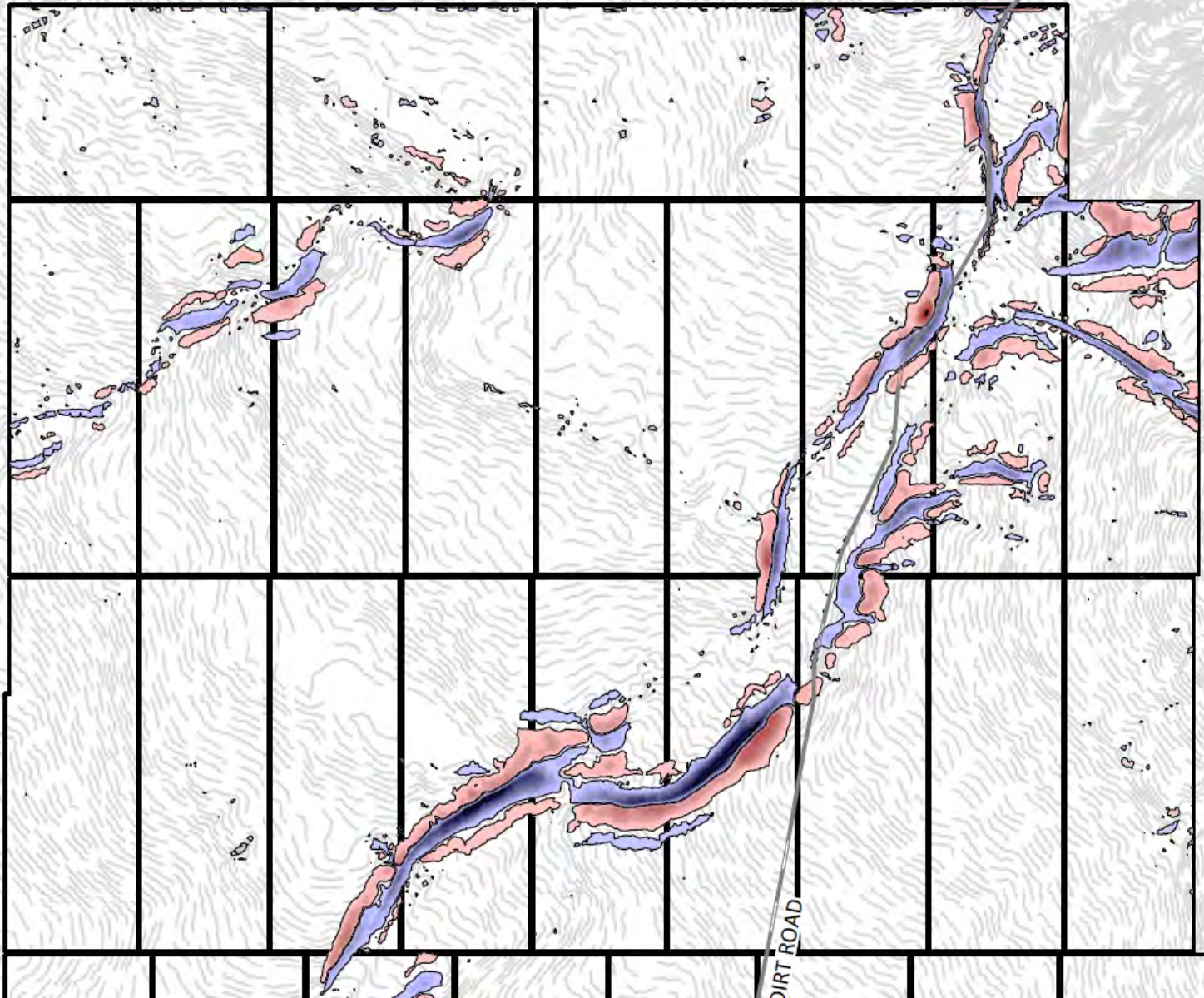
Figure 13b. Backtracking Corrected Incidence Angle to Avoid Mutual Shading

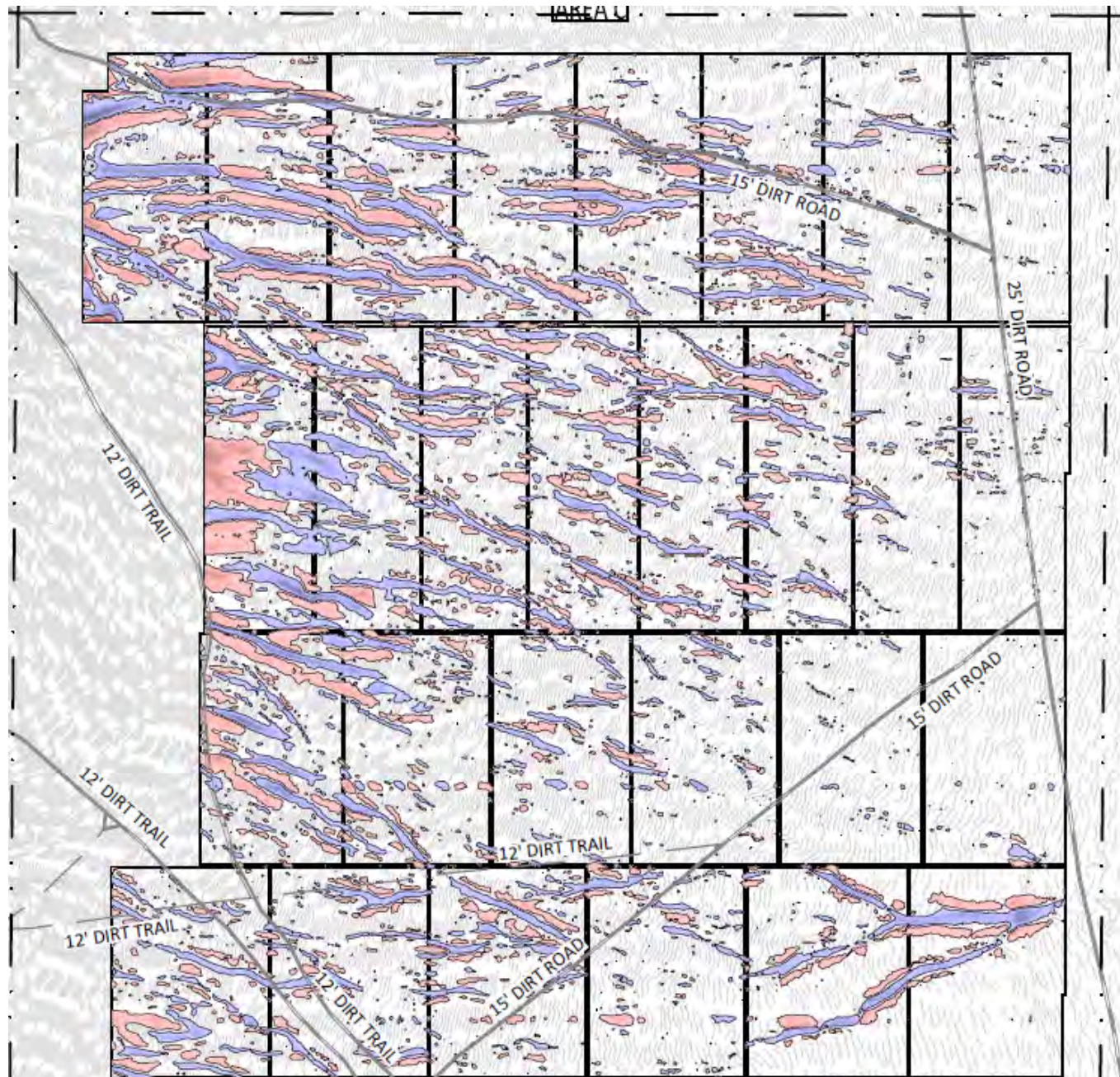


Green stars are locations of main streams entering site



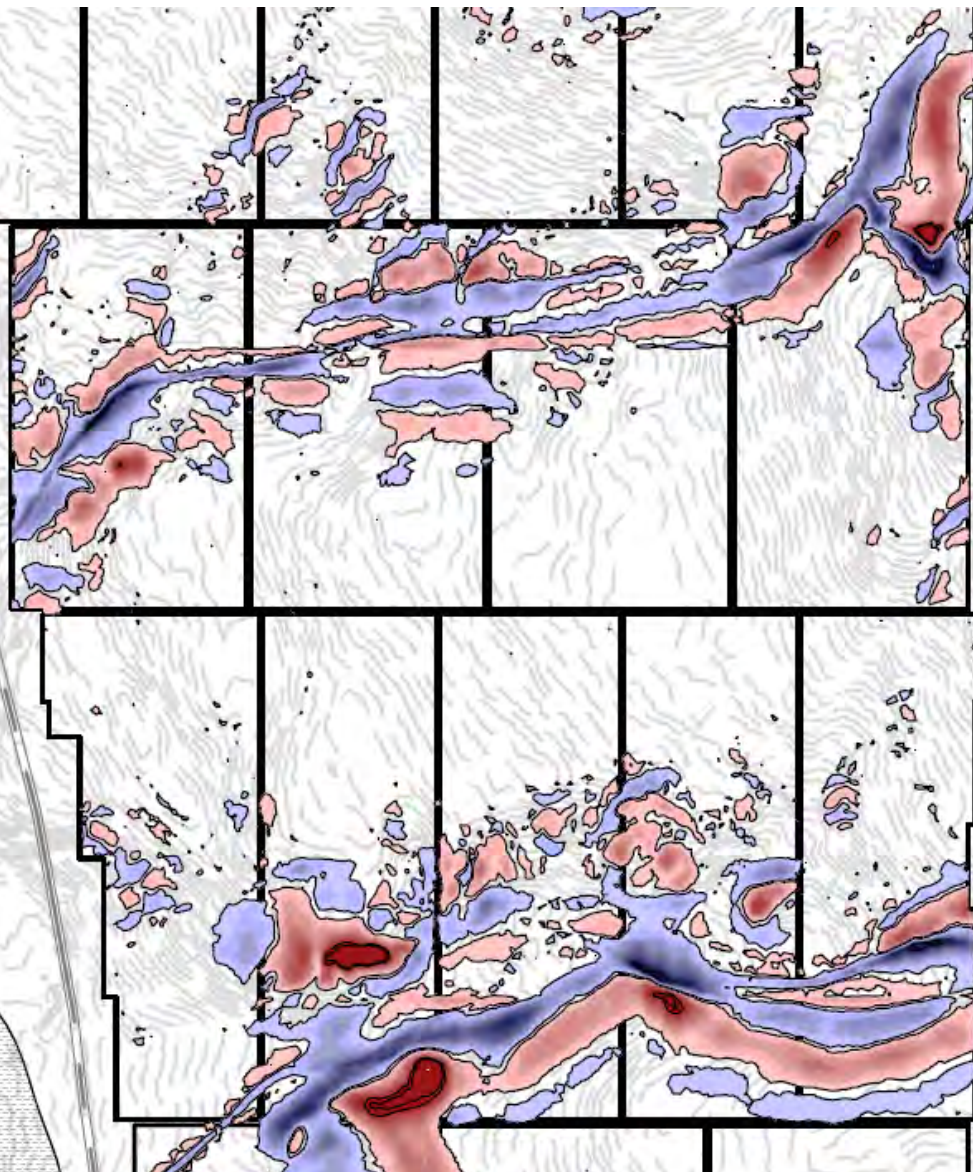
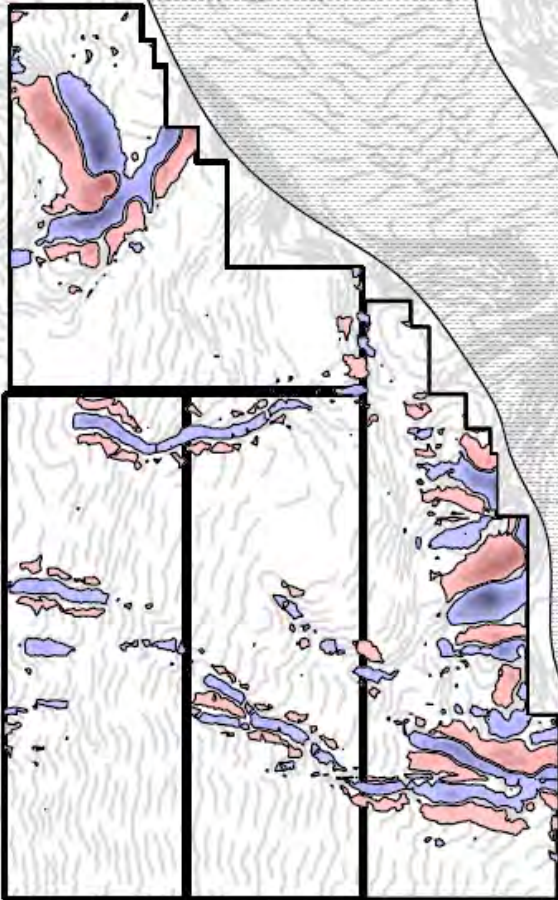
AREA B1





AREA D

SAGEHEN CREEK ROAD



Consent Agenda



Churchill County Building Department

May 16, 2024

Randy Hines, Director
Churchill County Department of Public Works, Planning and Zoning
155 North Taylor Street, Suite 194
Fallon, Nevada 89406

RE: TAYLOR TEMPORARY USE PERMIT APPLICATION, 4909 SOLIAS, 006-435-35

Mr. Hines:

Regarding the Temporary Use Permit (TUP) application for use of a recreational vehicle for temporary quarters.

If the Temporary Use Permit is approved, the Churchill County Building Department requires the following within 30 days of TUP approval.

- A) A placement permit must be applied for and issued for the recreational vehicle. This is a \$200.00 fee.
- B) The electric connection to the recreational vehicle must be inspected and approved by the Churchill County Building Department.
- C) The septic connection to the recreational vehicle must be inspected and approved by the Churchill County Building Department.

A search of the records available in the Churchill County Building Department indicates an approved septic system has been constructed on that site.

Continued use of the existing septic system is permitted until the septic system fails to operate properly, or until a community sewer system becomes available. If the septic system fails to operate properly, repair or replacement will require a construction permit issued by the Churchill County Building Department. The replacement or repaired septic system must conform to the codes in effect at the time of failure.

If questions arise, or if I may be of further assistance, please contact me.

Sincerely,

Jera Reidenbach
Building Inspector

155 N Taylor St
Suite 170
Fallon, NV 89406

Phone 775-428-0264
Fax 775-423-8185
www.Churchillcountynv.gov

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From: myoung@fallonfire.org
To: [Diane Moyle](#)
Subject: RE: Taylor TUP Application for June 12, 2024 Churchill County Planning Commission Meeting
Date: Thursday, May 16, 2024 1:19:20 PM

Caution: This email originated from outside of the Churchill County organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department.

Diane,

Fire has no issue with this TUP.

Regards,

Mitch Young
Fire Marshal, FCFD
Office 775 423-6521 ext. 2
Cell 775 427-7911

From: Diane Moyle <diane.moyle@churchillcountynv.gov>
Sent: Tuesday, May 14, 2024 11:23 AM
To: Buildings <buildings@churchillcountynv.gov>; Gary Fowkes <gary.fowkes@churchillcountynv.gov>; myoung [fallonfire.org](mailto:myoung@fallonfire.org) <myoung@fallonfire.org>
Cc: Dean Patterson <dean.patterson@churchillcountynv.gov>; Savannah Dukes <savannah.dukes@churchillcountynv.gov>; Randy Hines <Randy.Hines@churchillcountynv.gov>
Subject: Taylor TUP Application for June 12, 2024 Churchill County Planning Commission Meeting

Please review the attached application for a temporary use permit filed by Taylor at 4909 Solias Rd, APN 006-435-35, and provide any comments, questions or concerns to our department as soon as possible to use in making recommendations to the Planning Commission.

Diane Moyle
Public Works, Planning & Zoning Department
155 N Taylor Street, Suite 194
Fallon, NV 89406
775-423-7627, Extension 3
775-428-0259 Fax
(If not already done, please note the new email address.)

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Churchill County Building Department

May 16, 2024

Churchill County Department of Public Works, Planning and Zoning
155 North Taylor Street, Suite 194
Fallon, Nevada 89406

RE: SCHENKEL TEMPORARY USE PERMIT APPLICATION, 10073 CARSON HWY, 007-231-03

If the Temporary Use Permit is approved, the Churchill County Building Department requires a placement permit at the cost of \$200.00 within 30 days of TUP approval.

Inspection of the electrical and sewer connections to the Recreational Vehicles is required and scheduling is the responsibility of the applicant.

Verification of a viable septic system was not located in a search of the Churchill County Building Department records. An RV waste disposal method needs to be provided.

Proper permits that are not included in the RV Placement permit must be obtained prior to the construction and/or placement of the following items:

- Building a new residence or placing a manufactured home
- The construction of a septic system
- Any structure 120 sq ft or more per Churchill County Code.

Please contact our office with any further questions.

Churchill County Building Department

155 N Taylor St
Suite 170
Fallon, NV 89406

Phone 775-428-0264
Fax 775-423-8185
www.Churchillcountynv.gov

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From: myoung@fallonfire.org
To: [Diane Moyle](#)
Subject: RE: Schenkel TUP application for June 12, 2024 Churchill County Planning Commission Meeting
Date: Thursday, May 16, 2024 1:15:54 PM

Caution: This email originated from outside of the Churchill County organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department.

Diane,

All weather access, along with the ability to support the load of a 68,000 pound fire apparatus to within 300 feet of any structures, shall be confirmed by a qualified engineer.

Regards,

Mitch Young
Fire Marshal, FCFD
Office 775 423-6521 ext. 2
Cell 775 427-7911

From: Diane Moyle <diane.moyle@churchillcountynv.gov>
Sent: Tuesday, May 14, 2024 11:26 AM
To: Buildings <buildings@churchillcountynv.gov>; myoung [fallonfire.org](mailto:myoung@fallonfire.org) <myoung@fallonfire.org>; D2Traffic@dot.nv.gov; jgraham@dot.nv.gov
Cc: Dean Patterson <dean.patterson@churchillcountynv.gov>; Savannah Dukes <savannah.dukes@churchillcountynv.gov>; Randy Hines <Randy.Hines@churchillcountynv.gov>
Subject: Schenkel TUP application for June 12, 2024 Churchill County Planning Commission Meeting
Importance: High

Please review the attached application for a temporary use permit filed by Schenkel, at 10073 Carson Hwy, APN 007-231-03, and provide any comments, questions or concerns to our department as soon as possible to use in making recommendations to the Planning Commission.

Diane Moyle
Public Works, Planning & Zoning Department
155 N Taylor Street, Suite 194
Fallon, NV 89406
775-423-7627, Extension 3
775-428-0259 Fax
(If not already done, please note the new email address.)

Churchill County is an equal opportunity employer and provider.

From: [Benjamin Shawcroft](#)
To: [Diane Moyle](#)
Cc: [Dean Patterson](#); [Savannah Dukes](#); [Randy Hines](#)
Subject: Re: Schenkel TUP application for June 12, 2024 Churchill County Planning Commission Meeting
Date: Thursday, May 16, 2024 9:41:45 AM

Caution: This email originated from outside of the Churchill County organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department.

Diane,

TCID's only comment is that the applicant needs to ensure he has legal access to the property. The ditch road running parallel to the canal cannot be used unless he obtains permission from BOR - if he intends to use this ditch road he will need to contact BOR to start that application process which is lengthy. The best route is likely from the state highway and across BLM land to the north. BLM will need to give him permission for that access unless it is a 2477 Road.

Regards,

Ben Shawcroft

General Manager

Truckee-Carson Irrigation District

(775) 423-2141

From: Diane Moyle <diane.moyle@churchillcountynv.gov>
Sent: Wednesday, May 15, 2024 12:13 PM
To: Benjamin Shawcroft <ben@tcid.org>
Cc: Dean Patterson <dean.patterson@churchillcountynv.gov>; Savannah Dukes <savannah.dukes@churchillcountynv.gov>; Randy Hines <Randy.Hines@churchillcountynv.gov>
Subject: Schenkel TUP application for June 12, 2024 Churchill County Planning Commission Meeting

Ben,

We are not sure what road Mr. Schenkel is using for access; it could be a TCID access road. Also, during conversations with him some statements were made that make us wonder if he is using water from the canal. Please review the attached temporary use permit application filed by Schenkel at 10073 Carson Hwy, APN 007-231-03, and provide any comments, questions or concerns to our department as soon as possible to use in making recommendations to the Planning Commission.

Diane Moyle

Public Works, Planning & Zoning Department
155 N Taylor Street, Suite 194
Fallon, NV 89406
775-423-7627, Extension 3

775-428-0259 Fax

(If not already done, please note the new email address.)

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Churchill County Building Department

May 16, 2024

Churchill County Department of Public Works, Planning and Zoning
155 North Taylor Street, Suite 194
Fallon, Nevada 89406

RE: COMMENTS PERTAINING TO SPECIAL USE PERMIT APPLICATION FOR BANNER CHURCHILL
COMMUNITY HOSPITAL AMBULANCE GARAGE/EMS SERVICES, 4490 RENO HWY, 008-461-15

Construction projects for properties in which the owner does not reside are required to have an appropriately licensed contractor oversee all work performed pursuant to NRS 624.

All plans and construction must meet or exceed the currently adopted Building Codes per Churchill County Code. No work or construction may be performed until the issuance of a building permit by the Churchill County Building Department.

All commercial businesses with employees and/or public access are required to have means of accessibility for persons with disabilities. These requirements include but are not limited to the following items:

- Means of Egress
- Parking
- Restrooms

Considering this project includes storage of motor vehicles and sleeping areas, additional requirements for safety may include but are not limited to:

- Safe separation between rooms used for sleeping and vehicle storage.
- Carbon Monoxide detection.
- Smoke detection and fire suppression.
- Ignition sources are elevated.

A search of records available shows approved and completed permits for the original structure and previous office tenant improvements.

Although a septic permit was not located, a site plan showing an existing system is on file. Continued use of the existing septic system is permitted until the septic system fails to operate properly, or until a community sewer system becomes available. Churchill County Building Department has no jurisdiction over septic systems installed on commercial property. All designs, installations, and inspections must be performed by a State of Nevada licensed engineer. All permitting must be done by the Nevada Department of Environmental Protection (NDEP).

Should there be any questions, please contact our office.

155 N Taylor St
Suite 170
Fallon, NV 89406

Phone 775-428-0264
Fax 775-423-8185
www.Churchillcountynv.gov

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From: myoung@fallonfire.org
To: [Diane Moyle](#)
Subject: RE: Reno Highway Properties SUP application for June 12, 2024 Churchill County Planning Commission Meeting
Date: Thursday, May 16, 2024 1:01:36 PM

Caution: This email originated from outside of the Churchill County organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department.

Diane,

Fire has no issues with this SUP

Regards,

Mitch Young
Fire Marshal, FCFD
Office 775 423-6521 ext. 2
Cell 775 427-7911

From: Diane Moyle <diane.moyle@churchillcountynv.gov>
Sent: Tuesday, May 14, 2024 1:05 PM
To: Buildings <buildings@churchillcountynv.gov>; myoung [fallonfire.org](mailto:myoung@fallonfire.org) <myoung@fallonfire.org>; D2Traffic@dot.nv.gov; Loren Borst <lborst@ndep.nv.gov>; Andrea Seifert <ASeifert@ndep.nv.gov>
Cc: Dean Patterson <dean.patterson@churchillcountynv.gov>; Savannah Dukes <savannah.dukes@churchillcountynv.gov>; Randy Hines <Randy.Hines@churchillcountynv.gov>
Subject: Reno Highway Properties SUP application for June 12, 2024 Churchill County Planning Commission Meeting
Importance: High

Please review the attached application for a special use permit filed by Reno Highway Properties at 4490 Reno Hwy, APN 008-461-15, and provide any comments, questions or concerns to our department as soon as possible to use in making recommendations to the Planning Commission.

Diane Moyle
Public Works, Planning & Zoning Department
155 N Taylor Street, Suite 194
Fallon, NV 89406
775-423-7627, Extension 3
775-428-0259 Fax
(If not already done, please note the new email address.)

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From: [Brendon Grant](#)
To: [Diane Moyle](#)
Cc: [Andrea Seifert](#); [Jason L. Hettrick](#)
Subject: FW: Reno Highway Properties SUP application for June 12, 2024 Churchill County Planning Commission Meeting
Date: Wednesday, May 29, 2024 7:51:02 AM
Importance: High

Caution: This email originated from outside of the Churchill County organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department.

Good morning,

I reached out to the property owner, Tracy Harrison, and we spoke about the number of employees/public that will have access to the building, and it doesn't appear the property will meet the definition of a public water system (NRS 445A.235).

If they were to every meet the definition of a public water system, they will need to be permitted by the Bureau of Safe Drinking Water (BSDW).

Let me know if you have any questions.

NRS 445A.235 “Public water system” defined. “Public water system” means a system, regardless of ownership, that provides the public with water for human consumption through pipes or other constructed conveyances, if the system has 15 or more service connections, as defined in [NRS 445A.843](#), or regularly serves 25 or more persons. The term includes:

1. A facility for the collection, pumping, treatment, storage or distribution of water which is controlled by the operator of the system and used primarily in connection with the system; and

2. A facility for the collection or storage before treatment of water which is not controlled by the operator of the system but is used primarily in connection with the system.

(Added to NRS by [1997, 1822](#); A [1999, 1866](#))

Regards,

Brendon Grant, P.E.
Engineering Branch Supervisor
Bureau of Safe Drinking Water
Nevada Division of Environmental Protection
Department of Conservation and Natural Resources
901 S. Stewart Street, Suite 4001
Carson City, NV 89701
(O) 775 687-9524



From: Diane Moyle <diane.moyle@churchillcountynv.gov>

Sent: Tuesday, May 14, 2024 1:05 PM

To: Buildings <buildings@churchillcountynv.gov>; Mitch Young (myoung@fallonfire.org) <myoung@fallonfire.org>; D2Traffic@dot.nv.gov; Loren Borst <lborst@ndep.nv.gov>; Andrea Seifert <ASeifert@ndep.nv.gov>

Cc: Dean Patterson <dean.patterson@churchillcountynv.gov>; Savannah Dukes <savannah.dukes@churchillcountynv.gov>; Randy Hines <Randy.Hines@churchillcountynv.gov>

Subject: Reno Highway Properties SUP application for June 12, 2024 Churchill County Planning Commission Meeting

Importance: High

WARNING - This email originated from outside the State of Nevada. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please review the attached application for a special use permit filed by Reno Highway Properties at 4490 Reno Hwy, APN 008-461-15, and provide any comments, questions or concerns to our department as soon as possible to use in making recommendations to the Planning Commission.

Diane Moyle

Public Works, Planning & Zoning Department

155 N Taylor Street, Suite 194

Fallon, NV 89406

775-423-7627, Extension 3

775-428-0259 Fax

(If not already done, please note the new email address.)

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Churchill County Building Department

May 16, 2024

Churchill County Department of Public Works, Planning and Zoning
155 North Taylor Street, Suite 194
Fallon, Nevada 89406

RE: MONARCH CONSTRUCTION SPECIAL USE PERMIT APPLICATION, 4510 RENO HWY, 008-472-48

Construction projects for properties in which the owner does not reside are required to have an appropriately licensed contractor oversee all work performed pursuant to NRS 624.

All plans and construction must meet or exceed the currently adopted Building Codes per Churchill County Code. No work or construction may be performed until the issuance of a building permit by the Churchill County Building Department.

Please contact our office with any further questions.

Churchill County Building Department

155 N Taylor St
Suite 170
Fallon, NV 89406

Phone 775-428-0264
Fax 775-423-8185
www.Churchillcountynv.gov

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From: myoung@fallonfire.org
To: [Diane Moyle](#)
Subject: RE: Monarch Construction SUP application for the June 12, 2024 Churchill County Planning Commission Meeting
Date: Thursday, May 16, 2024 12:55:38 PM

Caution: This email originated from outside of the Churchill County organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department.

Diane,

No issues with this sign on fires part.

Regards,

Mitch Young
Fire Marshal, FCFD
Office 775 423-6521 ext. 2
Cell 775 427-7911

From: Diane Moyle <diane.moyle@churchillcountynv.gov>
Sent: Wednesday, May 15, 2024 12:19 PM
To: Buildings <buildings@churchillcountynv.gov>; myoung [fallonfire.org](mailto:myoung@fallonfire.org) <myoung@fallonfire.org>; D2Traffic@dot.nv.gov; jgraham@dot.nv.gov
Cc: Dean Patterson <dean.patterson@churchillcountynv.gov>; Savannah Dukes <savannah.dukes@churchillcountynv.gov>; Randy Hines <Randy.Hines@churchillcountynv.gov>
Subject: Monarch Construction SUP application for the June 12, 2024 Churchill County Planning Commission Meeting
Importance: High

Please review the attached application for a special use permit filed by Monarch Construction at 4510 Reno Hwy, APN 008-472-48, and provide any comments, questions or concerns to our department as soon as possible to use in making recommendations to the Planning Commission. The sign will be 144 square feet and 25' tall. It is also an electronic sign.

Diane Moyle
Public Works, Planning & Zoning Department
155 N Taylor Street, Suite 194
Fallon, NV 89406
775-423-7627, Extension 3
775-428-0259 Fax
(If not already done, please note the new email address.)

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JOE LOMBARDO
Governor

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
310 Galletti Way
Sparks, Nevada 89431

TRACY LARKIN THOMASON, P.E.
Director

May 21, 2024

Churchill County Planning Division
155 N Taylor St, Suite 194
Fallon, NV 89406
Attention: Diane Moyle

SENT VIA ELECTRONIC MAIL

RE: Monarch Construction Variance

Dear Ms. Moyle,

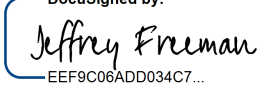
Nevada Department of Transportation (NDOT) District II staff has reviewed the application received via e-mail on May 15th, 2024 and provides comments accordingly.

1. The project proposes work directly adjacent to Reno Highway. The Reno Highway is an NDOT maintained facility and is officially designated as US 50 and functionally classified as a Principal Arterial in the project vicinity.
2. For construction signs and billboards along NDOT right-of-way, please visit the following website for permitting directions: <https://www.dot.nv.gov/doing-business/right-of-way/permits/signs-and-billboards>. District II will require the following documentation:
 - a) The Sign Permit Application (from website)
 - b) Check addressed to "Nevada Department of Transportation" for the application fee
 - c) County or City Building Permit or a letter from the entity stating they must obtain the state permit first
 - d) Copy of Ground Lease Agreement
 - e) Plan sheets for Billboard Structure
 - f) Location Map
 - g) Ingress & Egress Map
 - h) GPS Coordinates
3. This letter does not provide for approval or disapproval of any improvements proposed by the project. NDOT review during the occupancy permit process may result in modification to the proposed improvements or denial.
4. The State defers to municipal government for land use development decisions. Public involvement for community development related improvements within NDOT right of way should be considered during the municipal land use development process. Significant improvements proposed within NDOT right of way may require additional public

involvement. It is the responsibility of the applicant to perform such additional public involvement.

Thank you for the opportunity to review this application. NDOT reserves the right to incorporate further changes and/or comments as these applications and design reviews progress. Should you have any questions, please contact Jeff Graham at (775) 834-8382.

Sincerely,

DocuSigned by:

EEF9C06ADD034C7...

Jeff Freeman, PE
Engineering Services Manager
District II

JF:jg

Cc: Bhupinder Sandhu – DII District Engineer
Dawson Overbay – NDOT Utility Supervisor
District II Traffic Engineering Distribution List
Churchill County Planning Division

From: [Toby Scoggin](#)
To: [Dean Patterson](#)
Cc: [Diane Moyle](#); [Savannah Dukes](#)
Subject: Re: Wild West Duck Dogs application
Date: Wednesday, June 12, 2024 10:46:04 AM

Caution: This email originated from outside of the Churchill County organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department.

Goodmorning.

After speaking with neighbors and hearing concerns, I would like to withdraw the application. My apologies for time and efforts that have been made. Sincerely Toby Scoggin

On Wed, Jun 12, 2024, 8:59 AM Dean Patterson <dean.patterson@churchillcountynv.gov> wrote:

Hi Toby – As we discussed on the phone, if you want to withdraw the application as the owner of the property, please send Diane an email doing so. Please be sure to contact that applicant Lori Haigler regarding your decision to NOT rent/lease the property for the business.

The agenda has been posted, so it will have to be modified at the meeting. You might still want to come to the meeting in case there is some questions.

Dean Patterson, Senior Planner

Churchill County Public Works, Planning, & Zoning

Off. 775-423-7627 || Dir. 775-428-0256 || dean.patterson@churchillcountynv.gov

[155 N. Taylor, Suite 194, Fallon NV 89406](#)



Churchill County Building Department

May 16, 2024

Churchill County Department of Public Works, Planning and Zoning
155 North Taylor Street, Suite 194
Fallon, Nevada 89406

RE: COMMENTS PERTAINING TO SPECIAL USE PERMIT APPLICATION FOR WILD WEST DUCK DOGS,
6755 STUART RD, 009-131-06

Construction projects in which the owner does not physically reside are required to have an appropriately licensed contractor oversee all work performed pursuant to NRS 624.

All plans and construction must meet or exceed the currently adopted Building Codes per Churchill County Code. No work or construction may be performed until the issuance of a building permit by the Churchill County Building Department.

All commercial businesses with employees and/or public access are required to have means of accessibility for persons with disabilities. These requirements include but are not limited to the following items:

- Means of Egress
- Parking
- Restrooms

Considering this project includes construction of a building for business purposes, additional requirements include but are not limited to:

- Metal building plans stamped by a licensed Nevada Engineer certifying they meet Churchill County Design Criteria.
- All plans are drawn by the hired licensed contractor or a Nevada Licensed Engineer.

The property is large enough to accommodate a second septic system. However, Churchill County Building Department has no jurisdiction over septic systems installed on commercial property or for commercial use. All designs, installations, and inspections must be performed by a State of Nevada licensed engineer. All permitting must be done by the Nevada Department of Environmental Protection (NDEP).

Should there be any questions, please contact our office.

Churchill County Building Department

155 N Taylor St
Suite 170
Fallon, NV 89406

Phone 775-428-0264
Fax 775-423-8185
www.Churchillcountynv.gov

Churchill County, NV is an equal opportunity provider and employer

From: [Richard Hickox](#)
To: [Diane Moyle](#); [Buildings](#); [Mitch Young \(myoung@fallonfire.org\)](#); [Gary Fowkes](#); [Robin Schofield \(robin.schofield@navy.mil\)](#); [Maria Menjivar](#)
Cc: [Dean Patterson](#); [Savannah Dukes](#); [Randy Hines](#)
Subject: Re: Wild West Duck Dogs SUP Application for June 12, 2024 Churchill County Planning Commission Meeting
Date: Friday, May 17, 2024 3:18:49 PM

Hello,

I have reviewed the application, the maps and had several of my administrative staff review it as well and we have no issues, suggestions or objections to this, thank you for seeking our input.

Respectfully,

Sheriff Richard Hickox 177
Churchill County Sheriff's Office
180 West A Street
Fallon, Nevada 89406
775-423-3116
RHickox@so.churchill.nv.us

From: Diane Moyle <diane.moyle@churchillcountynv.gov>
Sent: Wednesday, May 15, 2024 12:24 PM
To: Buildings <buildings@churchillcountynv.gov>; Mitch Young (myoung@fallonfire.org) <myoung@fallonfire.org>; Gary Fowkes <gary.fowkes@churchillcountynv.gov>; Robin Schofield (robin.schofield@navy.mil) <robin.schofield@navy.mil>; Maria Menjivar <maria.menjivar@centralnevadahd.org>; Richard Hickox <RHickox@so.churchill.nv.us>
Cc: Dean Patterson <dean.patterson@churchillcountynv.gov>; Savannah Dukes <savannah.dukes@churchillcountynv.gov>; Randy Hines <Randy.Hines@churchillcountynv.gov>
Subject: Wild West Duck Dogs SUP Application for June 12, 2024 Churchill County Planning Commission Meeting

Please review the attached application for a special use permit filed by Wild West Duck Dogs at 6755 Stuart Road (Owned by Toby Scoggins), APN 009-131-06, and provide any comments, questions or concerns to our department as soon as possible to use in making recommendations to the Planning Commission. In the application it mentions shooting blanks during training of the dogs. This property was approved as a sending site for the Conservation Easement program, but it will not take land out of agricultural production.

Diane Moyle
Public Works, Planning & Zoning Department
155 N Taylor Street, Suite 194

Fallon, NV 89406
775-423-7627, Extension 3
775-428-0259 Fax
(If not already done, please note the new email address.)

Churchill County is an equal opportunity employer and provider.

From: [Savannah Dukes](#)
To: [Diane Moyle](#)
Subject: April 3rd progress email from Dan Muller
Date: Thursday, June 06, 2024 7:30:28 AM
Attachments: [image001.png](#)

From: Dan Muller <graciegaragefallonnv@gmail.com>
Sent: Wednesday, April 3, 2024 8:25 PM
To: Savannah Dukes <savannah.dukes@churchillcountynv.gov>; Raymond Brown <raymond.brown@churchillcountynv.gov>
Subject: Re: SUP Narrative

Caution: This email originated from outside of the Churchill County organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department.

Savannah and Ray,

Thank you again for all of the help with my SUP and preparation for opening my business. We have been making great progress on the items identified during the initial walk through and I wanted to provide you with an update:

- Requirement for permanent covers on the floor and wall outlets not in use. In progress, I ordered the covers and will install them before covering them with mats.
- Bathroom mirror over 40" above the floor. Corrected
- Bathroom requires vertical grab bar. Installed
- ABA spaces for parking require no gap between the asphalt and concrete. In progress, currently researching striping contractors and will ensure that the lot will be re-striped with 3 ABA spaces to include 1 van accessible. 5' clear walkways will have no gap and will not be blocked by a column.
- ABA compliant thresholds for all emergency exit doors. In progress, ordered and in the process of installing.
- Verify at least 73 parking spaces to meet general use for the facility. I will provide an overview map with dimensions.
- Emergency exits require a wired sign and emergency lighting. In progress. Electrical contractor began work today.
- Close up conduit on the back of the building. In progress, will be completed by electrical contractor (Aurora Electric)
- Fill holes on soffit. In progress, small vents are ordered and should be installed this weekend. Large holes will be screened over to prevent insects and birds, but maintain ventilation.
- Exterior lights require cover and sconces do not meet dark sky standards. All can lights are retrofitted with LED lights that include a cover. Sconce lights are not operable.
- Parking area in the back requires lighting. In progress, Electrical contractor will complete it next week.

- Seal ceiling penetrations with Fire rated fill. In progress, will be completed after electrical work is done.
- Extend the sewer vent to the outside. Complete, contractor completed today (Galdarsi Heating and Air)

Questions:

- Partition walls. Do new partition walls require inspection? I will have a drywaller finish them and just wanted to double check before they are sealed up. There will not be any electricity or plumbing in the walls. They will extend to the ceiling and have a door.
- Fire Inspector. How do I get an initial assessment from an inspector? Is the process the same for final inspection?
- Landscaping. Are their recommendations on how to meet the landscaping requirement? The front does not have enough room between the parking and Reno Highway. The side (adjacent to Ott's Farm Equipment) would restrict the 20' clear zone for emergency vehicles. Is a buffer zone required in the property adjacent to the agricultural field? Is the requirement an 8' strip?

Please let me know if you need any additional information. Thank you again for all of the help.

Very respectfully,
Dan

On Wed, Mar 6, 2024 at 10:43 AM Savannah Dukes <savannah.dukes@churchillcountynv.gov> wrote:

Good morning,

I have reviewed your narrative and do not have any recommended changes. I will look forward to receiving 10 copies of your complete application package, plus the original before 5pm on Monday the 11th.

Savannah Dukes

Planning Technician
Public Works, Planning & Zoning
Churchill County

Off. 775-423-7627
Fax 775-428-0259
savannah.dukes@churchillcountynv.gov

155 N. Taylor Street, Suite 194
Fallon, NV 89406-2754



From: [Savannah Dukes](#)
To: [Diane Moyle](#)
Subject: FW: 5070 Reno hwy
Date: Thursday, June 06, 2024 1:58:48 PM

From: Raymond Brown <raymond.brown@churchillcountynv.gov>
Sent: Thursday, June 6, 2024 1:58 PM
To: Savannah Dukes <savannah.dukes@churchillcountynv.gov>
Subject: 5070 Reno hwy

On June 5th, 2024 I performed a firewall infill at 5070 Reno Hwy.
The inspection covered both wall opening infills between unit A and B and four infill wall areas between units B and C. No issues were observed with the block or reinforcing inspection.

On June 6th, 2024 I performed a firewall repair at 5070 Reno Hwy.
This inspection covered the first 5' of the block and reinforcing for the new firewall in unit C. No issues were observed with this block and reinforcing inspection.

Regards,

Ray Brown

Building Inspector for Churchill County
155 N. Taylor, Suite 170, Fallon NV 89406
Office: 775-428-0264

<https://www.churchillcounty.org/98/Building-Department>





Churchill County Building Department

March 19, 2024

Randy Hines, Director
Churchill County Department of Public Works, Planning and Zoning
155 North Taylor Street, Suite 194
Fallon, Nevada 89406

RE: COMMENTS PERTAINING TO SPECIAL USE PERMIT APPLICATION FOR DESERT
PROPERTIES R.U.S., 5070 RENO HWY, 008-531-90

Mr. Hines:

Regarding the Special Use Permit for Desert Properties R.U.S., the Churchill County Building Department has the following comments:

A search of the records available in the Churchill County Building Department does indicate a construction permit was approved for a septic system on that site, and a certificate approving the construction and authorizing its use was found in the file.

This approved septic is sized to accommodate the typical usage of a single small business. Any expansion of use that includes additional business may require an increase in size to the existing septic system.

Churchill County Building Department has no jurisdiction over septic systems installed on commercial property. All design, installation, and inspection must be done by a State of Nevada licensed engineer. All permitting must be done by the Nevada Department of Environmental Protection.

A search of the records available in the Churchill County Building Department did produce building permits for the existing buildings.

Construction of any type, including any interior changes, will require a review from the Churchill County Building department and possible acquisition of building permits and required inspections.

A review of the existing buildings by the Churchill County Building Department is required prior to occupancy in order to verify that the buildings meet current building codes for accessibility, health and safety.

If questions arise, or if I may be of further assistance, please contact me.

Sincerely,

Marie A. Henson
Building Official

155 N Taylor St
Suite 170
Fallon, NV 89406

Phone 775-428-0264
Fax 775-423-8185
www.Churchillcountynv.gov

From: [Savannah Dukes](#)
To: [Diane Moyle](#)
Subject: FW: Old Winans Building
Date: Monday, May 13, 2024 1:29:26 PM

From: myyoung fallonfire.org <myyoung@fallonfire.org>
Sent: Monday, May 13, 2024 1:12 PM
To: Savannah Dukes <savannah.dukes@churchillcountynv.gov>
Subject: Old Winans Building

Caution: This email originated from outside of the Churchill County organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department.

Savannah,

Could you please make sure this information gets to the proper people.

Regarding the Special Use Permit for Desert Properties R.U.S., the Fallon/County Fire Marshal has the following comments:

- Emergency exit signage and lighting is to have a clear line of sight of a sign and illumination in the travel direction from any location within each unit. Each exit to the exterior of the building must have illuminated signage.
- The infill of shared walls between all units is required and must be rated with the same resistance as the existing CMU wall.
- A new firewall must be constructed in unit C. This firewall will need to meet the 2-hour requirement and any door and frame placed in this wall will need to be 1 ½ hour rated or more.
- Affixing a permanent means of identification of each unit (A, B, C) must be attached to the main entrance of each unit.

Regards,

Mitch Young
Fire Marshal, FCFD
Office 775 423-6521 ext. 2
Cell 775 427-7911

5070 Reno Hwy Item C

5/8/2024

1. A concern I have is due to the time it was built does the well and septic system would handle the increase of sewage etc. Has any inspection done to see that it is OK.

2. I have a concern about traffic coming into and leaving the property.

Has a traffic study been done to see how that situation would look like. Traffic is a mess to say the least.

BART HIATT

5040 - CO owner of property to the east.
Reno Hwy

775-221-1600

From: [Savannah Dukes](#)
To: [Diane Moyle](#)
Subject: June 3 update from Dan Muller
Date: Thursday, June 06, 2024 7:31:16 AM
Attachments: [image001.png](#)

From: Dan Muller <graciegaragefallonnv@gmail.com>
Sent: Monday, June 3, 2024 9:33 PM
To: Savannah Dukes <savannah.dukes@churchillcountynv.gov>
Subject: Re: 5070 Reno Hwy

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Savannah,

Update for today. The contractor was out workign this weekend and made significant progress on all of the in-fill walls. Today they continmued mobilizing and staged materials for the build. They will begin on the block for the walls on Tuesday June 4th and should be done with the block install by the end of the week. I believe that they need an inspection prior to core filling and will let the GC schedule with the Building team. I did not have a chance to check on the bathroom progress on the far side, but will stop by tomorrow. Lots of work going on, hoping for some good news.

Please let me know if you have any questions.

Dan

On Fri, May 31, 2024 at 8:16 AM Savannah Dukes <savannah.dukes@churchillcountynv.gov> wrote:

Sounds good, thank you. I talked to Rigo and the contractor yesterday and they likely won't have all of the work done by the meeting but will be very close. He expects to be 100% done by the 20th. We think this may be good enough for the commissioners to feel comfortable moving forward and will discuss with them next Wednesday.

From: Dan Muller <graciegaragefallonnv@gmail.com>
Sent: Friday, May 31, 2024 5:47 AM
To: Savannah Dukes <savannah.dukes@churchillcountynv.gov>
Subject: Re: 5070 Reno Hwy

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Savannah,

That is great news and thank you for keeping us posted. I met with Rigo and his contractor on Wednesday after they picked up the permit. They should be mobilizing now, I will give you an update next week.

Dan

On Fri, May 24, 2024 at 9:40 AM Savannah Dukes <savannah.dukes@churchillcountynv.gov> wrote:

Good news, the Uribe's building permit has been approved. Now all they need to do is complete the work (ADA bathroom & ramp in unit C, and firewall infill between units) by June 12 and both applications can be heard at the meeting. Can you please send me an email by June 4th with a progress update for your unit/business so that I can give the commissioners the most up to date information? Thank you for your continued patience.

Savannah Dukes

Planning Technician
Public Works, Planning & Zoning
Churchill County

Off. 775-423-7627
Fax 775-428-0259
savannah.dukes@churchillcountynv.gov

155 N. Taylor Street, Suite 194
Fallon, NV 89406-2754



From: Jorge Cruz <silverstatejorge@gmail.com>
Sent: Wednesday, June 5, 2024 12:42 PM
To: Savannah Dukes <savannah.dukes@churchillcountynv.gov>
Subject: Re: Pictures

Caution: This email originated from outside of the Churchill County organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department.

We start the firewall tomorrow and we're going to schedule an inspection on Friday. That should be done on Wednesday next week 100%. Finishing the firewall we are starting the ADA Bathrooms.

On Wed, Jun 5, 2024 at 11:03 AM Savannah Dukes <savannah.dukes@churchillcountynv.gov> wrote:
These look good. Can you please send me an email with detailed updates on the firewall infill between all units, ADA restroom and ADA ramp in the 3rd unit?

From: Jorge Cruz <silverstatejorge@gmail.com>
Sent: Wednesday, June 5, 2024 10:56 AM
To: Savannah Dukes <savannah.dukes@churchillcountynv.gov>
Subject: Pictures

Caution: This email originated from outside of the Churchill County organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department.



April 9,2024
Maria Herrera and Rigoberto Uribe
9105 Lemmon Dr
Reno, NV 89506

Churchill County

RE: CANCELATION OF APPLICATION

To whom this my concern:

I am writing to inform you that I would like to postpone my application for my business user permit. Unfortunately, certain issues have arisen that need to be addressed and I want to ensure that I take the correct actions before submitting my application.

Therefore, I kindly request to postpone my application until the next incoming hearing. This will give me enough time to resolve the issues and submit a complete and accurate application.

Thank you for your understanding and I apologize for any inconvenience this may cause. I look forward to submitting my application at the next hearing.

Sincerely,
Maria Herrera

May 2, 2024

Maria Herrera and Rigoberto Uribe

9105 Lemmon Dr

Reno, NV 89506

Churchill County

RE: CANCELATION Of APPLICATION

Due to unforeseen circumstances, I am writing to request a postponement of my application for a business user permit. We have encountered some delays and issues that must be addressed before we can move forward with the application process.

Our team is currently working with contractors and engineers to resolve these issues and ensure that all necessary corrections need to be completed before submitting our application. We want to ensure that our application is accurate and complete to avoid any delays or complications.

Therefore, I kindly ask for a 30-day postponement for the next upcoming hearing. This will give us enough time to address the issues and submit a thorough application.

Thank you for your understanding and I apologize for any inconvenience this may cause. We are committed to ensuring that our application meets all requirements and I look forward to submitting it at the next hearing.

Sincerely,

Maria Herrera

From: [Dan Muller](#)
To: [Savannah Dukes](#)
Cc: [Raymond Brown](#)
Subject: Re: 5070 RENO HWY Compliance
Date: Wednesday, May 01, 2024 6:04:05 AM
Attachments: [image001.png](#)

Caution: This email originated from outside of the Churchill County organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department.

Good morning Savannah and Ray,

I spoke with Arturo yesterday and he was told that the new GC had been in contact with the County team, but he didn't know specifically who. The GC is working through the plans process and will likely begin construction once those are approved. He continued to state that Mr. Uribe is committed to making the repairs necessary.

As far as my items from the original inspection:

- Requirement for permanent covers on the floor and wall outlets not in use. In progress, I ordered the covers and will install them before covering them with mats.
- Bathroom mirror over 40" above the floor. Corrected
- Bathroom requires vertical grab bar. Installed
- ABA spaces for parking require no gap between the asphalt and concrete. In progress, the final parking plan will be addressed by the GC.
- ABA compliant thresholds for all emergency exit doors. Complete.
- Verify at least 73 parking spaces to meet general use for the facility. A new parking map has been submitted, and I received a copy in the mail.
- Emergency exits require a wired sign and emergency lighting. Complete, there is one additional sign and relocating a sign that the electrical contractor will take care of once the remaining lights arrive.
- Close up conduit on the back of the building. Complete.
- Fill holes on soffit. Partially complete, the small holes have all been filled, the large holes will require a custom cover that will be installed this weekend.
- Exterior lights require cover and sconces do not meet dark sky standards. All can lights are retrofitted with LED lights that include a cover. Sconce lights are not operable.
- Parking area in the back requires lighting. Complete, lights are installed and look great..
- Seal ceiling penetrations with Fire rated fill. In progress, will be completed after electrical work is done.
- Extend the sewer vent to the outside. Complete.

Some additional items from the Fire Marshal visit:

- Add additional fire extinguisher for the front door. Complete, I will mount it after painting.
- Upgrade infill walls to match fire rating and replace NDOT bathroom door with Fire rated door. Will be part of GC scope
- Add waterproof barrier around fixtures, will likely be part of the the GC scope, but I will verify with Mr. Uribe

I am looking forward to presenting my plan on the 8th and getting the final items complete to open in May.

Thank you again for all of the help.

Dan
775-481-5836

On Mon, Apr 29, 2024 at 3:28 PM Savannah Dukes
<savannah.dukes@churchillcountynv.gov> wrote:

My apologies, I should clarify that I did meet with Rigo and the new GC on 4/19, but have not heard from anyone since and Maria didn't have any updates for me as of today.

From: Savannah Dukes
Sent: Monday, April 29, 2024 3:24 PM
To: Dan Muller <graciegaragefallonnv@gmail.com>
Cc: Raymond Brown <raymond.brown@churchillcountynv.gov>
Subject: RE: 5070 RENO HWY Compliance

Dan and Kimberly,

I spoke with Maria today, but she didn't have any updates for me. She said they have not heard from the new GC. I have asked her to give me an update in writing before 1pm on Wednesday before I need to brief 3 of the commissioners and the DA. Can you please put together an updated list of everything that you will have done as of Wednesday?

Savannah Dukes

Planning Technician

Public Works, Planning & Zoning

Churchill County

Off. 775-423-7627

Fax 775-428-0259

savannah.dukes@churchillcountynv.gov



155 N. Taylor Street, Suite 194

Fallon, NV 89406-2754

From: Dan Muller <graciegaragefallonnv@gmail.com>
Sent: Friday, April 26, 2024 11:11 AM
To: Savannah Dukes <savannah.dukes@churchillcountynv.gov>
Cc: Raymond Brown <raymond.brown@churchillcountynv.gov>
Subject: 5070 RENO HWY Compliance

Caution: This email originated from outside of the Churchill County organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department.

Good Morning Savannah,

Just checking in.

It is our understanding that Mr. Uribe has hired a General Contractor to address all of the county compliance issues after receiving Ray Browns' list for each unit.

Dan met briefly with Mr. Uribe and his GC last Friday 4/19. Mr. Uribe stated he and the GC met with you to review the content that day.

We have not heard or are aware of any progress this week either from Arturo, Rigo or Whimseys.

With the Commission meeting rolling closer, please advise the current course of action.

Thank you as always for your time.

Best,

Kimberly Muller

(443) 254-4337



JOE LOMBARDO
Governor

STATE OF NEVADA
DEPARTMENT OF TRANSPORTATION
310 Galletti Way
Sparks, Nevada 89431

TRACY LARKIN THOMASON, P.E.
Director

March 28, 2024

Churchill County Planning Division
155 N Taylor St, Suite 194
Fallon, NV 89406
Attention: Diane Moyle

SENT VIA ELECTRONIC MAIL

RE: Desert Properties Multi-Tenant Complex Application

Dear Ms. Moyle,

Nevada Department of Transportation (NDOT) District II staff has reviewed the application received via e-mail on March 19th, 2024 and provides comments accordingly.

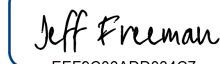
1. The project proposes work directly adjacent and access to Reno Highway. Reno Highway is an NDOT maintained facility and is officially designated as US 50A and functionally classified as a Principal Arterial in the project vicinity.
2. The project's direct parking access to US 50 A does not meet NDOT Access Management Standards. As the project site is redeveloped access to this parking area will need to be limited to the drive aisles. NDOT recommends cross access easements be included on the proposed drive aisles to allow for consolidation of driveways along US 50 A as parcels are redeveloped to improve access management and safety along the corridor.
3. The project's access to US 50 A will be required to be improved to NDOT standards.
4. Since the site is located directly adjacent to US 50 A and has the potential to effect area drainage patterns, the applicant will be required to obtain an occupancy permit from NDOT for any drainage encroachments.
5. All work proposed within the US 50 A Right of Way will require an encroachment permit and must comply with NDOT's Standard Plans, Access Management System and Standards, Terms and Conditions Relating to Right-of-Way Occupancy Permits, and the Drainage Manual current version at the time of application. Please contact the NDOT District II Permits Office at (775) 834-8330 for information about obtaining NDOT occupancy permits.
6. This letter does not provide for approval or disapproval of any improvements proposed by the project. NDOT review during the occupancy permit process may result in modification to the proposed improvements or denial.

7. The State defers to municipal government for land use development decisions. Public involvement for community development related improvements within NDOT right of way should be considered during the municipal land use development process. Significant improvements proposed within NDOT right of way may require additional public involvement. It is the responsibility of the applicant to perform such additional public involvement.

Thank you for the opportunity to review this application. NDOT reserves the right to incorporate further changes and/or comments as these applications and design reviews progress. Should you have any questions, please contact Jeff Graham at (775) 834-8382.

Sincerely,

DocuSigned by:


EEF9C06ADD034C7...

Jeff Freeman, PE

Engineering Services Manager

District II

JF:jg

Cc: Bhupinder Sandhu – DII District Engineer
Jeff Graham – Traffic Engineer
District II Traffic Engineering Distribution List
Churchill County Planning Division

From: [Savannah Dukes](#)
To: [Diane Moyle](#)
Subject: April 3rd progress email from Dan Muller
Date: Thursday, June 06, 2024 7:30:28 AM
Attachments: [image001.png](#)

From: Dan Muller <graciegaragefallonnv@gmail.com>
Sent: Wednesday, April 3, 2024 8:25 PM
To: Savannah Dukes <savannah.dukes@churchillcountynv.gov>; Raymond Brown <raymond.brown@churchillcountynv.gov>
Subject: Re: SUP Narrative

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Savannah and Ray,

Thank you again for all of the help with my SUP and preparation for opening my business. We have been making great progress on the items identified during the initial walk through and I wanted to provide you with an update:

- Requirement for permanent covers on the floor and wall outlets not in use. In progress, I ordered the covers and will install them before covering them with mats.
- Bathroom mirror over 40" above the floor. Corrected
- Bathroom requires vertical grab bar. Installed
- ABA spaces for parking require no gap between the asphalt and concrete. In progress, currently researching striping contractors and will ensure that the lot will be re-striped with 3 ABA spaces to include 1 van accessible. 5' clear walkways will have no gap and will not be blocked by a column.
- ABA compliant thresholds for all emergency exit doors. In progress, ordered and in the process of installing.
- Verify at least 73 parking spaces to meet general use for the facility. I will provide an overview map with dimensions.
- Emergency exits require a wired sign and emergency lighting. In progress. Electrical contractor began work today.
- Close up conduit on the back of the building. In progress, will be completed by electrical contractor (Aurora Electric)
- Fill holes on soffit. In progress, small vents are ordered and should be installed this weekend. Large holes will be screened over to prevent insects and birds, but maintain ventilation.
- Exterior lights require cover and sconces do not meet dark sky standards. All can lights are retrofitted with LED lights that include a cover. Sconce lights are not operable.
- Parking area in the back requires lighting. In progress, Electrical contractor will complete it next week.

- Seal ceiling penetrations with Fire rated fill. In progress, will be completed after electrical work is done.
- Extend the sewer vent to the outside. Complete, contractor completed today (Galdarsi Heating and Air)

Questions:

- Partition walls. Do new partition walls require inspection? I will have a drywaller finish them and just wanted to double check before they are sealed up. There will not be any electricity or plumbing in the walls. They will extend to the ceiling and have a door.
- Fire Inspector. How do I get an initial assessment from an inspector? Is the process the same for final inspection?
- Landscaping. Are their recommendations on how to meet the landscaping requirement? The front does not have enough room between the parking and Reno Highway. The side (adjacent to Ott's Farm Equipment) would restrict the 20' clear zone for emergency vehicles. Is a buffer zone required in the property adjacent to the agricultural field? Is the requirement an 8' strip?

Please let me know if you need any additional information. Thank you again for all of the help.

Very respectfully,
Dan

On Wed, Mar 6, 2024 at 10:43 AM Savannah Dukes <savannah.dukes@churchillcountynv.gov> wrote:

Good morning,

I have reviewed your narrative and do not have any recommended changes. I will look forward to receiving 10 copies of your complete application package, plus the original before 5pm on Monday the 11th.

Savannah Dukes

Planning Technician
Public Works, Planning & Zoning
Churchill County

Off. 775-423-7627
Fax 775-428-0259
savannah.dukes@churchillcountynv.gov

155 N. Taylor Street, Suite 194
Fallon, NV 89406-2754





Churchill County Building Department

March 19, 2024

Randy Hines, Director
Churchill County Department of Public Works, Planning and Zoning
155 North Taylor Street, Suite 194
Fallon, Nevada 89406

RE: COMMENTS PERTAINING TO SPECIAL USE PERMIT APPLICATION FOR FALLON JIU
JITSU LLC, 5070 RENO HWY, 008-531-90

Mr. Hines:

Regarding the Special Use Permit for Fallon Jiu Jitsu, the Churchill County Building Department has the following comments:

A search of the records available in the Churchill County Building Department does indicate a construction permit was approved for a septic system on that site, and a certificate approving the construction and authorizing its use was found in the file.

This approved septic is sized to accommodate the typical usage of two restrooms.

Continued use of the existing septic system is permitted until the septic system fails to operate properly, a change of occupancy occurs, or until a community sewer system becomes available. If the septic system fails to operate properly, Churchill County Building Department has no jurisdiction over septic systems installed on commercial property. All design, installation, and inspection must be done by a State of Nevada licensed engineer. All permitting must be done by the Nevada Department of Environmental Protection.

A search of the records available in the Churchill County Building Department did produce permits for the existing buildings, along with permits to construct accessible restrooms.

Construction of any type, including interior changes, will require a review from the Churchill County Building department and possible acquisition of building permits and required inspections.

A review of the existing property by the Churchill County Building Department is required to verify that the building meets current building codes for accessibility, health and safety.

If questions arise, or if I may be of further assistance, please contact me.

Sincerely,

Marie A. Henson
Building Official

155 N Taylor St
Suite 170
Fallon, NV 89406

Phone 775-428-0264
Fax 775-423-8185
www.Churchillcountynv.gov

From: [Savannah Dukes](#)
To: [Diane Moyle](#)
Subject: June 3 update from Dan Muller
Date: Thursday, June 06, 2024 7:31:16 AM
Attachments: [image001.png](#)

From: Dan Muller <graciegaragefallonnv@gmail.com>
Sent: Monday, June 3, 2024 9:33 PM
To: Savannah Dukes <savannah.dukes@churchillcountynv.gov>
Subject: Re: 5070 Reno Hwy

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Savannah,

Update for today. The contractor was out workign this weekend and made significant progress on all of the in-fill walls. Today they continmued mobilizing and staged materials for the build. They will begin on the block for the walls on Tuesday June 4th and should be done with the block install by the end of the week. I believe that they need an inspection prior to core filling and will let the GC schedule with the Building team. I did not have a chance to check on the bathroom progress on the far side, but will stop by tomorrow. Lots of work going on, hoping for some good news.

Please let me know if you have any questions.

Dan

On Fri, May 31, 2024 at 8:16 AM Savannah Dukes <savannah.dukes@churchillcountynv.gov> wrote:

Sounds good, thank you. I talked to Rigo and the contractor yesterday and they likely won't have all of the work done by the meeting but will be very close. He expects to be 100% done by the 20th. We think this may be good enough for the commissioners to feel comfortable moving forward and will discuss with them next Wednesday.

From: Dan Muller <graciegaragefallonnv@gmail.com>
Sent: Friday, May 31, 2024 5:47 AM
To: Savannah Dukes <savannah.dukes@churchillcountynv.gov>
Subject: Re: 5070 Reno Hwy

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Savannah,

That is great news and thank you for keeping us posted. I met with Rigo and his contractor on Wednesday after they picked up the permit. They should be mobilizing now, I will give you an update next week.

Dan

On Fri, May 24, 2024 at 9:40 AM Savannah Dukes <savannah.dukes@churchillcountynv.gov> wrote:

Good news, the Uribe's building permit has been approved. Now all they need to do is complete the work (ADA bathroom & ramp in unit C, and firewall infill between units) by June 12 and both applications can be heard at the meeting. Can you please send me an email by June 4th with a progress update for your unit/business so that I can give the commissioners the most up to date information? Thank you for your continued patience.

Savannah Dukes

Planning Technician
Public Works, Planning & Zoning
Churchill County

Off. 775-423-7627
Fax 775-428-0259
savannah.dukes@churchillcountynv.gov

155 N. Taylor Street, Suite 194
Fallon, NV 89406-2754



From: Jorge Cruz <silverstatejorge@gmail.com>
Sent: Wednesday, June 5, 2024 12:42 PM
To: Savannah Dukes <savannah.dukes@churchillcountynv.gov>
Subject: Re: Pictures

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We start the firewall tomorrow and we're going to schedule an inspection on Friday. That should be done on Wednesday next week 100%. Finishing the firewall we are starting the ADA Bathrooms.

On Wed, Jun 5, 2024 at 11:03 AM Savannah Dukes <savannah.dukes@churchillcountynv.gov> wrote:
These look good. Can you please send me an email with detailed updates on the firewall infill between all units, ADA restroom and ADA ramp in the 3rd unit?

From: Jorge Cruz <silverstatejorge@gmail.com>
Sent: Wednesday, June 5, 2024 10:56 AM
To: Savannah Dukes <savannah.dukes@churchillcountynv.gov>
Subject: Pictures

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From: [Dan Muller](#)
To: [Savannah Dukes](#)
Cc: [Raymond Brown](#)
Subject: Re: 5070 RENO HWY Compliance
Date: Wednesday, May 01, 2024 6:04:05 AM
Attachments: [image001.png](#)

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Good morning Savannah and Ray,

I spoke with Arturo yesterday and he was told that the new GC had been in contact with the County team, but he didn't know specifically who. The GC is working through the plans process and will likely begin construction once those are approved. He continued to state that Mr. Uribe is committed to making the repairs necessary.

As far as my items from the original inspection:

- Requirement for permanent covers on the floor and wall outlets not in use. In progress, I ordered the covers and will install them before covering them with mats.
- Bathroom mirror over 40" above the floor. Corrected
- Bathroom requires vertical grab bar. Installed
- ABA spaces for parking require no gap between the asphalt and concrete. In progress, the final parking plan will be addressed by the GC.
- ABA compliant thresholds for all emergency exit doors. Complete.
- Verify at least 73 parking spaces to meet general use for the facility. A new parking map has been submitted, and I received a copy in the mail.
- Emergency exits require a wired sign and emergency lighting. Complete, there is one additional sign and relocating a sign that the electrical contractor will take care of once the remaining lights arrive.
- Close up conduit on the back of the building. Complete.
- Fill holes on soffit. Partially complete, the small holes have all been filled, the large holes will require a custom cover that will be installed this weekend.
- Exterior lights require cover and sconces do not meet dark sky standards. All can lights are retrofitted with LED lights that include a cover. Sconce lights are not operable.
- Parking area in the back requires lighting. Complete, lights are installed and look great..
- Seal ceiling penetrations with Fire rated fill. In progress, will be completed after electrical work is done.
- Extend the sewer vent to the outside. Complete.

Some additional items from the Fire Marshal visit:

- Add additional fire extinguisher for the front door. Complete, I will mount it after painting.
- Upgrade infill walls to match fire rating and replace NDOT bathroom door with Fire rated door. Will be part of GC scope
- Add waterproof barrier around fixtures, will likely be part of the the GC scope, but I will verify with Mr. Uribe

I am looking forward to presenting my plan on the 8th and getting the final items complete to open in May.

Thank you again for all of the help.

Dan
775-481-5836

On Mon, Apr 29, 2024 at 3:28 PM Savannah Dukes
<savannah.dukes@churchillcountynv.gov> wrote:

My apologies, I should clarify that I did meet with Rigo and the new GC on 4/19, but have not heard from anyone since and Maria didn't have any updates for me as of today.

From: Savannah Dukes
Sent: Monday, April 29, 2024 3:24 PM
To: Dan Muller <graciegaragefallonnv@gmail.com>
Cc: Raymond Brown <raymond.brown@churchillcountynv.gov>
Subject: RE: 5070 RENO HWY Compliance

Dan and Kimberly,

I spoke with Maria today, but she didn't have any updates for me. She said they have not heard from the new GC. I have asked her to give me an update in writing before 1pm on Wednesday before I need to brief 3 of the commissioners and the DA. Can you please put together an updated list of everything that you will have done as of Wednesday?

Savannah Dukes

Planning Technician

Public Works, Planning & Zoning

Churchill County

Off. 775-423-7627

Fax 775-428-0259

savannah.dukes@churchillcountynv.gov



155 N. Taylor Street, Suite 194

Fallon, NV 89406-2754

From: Dan Muller <graciegaragefallonnv@gmail.com>
Sent: Friday, April 26, 2024 11:11 AM
To: Savannah Dukes <savannah.dukes@churchillcountynv.gov>
Cc: Raymond Brown <raymond.brown@churchillcountynv.gov>
Subject: 5070 RENO HWY Compliance

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Good Morning Savannah,

Just checking in.

It is our understanding that Mr. Uribe has hired a General Contractor to address all of the county compliance issues after receiving Ray Browns' list for each unit.

Dan met briefly with Mr. Uribe and his GC last Friday 4/19. Mr. Uribe stated he and the GC met with you to review the content that day.

We have not heard or are aware of any progress this week either from Arturo, Rigo or Whimseys.

With the Commission meeting rolling closer, please advise the current course of action.

Thank you as always for your time.

Best,

Kimberly Muller

(443) 254-4337

From: [Savannah Dukes](#)
To: [Diane Moyle](#)
Subject: FW: Postponing your application
Date: Friday, May 03, 2024 11:48:04 AM
Attachments: [image001.png](#)

From: Dan Muller <graciegaragefallonnv@gmail.com>
Sent: Friday, May 3, 2024 11:45 AM
To: Savannah Dukes <savannah.dukes@churchillcountynv.gov>
Subject: Re: Postponing your application

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Savannah,

Thank you for the continued push to make our project successful. Yes, please delay our application 30 days to line up with Mr. Uribe's.

Dan

On Thu, May 2, 2024, 2:39 PM Savannah Dukes <savannah.dukes@churchillcountynv.gov> wrote:

Hi Dan and Kimberly, If you are going to postpone your application for another 30 days like we discussed on the phone, can you please send me an email so that we have it in writing?

Savannah Dukes

Planning Technician
Public Works, Planning & Zoning
Churchill County

Off. 775-423-7627
Fax 775-428-0259
savannah.dukes@churchillcountynv.gov

155 N. Taylor Street, Suite 194
Fallon, NV 89406-2754



From: [Savannah Dukes](#)
To: [Diane Moyle](#)
Cc: [Dean Patterson](#); [Randy Hines](#)
Subject: FW: Uribe's Application Postponed
Date: Wednesday, April 10, 2024 11:27:50 AM
Attachments: [image001.png](#)
[image001.png](#)

FYI, Dan Muller is requesting a postponement until the May 8th PC meeting as well.

From: Dan Muller <graciegaragefallonnv@gmail.com>
Sent: Wednesday, April 10, 2024 11:02 AM
To: Savannah Dukes <savannah.dukes@churchillcountynv.gov>
Cc: kimberly_muller2000@yahoo.com
Subject: Re: Uribe's Application Postponed

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Savannah,

Thank you for the update, not surprised and probably for the best. We could all use a few more weeks to work through the staff report list. We will delay our hearing to the Planning Commission meeting as well.

Thank you for the continued support and assistance.

Dan

On Wed, Apr 10, 2024, 8:26 AM Savannah Dukes <savannah.dukes@churchillcountynv.gov> wrote:

Good morning Dan and Kimberly,

I wanted to let you know that I received a request from Maria this morning to postpone their application until the next Planning Commission meeting on May 8th.

Savannah Dukes

Planning Technician
Public Works, Planning & Zoning
Churchill County

Off. 775-423-7627
Fax 775-428-0259
savannah.dukes@churchillcountynv.gov

155 N. Taylor Street, Suite 194
Fallon, NV 89406-2754





Churchill County Building Department

May 16, 2024

Churchill County Department of Public Works, Planning and Zoning
155 North Taylor Street, Suite 194
Fallon, Nevada 89406

RE: COMMENTS PERTAINING TO SPECIAL USE PERMIT APPLICATION LAHONTAN VALLEY BIRD
DOG CLUB, 009-231-15

Construction projects in which the owner does not physically reside are required to have an appropriately licensed contractor oversee all work performed pursuant to NRS 624.

All plans and construction must meet or exceed the currently adopted Building Codes per Churchill County Code. No work or construction may be performed until the issuance of a building permit by the Churchill County Building Department.

All commercial businesses with employees and/or public access are required to have means of accessibility for persons with disabilities. These requirements include but are not limited to the following items:

- Means of Egress
- Parking
- Restrooms

Considering this project includes construction of structures for storage additional requirements include but are not limited to:

- Building or placement permits for any structure 120 sq ft or more per Churchill County Code.

If a septic system is planned, Churchill County Building Department has no jurisdiction over septic systems installed on commercial property or for commercial use. All designs, installations, and inspections must be performed by a State of Nevada licensed engineer. All permitting must be done by the Nevada Department of Environmental Protection (NDEP).

Should there be any questions, please contact our office.

Churchill County Building Department

155 N Taylor St
Suite 170
Fallon, NV 89406

Phone 775-428-0264
Fax 775-423-8185
www.Churchillcountynv.gov

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From: [Richard Hickox](#)
To: [Diane Moyle](#); [Buildings](#); [Mitch Young \(myoung@fallonfire.org\)](#); [Gary Fowkes](#)
Cc: [Dean Patterson](#); [Savannah Dukes](#); [Randy Hines](#)
Subject: Re: Lahontan Valley Bird Dog Club SUP application for June 12, 2024 Churchill County Planning Commission Meeting
Date: Monday, May 20, 2024 4:02:26 PM

Greetings,

Today I along with a couple of members of my command staff visited the site where this proposed club would be and while visiting this site, I spoke with Mr. Bunker via phone. At the end of the site visit and conversation none of us had any concerns relevant to the relocation of the Lahontan Valley Bird Dog Club being located at this spot.

Respectfully,

Sheriff Richard Hickox 177
Churchill County Sheriff's Office
180 West A Street
Fallon, Nevada 89406
775-423-3116
RHickox@so.churchill.nv.us

From: Diane Moyle <diane.moyle@churchillcountynv.gov>
Sent: Wednesday, May 15, 2024 12:27 PM
To: Buildings <buildings@churchillcountynv.gov>; Mitch Young (myoung@fallonfire.org) <myoung@fallonfire.org>; Gary Fowkes <gary.fowkes@churchillcountynv.gov>; Richard Hickox <RHickox@so.churchill.nv.us>
Cc: Dean Patterson <dean.patterson@churchillcountynv.gov>; Savannah Dukes <savannah.dukes@churchillcountynv.gov>; Randy Hines <Randy.Hines@churchillcountynv.gov>
Subject: Lahontan Valley Bird Dog Club SUP application for June 12, 2024 Churchill County Planning Commission Meeting

Please review the attached application for a special use permit filed by Lahontan Valley Bird Dog Club for property on Fitz Ln, APN 009-231-15, and provide any comments, questions or concerns to our department as soon as possible to use in making recommendations to the Planning Commission. In the application it mentions hunting activities on the property, so there will be shooting.

Diane Moyle
Public Works, Planning & Zoning Department
155 N Taylor Street, Suite 194
Fallon, NV 89406

775-423-7627, Extension 3

775-428-0259 Fax

(If not already done, please note the new email address.)

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CARSON CITY OFFICE
340 N. Minnesota St.
Carson City, NV 89703-4152
Ph: (775) 883-1600
Fax: (775) 883-1656

Memorandum

DATE: May 6, 2024
TO: Jim Barbee, Churchill County Manager; Randy Hines, Director of Public Works, Planning and Zoning; and Dean Patterson, Senior Planner
FROM: Jeremy Drew, Principal Resource Specialist
RCI PROJECT: 20-188.7D On-call Public Lands and Natural Resources Consulting
SUBJECT: Review of Biological Resources Assessment Report for Sierra Solar Project

On May 3, 2024, I reviewed the Biological Resources Assessment Report prepared by Tetra Tech for the Sierra Solar Project, Churchill County, Nevada, September 2023 (Report). The Report represents the findings of a Biological Resources Assessment for a 400-megawatt solar generation facility and two 345-kilovolt (kV) general tie transmission lines. While the solar array will be constructed on private lands, the gen-tie line will cross public lands administered by the BLM by the Winnemucca District Office. As such, this Report will ultimately be referenced by any NEPA document required by the BLM and will need to meet the BLM's minimum standards. The Report also has bearings on project compliance with the Endangered Species Act, Bald and Golden Eagle Protection Act, Migratory Bird Treaty Act and other applicable state and federal regulations. Churchill County doesn't have any specific regulations that I am aware of; however, the Master Plan does speak to the importance of wildlife habitat and minimizing impacts to wildlife, so there is a county nexus to consider.

After reviewing the below comments, please let me know if you have any additional questions or need additional information.

General Comments:

I would recommend adding a more robust description of the project. Specifically:

- How many acres will be disturbed within the solar array?
- Will those areas be completely cleared of vegetation, or will the array be built over the top of existing vegetation?
- Are there associated staging areas, gravel borrow sources, or wells that will need to be developed?
- Will any roads be realigned that would result in impacts on vegetation and wildlife?
- What is the anticipated life of the project and what is the general reclamation plan?

I generally agree with the conclusion that Endangered Species are not likely to occur on site, and that the potential for take of Bald or Golden eagle is not likely. However, the BLM will likely require a more

MEMORANDUM

Jim Barbee, Churchill County Manager

May 6, 2024

Page 2 of 4

extensive survey for Bald and Golden eagle than what we completed during this evaluation, particularly given proximity of suitable nesting habitat within 1 mile of the Project Area.

A Project-specific data request should have been submitted to the Nevada Department of Wildlife and their response included and discussed in this Report. This information would indicate what big game species, species of conservation priority, and known raptor nests are present in the vicinity of the Project Area. These are all of interest and importance to Churchill County. This would also clarify if Sage-grouse habitat is in proximity to the Project Area and if any further analysis is needed.

The one species that could create issues with the project is Greater Sage-grouse. There is mapped habitat in the vicinity of the project, so that needs to be addressed in the Report, and a map showing the Project Area in proximity to the nearest mapped habitat would be a good idea as well. This will determine whether the project will need to involve the Nevada Sagebrush Ecosystem Program.

Document Specific Comments:

- Page ES 2:
 - State if the consultant's opinion is based upon desktop review, survey results or both.
 - State if the consultant requested Project Specific Data from the Nevada Department of Wildlife.
 - If not, we would suggest making such a request and including it in the Report.
 - State whether the BLM was consulted prior to initiation of the Report, or if that will occur subsequent to this Report in order to meet the BLM's minimum biological baseline survey and report standards. Also state whether BLM sensitive species are anticipated to occur on or in the vicinity of the project.
- Page 2: Section 2.2.1 states that the updated Nevada Wildlife Action Plan was not yet available prior to publication of this Report. While that is true, the Report is now available. In addition, a project specific data request could have been made to NDOW to supplement any information that wasn't available.
- Page 3: Section 2.2 discusses "State Regulations". This section needs to include regulation by the Nevada Division of Forestry specific to treatment of cactus and the Nevada Department of Conservation and Natural Resources specific to Greater Sage-grouse and any requirement (or lack thereof) to coordinate with the Sagebrush Ecosystem Program as relates to the Conservation Credit System if the project is in proximity to mapped habitat.
 - It would also make sense to add a short section on the County's Master Plan and adopted policies that speak to minimizing project impacts to wildlife. See Chapters 5 and 12.
- Page 3: Section 3.1 describes the Desktop Analysis Methods completed. RCI would recommend the following be added to the Desktop Analysis:
 - Request and include NDOW's response to a Project Specific Data Request.
 - Provide a map and discussion of the project site and its proximity to the nearest known Sage-grouse habitat.

MEMORANDUM

Jim Barbee, Churchill County Manager

May 6, 2024

Page 3 of 4

- Provide a list of BLM Sensitive Species for the Winnemucca District.
 - Complete and include a US Fish and Wildlife Service iPac Report for the Project Area (Section 4.1.6 indicates that this was completed, so stating the same in this section would be good).
- Page 5: Section 4.1.4 discusses Water Resources. Tetra Tech should confirm with NDOW that wildlife guzzlers exist now within or in proximity to the Project site or other water rights, such as stockwater wells (data can be pulled from the Nevada Division of Water Resources website).
- Page 6: Section 4.1.5 discusses “Project Soils” and summarizes information obtained from NRCS Web Soil Survey. This is good data, and RCI would also recommend including and summarizing Ecological Site Assessments.
- Page 7: Rather than relying on analysis of the State Wildlife Action Plan, a project-specific data request to NDOW should have been completed and included.
- Pages 7-8: Table 3 should summarize which of the species are also BLM sensitive species. The table should add the potential for species of cactus to occur, given NDF regulations related to removal of cactus. Greater Sage-grouse should be added to the list, particularly given the potential for Sage thrasher to occur onsite. Any species identified in iPac, on the BLM Sensitive Species list, by NNHP, or NDOW that were determined not likely to occur on site should be listed somewhere so that it is clear the habitat for those species was taken into account.
- Pages 9-10: With field surveys starting at 8 am each day, the prime window for observing birds and crepuscular species was likely missed. The BLM may require additional surveys. Additionally, a NDOW data request will provide more insight into the potential occurrence of raptor nests within and in proximity to the Project Area as well as potential game and bird species that may not have been observed.
 - It would be good to add a note if any available water (i.e., wildlife guzzlers, stockwater wells / troughs, etc.) was observed within or in proximity to the Project Area.
- Page 12: It would be good to include a discussion of any existing disturbances as relates to flora. For instance, are there any major or notable prior areas of disturbance or old fire scars?
- Page 12-14: RCI would add the following to the “Conclusions and Recommendations” section:
 - The Project Proponent is going to need to coordinate with the BLM to determine if the completed level of survey effort is sufficient to meet their biological baseline and NEPA requirements, as well as any BLM mitigation requirements.
 - There needs to be some sort of analysis and conclusion as relates to Sage-grouse.
 - As relates to impacts on vegetation as well as fugitive dust:
 - The project proponent should be required to develop a noxious weed monitoring and management plan as well as a wildfire prevention plan.
 - Disturbance of native vegetation should be kept to the minimum possible area.
 - Project proponent should be required to acquire a reclamation bond prior to the start of construction.

MEMORANDUM

Jim Barbee, Churchill County Manager

May 6, 2024

Page 4 of 4

- Page 13 includes two different general bird breeding and nesting seasons; these should be the same and confirmed with either the BLM or NDOW.
- Figures:
 - Is the project “Ceresola Solar” or “Sierra Solar”? It would be helpful for the labels of the figure to match the name of the Report.
 - Recommend adding a figure for Ecological Sites.
 - Recommend adding a figure that shows the Project Area in relation to the nearest Greater Sage-grouse Habitat.
- Appendices:
 - Recommend adding NHP response letter.
 - Recommend adding NDOW project specific response letter.



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CARSON CITY OFFICE
340 N. Minnesota St.
Carson City, NV 89703-4152
Ph: (775) 883-1600
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Memorandum

DATE: May 6, 2024

TO: Jim Barbee, Churchill County Manager; Randy Hines, Director of Public Works, Planning and Zoning; and Dean Patterson, Senior Planner

FROM: JoAnne Michael, Environmental Project Manager

RCI PROJECT: 20-188.7D On-call Public Lands and Natural Resources Consulting

SUBJECT: Review of Wetland Delineation for Sierra Solar Project

On May 2, 2024, I reviewed the Wetland Delineation report prepared for the Sierra Solar Project, Churchill County, Nevada by Tetra Tech in July 2023 (Report). The Report provides documentation of potential on-site wetlands and other non-wetland water features. The Report states that it is prepared to meet the U.S. Army Corps of Engineers (USACE) Minimum Standards for Acceptance of Preliminary Delineation dated January 2016; however, the Report lacks much of the required information and data is inconsistent with the findings of the Report. A list of insufficiencies and errors is provided at the end of this memo.

The Report delineated 39 non-wetland features (Table 6) identified as ephemeral streams totaling 113,274 linear feet, and states that all ephemeral streams delineated terminate within the Fernley Sink and have no connection to a Traditional Navigable Water (TNW). The Report further states that while final determination of Clean Water Act jurisdiction over the ephemeral streams can only be made by the USACE an Environmental Protection Agency, it is the determination of the authors that the ephemeral streams are non-jurisdictional because they lack a connection to either a Relatively Permanent Water or TNW. The Report does not discuss any potential connection to interstate commerce that may or may not be present and affect potential jurisdiction of on-site waters.

Given that all on-site waters terminate within a terminal basin, RCI agrees with the Report's conclusion that there is a potential for these waters to be considered non-jurisdictional under the new Revised Definition of Waters of the United States (USACE September 2023). RCI recommends that a copy of this Report be sent to the USACE with a request for an Approved Jurisdictional Determination for the on-site waters. In addition to providing a formal Approved Jurisdictional Determination (AJD), as part of the determination review, the USACE verify the delineation report provided and determine if it is sufficient or if additional information is needed to make a jurisdictional determination. The findings of the AJD will determine if Section 404 and 401 permits are needed for impacts to these waters.

Please let me know if you have any additional questions.

MEMORANDUM

Jim Barbee, Churchill County Manager

May 6, 2024

Page 2 of 2

List of missing information and errors noted within existing Report:

Per the U.S. Army Corps of Engineers Minimum Standards for Acceptance of Preliminary Delineation dated January 2016, the following items are missing from the Report:

- A signed statement from property owner allowing Corps access.
- Directions to the survey area.
- Applicant's contact information.
- A table listing all aquatic resources that includes their Coward type, acreage, and location (lat/long). For linear features, the table should include both acreage and linear feet.
- The description of the existing field conditions lacks discussion of plant communities and habitat present.
- Report lacks a soil map and data forms do not include name of soil type.
- Report does not include the Corps *Aquatic Resources Excel* spreadsheet.

Additionally, data forms included in Attachment A consistently report the wrong Wetland Indicator Status of the dominant species resulting in a determination of upland vegetation when there is actually a dominance of hydrophytic vegetation (based on species listed in the data sheet). This is especially true for the species *Juncus balticus* (FACW), *Sagittaria cruneata* (OBL), and *Phalaris arundinacea* (FACW), all of which are given an Upland (UPL) WIS repeatedly on the data form resulting in a determination of "No Hydrophytic Vegetation Present".

The Report states there are no on-site wetlands, but data forms repeatedly describe the data points as being taken "on slope immediately adjacent to the wetland swale". Remarks also state that the data points are taken in a salt shrub community, but the dominant vegetation is listed entirely as herbaceous species that are predominantly hydrophytic (eg. *J. balitcus*, *P arundinacea*, and *S. cuneata*.)



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Memorandum

DATE: May 7, 2024
TO: Jim Barbee, Churchill County Manager; Randy Hines, Director of Public Works, Planning and Zoning; and Dean Patterson, Senior Planner
FROM: Joe Cacioppo, PE, WRS - Principal Engineer of RCI
RCI PROJECT: 20-188.7D On-call Public Lands and Natural Resources Consulting
SUBJECT: Review of Hydrology and Drainage Study for Sierra Solar Project

Background and Scope

On May 7, 2024, Resource Concepts, Inc. (RCI) reviewed the *NV Energy Sierra Solar Facility Hydrologic and Drainage Study* (Study) that was prepared for NV Energy by Tetra Tech, Inc. in April 2023. Tetra Tech, LLC identified the Study as “Preliminary.”

The Study provides cursory information and results based on methodologies and calculations described in the Study. The Study discusses results from calculations performed in HydroCAD, using the NRCS Technical Release 55 (TR-55) method for determining pre-development and post-development runoff rates and associated velocities and scour depths. The study considered the 10-, 50-, 100-, and 500-year storm recurrence intervals. Parameters and assumptions used in the hydrology and drainage analyses were based on:

- National Oceanic and Atmospheric Administration, National Weather Service’s Hydrometeorological Design Studies Center, commonly referred to as *NOAA Atlas 14*.
- 2019 National Land Cover Database (NLCD)
- National Resources Conservation Service (NRCS)

Review Comments

The input parameters used in the Hydrology and Drainage Study (Study) appear reasonable. RCI verified the NOAA Atlas 14 precipitation data that was used for each storm recurrence interval and agrees with the values used, based on the project’s geographic location. As such, RCI does not have any concerns with the obtained results.

Given that the Study is identified as “Preliminary,” RCI assumes that a final Hydrology and Drainage Study will be submitted as part of any future design or permit submittals.

MEMORANDUM

Jim Barbee, Churchill County Manager

May 7, 2024

Page 2 of 2

While the Study contains project site maps for location, topography, land cover, flood depth, and depth of scour, the maps are large scale with limited detail relative to the site. In addition, there was no Drainage Map provided to show the upstream contributing drainage area impacting the proposed facility, or that might show cross sections or other site-specific data regarding how the proposed facility would be impacted by existing and increased runoff. Section 3 *Results/Conclusions* of the Study recommends stormwater structures, such as swales or basins, be designed to manage increased runoff, but there is no discussion of where to incorporate them or how large they should be. Because this is a preliminary study, such information might not be able to be provided until the design is underway.

Conclusion

The preliminary *NV Energy Sierra Solar Facility Hydrologic and Drainage Study* prepared for NV Energy by Tetra Tech, Inc. references reliable and established sources for the general site conditions and input parameters used in the analysis. The results obtained from the analysis appear reasonable, and the HydroCAD TR-55 method used is appropriate.

Inclusion of a Drainage Map with the upstream contributing drainage area shown would be useful in better understanding impacts to the project site, as would some on-site detail and analysis in terms of routing through the facility and approximate locations/sizes of recommended stormwater structures.

*** End of Memorandum ***

SIERRA SOLAR PROJECT

Reflectivity Analysis Technical Report

Prepared for
Churchill County
155 N Taylor Street
Fallon, NV 89406

Prepared by
AZTEC Engineering
501 N 44th St, Suite 300
Phoenix, AZ 85008



June 3, 2024

Table of Contents

Executive Summary	1
Introduction	2
Definitions.....	3
Mathematical Analysis.....	5
3.1 Reference Coordinate System	5
3.2 Sun Position	7
3.3 Reflection Equations for Horizontal Axis Trackers.....	9
Backtracking.....	12
Reflectivity Analysis	14
4.1 Interstate I-80	15
4.2 Sagehen Creek Road 1	17
4.3 Sagehen Creek Road 2	18
4.4 Sagehen Creek Road 3	20
4.5 Sagehen Creek Road 4	21
4.6 Sagehen Creek Road 5	22
4.7 Proposed Route 1	24
4.8 Proposed Route 2	25
4.9 Existing Route 1	25
4.10 Existing Route 2	27
4.11 KOPs 1, 2, 3	28
4.12 KOPs 4, 5, 6, and 7	29
4.13 KOP 8.....	30
4.14 KOP 9.....	32
4.15 KOP 10.....	34
4.16 KOP 11.....	35
General Recommendations	36

ACRONYMS AND INITIALISMS

NV	Nevada
φ	solar azimuth angle
AZTEC	AZTEC Engineering Group, Inc.
D	earth declination
θ	solar elevation angle
ft	feet
GCR	ground coverage ratio
H	hour of the day
i	day of the year
KOP	Key Observation Point
Lon	longitude
Lat	latitude
γ	minimum incidence angle
n	reflecting plane normal vector, where $n=(n_x, n_y, n_z)$
O	origin
Project	Sierra Solar Project
PV	photovoltaic
R	reflected beam vector, where $r=(r_x, r_y, r_z)$
s	instantaneous solar beam direction vector, where $s = (A, B, C)$
β	instantaneous rotation angle of the tracker

Executive Summary

This report analyzes the potential solar reflectivity emissions (glint and/or glare) produced by the proposed Sierra Solar Project (Project) located in Churchill County, Nevada (NV), due to solar panel reflectivity at selected representative Key Observation Points (KOPs) located around the Project site.

Photovoltaic (PV) installations are characterized by flat photovoltaic modules with low reflectivity characteristics. However, the fraction of the incident light that is reflected increases with the incidence angle. Reflectivity emissions increase when the solar elevation is low (sunrise and sunset), thus potentially creating glint and/or glare events to observers who are geometrically aligned with the reflected image from the photovoltaic panels of the sunlight.

To evaluate the glint and glare hazard from the Sierra Solar Project, a geometric analysis using Aztec's proprietary software has been completed to evaluate the reflectivity of the PV plant and inform design refinements. Aztec's analysis assumes a backtracking curtailment angle of 10 degrees for the solar modules (also called 'resting angle'). The Project geometry data and location of observation points have been obtained from a separate *ForgeSolar* analysis conducted by a third party.

The geometric analysis using Aztec's proprietary software was conducted for a one year-long duration in 90 second intervals. All mathematical expressions for sun position, KOPs position relative to solar arrays, orientation of PV modules, and reflected sun beams were input into a computer model to evaluate the potential of reflected sunlight reaching the observers. The results confirm that no KOPs will be exposed to glint and/or glare events. However, while these results are geometrically correct, they don't evaluate the potential for geometric imperfections in the real site topography nor construction tolerances. While this refinement is not relevant for KOPs located in the far field from the solar array, it may have a potential impact for KOPs located closer than 300 ft from the reflecting surfaces (modules), as is the case in this Project because of its proximity to secondary roads. Therefore, this report includes *General Recommendations* to be implemented in the Project design (layout) as a safety factor for potential observers in close proximity to the Project, consisting in providing adequate setback between the modules and the roads adjacent to the arrays. Alternatively, other mitigation options are (i) installing visual barriers to visually isolate these adjacent roads, or (ii) increasing the backtracking curtailment angle to values higher than the proposed 10 degrees (an example of this alternative is analyzed in section 4.4 of this report).

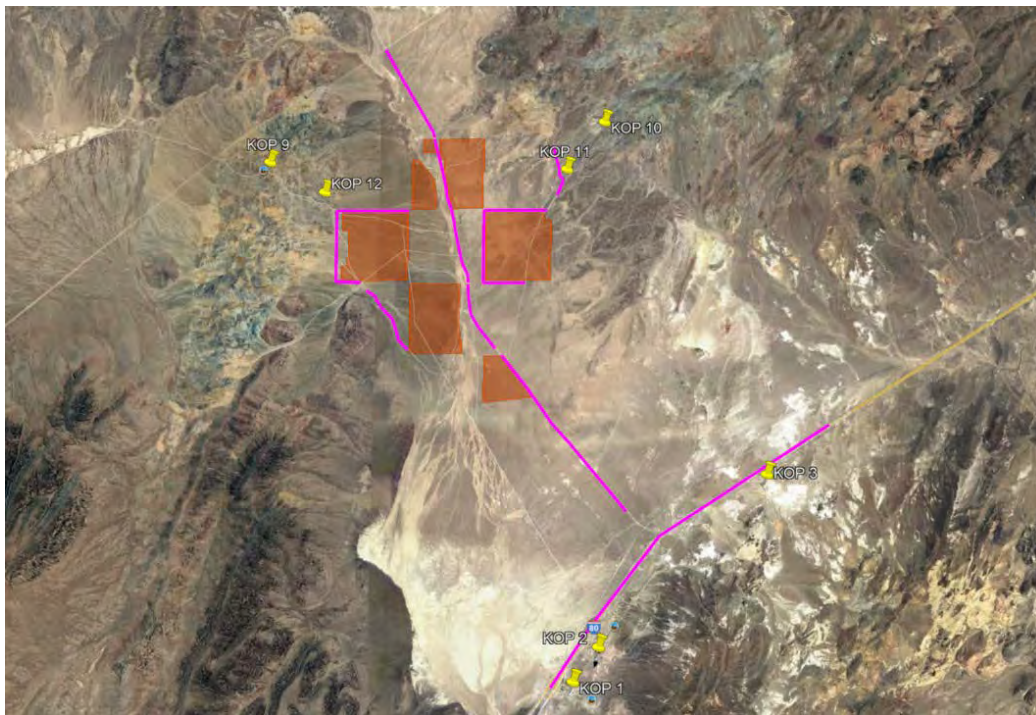
Introduction

AZTEC Engineering Group, Inc. (AZTEC) was retained by Churchill County, NV to prepare this Reflectivity Analysis Technical Report and evaluate the potential of glint and/or glare emissions from the Sierra Solar Project (Project) towards a set of representative Key Observation Points (KOPs). The most relevant glint and/or glare potential impact from the proposed photovoltaic solar Project is on vehicle traffic traveling along Interstate I-80 (southbound and eastbound). The findings of this report will support the Project's environmental review clearance documents that will be prepared by Churchill County through the project approval process.

The Sierra Solar Project, located in Churchill County, Arizona (NV), is within a high desert undeveloped environment, 2.7 miles northwest of Interstate (I-80) and approximately 20 miles north of the town of Fernley, NV. The Project sits within an approximately 2,200-acre cluster of parcels as shown in Figure 1. The project site is bisected by several low-traffic intensity roads and creek trails. The proposed solar facility would be partially visible by travelers on I-80, local trails adjacent to the project site, and certain KOPs of interest distributed around the project and mostly in elevated geographical points.

The Project site topography is generally flat, with elevated basaltic formations at both its eastern and western sides creating a central low-elevation axis through the Project.

Figure 1. Location and Environment of the Sierra Solar Project



Basemap: Google Earth 2020. Orange color: Solar arrays. Magenta: potentially sensitive traffic KOPs. Yellow markers: potentially sensitive static Key Observation Points.

The Project will include PV modules mounted on horizontal single axis solar trackers. Due to the tracking system, each PV module orientation will change, dependent on the time of the day, as a module's sun tracking algorithm will seek to minimize the incidence angle of solar beams onto the PV modules' surface for increased energy yield.

To evaluate the potential for direct sunlight reflection events from the photovoltaic modules toward the KOPs, a mathematical (geometric) model has been developed. The model predicts which times of the year, and times of the day, there is a possibility for observers located at KOPs to observe direct nuisance reflection (glint and/or glare) from the PV panels. The methodology is described in detail in Section 3 of this report.

Definitions

The following definitions and descriptions are provided to allow for better understanding of the methodology and results of this report:

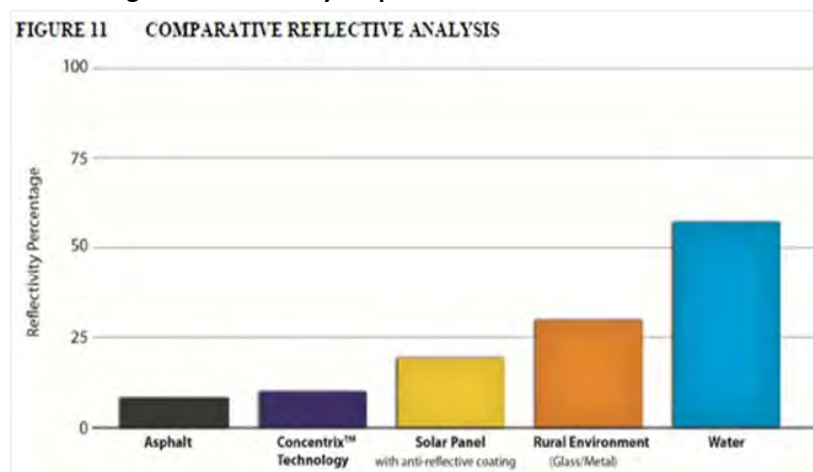
Photovoltaic System – A system consisting of a series of flat photovoltaic (PV) modules mounted on one or a combination of the following supporting structure types:

- Fixed tilt structures
- Single axis tracker structures
- Two axis tracker structures

Depending on the supporting structure type, the modules shall be either fixed tilt or have the ability to follow the sun position with appropriate solar tracker structures. A varying orientation provides the PV modules greater sun exposure. This Project will use single horizontal axis tracker structures.

By nature, PV panels are designed to absorb as much of the solar spectrum as possible, as explained later in this section, in order to convert sunlight to electricity, and are furnished with an anti-reflective coating for that purpose. Reflectivity levels of solar panels are decisively lower than standard glass or galvanized steel and should not pose a reflectance hazard to viewers (Figure 2).

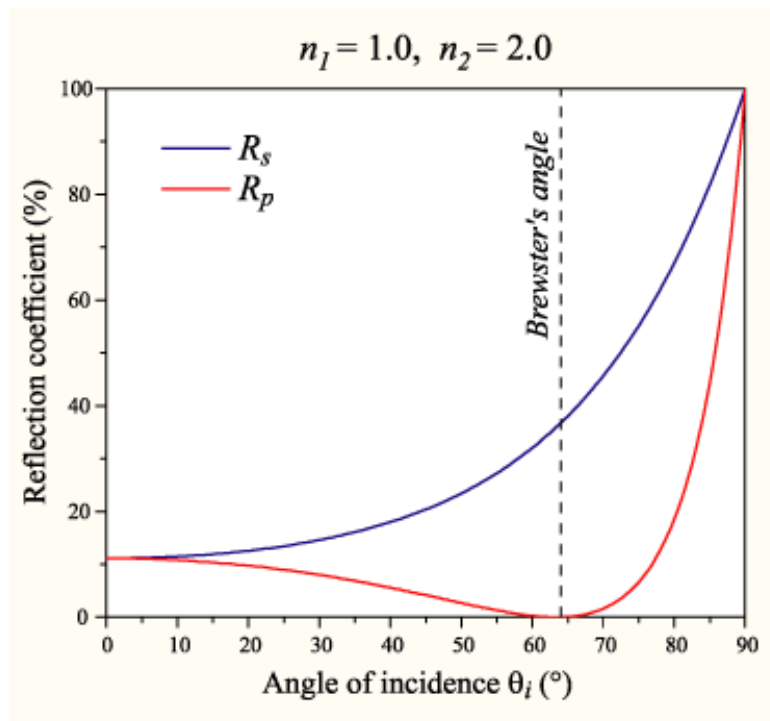
Figure 2. Reflectivity Properties of Several Materials



It should be noted, however, that reflectivity characteristics of solar modules vary with light incidence angle. The reflection coefficients of PV modules as a function of the light incidence angle, which describes an increasing reflected fraction of incident light as the incident angle increases (i.e., at sunrise and sunset), are shown in Figure 3. For example, at an incidence angle of 70 degrees, 40 percent of incident light is reflected.

Glint – Is produced by direct reflection of the sun beam from the surface of the solar module and is also known as specular reflection. Glint is a potential source of the visual/reflectivity issues that may result in viewer distraction. Glint is highly directional since its origin is purely reflective.

Figure 3. Reflection Coefficients for PV Modules

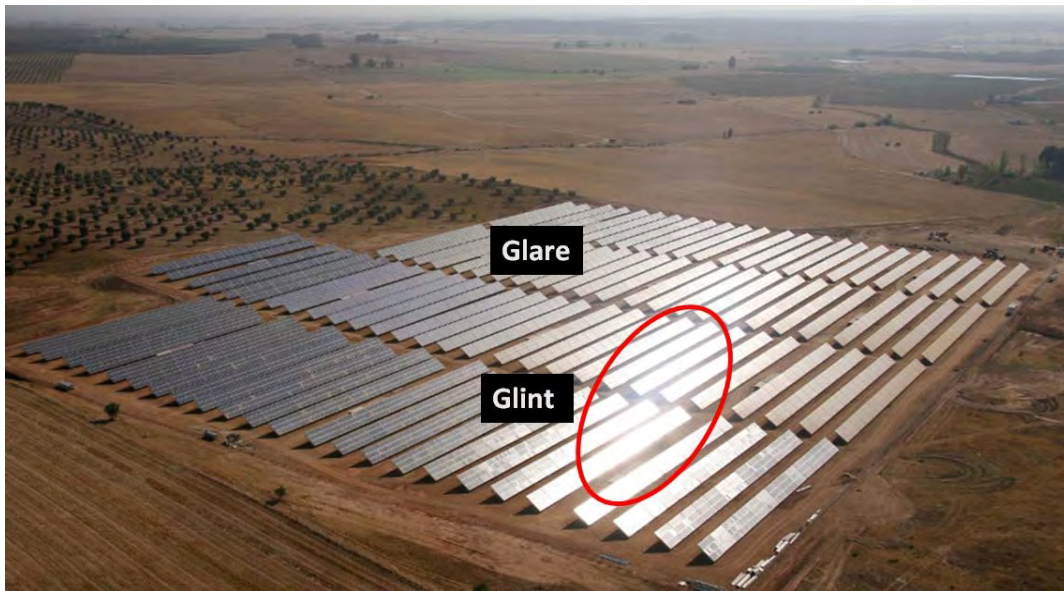


Glare – Is a continuous source of brightness, relative to diffused light. This is not a direct reflection of the sun but, rather, a reflection of the bright sky around the sun disk. Technically this is described as the reflection of the circumsolar diffuse radiation component. Glare is significantly less intense than glint. As glare is the reflection of diffuse irradiance, it is not a direct reflection of the sun; however, glare is still directional because of the circumsolar source for that diffuse radiation component. The diffuse fraction of the reflected light increases with the reflecting plane surface roughness.

Other glare sources in nature (often called Albedo reflectance) can be more intense than glare from PV modules. For instance, an agricultural environment or free water surfaces have a considerably higher glare effect than PV modules at lower light incidence angles.

An example of glint and glare effects from a solar photovoltaic plant are shown in Figure 4.

Figure 4. Glint and Glare Appearance from a Solar PV Installation



Key Observation Point (KOP) – KOPs are viewpoints used in the glint and glare study, also defined as the position of human observers. The Sierra Solar Project KOPs were provided by Churchill County as potentially sensitive locations for observers. While the Sierra Solar Project may be visible to human observers from the Project KOPs, observers may or may not be subject to glint and/or glare during specific hours of the day or days of the year as discussed in the text of this document. Project visibility from KOPs is a necessary condition for potential reflectivity events, but not a sufficient condition.

The location of all KOPs and potentially sensitive roads has been obtained from the geographical coordinates listed in the *ForgeSolar* reflectivity analysis report provided by Churchill County.

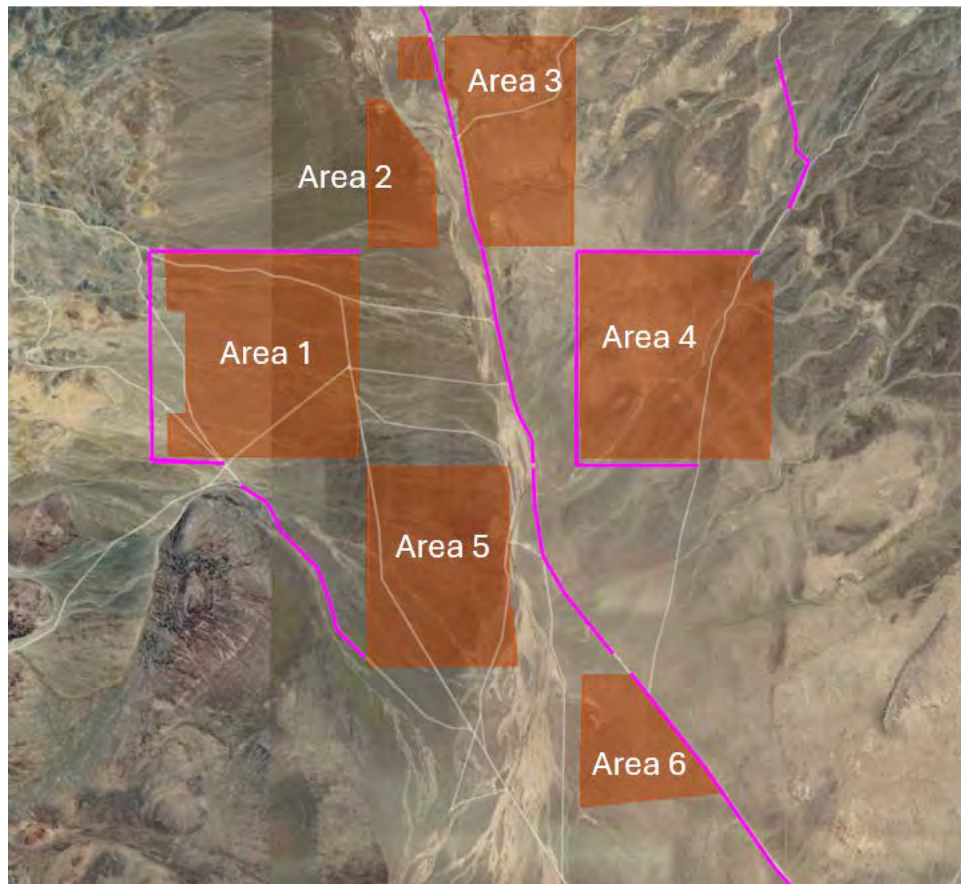
Lake Effect Hypothesis (lake effect) – The “*lake effect hypothesis*” includes the statement “*that PV panels and power tower heliostats are reminiscent of a large body of water (or open sky)....*” (Multiagency Avian Solar CWG, 2016).

Mathematical Analysis

3.1 Reference Coordinate System

Solar reflection from flat surfaces may be analyzed through implementation of 3D geometry concepts. To properly relate sun position, PV modules position and orientation, and the KOP locations, it is necessary to define a global coordinate system to which the previous locations and orientations will be referenced. The origin of the coordinate system represents a point from which the solar beams are reflected. To capture the reflectivity potential of the full array geometry (as opposed to a single point), a series of points describing the ‘corners’ of the arrays can be defined. Because of the Project extension, this process is repeated for independent simplified areas, collectively representative of the Project footprint. Figure 5 below depicts the geometry of the selected areas and nomenclature used in this report:

Figure 5. Sierra Project reflectivity areas



As an example, the 3D Cartesian coordinate system for the southeast corner of Area 1 is defined as follows:

Positive X-Axis: Pointing South

Positive Y-Axis: Pointing East

Positive Z-Axis: Pointing Upwards (zenith)

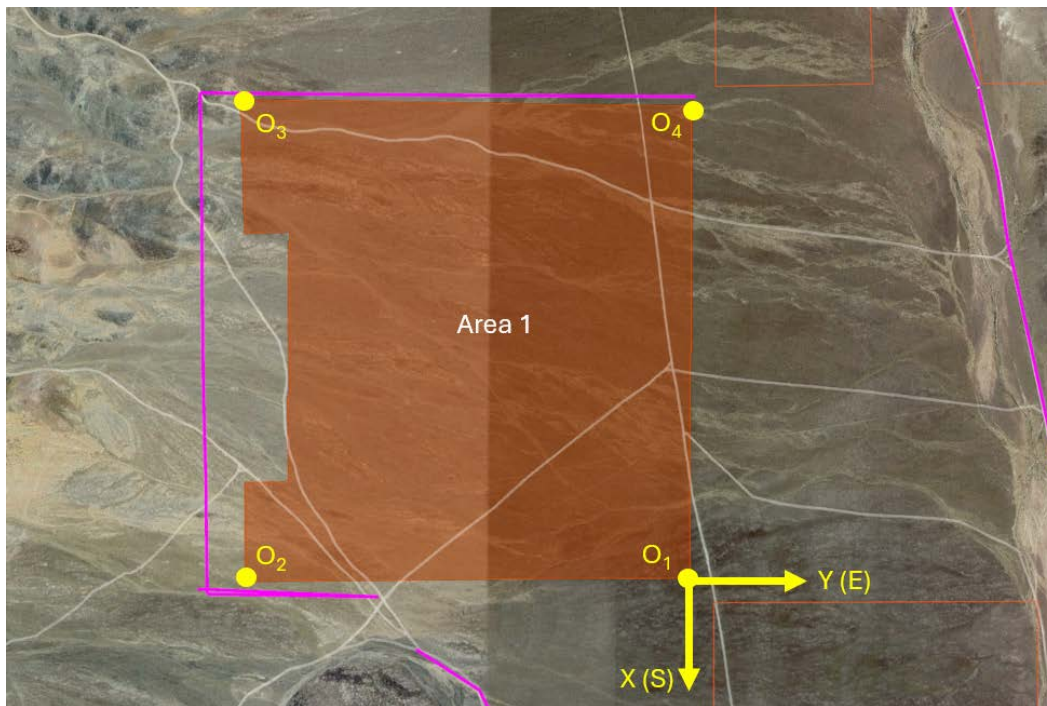
As an example, the absolute position of the reference coordinate system's origin O_1 in Area 1 is:

Latitude: 39.868304° (North)

Longitude: -119.058785° (West)

Elevation: 4,329 ft above mean sea level (amsl)

Figure 6. Reference Coordinate System O_1



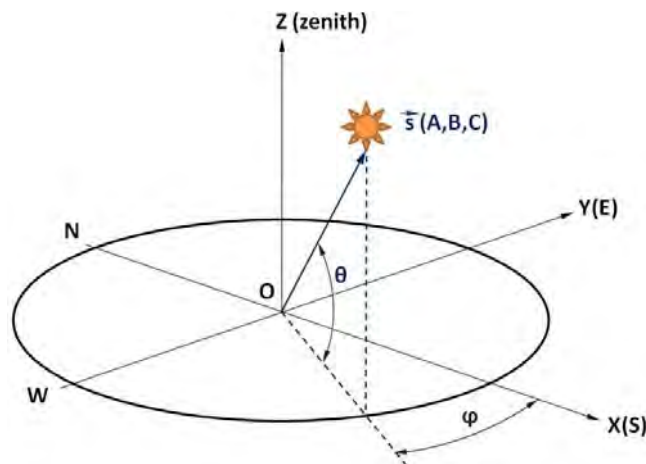
Basemap: Google Earth (2020)

3.2 Sun Position

The instantaneous sun position is defined by two angular (spherical) coordinates. These angles are azimuth (ϕ) and elevation (θ). Azimuth is the deviation of sun's horizontal projection from south, while elevation is the vertical angle between the horizontal plane (at origin elevation) and sun's position. The definitions for azimuth and elevation for positive values are illustrated in the graph in Figure 7.

The sun position can be also defined by a unit-length pointing vector ($\vec{s}$), as shown in Figure 7:

Figure 7. Sun Position Coordinates



The cartesian coordinates of the sun position vector $s = (A, B, C)$ are written in terms of the azimuth and elevation angles as follows:

$$A = \cos \theta \cos \varphi$$

$$B = -\cos \theta \sin \varphi$$

$$C = \sin \theta$$

Azimuth (φ) and elevation (θ) angular coordinates are both a function of:

- Latitude (L) at the origin (O)
- Time: Day of the year (i) and hour of the day (H)

Azimuth (φ) and elevation (θ) can be calculated by means of the following astronomical equations:

Earth declination (D):

$$D = 23.45 \sin (0.986 [284 + i])$$

Azimuth and elevation angles:

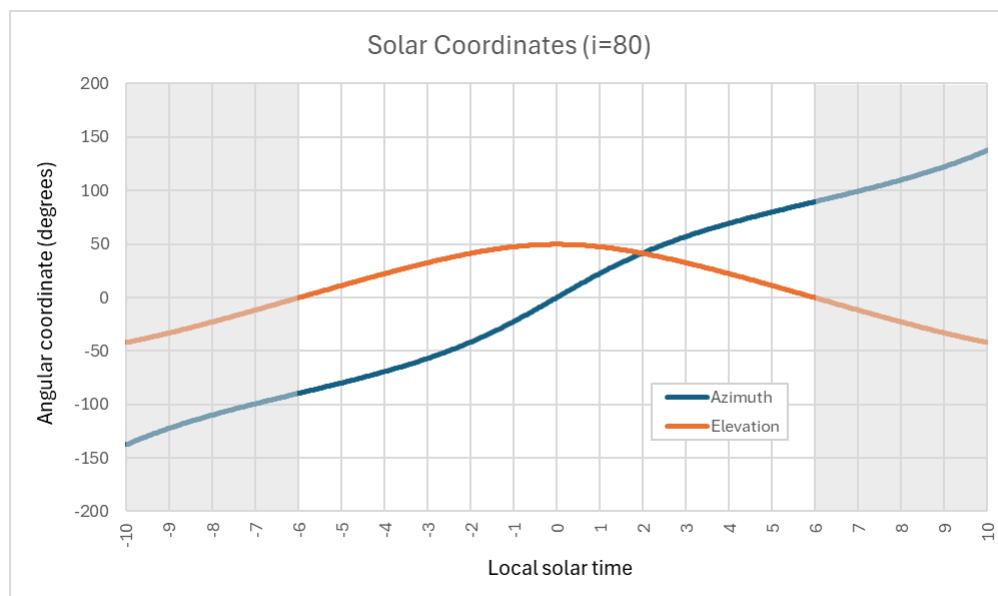
$$\sin \theta = \sin D \sin L + \cos D \cos L \cos H$$

$$\cos \varphi = (\sin D \cos L - \cos D \sin L \cos H) / \cos \theta$$

In the above equations, the day of the year (i) follows a Julian calendar day convention (January 1 is $i=1$; February 1 is $i=32$, ... through December 31 where $i=365$). The hour of the day (H) is based on a 24-hour clock solar local time (12:00 is $H = 0$; 10:00 is $H = -2$; 14:00 is $H = +2$; ... etc.).

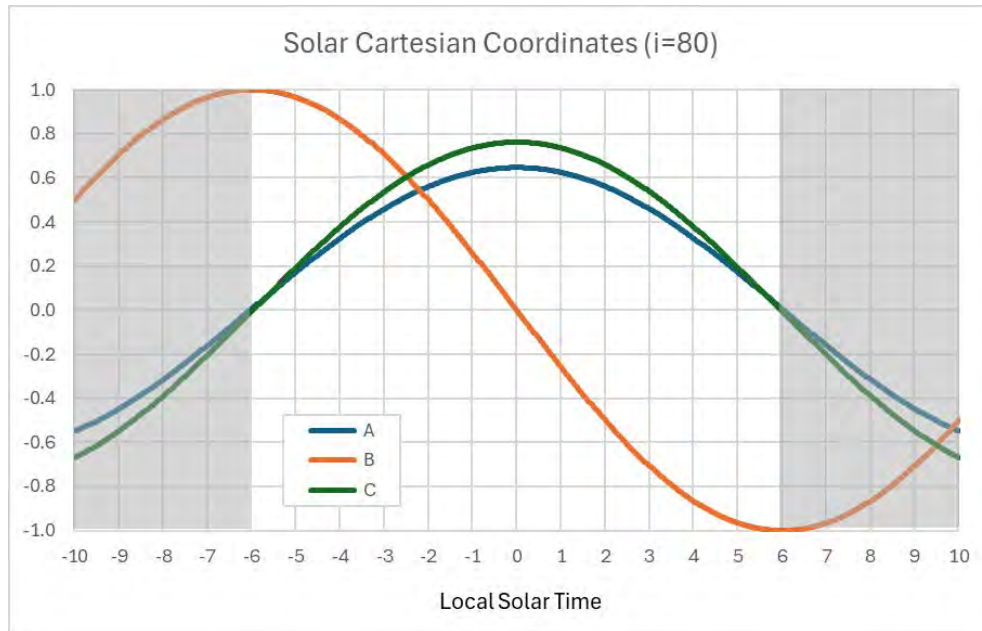
As an example, the calculated values for azimuth and elevation angles for the equinox (March 21, $i=80$) are plotted in function of the hour of the day in Figure 8 for the selected coordinate system origin:

Figure 8. Sun Position Coordinates in Function of Hour of the Day



Negative values of the elevation angle correspond to when the sun is below the horizon. In the above example, the daylight period is 12 hours and the azimuth at sunrise is -90 degrees (pure East), as expected for the equinox. Maximum elevation angle (at noon) is 50 degrees for this latitude and particular day. For the purpose of geometric calculations later in this report, the relevant results are the Cartesian coordinates of the sun position vector (A, B, C). For the sample day above, A, B, and C are plotted in Figure 9.

Figure 9. Sun Position Vector Cartesian Coordinates in Function of Hour of the Day



3.3 Reflection Equations for Horizontal Axis Trackers

Reflection of sun beams by a given surface can be calculated once the direction of the incident beam and plane orientation are known. The instantaneous solar beam direction vector $s = (A, B, C)$ and reflecting plane normal vector $n = (A_p, B_p, C_p)$ intersect at the origin, and both define a plane in space. From reflectivity laws, the reflected beam vector $r = (A_r, B_r, C_r)$ will be contained in that plane and symmetric to the incident beam with respect to the reflecting surface vector $[n]$, as shown in Figure 10a and Figure 10b.

A relevant variable in Figure 10a is the incidence angle $[\gamma]$, which measures the angle between the incident sun beam vector and the surface normal. No reflection can occur when the incidence angle is equal or larger than 90 degrees. This situation will occur whenever the sun is contained or behind the PV modules' plane. The incidence angle can be calculated as per the dot product of the unit vectors $[s]$ and $[n]$:

$$\cos \gamma = \vec{s} \cdot \vec{n} = A A_p + B B_p + C C_p$$

Figure 10a: Reflecting Surfaces – Notation for Reflected Beam Vector - Z axis

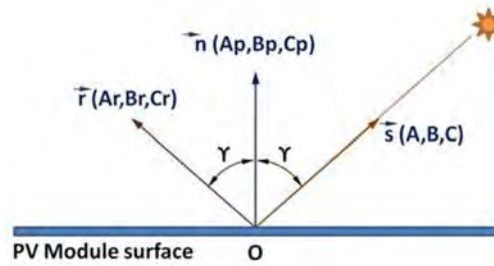
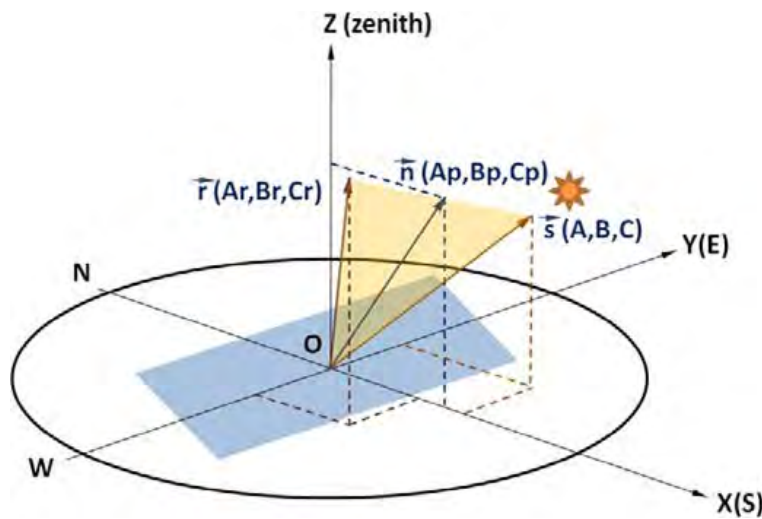


Figure 10b. Reflecting Surfaces – Notation for Reflected Beam Vector - Y Axis



The symmetric-reflected vector $[r]$ Cartesian coordinates are calculated as follows by:

$$\vec{r} = 2 \cos \gamma \vec{n} - \vec{s}$$

$$A_r = 2 \cos \gamma A_p - A$$

$$B_r = 2 \cos \gamma B_p - B$$

$$C_r = 2 \cos \gamma C_p - C$$

Tracker systems are mechanical devices that continuously change the PV modules orientation with sun position to obtain the maximum irradiance on the modules at any time during the day. In particular, the horizontal axis trackers are oriented in North-South direction, so the modules attached to the horizontal rotating axis are inclined in an easterly direction during sunrise and are rotated towards the west as the earth rotates.

Vector coordinates for the reflected beam shown in Figure 10b are the same as described in Figure 10a; however, the vector perpendicular to the modules is not constant during the day, but instead rotates with the horizontal tracker axis (Figure 11). The target is to keep the incidence angle as close to zero as possible, as shown in Figure 12.

Figure 11. Tracking Angle of Horizontal Axis Trackers

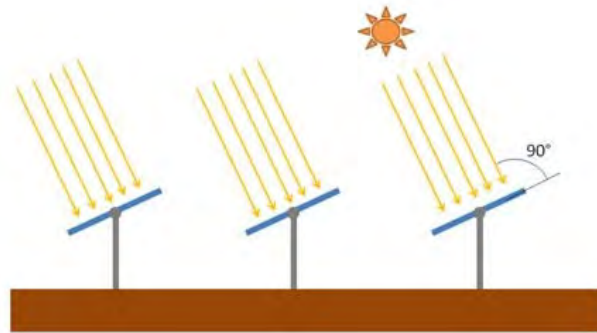
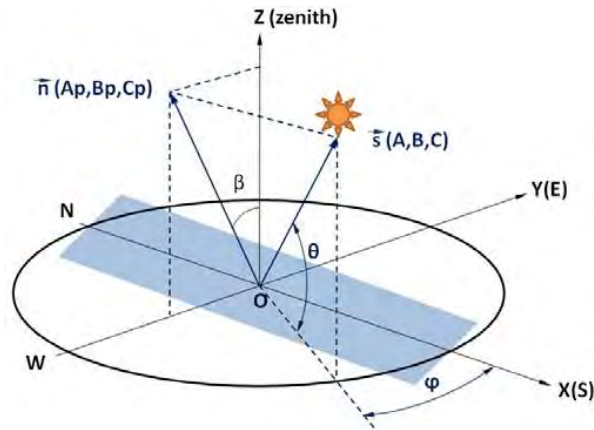


Figure 12. Normal Vector to PV Modules in a Horizontal Axis Tracker



Given the instantaneous rotation angle of the tracker (β), the normal vector $\vec{n} = (A_p, B_p, C_p)$ perpendicular to the plane of the modules is given by:

$$\begin{aligned} A_p &= 0 \\ B_p &= -\sin \beta \\ C_p &= \cos \beta \end{aligned}$$

The objective is to track for the minimum incidence angle (γ), which occurs when the cosine of the incidence angle (γ) is a maximum:

$$\cos \gamma = \vec{s} \cdot \vec{n} = A A_p + B B_p + C C_p$$

$$\frac{d(\cos \gamma)}{d\beta} = -B \cos \beta - C \sin \beta = 0$$

The minimum incidence angle occurs when:

$$\tan \beta = -\frac{B}{C}$$

Which describes the rotation angle of the tracker as a function of sun position and, hence, the coordinates for the vector perpendicular to the plane of the PV modules.

Backtracking

At low sun elevation angles (i.e., sunrise and sunset), the trackers will be fully deployed and mutual shading between successive rows of modules will occur (Figure 13a). To avoid this situation, the tracking control system has a backtracking algorithm, which defines the tracker rotation angle to avoid this mutual shading (Figure 13b). When the backtracking is active, the tracker will not rotate to follow the sun path but will instead avoid mutual shading between rows. This occurs daily early in the morning and late in the evening, and is dependent on PV plant geometry, day of the year and the plant's latitude. As a result, the module tilt at sunrise and sunset is always zero (modules in horizontal position).

Figure 13a. Mutual Shading Without Backtracking

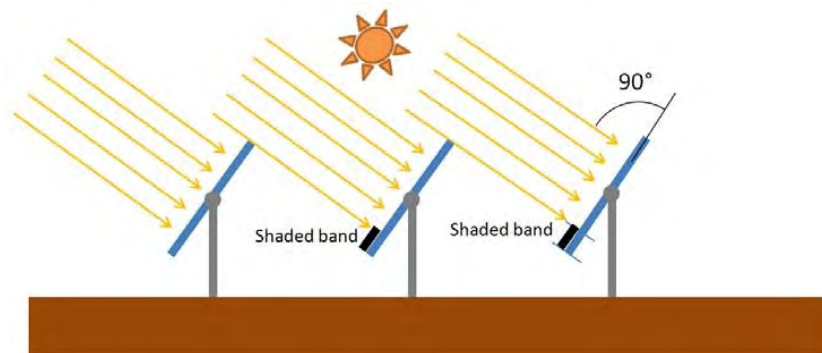
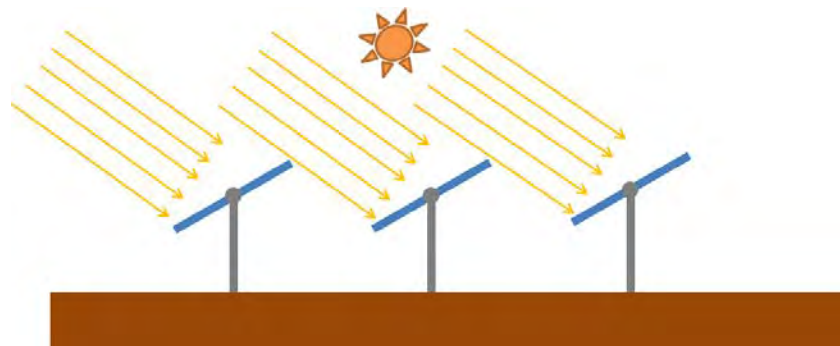


Figure 13b. Backtracking Corrected Incidence Angle to Avoid Mutual Shading



The tracker angle when the backtracking is active is given by the following equation:

$$\tan \theta = \frac{L \sin \beta}{p - L \cos \beta}$$

Where [L] is the length of the modules and [p] is the pitch between tracker rows. With these dimensions, the GCR = L/p = 0.42 for the Project. The maximum tracker angle is ± 60 degrees for mechanical and constructive reasons.

The change in tracker angle, together with sun elevation, for the sample day (March 21) is shown in Figure 14. It should be noted that the tracker angle has been setup to a lower limit of 10 degrees at sunrise and sunset. This is to avoid the solar modules resting in perfectly horizontal position in these two specific times of the day, so to avoid the 'lake effect' for the Project.

The Cartesian coordinates of the reflected beam are given in Figure 15 for the same sample day.

Figure 14. Tracker Angle on March 21

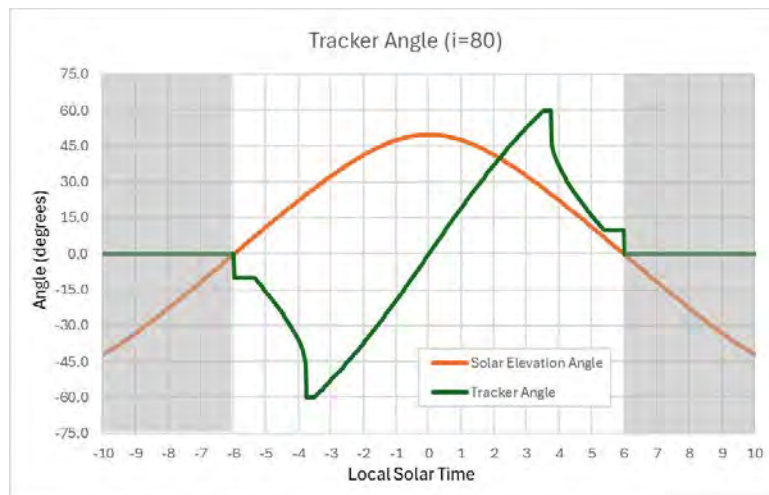
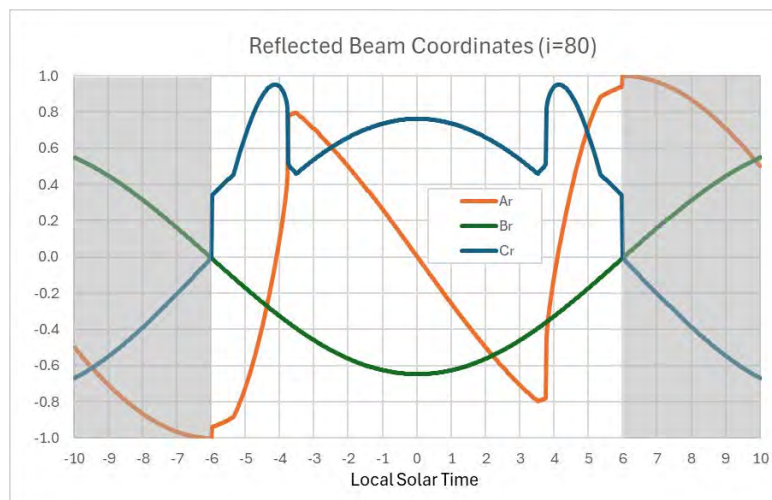


Figure 15. Cartesian Coordinates of Reflected Beam on March 21

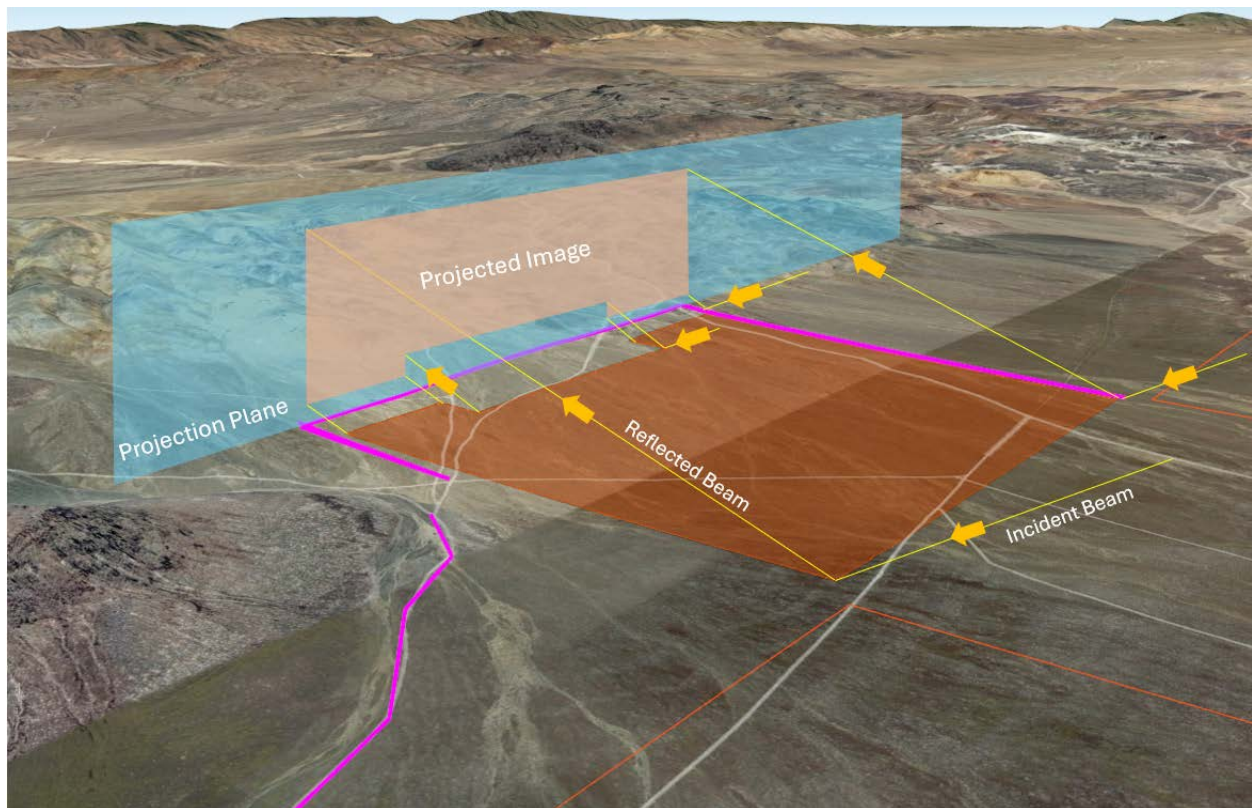


Reflectivity Analysis

A reflected image of the area covered by PV modules can be projected onto a given plane in space. For example, if a vertical plane containing a newly proposed road (Proposed Route #1) located west of Area 1 is defined as the “Projection plane,” the projected image of the solar plant can be drawn by determining the points in which the reflected beams from the corners of the solar array intersect the projection plane.

This concept is illustrated in Figure 16 by assuming a theoretical projection of the PV plant reflection onto the vertical plane containing Proposed Route #1. The projected image will change with the day of the year and time of the day, based on the sun position and the corresponding orientation of the PV modules.

Figure 16. Illustrative Example of Projection Plane and Projected PV Plant Image



Basemap: Google Earth (2020)

Whenever the projected image overlaps the ground level there is a glare risk for observers on those specific dates and times. Since all KOPs are at ground level, there would be potential for glare at KOPs only if the projected image sufficiently approaches ground level.

In the example illustrated above, the projected image does not overlap Proposed Route #1 and, therefore, no glare risk can be expected for observers in this road at the depicted date and time. As a result, to determine glare risk to observers, it is sufficient to analyze the projected trajectory of the reflected solar beam from solar modules that are located closer to the specific projection plane. Analyzing just the reflection from the array’s nearest point to the projection plane is sufficient to determine if a full array

may pose a glare risk for observers. The array point closer to the analyzed plane is called the ‘worst-case point’ for analysis purposes.

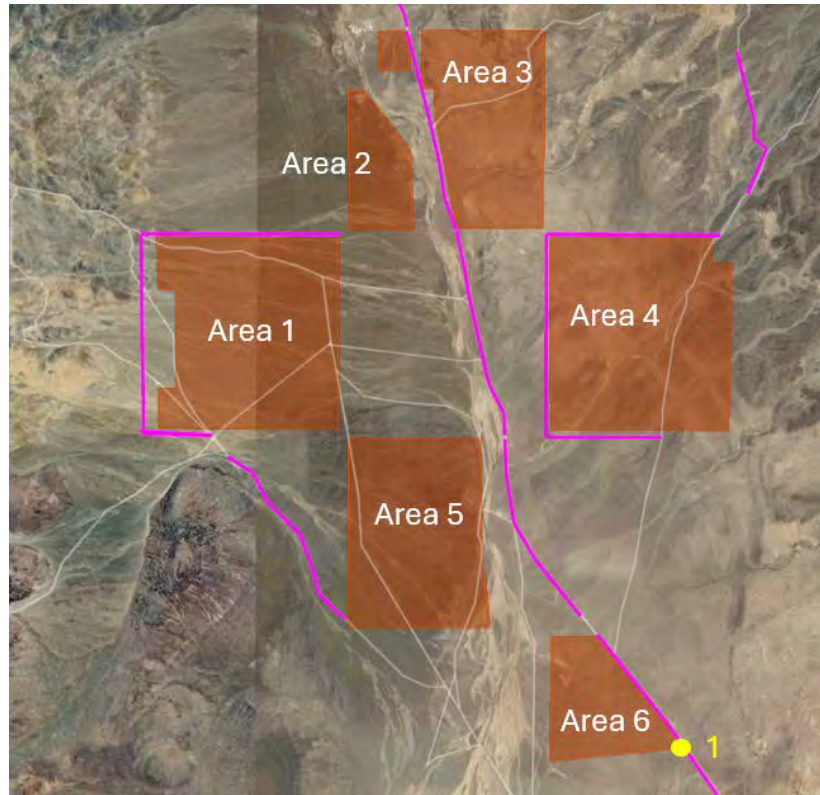
In the following paragraphs, the calculated geometry of the projected image for the selected (worst-case) points is obtained. The time of the year the projected point overlaps the KOPs will be geometrically defined as a risk for glint and/or glare event from the full Project.

To obtain this projected geometry, the geometric equations shown in previous sections have been input into a computer model to obtain the projection of the reflected beams for 90-seconds intervals through a full year. The results are given below for all KOPs and Project areas.

4.1 Interstate I-80

To evaluate glare risk on I-80, the selected point 1 south east of Area 6 is found to be the worst-case point for analysis. Distance between point 1 and I-80 is approx. 2.52 miles.

Figure 17. Identification of worst-case scenario Point to Interstate 80



The equation of the vertical projection plane containing Interstate 80 with respect to Origin in Point 1 is as follows:

$$\Pi \equiv -0.7316 x - y + 15930 = 0$$

The trajectory of the point 1 projection on Interstate 80 vertical plane for the equinox (day i=80) is shown in Figure 18. The trajectory of the projected point has a lower elevation of 5,840 ft over I-80, meaning that no glare risk can be expected from the Project for traffic on I-80. The reason for this result is that the

backtracking algorithm for the solar modules has been intentionally curtailed at 10 degrees, thus impeding the reflected beams from reaching ground level.

For the sake of comparison, Figure 19 shows the same analysis assuming no backtracking curtailment. In this scenario, the reflected beam would intersect the I-80 projection plane at ground level exactly at sunset, thus representing a risk for observers. This demonstrates that the proposed backtracking curtailment is a very effective mitigation strategy for glare risk avoidance in single-axis tracker solar plants.

Figure 20 shows the minimum elevation for reflected beams over I-80 ground level for a full year with a 10-degree curtailment on backtracking. These results demonstrate that the minimum elevation of the projected image is 4,000 ft above ground level, thus there is no glare potential for observers in I-80.

Figure 18. Trajectory of Selected Point Projection on I-80 Plane (March 21) with backtracking curtailment

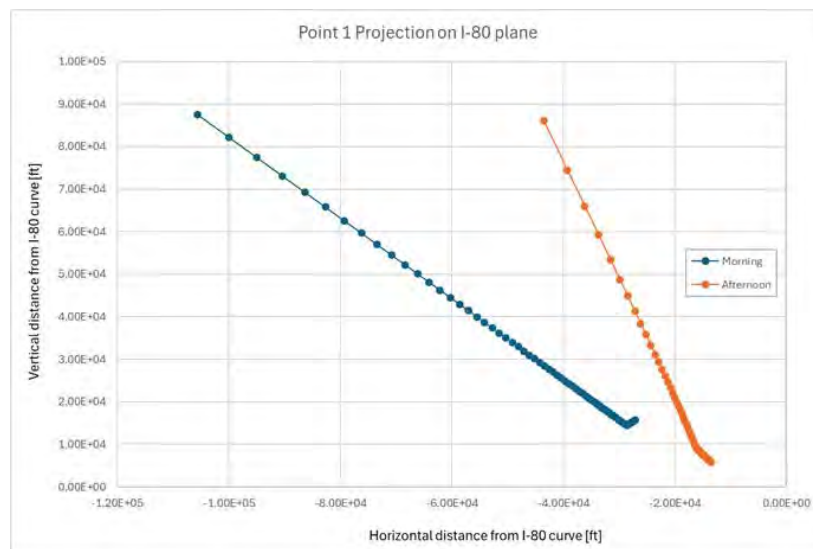


Figure 19. Trajectory of Selected Point Projection on I-80 Plane (March 21) without backtracking curtailment

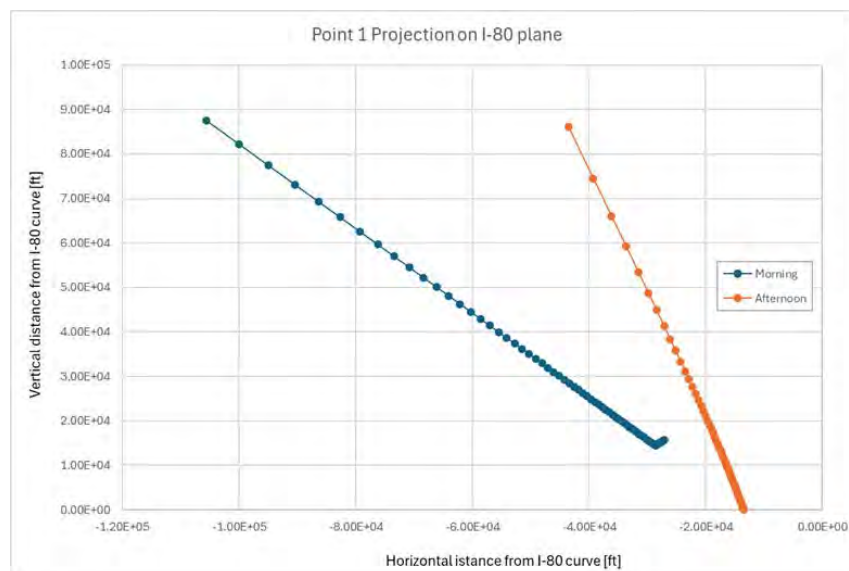
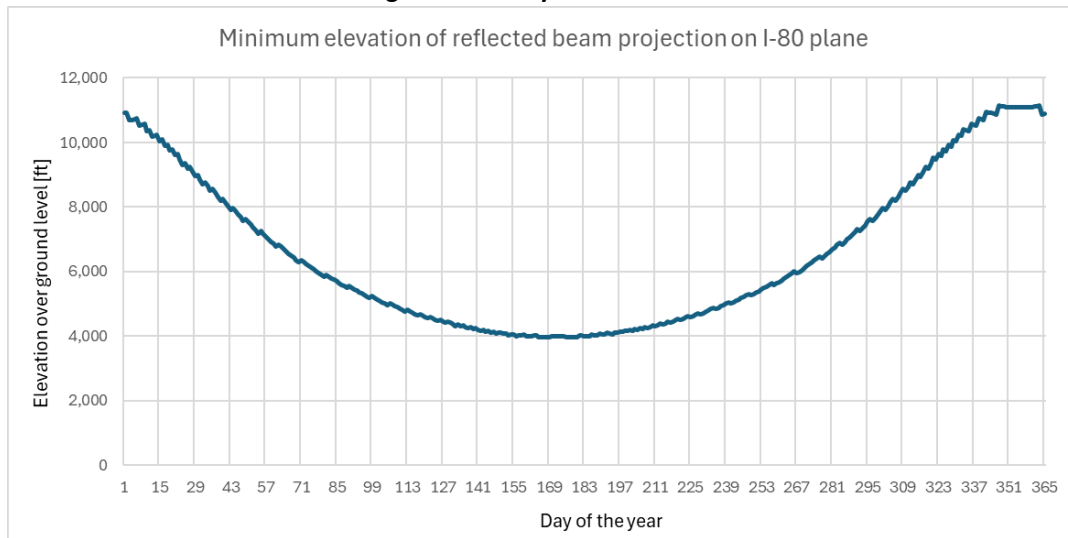


Figure 20. Yearly results for I-80



4.2 Sagehen Creek Road 1

A similar analysis is completed for ground traffic in Sagehen Creek Road (stretch #1). In this case, the worst-case scenario is given at point 2, as depicted in Figure 21:

Figure 21. Location of Sagehen Creek Road 1 and reflectivity source point 2

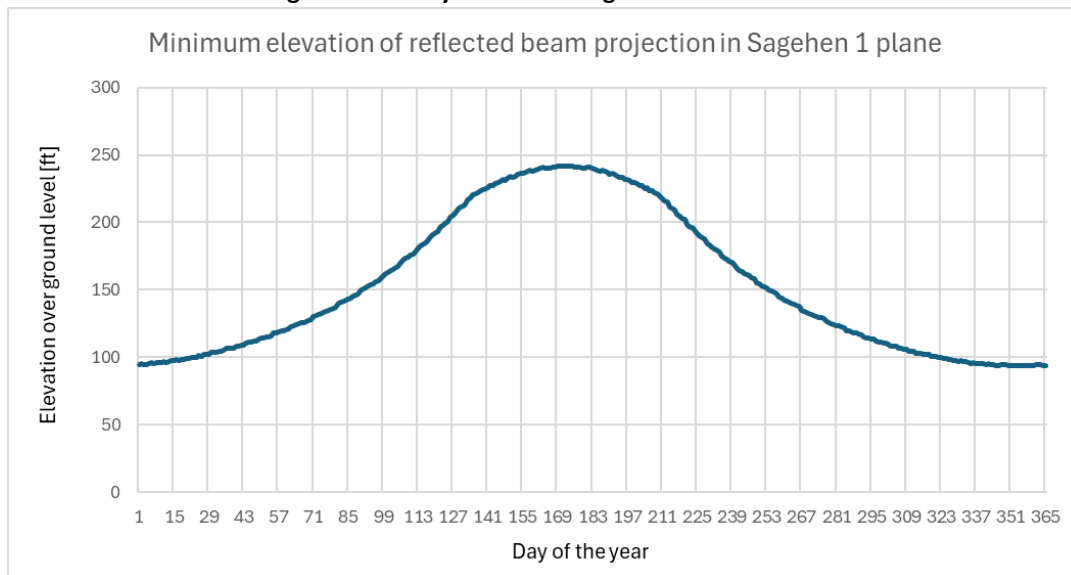


The equation of the vertical plane containing Sagehen Creek Road 1, with respect to a coordinate system origin located at Point 2 is:

$$\Pi \equiv 0.751 x - y + 380 = 0$$

The Analysis results for the minimum elevation of the intersection point between the reflected beam from point 2 and the vertical plane containing Sagehen Creek Road 1 is shown in Figure 22. The minimum elevation is 93ft over ground level occurring on the winter solstice (day i=355). While this distance from ground level can be deemed safe for ground traffic in a secondary road, it is recommended to verify in the field that no glare events occur due to construction angular tolerances and/or backtracking algorithm implementation in the project control system. If visual inspection proves the opposite, the backtracking algorithm can be modified to increase the minimum curtailment angle accordingly (see also *General Recommendations* paragraph in this document).

Figure 22. Yearly results for Sagehen Creek Road 1



4.3 Sagehen Creek Road 2

The procedure to evaluate potential glare events at ground traffic in Sagehen Creek Road (stretch #2) follows the same steps as previous KOPs. In this case, the worst-case scenario is found at point 3, as depicted in Figure 23:

The equation of the vertical plane containing Sagehen Creek Road 2, with respect to a coordinate system origin located at Point 3 is given by the following equation:

$$\Pi \equiv 0.5696 x - y + 225 = 0$$

The Analysis results for the minimum elevation of the intersection point between the reflected beam from point 3 and the vertical plane containing Sagehen Creek Road 2 is shown in Figure 24. The minimum elevation is 60ft over ground level occurring on day i=169. While this distance from ground level can be

deemed safe for ground traffic in a secondary road, it is recommended to verify in the field that no glare events occur due to construction angular tolerances and/or backtracking algorithm implementation in the project control system. If visual inspection proves the opposite, the backtracking algorithm could be modified to increase the minimum curtailment angle accordingly (see also *General Recommendations* paragraph in this document).

Figure 23. Location of Sagehen Creek Road 2 and reflectivity source point 3

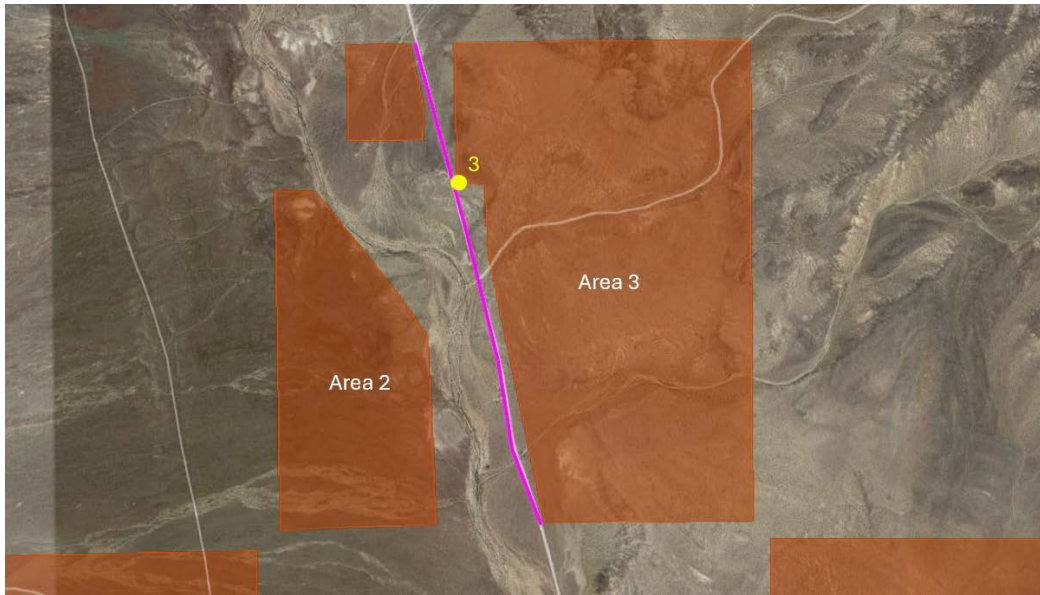
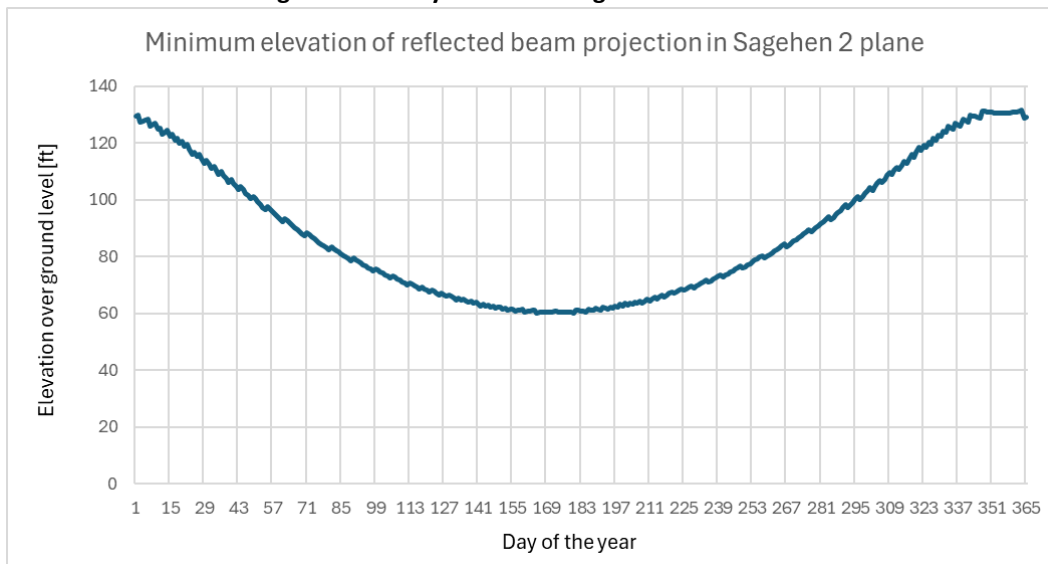


Figure 24. Yearly results for Sagehen Creek Road 2



4.4 Sagehen Creek Road 3

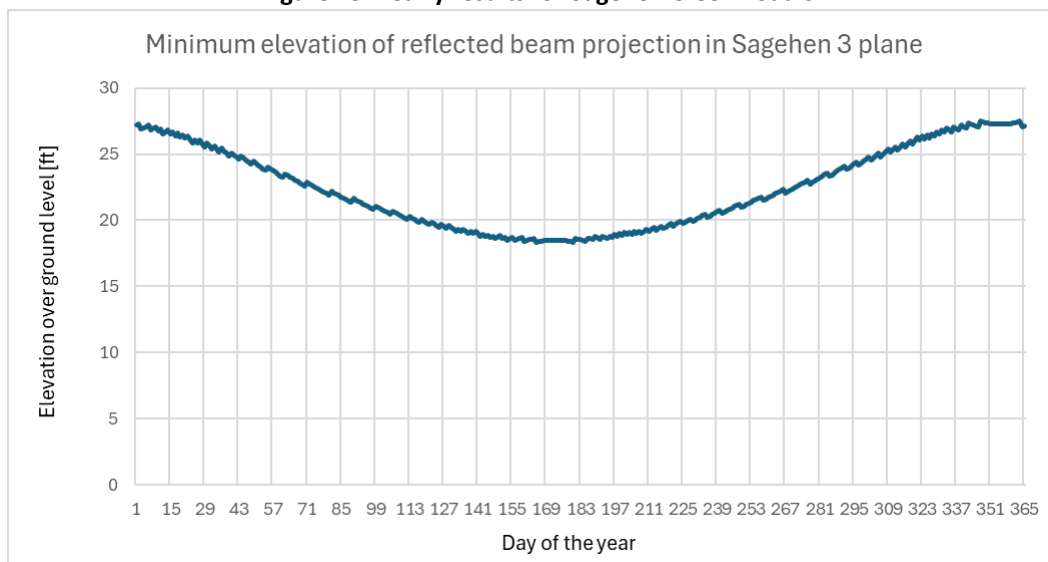
The equation of the vertical plane containing Sagehen Creek Road 3, with respect to a coordinate system origin located at the closest reflective point in the solar array (Point 4) is given by the following equation:

$$\Pi \equiv 0.5696 x - y + 225 = 0$$

Figure 24. Location of Sagehen Creek Road 3 and reflectivity source point 4



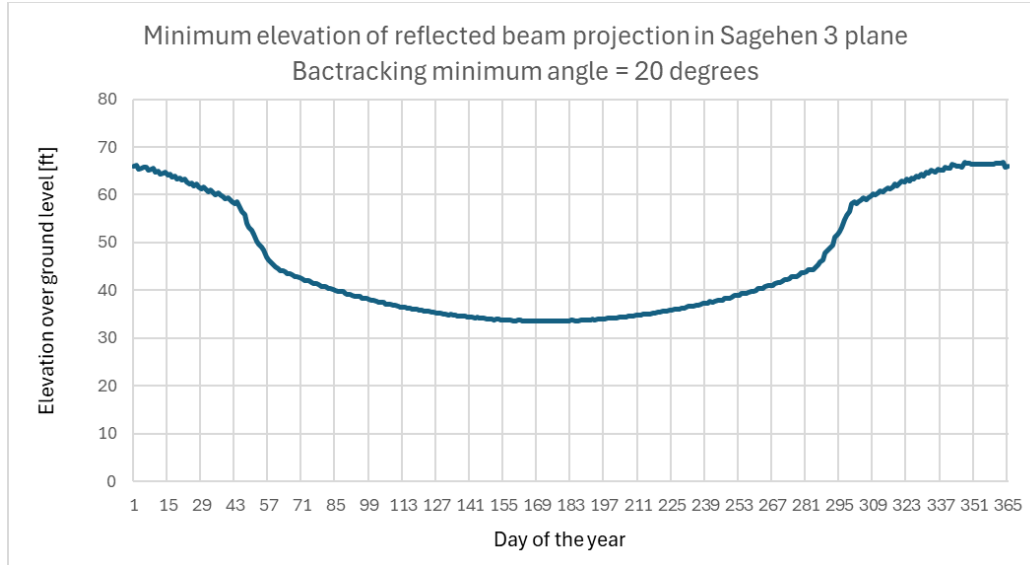
Figure 25. Yearly results for Sagehen Creek Road 3



The Analysis results for the minimum elevation of the intersection point between the reflected beam from point 4 and the vertical plane containing Sagehen Creek Road 3 is shown in Figure 25. The minimum elevation is 18.5ft over ground level occurring on i=169. While this minimum distance from ground level

can be deemed safe for ground traffic in a secondary road, it is recommended to verify in the field that no glare events occur due to construction angular tolerances and/or backtracking algorithm implementation in the project control system. If visual inspection proves the opposite, the backtracking algorithm could be modified to increase the minimum curtailment angle accordingly. Figure 26 shows the same results assuming a minimum resting angle for the modules of 20 degrees, which increases the minimum elevation for the projected image to 33 ft.

Figure 26. Yearly results for Sagehen Creek Road 3 with minimum backtracking angle of 20 degrees



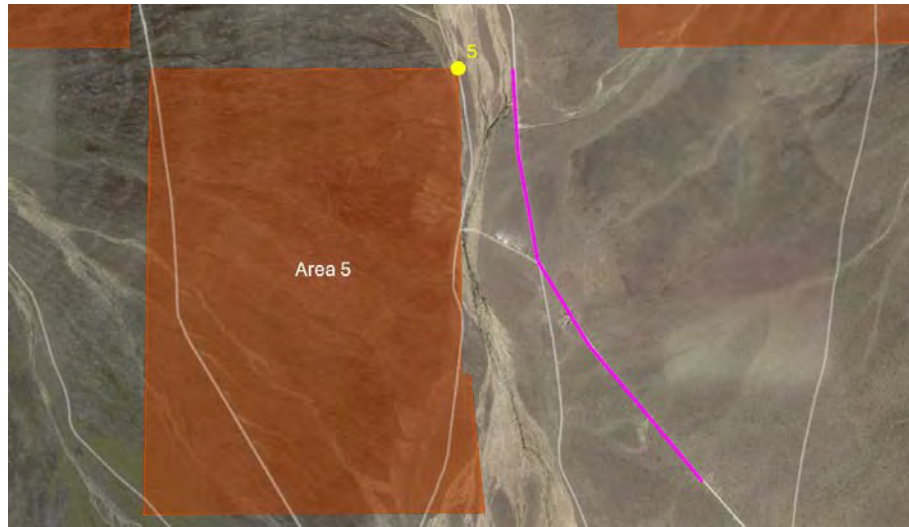
Alternatively, a larger buffer to the east side of Sagehen Creek Roads 2 & 3 between the road and the solar array Area 2 is recommended to increase this minimum elevation to a more conservative value (see also *General Recommendations* paragraph in this document).

4.5 Sagehen Creek Road 4

The equation of the vertical plane containing Sagehen Creek Road 4, with respect to a coordinate system origin located at the closest reflective point in the solar array (Point 5) is given by the following equation:

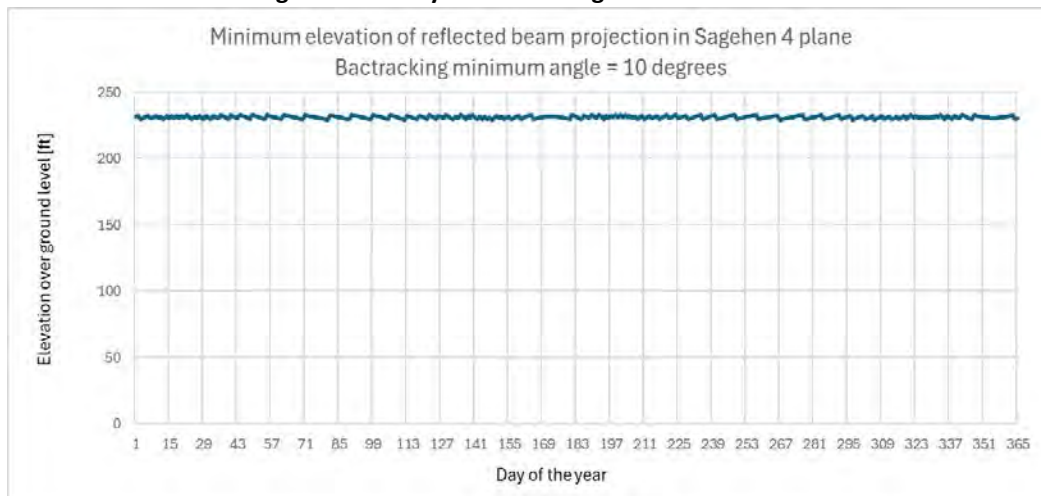
$$\Pi \equiv y - 630 = 0$$

Figure 27. Location of Sagehen Creek Road 4 and reflectivity source point 5



The Analysis results for the minimum elevation of the intersection point between the reflected beam from point 5 and the vertical plane containing Sagehen Creek Road 4 is shown in Figure 28. The minimum elevation for the reflected image is 232ft over ground level, occurring every day of the year. This distance is deemed sufficient to avoid any glare potential on observers located in this road.

Figure 28. Yearly results for Sagehen Creek Road 4

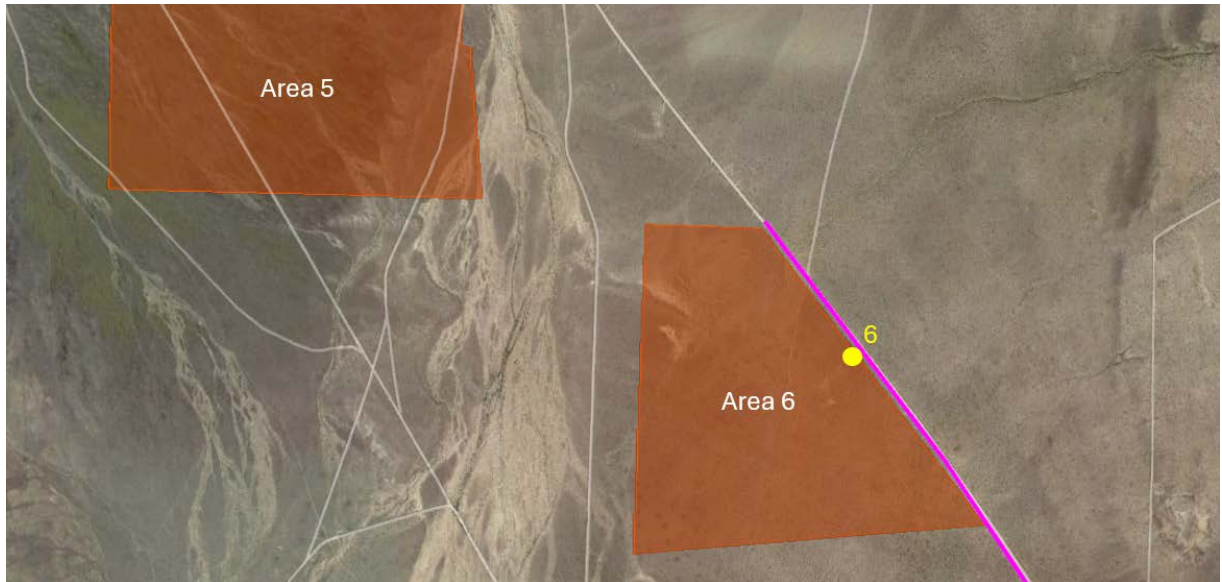


4.6 Sagehen Creek Road 5

The equation of the vertical plane containing Sagehen Creek Road 5, with respect to a coordinate system origin located at the closest reflective point in the solar array (Point 6) is given by the following equation:

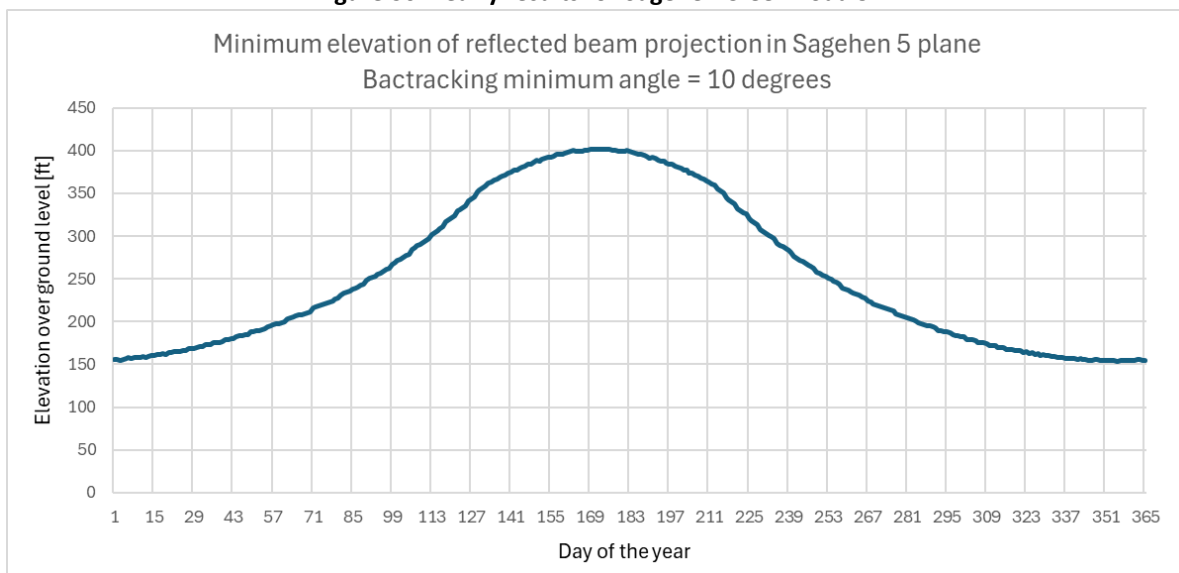
$$\Pi \equiv 0.767x - y + 115 = 0$$

Figure 29. Location of Sagehen Creek Road 5 and reflectivity source point 6



The Analysis results for the minimum elevation of the intersection point between the reflected beam from point 6 and the vertical plane containing Sagehen Creek Road 5 is shown in Figure 30. The minimum elevation is 154ft over ground level on winter solstice ($i=355$). This elevation is deemed sufficient to avoid any glare potential on observers located in this road.

Figure 30. Yearly results for Sagehen Creek Road 5



4.7 Proposed Route 1

The Proposed Route 1 borders Area 1 in its north, west, and south sides. Two reference points (7 and 8) are selected for analysis, as show in Figure 31:

Figure 31. Location of Proposed Road 1 and reflectivity source points 7 and 8

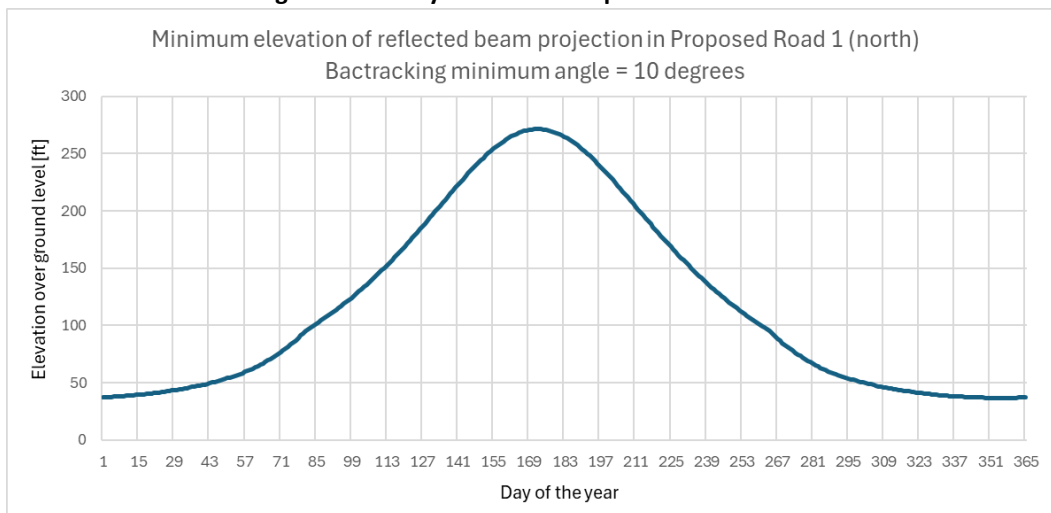


The equation of the vertical plane containing the northern path of Proposed Road 1 with respect to reference point 7 is as follows:

$$\Pi \equiv x + 80 = 0$$

The Analysis results for the minimum elevation of the intersection point between the reflected beam from point 7 and this north side vertical plane is shown in Figure 32. The minimum elevation is 37ft over ground level on winter solstice (i=355). A larger buffer between the Proposed Road 1 and the solar arrays is recommended to increase this minimum elevation.

Figure 32. Yearly results for Proposed Road 1 north

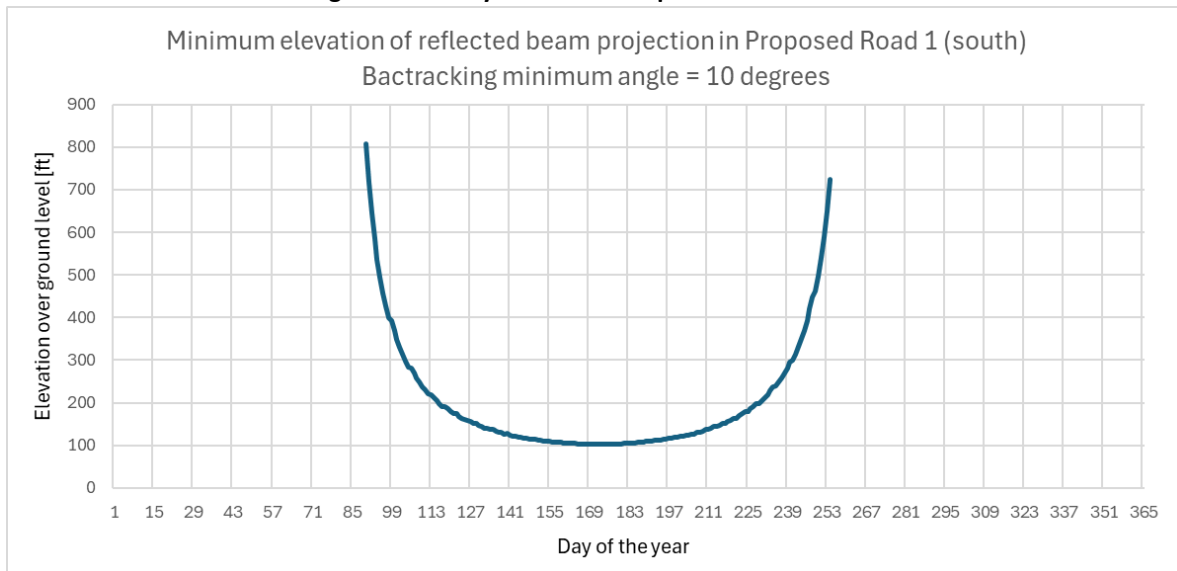


Similarly, the equation of the vertical plane containing Proposed Road 1 southern path with respect to reference point 8 is given by:

$$\Pi \equiv x - 180 = 0$$

The Analysis results for the minimum elevation of the intersection point between the reflected beam from point 8 and the south side vertical plane is shown in Figure 33. The minimum elevation is 103ft over ground level on day i=173. This minimum elevation is deemed sufficient to ensure that no glare events will occur for observers located in this road.

Figure 33. Yearly results for Proposed Road 1 south



4.1 Proposed Route 2

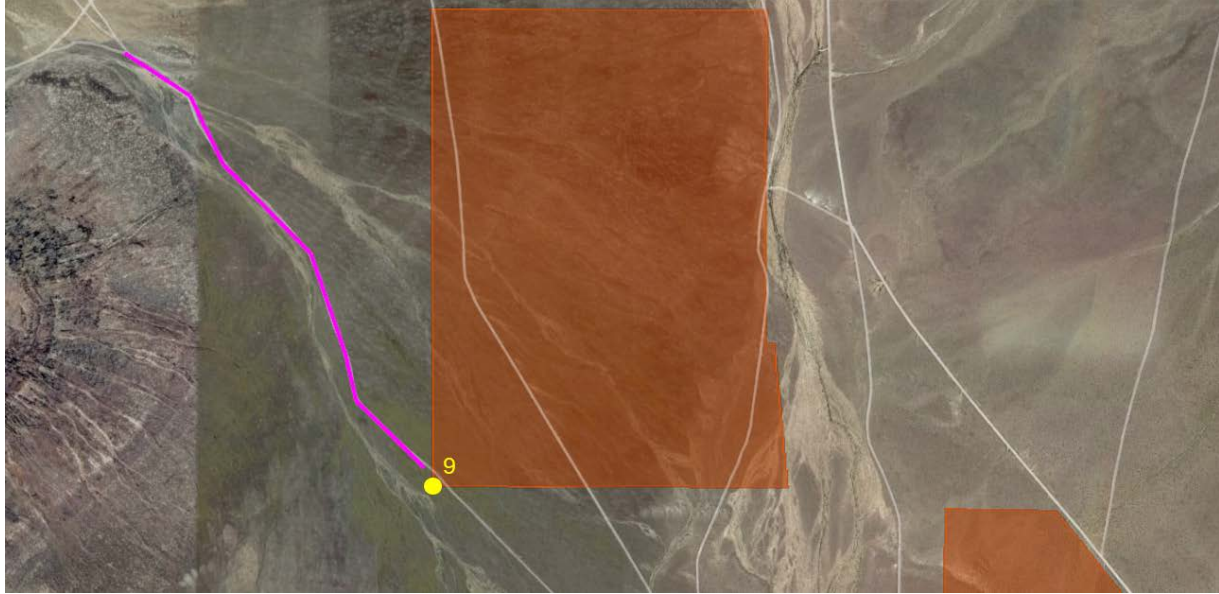
Because of the identical geometry of Proposed Route 1 and Proposed Route 2, the same results are applicable to Proposed Route 2. No further analysis is required for Proposed Route 2.

4.2 Existing Route 1

The Existing Route 1 intersects the southeast corner of Area 5, as shown in Figure 34. Because of this overlapping, the geometric analysis will yield 100% probability of glare events. A minimum distance of 250ft is recommended between any point of the array and any roads. The calculation results in Figure 36

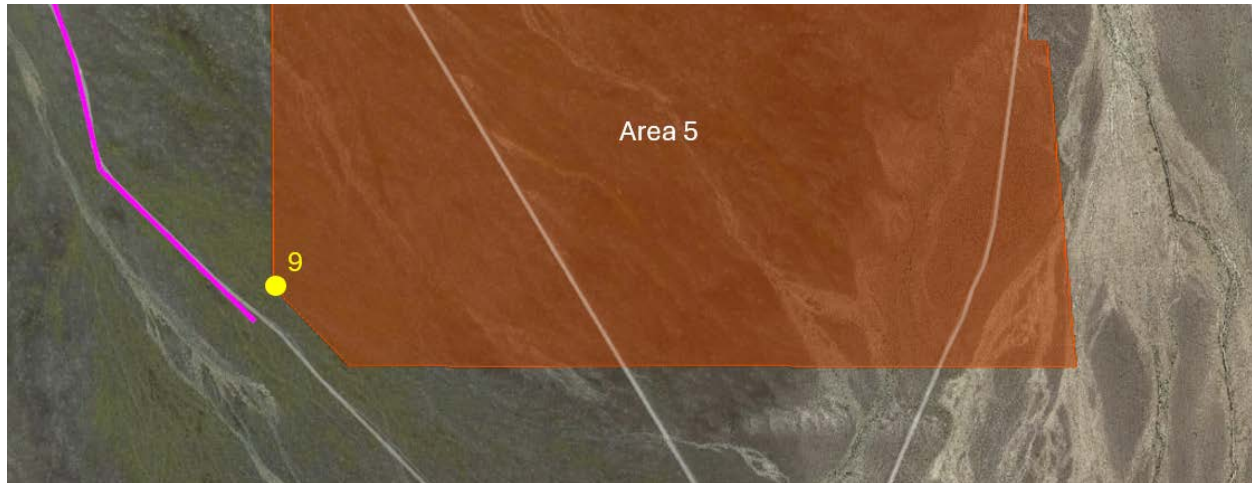
assume this 250ft buffer, which is a minimum recommendation for glare avoidance across the full project, as further described in the *Summary* section of this report.

Figure 34. Location of Existing Road 1 and reflectivity source point 9



The corrected geometry of the array footprint is shown in Figure 35, with the updated position of reference point 9:

Figure 34. Location of Existing Road 1, added 125ft buffer, and updated location of reflectivity source point 9

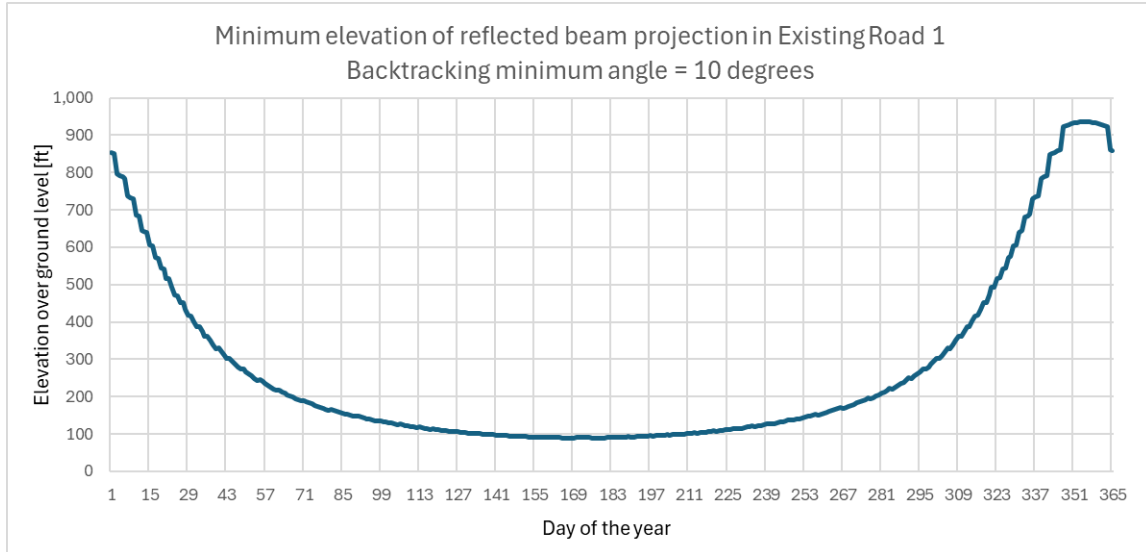


The equation of the vertical plane containing Existing Road 1 with respect to reference point 9 is given by:

$$\Pi \equiv 1.275x - y - 445 = 0$$

The Analysis results for the minimum elevation of the intersection point between the reflected beam from point 9 and the vertical plane containing Existing Road 1 is shown in Figure 35. The minimum elevation is 90ft over ground level on day i=173. This minimum elevation is deemed sufficient to ensure that no glare events will occur for observers located in this road.

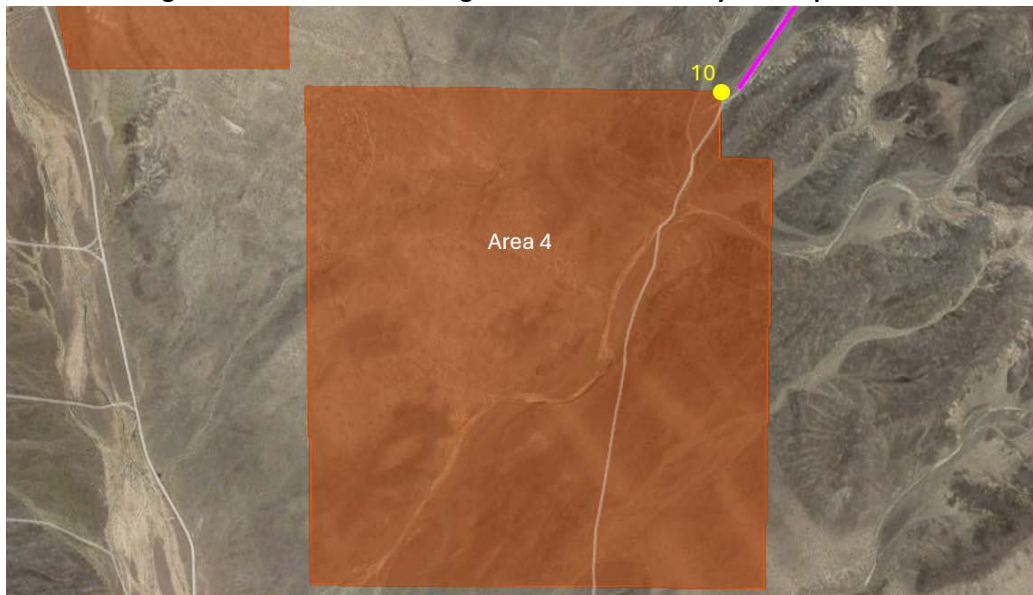
Figure 35. Yearly results for Existing Road 1



4.3 Existing Route 2

The Existing Route 2 connects with the Proposed Route 2 at the northeast corner of Area 4, where reference point 10 is located (Figure 36):

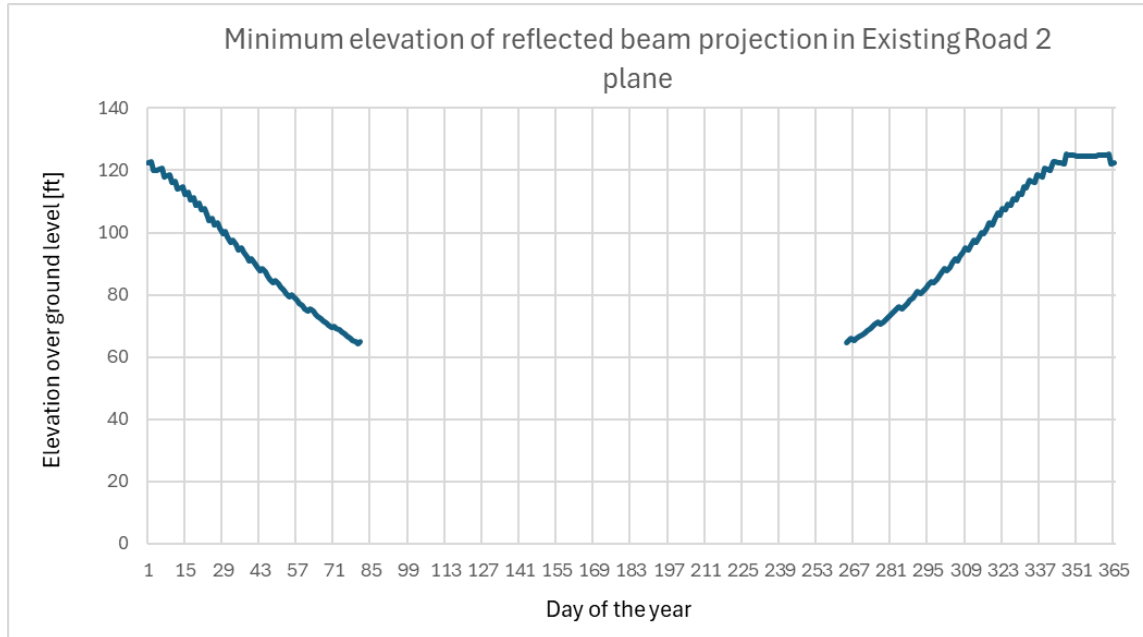
Figure 36. Location of Existing Road 2 and reflectivity source point 10



The equation of the vertical plane containing Existing Road 2 with respect to reference point 10 is given by:

$$\Pi \equiv -0.75x - y + 175 = 0$$

Figure 37. Yearly results for Existing Road 2



The Analysis results for the minimum elevation of the intersection point between the reflected beam from point 10 and the vertical plane containing Existing Road 2 is shown in Figure 37. The minimum elevation is 65ft over ground level around the equinoxes.

Because traffic in Existing Road 2 will be diverted through Proposed Road 2, its end point (closest to reference point 10) is slightly north of the solar array in Area 4. Therefore, no projections exist between the spring and fall equinoxes.

4.4 KOPs 1, 2, 3

KOPs 1, 2, and 3 are located adjacent to I-80 (Figure 38). Therefore, results in paragraph 4.1 are also applicable to these KOPs. While the project is visible from the three locations, no reflectivity glare events are predicted at these observation points.

Figure 38. Location of KOPs 1, 2, & 3 relative to the Project site



4.5 KOPs 4, 5, 6, and 7

KOPs 4, 5, 6, and 7 are radially distributed around the Project at an approx. distance of 25 miles from the site. Because the project is not visible from these observation points, there is no risk of glare events for this KOPs (Figures 39 and 40).

Figure 39. Location of KOPs 4 and 5 relative to the Project site



Figure 40. Project visibility from KOP 4, 5, 6, and 7



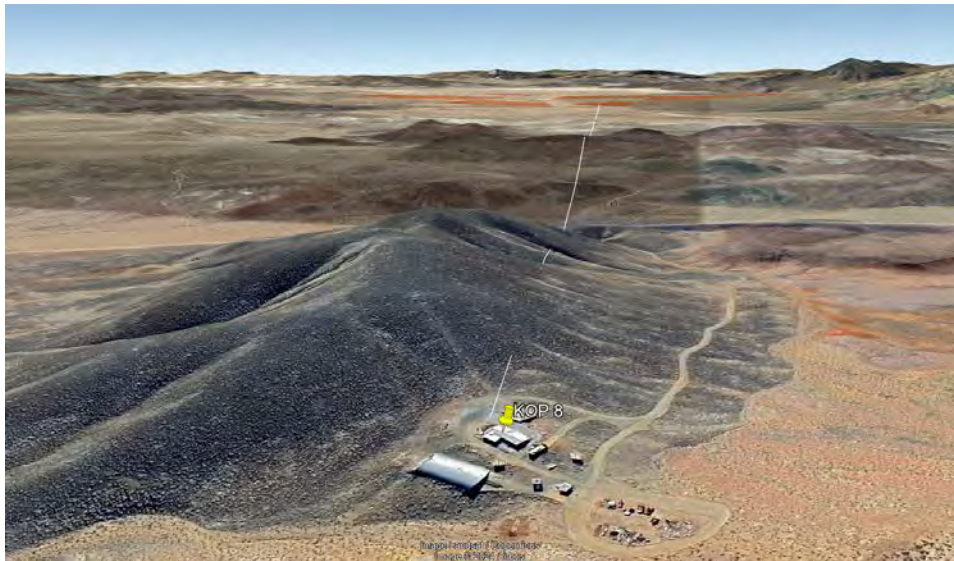
4.6 KOP 8

KOP 8 is located approx. 5 miles north of the Project site. While the Project is not visible from KOP 8 because of the existing structures, a numerical analysis is completed to verify any potential glare risk for this point.

Figure 41. Location of KOP 8 relative to the Project site



Figure 42. Project visibility from KOP 8

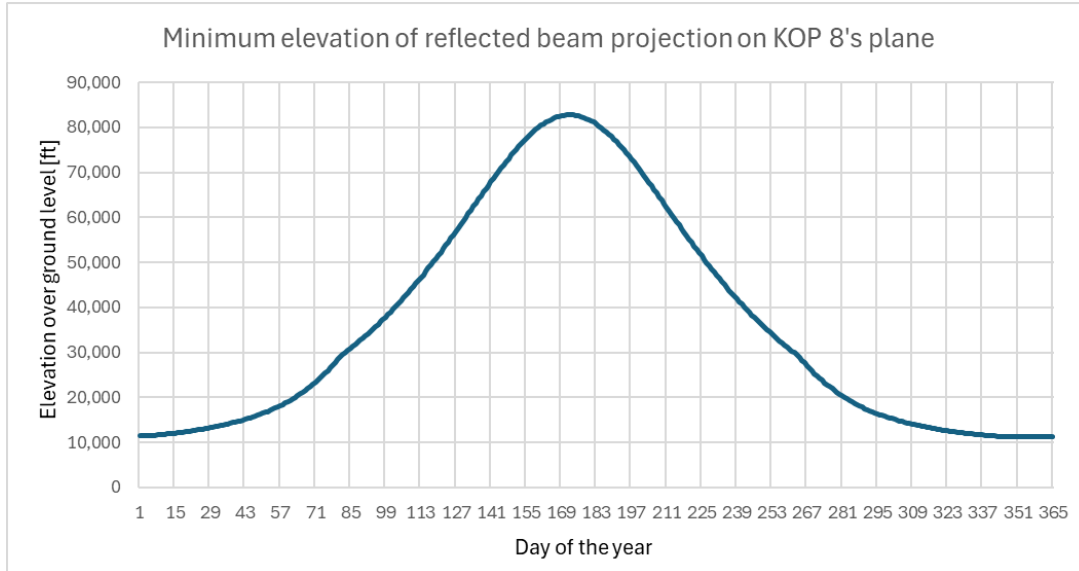


The equation of the vertical E-W plane containing KOP 8 with respect to a reference point located in the northern edge of the Project is as follows:

$$\Pi \equiv x + 24400 = 0$$

The Analysis results for the minimum elevation of the intersection point between the reflected beam from the Project arrays and the vertical plane containing KOP 8 is shown in Figure 43. The minimum elevation is 11,400ft over ground level around the winter solstice, which voids any potential glare at KOP 8.

Figure 43. Yearly results for KOP 8



4.7 KOP 9

KOP 9 is located approx. 1.2 miles west of the Project site. The elevation of KOP 9 with respect to the site is approx. 760 ft higher. A vertical plane in N-S direction containing KOP 9 is analyzed for the minimum elevation of the projected reflected beam emanating from the closest point in the solar array (point 11), as depicted in Figure 44.

The equation of the vertical plane containing KOP 9 with respect to point 11 is given by the following expression:

$$\Pi \equiv y + 5420 = 0$$

Figure 45 shows that the minimum elevation of the intersection point between the reflected beam from point 11 and the vertical plane through KOP 9 is 2,000ft. After subtracting the elevation difference of 760ft between KOP 9 and the project site, the elevation of the reflected image above KOP 9 is 1,240 ft.

Figure 44. Location of KOP 9 and reference point 11

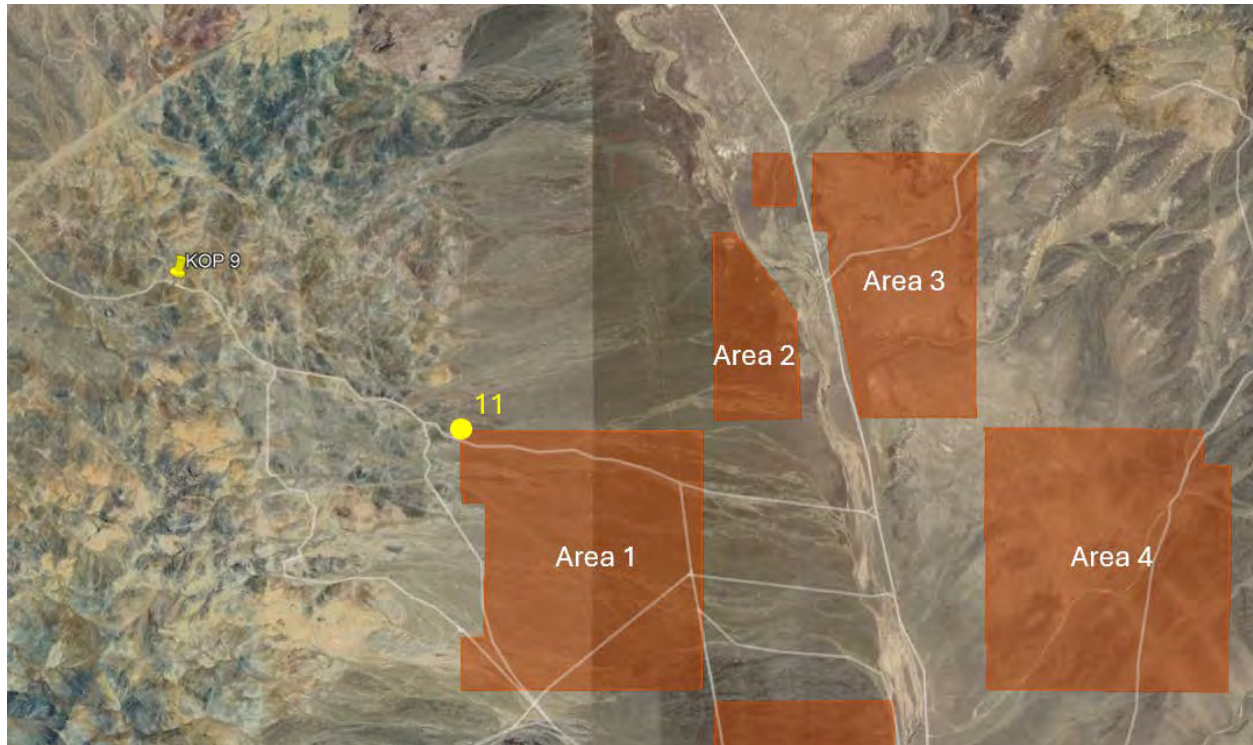
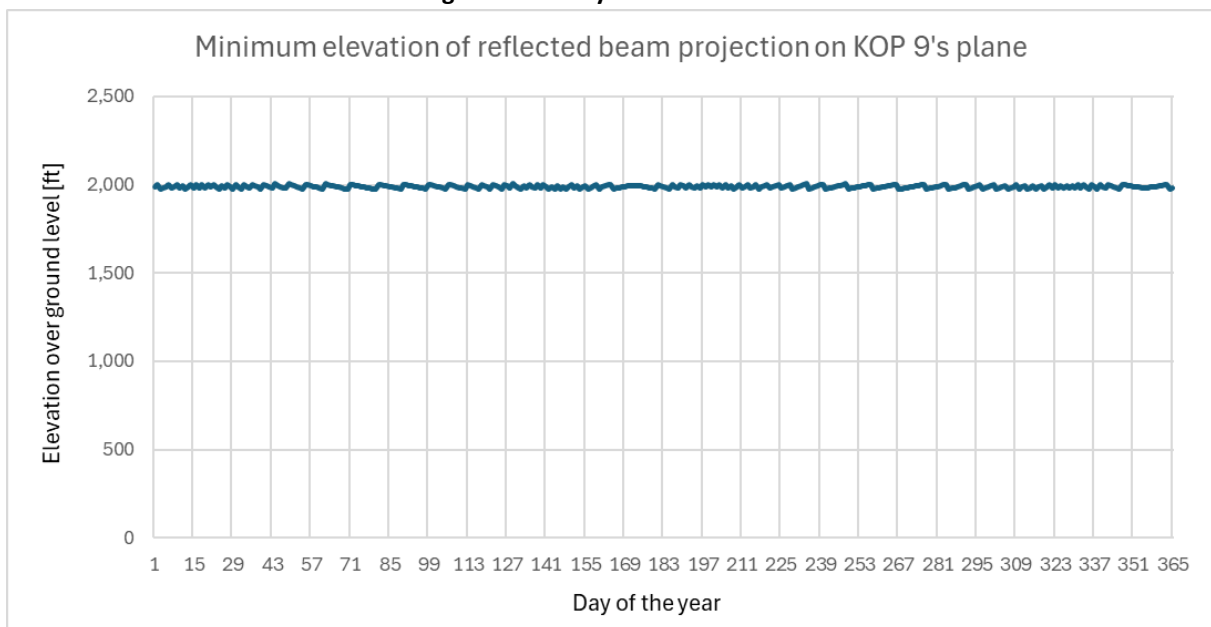


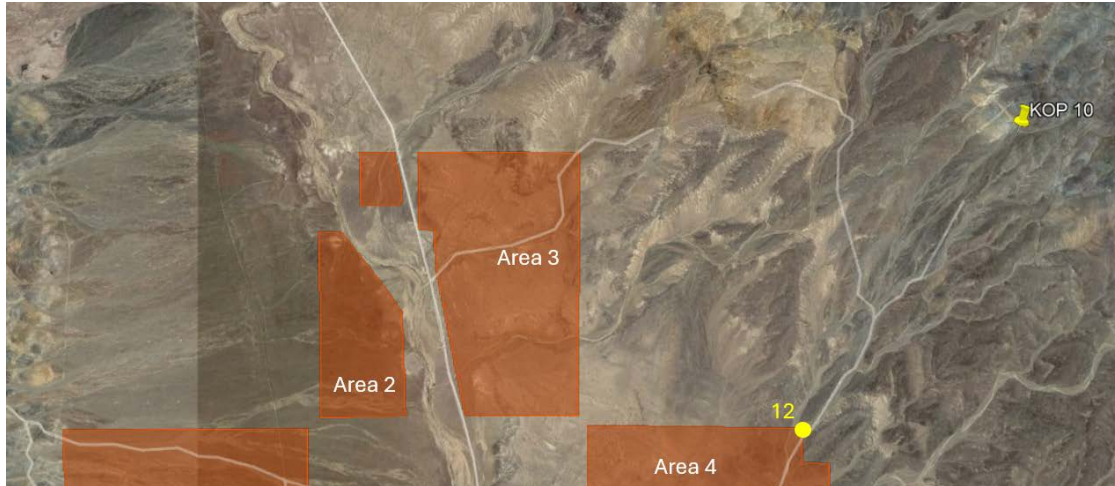
Figure 45. Yearly results for KOP 9



4.8 KOP 10

KOP 10 is located approx. 1.32 miles northeast of the Project site. The elevation of KOP 10 with respect to the site is approx. 400 ft higher. A vertical plane perpendicular to the alignment between point 12 and KOP 10 and containing KOP 10 is analyzed for the minimum elevation of the projected reflected beam from the closest point in the solar array (point 12), as shown in Figure 46.

Figure 46. Location of KOP 10 and reference point 12

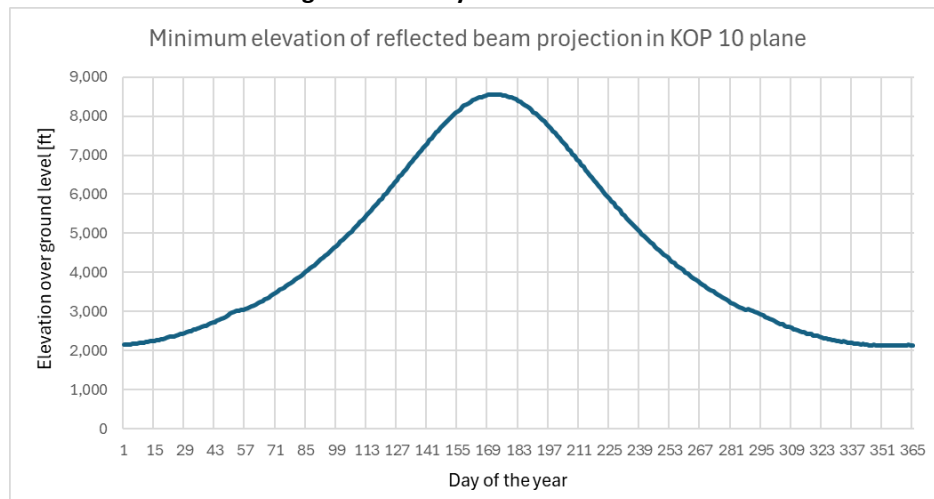


The equation of the vertical plane containing KOP 10 with respect to point 12 is given by the following expression:

$$\Pi \equiv 1.633 - y + 11915 = 0$$

Figure 47 shows that the minimum elevation of the intersection point between the reflected beam from point 12 and the vertical plane through KOP 10 is 2,100 ft. After subtracting the elevation difference of 400 ft between KOP 10 and the project site, the minimum elevation of the reflected image above KOP 10 is 1,700 ft.

Figure 47. Yearly results for KOP 10



4.9 KOP 11

KOP 11 is located approx. 0.52 miles northeast of the Project site. The elevation of KOP 11 with respect to the site is approx. 210 ft higher. A vertical plane perpendicular to the alignment between point 12 and KOP 11 and containing KOP 11 is analyzed for the minimum elevation of the projected reflected beam from the closest point in the solar array (point 12), as shown in Figure 48.

Figure 48. Location of KOP 10 and reference point 12

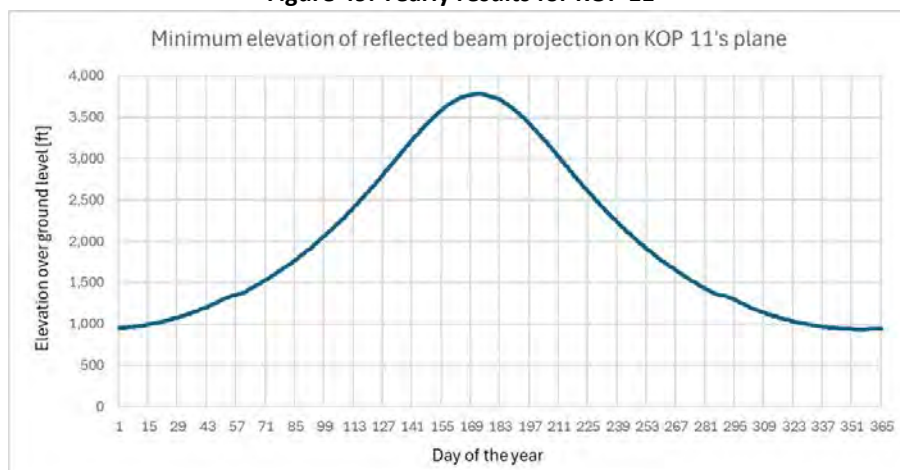


The equation of the vertical plane containing KOP 11 with respect to point 12 is as follows:

$$\Pi \equiv 1.636x - y + 5260 = 0$$

Figure 49 shows that the minimum elevation of the intersection point between the reflected beam from point 12 and the vertical plane through KOP 11 is 950 ft. After subtracting the elevation difference of 210 ft between KOP 11 and the project site, the minimum elevation of the reflected image above KOP 11 is 740 ft.

Figure 49. Yearly results for KOP 11

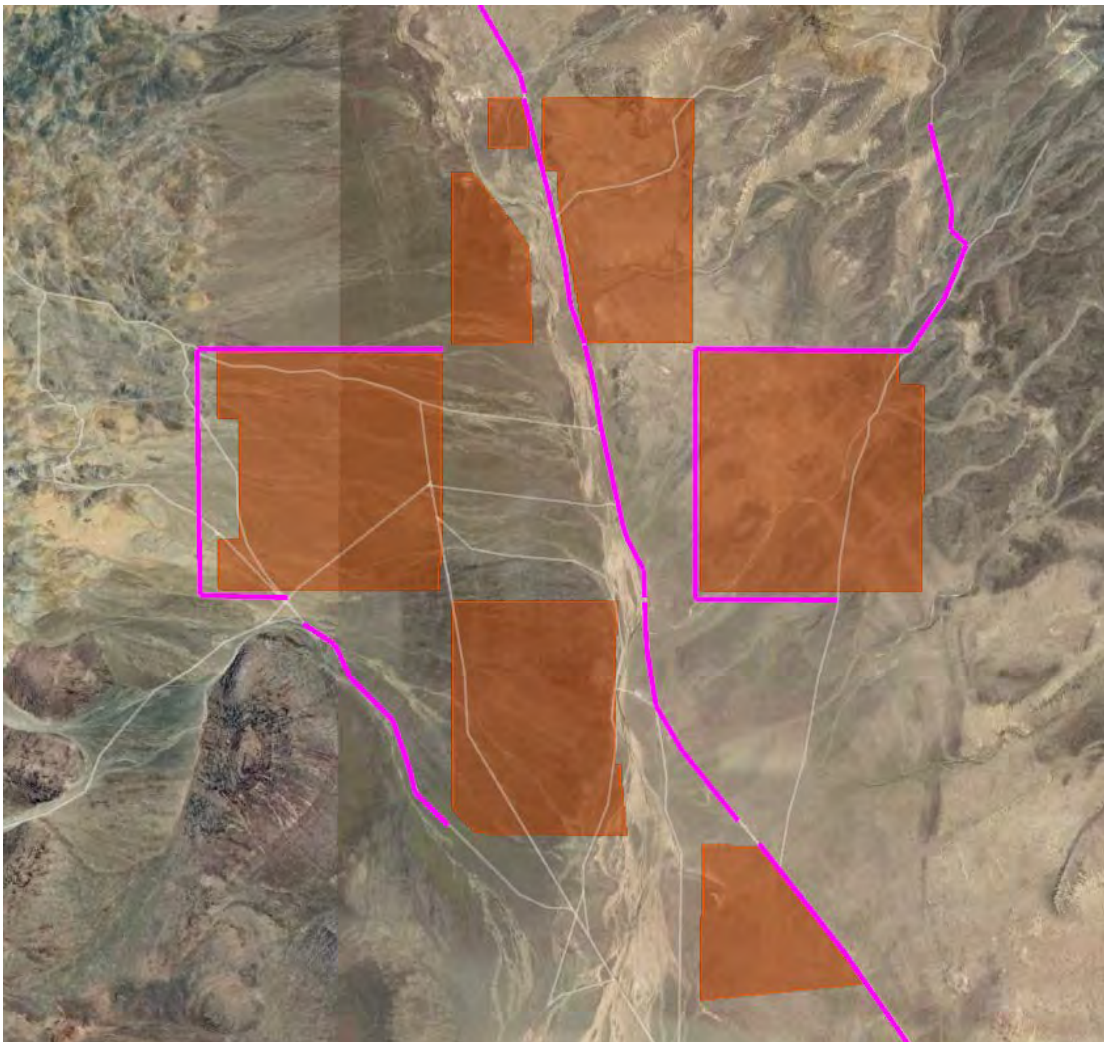


General Recommendations

The analysis presented in this report is purely geometric and assumes that the solar arrays are constructed on ideal horizontal topography. As such, it doesn't account for solar construction and/or topographical imperfections which may cause the orientation of the single-axis trackers to depart from the theoretical assumption of their rotation axis being perfectly horizontal and N-S oriented. To account for these real-world imperfections, it is recommended to implement a safety margin in the design of the solar arrays. This safety margin is relevant for KOPs located in the close vicinity of the solar arrays, for which the minimum elevation of the reflected worst-case points is calculated to be less than 100 ft over ground level.

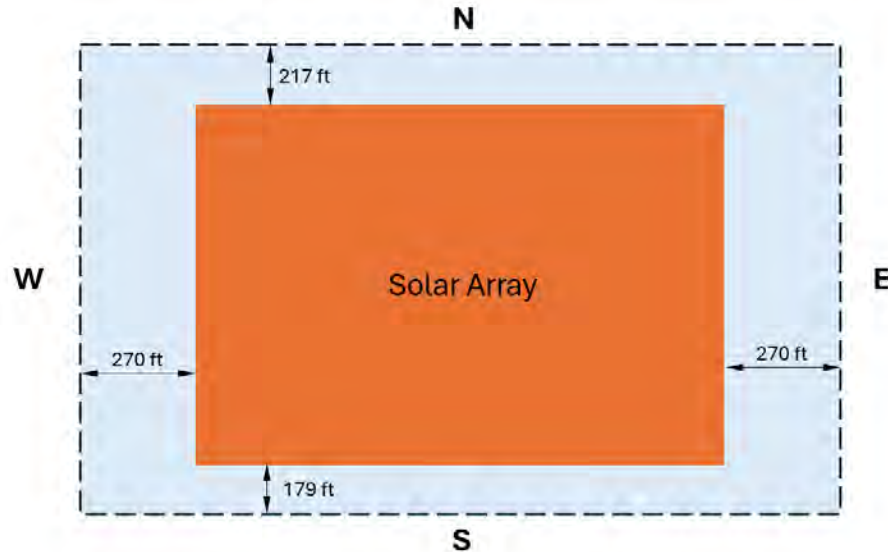
This minimum 100 ft elevation criteria -even if arbitrary- represents a reasonable safety margin to traffic and observers located in the close vicinity of the solar arrays. In particular: Sagehen Creek Roads, Existing Route 1 & 2, and Proposed Route 1 & 2.

Figure 50. Close field observation points



To safely implement the 100 ft minimum elevation criteria, a minimum buffer distance between solar arrays and adjacent roads should be implemented as depicted in Figure 51:

Figure 51. General minimum buffer to solar arrays



Minimum buffer between modules in solar arrays and edge of road **North** of the array = **217 ft**

Minimum buffer between modules in solar arrays and edge of road **East** of the array = **270 ft**

Minimum buffer between modules in solar arrays and edge of road **South** of the array = **179 ft**

Minimum buffer between modules in solar arrays and edge of road **West** of the array = **270 ft**

(For different road orientations, a linear interpolation between corresponding values can be used).



State of Nevada

DEPARTMENT OF WILDLIFE

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Reno, Nevada 89512

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Deputy Director

CALEB MCADOO
Deputy Director

MICHAEL SCOTT
Deputy Director

JOE LOMBARDO
Governor

June 5, 2024

Dean Patterson
Churchill County Public Works, Planning, and Zoning
155 N. Taylor, Ste 194
Fallon, NV 89406

Re: Proposed Sierra Solar power facility

Mr. Patterson;

The Nevada Department of Wildlife (Department) appreciates the opportunity to provide the Churchill County Public Works Department comments and recommendations regarding the Sierra Solar Project. The Department understands and supports multiple-use objectives across the landscape with the hope that we can provide information and make recommendations that aid in the decision-making process.

The Biological Resources Assessment Report states that “no significant biological resource concerns are present within the Project Area.” While endangered or threatened species may be limited within the project area, there is existing intact habitat that many wildlife species occupy and rely upon for forage, breeding, or movement corridors. While this action may not result in local species’ extirpation or other major impacts, the project is still proposing to remove 3,089 acres of habitat, which will impact local populations for many species. With an increased demand and expansion of renewable energy projects being proposed, to meet state and national objectives and energy demands, this demand is increasing risks to wildlife and habitat in Nevada.

In addition, we noticed that while a two-day walking survey was conducted, wildlife surveys were not completed using defined, accepted methodologies or survey protocols. Methodologies of the walking survey were unclear as to whether transects or other protocols were followed. We noticed that a data request was not submitted through NDOW, or at least was not included within the biological resources assessment report. Finally, the Conclusions and Recommendations section recommended pale kangaroo mice trapping. With construction potentially set to begin in September 2024, has any trapping occurred or planned for this season? We recommend coordinating with our regional Biodiversity Biologist on any effort to trap small mammals. Additionally, a scientific collection permit will be required through the Department prior to any trapping efforts.

Due to proposed disturbance of approximately 3,089 acres in predominantly intact habitat, the Department requests the proponent meet with the Department to discuss potential mitigation opportunities to offset direct and indirect impacts to particularly pronghorn and pale kangaroo mice, and other wildlife resources.

We appreciate the opportunity to comment and are hopeful that our comments can be incorporated to avoid and minimize impacts to wildlife and their habitats. Please let us know if you have any questions or need additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Katie Andrie".

Katie Andrie
Western Region Supervising Habitat Biologist
Nevada Department of Wildlife
(775) 688-1145
kmandrie@ndow.org

From: [mike clark](#)
To: [Planning Admin](#)
Subject: Special use permit 5787 Mission Rd
Date: Tuesday, June 11, 2024 4:34:15 PM

Caution: This email originated from outside of the Churchill County organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department.

Hi Diane,

I see my special use permit is being revoked again. This is disappointing to see because once again I have fully complied with every request by planning and zoning and have just last fall paid a large sum of money to install power on the property but being allowed to complete this long term project on my timeline does not seem to be a priority by the county. My work permit is just as valid as when it was initially approved but because work has not been completed yet I am looking at having to start back at square one with another special use permit.

I am strongly considering changing the design that was approved by the first work permit which would require yet another PE stamp and work permit approval and fees associated with both but now that will be put on hold until I go before the county board again and get another special use permit approved.

So for now I have no other option but to start the process over again for a special use permit and then go through the process again to obtain a PE stamp for the new design and then submit that new design for a work permit and hopefully start building approximately this time next year. I have over 150 thousand in this project so far and would appreciate a lot more leeway by the county in getting it accomplished on my timeframe. I have gone out of my way to comply with what the county requires. It would be nice to have more flexibility by the county to accomplish this on my timeframe without the threat of having permits revoked and having to start the process all over again.

Thanks Diane,
Mike Clark
Sent from my iPhone

From: [mike clark](#)
To: [Planning Admin](#)
Subject: Correction to my previous email
Date: Tuesday, June 11, 2024 4:48:38 PM

Caution: This email originated from outside of the Churchill County organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department.

Diane,

Just for the record, I made a mistake in my recent email to you. I have actually spent approximately 200 thousand on this project so far because I forgot to include the 50 thousand that was stolen from me by the first contractor that I hired in Fallon. So for the record I have spent over 200 thousand to date to accomplish the special use permit that is in the process of being revoked by the county.

Thanks Diane,
Mike
Sent from my iPhone

From: [Planning Admin](#)
To: ["mike clark"](#); [Dean Patterson](#); [Randy Hines](#); [Savannah Dukes](#)
Subject: RE: Special use permit 5787 Mission Rd
Date: Wednesday, June 12, 2024 9:01:24 AM
Attachments: [Clark SUP 2021 NOFA.pdf](#)
Importance: High

Mr. Clark,

Please note that I have sent three letters regarding this special use permit that was not enacted within the time frame set in Churchill County Code that was on the Notice of Final Decision that you signed and received the original recorded document (copy attached). Due to an error in the system, we did not even catch that the permit was past the enactment period until February 2024. On February 9, 2024, we requested an update on the status of your project, which is almost 3 years after it was granted. There was no response, and so we checked with the Building Department, who informed us that no construction has taken place. The permit was granted on April 14, 2021, and it was to be enacted within 12 months according to Churchill County Code. No updates or requests to extend the expiration date of the permit has been received in our office until this email response, which is even after the May 8 and June 6, 2024 letters that I sent regarding scheduling this for termination.

You have the opportunity to come to the Planning Commission meeting and ask to pull this item from the Consent Agenda to request an extension explaining your situation. The meeting will be tonight beginning at 7:00 p.m., and the Consent Agenda is later on the agenda. The reason it was placed upon the agenda to request the termination is due to not enacting the permit, no contact from you updating our office or written request to extend the permit, and no response to the letter requesting an update. You were fully aware of the 12 month enactment period because of the previous permit granted in 2018 that was terminated for the same reason.

Diane Moyle
Administrative Assistant
planning-admin@churchillcountynv.gov
Public Works, Planning & Zoning Department
775-423-7627, Extension 3
775-428-0259 Fax

Churchill County is an equal opportunity employer and provider.

-----Original Message-----

From: mike clark <mikeclark878@gmail.com>
Sent: Tuesday, June 11, 2024 4:34 PM
To: Planning Admin <planning-admin@churchillcountynv.gov>
Subject: Special use permit 5787 Mission Rd

Caution: This email originated from outside of the Churchill County organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department.

Hi Diane,

I see my special use permit is being revoked again. This is disappointing to see because once again I have fully complied with every request by planning and zoning and have just last fall paid a large sum of money to install power on the property but being allowed to complete this long term project on my timeline does not seem to be a priority by the county. My work permit is just as valid as when it was initially approved but because work has not been completed yet I am looking at having to start back at square one with another special use permit.

I am strongly considering changing the design that was approved by the first work permit which would require yet

another PE stamp and work permit approval and fees associated with both but now that will be put on hold until I go before the county board again and get another special use permit approved.

So for now I have no other option but to start the process over again for a special use permit and then go through the process again to obtain a PE stamp for the new design and then submit that new design for a work permit and hopefully start building approximately this time next year. I have over 150 thousand in this project so far and would appreciate a lot more leeway by the county in getting it accomplished on my timeframe. I have gone out of my way to comply with what the county requires. It would be nice to have more flexibility by the county to accomplish this on my timeframe without the threat of having permits revoked and having to start the process all over again.

Thanks Diane,
Mike Clark
Sent from my iPhone



Sierra Solar Phase I

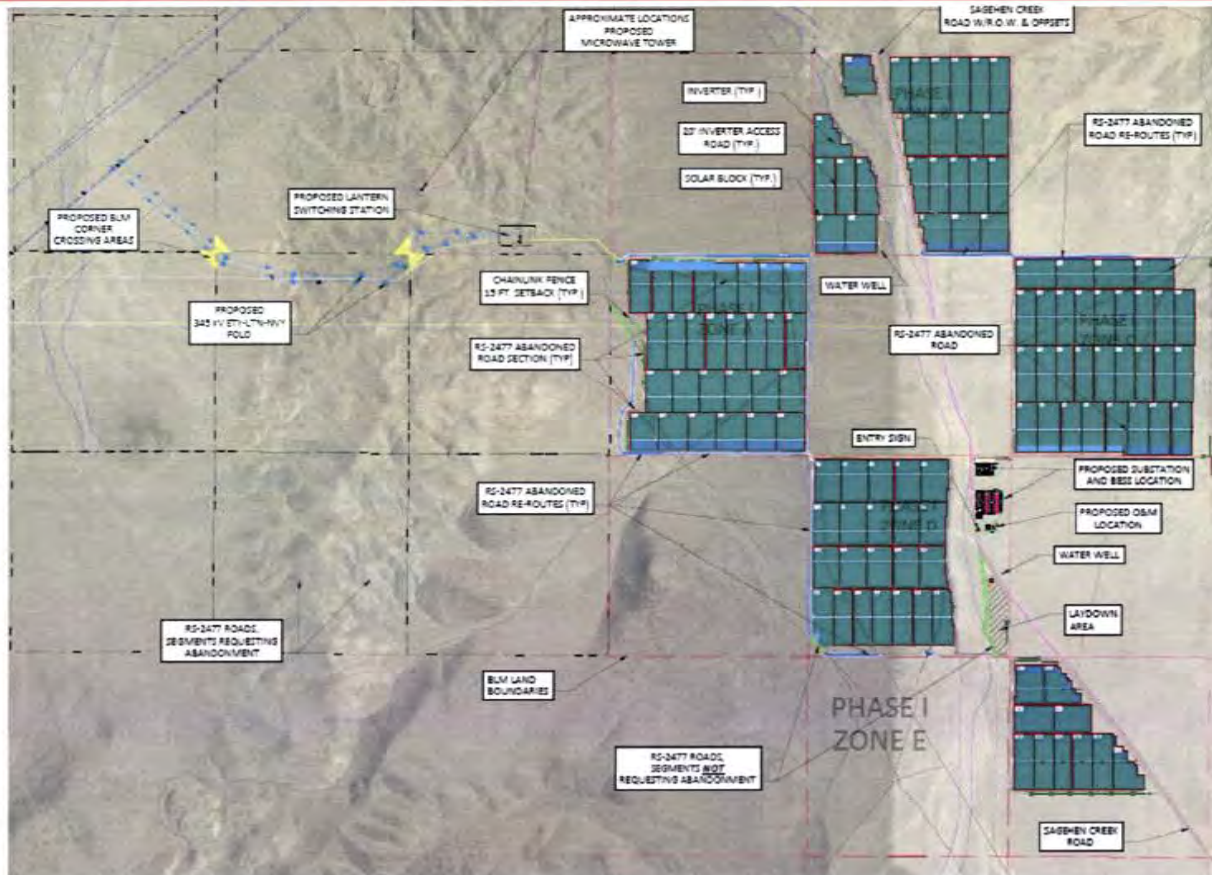
Churchill County Planning Commission

Kristine Apikian

Senior Project Manager

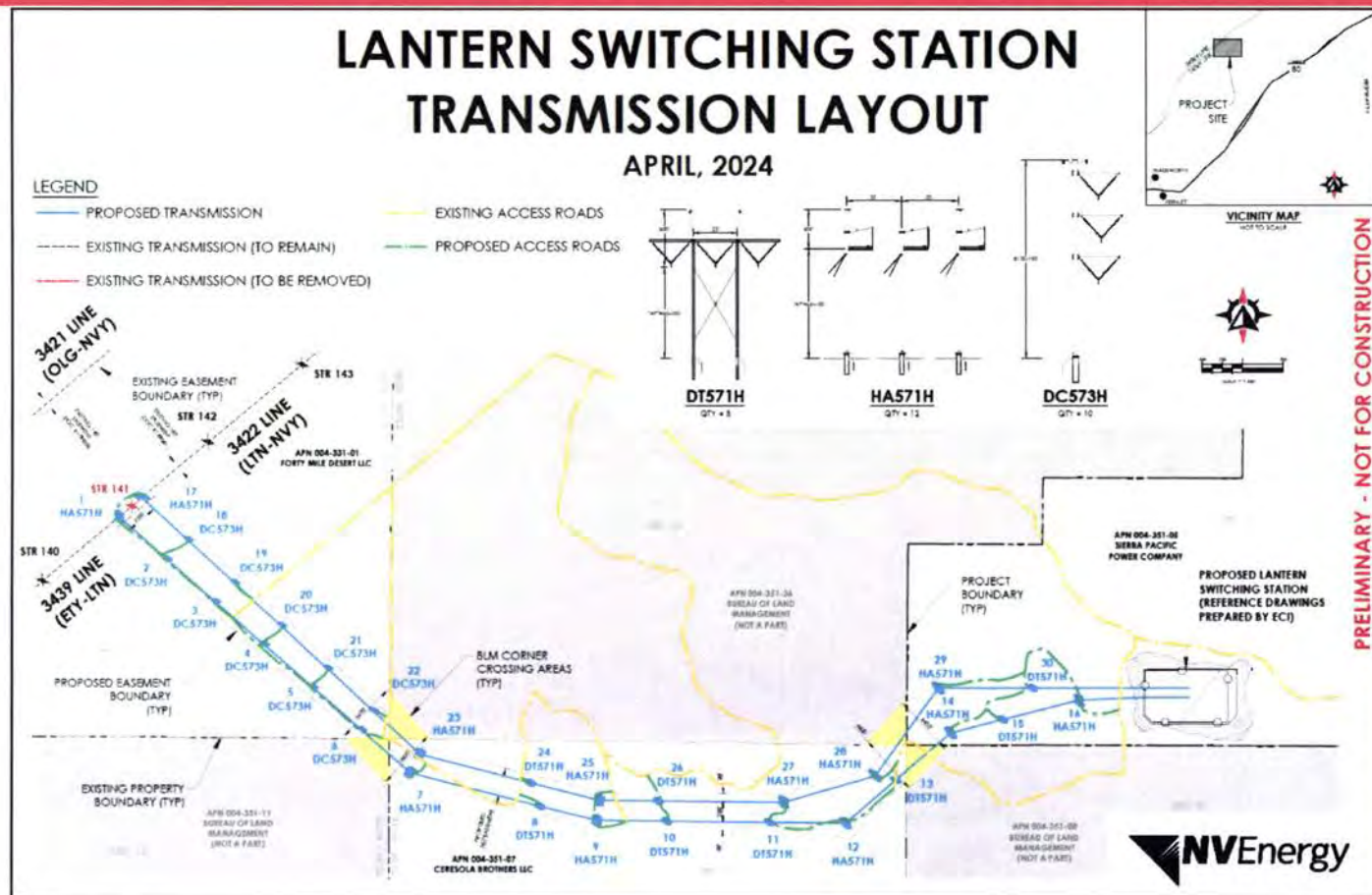
June 12, 2024

Sierra Solar Phase I

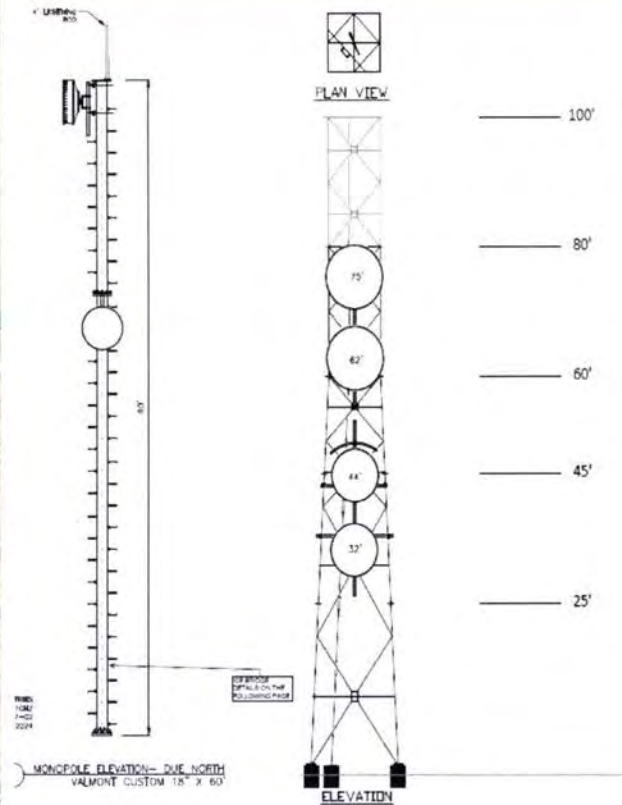


SITE INFORMATION	
PROJECT AREA (FENCED) [ACRES] APPROX.	2600
LINEAR FEET OF FENCING (APPROX.)	116,000
BESS COVERAGE AREA [ACRES] APPROX.	15
SUBSTATION AREA [ACRES] APPROX.	7.5
PV SYSTEM SUMMARY	
MW-AC @ INVERTERS	400
MW-DC	600
PV ARRAY	
MODULE QUANTITY	1,132,236
TOTAL STRINGS	188,706
STRING LENGTH [MODULES PER STRING]	6
MODULES	
MODULE MANUFACTURER	First Solar
MODULE MODEL #	FS-7540A-TR1
STC WATTAGE (W)	530
VOLTAGE RATING (V)	1500V
INVERTER	
INVERTER MANUFACTURER	SMA
INVERTER MODEL #	MVPS 4400-S2-US
QUANTITY	115
TRACKER	
TRACKER MANUFACTURER	NEXTRACKER
CONFIGURATION	HORIZON 1P
BESS	
BESS MANUFACTURER	TESLA
MODEL	MEGAPACK 2XL
QUANTITY	456

Transmission – 3422 Line Fold



Microwave Towers



Contractors



- Kiewit – EPC for Solar and O&M Building
- ECI – EPC for BESS, Project Substation, Lantern Switching Station and Gen-tie Line
- HDR – OE
- NV Energy Transmission – 3422 Line-Fold

Schedule



- Grading of the BESS Facility and Project Substation to start September 2024
- Grading at Lantern to begin in October 2024
- All remaining work to start by January 2025
- ECI's scope to be completed by May 2026
- Kiewit's scope to be completed by February 2027



 **NV**Energy®

CHURCHILL COUNTY PLANNING COMMISSION MEETING
155 North Taylor Street, Commission Chambers
June 12, 2024 at 7:00 p.m.

Name – PLEASE PRINT	For Which Agenda Item	Contact Info
WALT GOODMAN	LVBDC	775-835-9197
Kat Samuelson	LVBDC	775-379-9248
Anne Taylor	RV	775 232-9810
David Holmgren	From at 1100 Swope Lane	775-455-5671
MARK WARDEN	J&K	669-2435 702-334-5616
KRISTINE ALIKIAN	J&K	702-339-8021
Steven Easter	TYP	775-276-4617
Mike Gammill	J&K	913-378-4266
Kate Watkamp	J&K	913-317-6300
Henry Schenkel	C ^{New} Buz	775 378-6302
Mike Berner	D	775/427-3211
MARIA HERRERA		530 386 0511
RIGOBERTO URIBE		530-386-5080
Ted de Braga		
Brittany Hert	Ambulance Station	559-977-8550
Chip Bunker	LVBDC	775 867 5111
Steve Loure	Ambulance Station Berner	775 217 5814
Erin Stever		NASF
Den Muller	GA/H	775-481-5836
Kimberly Muller	GA/H	443-2521-4337
Alan & Tracy Harrison	BCCH	775-530-7095
Arthur Johnson	Monarch Const Sign	775 427 4069
Bob Getta	self	bob@bobgetta.com

**EVERYONE PLEASE SIGN IN & PRINT
YOUR INFORMATION**