

MINUTES OF THE CHURCHILL COUNTY PLANNING COMMISSION

**155 N. Taylor St., Fallon, NV 89406
March 12, 2025**

1. Call to Order:

The regular meeting of the Planning Commission was called to order at 6:00 p.m. on March 12, 2025 by Chair Bunyard.

Present: Zack Bunyard, Chair; Jeff Goings, Vice Chair; Victor Ansotegui, Member; Tami Edgmon, Member; and Joe Frey, Member.

Absent: Mark Hyde, Member; and Scott Nelson, Member.

Planning Staff Present:

Randy Hines, Public Works Director
Dean Patterson, Senior Planner
Diane Moyle, Administrative Assistant

Civil D.A. Staff Present:

Joseph 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 March 6, 2025, between 8:30 a.m. and 5:00 p.m., at all of the locations listed on the agenda, in accordance with Nevada Revised Statutes (NRS) 241 and the Churchill County Code.

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

**Member Edgmon moved to approve the agenda as submitted. Vice Chair
Goings seconded the motion which carried by unanimous vote (5-0).**

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

Chair Bunyard 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. February 12, 2025 Hearing

**Member Ansotegui moved to approve the February 12, 2025 minutes as written.
Member Frey seconded the motion and the decision carried by unanimous vote
(5-0).**

8. Old Business

A. Consideration and possible action re: Review of a special use permit previously granted to Boulder Opal LLC, Marshall's Septic Care, to expand a waste collection service business. The

property is located at 4250 Reno Highway, Assessor's Parcel Number 008-461-07. The planning commission required an annual review to check compliance with the conditions for approval until such time as they determine it is no longer necessary.

No one was available to speak regarding this application.

Director Randy Hines stated that the owner sent correspondence outlining the conditions they met and those that have not been completed. He said that the department needs to go out and verify Americans with Disabilities Act (ADA) accessibility to the building and the landscape requirement.

Chair Bunyard suggested that the commissioners could decide to have no further review of the permit if the applicant completes the remaining conditions prior to the next annual review to the satisfaction of the Director or Planner. Director Hines confirmed that the applicant would still need to meet all of the conditions, or they will need to come back to the commission in another year.

Chair Bunyard asked for comments; there being none, he called for a motion.

Member Frey moved to no longer require an annual review of this permit as long as the applicant is able to satisfy the remaining conditions with the department prior to the next review. Vice Chair Goings seconded the motion and the decision carried by unanimous vote (5-0).

- B. Consideration and possible action re: Review of a special use permit previously granted to Mike Stremmer, Out West Buildings/Ragtown Real Estate, to expand the storage area. The properties are located at 7450, 7490 & 7300 Reno Highway, Assessor's Parcel Numbers 007-251-52, 007-251-53 & 007-251-71. The planning commission required an annual review to confirm compliance with conditions until such time as they determine it is no longer necessary.

No one was available to speak regarding this application.

Director Randy Hines stated that correspondence received from the applicant indicates that all of the conditions have been met except for the trees along the west property line. The applicant has purchased trees and dug holes, and they need to complete the planting and installation of the watering system. He thinks this is something that could be verified administratively.

Chair Bunyard asked if any of the commissioners had any questions or discussion; there being none he called for a motion.

Vice Chair Goings moved to no longer require an annual review of this permit as long as the applicant is able to satisfy the remaining conditions with the department prior to the next review. Member Frey seconded the motion and the decision carried by unanimous vote (5-0).

9. New Business:

- A. Consideration and possible action re: A special use permit application for a home business filed by Frances Lee. The property is located at 1600 Tarzyn Road, Assessor's Parcel Number 010-451-02, consisting of 1.19 acres in the A-10 zoning district. The applicant proposes to operate a tailoring/alterations shop on the property.

Frances Lee and Dennis Lee, 1600 Tarzyn Road, were available to speak regarding this application.

Dean Patterson, Senior Planner, stated that normally a Home-Based Business is reviewed through an over-the-counter permit. Those that cannot meet the home business criteria might have

impacts on the neighborhood, but might be approved through an SUP. The proposed business is requesting the special use permit due to customers coming to the property and adding a shed to the property to house the shop. The applicant indicates they also have a sign and would bring information regarding it.

The proposed business is for tailoring, alterations, and repair. The business will be run out of a shed with customer parking in front of it. There will be no employees besides the applicant, standard daytime hours, and 7-10 customer visits per day by appointment only. Car-side service is proposed to provide service to customers that need Americans with Disabilities Act (ADA) accommodation, and a handicapped ramp was discussed.

The main difficulty with this application is the customers are proposed to come into the shed. The Staff Report discusses the consequences in detail, but in summary:

- Businesses must meet the Building Code commercial construction standards.
- Sheds are not built to any construction standard.
- Buildings that have customers entering them must meet ADA standards.

It is almost impossible for sheds to meet these standards. Other businesses proposed in sheds have been denied previously by the commission, or have been limited to exclude customers from the shed. Staff is recommending approval with the stipulation that other means of handling customer visits is provided.

The Staff Report reviews the five special use permit criteria. The proposal generally meets them, except for Criterion 2 regarding meeting the previously described County Code issues. No comments were received, and staff recommends approval with the conditions that are recommended in the staff report.

Chair Bunyard inquired if the applicant was aware of the conditions that were mentioned in the staff report, and they stated that they were.

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

Vice Chair Goings stated that as he understands the applicant will do the work in the shed, and then take the clothes to the house or customer vehicle. Will they be using the shed for customers? Frances Lee said that the customers call for an appointment. They have put in a separate driveway up to the 10' by 16' Tough Shed. They can meet the customer at their car or at the door of the shed. Nothing will be done in the home. They stated the improvements that were made to the shed. Vice Chair Goings reiterated what Mr. Patterson said regarding the use of the shed for customers. He asked if the applicant planned to make the shed ADA accessible, and meet any other conditions. Mrs. Lee remarked that they put up a ramp, and further commented that in the 35 years that she has been doing this she has never had anyone come in a wheelchair. In those instances, the caretaker has usually already provided the measurements, delivered the clothing, and came to pick things up for the handicapped individual. Mr. Lee pointed out that the driveway that goes to the shed is about 75' long, 18' wide, and is comprised of number two road base.

Member Edgmon asked regarding the signage mentioned in the staff report. The applicant presented a picture of a sign for the commission to review, and Mrs. Lee stated that she didn't realize that they couldn't put the sign on the building at the time. She thought the sign discussed in the application referred to something at the road. It is 18" by 11 1/2" and made of lasered metal. Member Edgmon verified with Dean Patterson that the sign meets the requirements of the code.

Chair Bunyard called for public comment, and there were none.

Director Randy Hines added that the Building Official agreed that the applicant could perform the work inside the shed, but it would still not meet building code requirements for customers entering

the building. There are other building code standards, besides ADA compliance, that are triggered when there is customer traffic in a structure. This is why they do not believe that the shed could meet those standards and why it is recommended not to allow customers to enter the shed.

Chair Bunyard verified with the applicant that they could just meet the customer at their vehicle or at the door of the shed, and the customer affirmed they would do that.

Member Frey confirmed that the applicant was okay with the conditions that were stated in the staff report, and they agreed.

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

Member Frey, based on the information provided in the application, in the staff report, and heard tonight, moved that the findings have been met for conformance with the criteria found in in Churchill County Code 16.08.080(H) and therefore approve the application for a Special Use Permit submitted by Frances Lee for a home based tailoring business at 1600 Tarzyn Road (APN 010-451-02). This approval is subject to conditions, as listed in the Staff Report. Member Edgmon seconded the motion and the decision carried by unanimous vote (5-0).

Recommended Conditions:

1. *Approval of the Home-Based Business is limited to:*
 - a. *Operation only by Frances Lee, and not transferable to another location or operator.*
 - b. *This approval is for tailoring activities only. Adding other activities, such as sewing classes, large scale fabrication clothing, etc. is prohibited.*
 - c. *Customer visits are limited to 8am-5pm, by appointment only, must be one at a time, and must be spaced to avoid customer overlap.*
 - d. *Customers must be served outside, such as at the door or car. Customers may not enter the shed or home without additional review and conformance with ADA requirements.*
2. *The project must be in conformance with Churchill County Code, including but not limited to:*
 - a. *No outside storage or signage have been approved.*
 - b. *All outdoor lighting (including for security) shall comply with the Dark Skies requirements.*
 - c. *A business license must be obtained and maintained.*
 - d. *At business shall provide direct service to disabled customers from their vehicle.*
3. *Operations shall be conducted in a manner that do not create a nuisance (public or private) under Nevada law or Churchill County Code.*

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

- B. Consideration and possible action re: A zone change application filed by Rich McCartney of Fallon Livestock Processing. The property is located at 2150 Mount View Drive, Assessor's Parcel Number 008-811-06, consisting of 1.09 acres in the E-1 zoning district. The applicant is requesting to change the zoning of the parcel from E-1 to C-1 or C-2 zoning for a retail butcher shop.

Chair Bunyard noted that Mr. McCartney backed out of this deal, and the landowner wanted to pursue this application on his own. Dean Patterson noted that the owner is taking over as the applicant on this request.

Tom Inglis, 3381 Sorenson Road, was available to speak regarding this application.

Dean Patterson, Senior Planner, stated that the applicant is requesting to change the zoning on the parcel from the existing E-1 single family zoning district to a commercial zone—either C-1 or C-2. A photo of the zoning surrounding the parcel was displayed on the overhead screen—E-1 in yellow, C-1 in orange and C-2 in red. The original applicant was Fallon Livestock Processing, who wanted to establish a retail butcher shop to support the main business a couple of lots away. That party backed out of the sale, so Mr. Inglis wishes to take over the application and continue with the rezone request.

The subject property has a unique history provided by the current owner, Thomas Inglis, and summarized in the staff report. This property and the two adjacent lots with homes was first purchased by his father in the early 1970s. He then built his construction contractor business on the subject property and then both houses on either side. The land to the north was a farm at that time, which is now shown as the block of red on the photo displayed. Most buildings were constructed in the late 1970s near the time the zoning code came into existence. The business building does have a kitchen, bathroom, and bedroom setup so that his father could stay overnight rather than driving home to the family farm near Lahontan Dam.

The business would pre-date the current residential zoning district that is in place now. When the current zoning was established, the land to the north was given a C-2 zoning designation, but for some reason the subject property was not given a commercial zoning. When the residential zone was applied to this parcel, it made the business a non-conforming use. Mr. Inglis indicates that there were discussions back then of rezoning the property, but those were not pursued. Unfortunately, the nonconforming use on the site has ceased for more than one year, so it has lost its non-conforming status according to the County Code. Approval of this rezone would more freely allow commercial uses on the property.

The staff report reviews the two criteria and multiple sub criteria. There are few issues. In summary, the zone change would not result in changes to the neighborhood. The commercial use predates most of the nearby residences. There are other commercial uses adjacent or nearby. This change would only prevent the loss of the commercial use and subsequent requirement that it be converted to a residential use. If approved, staff recommends that C-1 zoning would be more appropriate than C-2. Staff recommends approval with no conditions.

Tom Inglis restated that his father set it up in the early 1970s as his business office. In 1979 his dad constructed the main structure, which many people refer to as the “Chinese Pagoda”. It has been used as a commercial building since its inception, and it was never used for a residence. There was just a place set up for his dad to sleep when he came in late and was getting up again in a short time. This would save him about an hour of travel. The kitchen was more of a breakroom for the employees. In the last several years Mr. Inglis developed health issues that caused him to close his business. They would like to sell the building, and it is not set up for a residence. The commercial use is the best use for the building and property.

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

Member Edgmon stated that she grew up in this neighborhood, and that building has been used as commercial for as long as she can remember. In fact, she thought that it was commercially zoned and wasn’t aware that it was zoned residential.

Member Frey inquired if this property was to be rezoned to C-1, which kind of makes sense, although with the remainder of the neighborhood residential does fit better, how easy would it be for it to go back to residential zoning in the event someone wanted to remove the commercial structure

and build a home. Is it easy to go back to residential use after it is changed? Dean Patterson responded that they would go through this same process and provide their justifications. It would probably be an easy request.

Chair Bunyard called for public comment and reminded everyone that comments are limited to three minutes.

Jonathan Burnett, 2035 Mount View Drive, remarked that he lives across the street and down two lots, and the person next to him didn't get notice of this meeting. He isn't sure how full the coverage was about noticing this meeting to residents on Mount View Drive. They bought their house in 2004, and they never knew what was in that location. He never saw anyone around this building and wasn't aware that it was used as commercial. Then he received this notice stating the request to change it to commercial. He bought his house before Walmart went in and traffic has steadily increased. That intersection there is already pretty congested. Making this property commercial among all of these residences seems like it would cause more traffic in the area.

Del Luft, 408 Humboldt Street, said that regardless of the history of that property this would be spot zoning. C-1 would not work because the property to the north is C-2. He believes it would be spot zoning because C-1 is not touching this property and it is surrounded by residential zoning everywhere else. If they want to develop this property, this is a prime example of a special use permit. Anything that they want to put in there should require a special use permit, and then the board can dictate what has to be done with it—ADA compliance, parking, egress and ingress, and so on. He stated that he tried a couple of times to get zone changes on property that he owns, and he never even got this far. He then asked who gets a multiple choice on a zoning request. He objects to the way that this is going about because it is spot zoning in his opinion.

Anita Schilling, 2200 Mount View Drive, lives in the home just to the west of this residence. They didn't want this to be a butcher shop and increase the traffic that is already a problem there. There are already a number of accidents and near accidents at this intersection, several times a day. They already have trouble getting out of their driveway, and if that becomes a business that generates any additional traffic, they would never be able to get out of the driveway. She is concerned about someone ending up in their house due to the horrible traffic issues. They do not want the neighborhood to continue to become commercial on that side of the road. They would like the structure to be maintained as a residence. She also expressed concern about annexation into the city. She pointed out that everything on that block is commercial except the three lots on the north side of Mount View Drive between Allen Road and Taylor Place, and she didn't want to get annexed into the city.

Bill Schilling, 2200 Mount View Drive, has been there since 2003. He has even worked with Tom Inglis. He doesn't have an issue with the commercial, except for the fact that there is no idea of what type of commercial operation would go in there. It was proposed as a retail butcher shop, and he has been in the food business. He knows what it is to have a meat processing, or meat packing plant, and this property is only a little over an acre. He is concerned about the smell. According to everything that he read as far as the zoning requirements are concerned, it says that they have to be on county water. He asked what that meant. Chair Bunyard stated that all concerns will be addressed after the public comments are made and asked him to continue. Mr. Schilling was concerned that the county was going to be tying in the north side of Mount View Drive to city sewer and water. He wondered if someone was looking at trying to annex that whole area back into the City of Fallon, like what happened to Walmart. He doesn't want to have to move again, and he believes that changing the neighboring property to commercial will have a big impact on his property and others along that

street. He also has concerns about the traffic in that area and how much worse it could get. He thinks that the county needs to consider other issues related to rezoning and how it would affect the neighboring parcels.

Emma Johnson, a citizen in Fallon, said that she would push for a commercial zoning on this as it would be its highest and best use. C-1 zoning is nearby and it borders on C-2 zoning. There are many other businesses nearby and other commercial buildings around it. It only makes sense that this to be a commercial property, especially since it has always been used as a commercial building. As a residential property, it would be really tough to put a residence into this structure. Other businesses in that area are on wells and septic. The traffic is already there because of the other businesses nearby. She said that it doesn't make sense that it was ever changed from commercial to residential because it was always used as a commercial business. She expressed support for the zone change.

Richard Grondin, 2100 Mount View Drive, lives just east of the subject property. He is not objecting to the commercialization of this property. He is surrounded by commercial zoning. He brought up three issues that they should consider:

1. Possible groundwater pollution – everyone in that area are on wells, and his well is shallow. It is also within 30' of the property line.
2. Noise pollution – since it won't be a butcher shop now, it could be anything. There could be considerable traffic in the area, parking around the back of the property. He would like to request a barrier wall between these properties.
3. Air pollution – not knowing what would go there now, as he thought it was to be a butcher shop, he was concerned about what types of issues there could be with air pollution. He knows that he is down wind, and he can smell other people's garbage burning and things like that in the area.

He is not necessarily objecting to it, but he wanted to mention his concerns for them to be considered.

Chair Bunyard inquired if the applicant had any response to the comments that were made. Tom Inglis said that he gave up his business license about five years ago for health reasons. At that time they were running their shop there building Formica cabinets and stuff like that there. They didn't really use much of the back portion then, and it was primarily used when his dad ran his business there. They would have lumber delivered to this property, and then it would be divided out for the jobs and moved to the jobsites. In his era of operation, they had the deliveries made directly to the jobsites. They were operating a construction business there as recently as five years ago.

Chair Bunyard requested that Dean Patterson address the comment regarding spot zoning. Mr. Patterson remarked that spot zoning wouldn't really apply in this situation because it is literally next to C-2 zoning. The applicant requested commercial zoning, and staff thought that C-1 would be more appropriate due to the residences on each side and across the street from this lot. C-2 would allow a range of semi-industrial uses, including things like construction contracting, which is what has been there historically. C-1 uses are more limited to retail style uses, and he believes that zoning would be more compatible with the neighboring residential uses.

Chair Bunyard then asked Mr. Patterson to address the concerns regarding the county water. Dean Patterson doesn't believe that the county water system is in close proximity to this site. He pointed out that there are areas in the city limits that would have water services available if annexed into the city. They are not required to connect to a water or sewer system because these properties exist and can continue to use their existing well and septic. If they don't have one, they could build new ones. There is no requirement to connect to the city or county utilities.

Chair Bunyard asked for any further comments.

Member Edgmon asked for clarification why the decision to recommend approval of C-1 and not C-2 was made and if it related to the types of businesses that would be permitted in those zoning districts. Dean Patterson agreed that C-1 would limit the uses to more commercial retail and services and prohibit the meat processing facilities and heavier commercial and light industrial uses that could be allowed in C-2 zoning. Member Edgmon expressed a concern for the current owner because the building looks like a commercial building and not a residential structure. It doesn't conform to any residence around it. It would be very difficult to turn that into a residence. Mr. Inglis noted that it has a concrete floor. Member Edgmon pointed out that if it is not allowed to be rezoned to commercial, it will sit as is and will not be able to be sold as anything else at this point. With the rezoning, would there be protections for the neighbors, like the comment regarding a buffer wall. Dean Patterson stated that all they are considering right now is the rezoning of the property. If it is approved, the wide range of uses allowed in C-1 could be proposed. They would still have to meet any requirements for a special use permit, if any were required, and they would also have to meet code requirements that include friction zone requirements that would provide buffers between commercial and residential to provide separation. One of the options in the friction zone requirements is the provision of a sound wall if the proposed use could have an impact on neighboring residential properties. Member Edgmon confirmed that the zone change would allow the commercial uses in C-1; however, pending any business that wanted to move into that location, they would have to meet the specifications required by code to protect the residences around this property. Mr. Patterson agreed and noted that a sound wall is not automatically required. Certain conditions could be imposed if the use would require a special use permit in the C-1 zoning district. Joseph Sanford, Deputy District Attorney-Civil, stated that the County Code has a use table in Chapter 16.08.250, and it defines a large number of potential uses throughout the county. Our zoning is structured to have the various zoning districts listed with the types of use that may be permitted, not allowed, or requiring a special use permit. He gave examples. He asked the commissioners to focus on the zoning aspect of this request rather than a specific use because a specific use is something that would have to be considered by the Planning Commission if it was a special use permit issue, or by the Planning Department if it just required a zoning review.

Vice Chair Goings stated that he has always known that property as commercial, and he remembers when it was built. In the beginning there was a lot of traffic because there were a lot of employees coming and going from there. It has been fairly quiet the last five to ten years. If that were to become a retail business, it could increase the traffic slightly there, but he can't imagine anything that would go in there to generate a tremendous traffic burden on that road. He was surprised to learn that it was zoned for residential. He addressed the concern about being annexed into the city by saying that he doesn't believe that is a concern at this point and should not cause any concern for this neighborhood. These are county properties, and he doesn't believe that the city has any desire to annex these. He doesn't believe that any decision that they make regarding this application will have any effect on that.

Member Frey inquired if the commission just left things as they are for now, which is E-1 zoning, and then when Mr. Inglis has an interested buyer, they bring this back to the commission to consider for a specific type of business, would it be detrimental to his ability to sell the property. Tom Inglis said that he wants to sell it as a commercial property. This is what it was when he bought it from his father. The best use and economic gain would be from a commercial property. If it has to become a residence, it is worthless. The cost of tearing all of that down would be more than what anyone would ever want to spend for the lot. The building would just sit there and degrade, and he

wouldn't want to pay taxes on it anymore.

Chair Bunyard then called for a motion.

Vice Chair Goings, based on the information provided in the application, in the staff report, and heard tonight, moved to find that the criteria found in CCC 16.08.060(E) have been met and therefore recommend that the Board of County Commissioners approve the Zoning Map Amendment for the property at 2150 Mount View Drive (APN 008-811-06) to change the zoning from E-1 to C-1. Member Frey seconded the motion and the decision carried by unanimous vote (5-0).

Chair Bunyard thanked the applicant and advised that their recommendation would be forwarded to the Board of County Commissioners at their meeting in April.

C. Consideration and possible action re: An application for a variance from the lot area requirement for a boundary line adjustment map filed by Gary & Katherine Mills and Cameron & Mandi Mills. The properties are located at 4900 Saint Clair Road & on Saint Clair Road, Assessor Parcel Numbers 006-231-07 & 006-231-57, consisting of 2.87 acres and 31.84 acres respectively in the A-5 zoning district.

Gary Mills, 3401, and Steve Bell, Bell Land Surveying, were available to speak regarding this application.

Dean Patterson, Senior Planner, said the applicants would like to do a boundary line adjustment on the common lot line between the two lots. An aerial image was displayed on the screen to show this request. Cameron & Mandi Mills own the large farm lot on the east, and Gary & Katherine Mills own the small residential lot on the west. The small, residential lot is a nonconforming lot size being less than 5 acres. The residential lot has a portion that extends across the irrigation canal, abuts the farm lot, and appears to be farmed as part of the large lot. The proposed boundary line adjustment would make the small lot smaller, so it needs this variance from the minimum lot size requirements. Approving the variance would allow a Boundary Line Adjustment to proceed so that the small area of farm land and delivery canal on the residential lot can be attached to the farm lot. The proposed small lot size would be approximately 2.53 acres, as shown in the application materials. There were no comments received, and staff recommends approval.

Chair Bunyard inquired if the applicant had anything to add. Gary Mills remarked that there is no access to the portion of his lot on the other side of the canal except through the farm side.

Chair Bunyard questioned if there was any public comment, and there were none.

Chair Bunyard asked if any of the commissioners had any questions or discussion; there being none, he called for a motion.

Member Edgmon, 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 have been met and therefore approve the Variance application for Gary & Katherine Mills and Cameron & Mandi Mills to reduce the 5-Acre minimum lot size on 4900 Saint Clair Road (APN 006-231-07). This approval is subject to conditions, as listed in the Staff Report. Vice Chair Goings seconded the motion and the decision carried by unanimous vote (5-0).

Recommended Conditions:

- 1. This variance approves a reduction of the lot to approximately 2.5 acres to remove the canal and lot area on the other side of the canal, with the understanding that the exact acreage will be determined by the map survey.*
- 2. The approval of this variance expires one year from the date of the final decision. The boundary line adjustment to move the parcel line must be submitted before expiration.*

Chair Bunyard 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: An application for a variance from the conservation easement and river protection requirements filed by Michael & Claudia Casey. The property is located at 14001 Cadet Road, Assessor's Parcel Number 007-071-16, consisting of 221.0 acres in the A-10 zoning district. The applicant requests to waive the code requirements to protect river features with an easement.

Dean Patterson, Senior Planner, noted that **Items D-F** were variances related to the same parcel by the same applicant, and he inquired of counsel if they should discuss these together or separately. Joseph Sanford, Deputy District Attorney--Civil, thought it would be appropriate to handle these together. Each item was read into the record.

Michael Casey, 399 Regan Place, and Steve Bell, Bell Land Surveying, were available to speak regarding this application.

Dean Patterson stated that these three variance applications plus a previous variance application are in support of a Tentative Parceling Map for Mr. Casey. The Tentative Parceling Map and implementing parcel maps will be heard at a later date. These variances to waive basic submittal requirements have delayed consideration of the project map. Based on the outcome of these variances, the applicant will need to modify the submittal materials for the project, and then it can move forward.

The Tentative Parceling Plan process is a means of doing the equivalent of a subdivision (being more than 4 parcels), without doing an actual subdivision. It uses serial parcel maps to implement the approved lot layout in the plan. This would split three small lots with a remainder; then on the remainder, split another three small lots with another remainder; and so on until all of the lots are created. Among other requirements, these proposals must show:

- (a) how the river protection easement requirement will be met;
- (b) describe the topography of the site, particularly where it is hilly; and
- (c) show the existing drainage patterns on the property and how they will be altered.

A review of past Tentative Parceling Map projects show that these information items are normally included. The applicant asks to not provide the information. These information items are required in the application because the application is supposed to demonstrate that the project will work with regard to these items. It is not the County's job to do the research and investigation to figure out whether the project will work. County staff is only supposed to confirm the information. Each of the variance items has a purpose.

- The river protection easement is Churchill County's chosen method of river and native feature protection during land division. The application is supposed to demonstrate how the project will meet the code to protect the river.
- Topography information is to assist the Planning Staff and Planning Commission with

understanding the project and confirming that the project has taken topography into consideration.

- Drainage information is partly, but not entirely, dependent on topography. Drainage information is to assist the Planning Staff and Planning Commission (a) with understanding how drainage works on the project site, (b) with seeing how the project might change the drainage patterns, especially onto other properties in the development or nearby, and (c) with confirming that the project has taken the drainage patterns into consideration and is showing how they will change or not change.

Mr. Patterson remarked that the staff report reviews the four Variance criteria for each of the variance requests. In summary, the criteria are not met. There is no extraordinary or exceptional situation, no practical difficulty or undue hardship, and the lack of certain types of information or certain protections increases risks from the development. More particularly, this site is a good example of why those requirements are needed, and not providing is contrary to the intent of the specific requirements and the code in general. There were no comments received, and staff recommends denial of all three variances. If any of the variances are approved by the commission, the staff report includes recommended conditions that would need to be customized based upon the specific variance that would be approved.

Chair Bunyard inquired if the applicant had anything to add. Michael (“Mic”) Casey stated that this is a very large piece of property, and some of the lots are forty acres with the rest being at least twenty acres. It is not like it is going into a half-acre subdivision where you need all of these things. He said that he could understand all of this with smaller subdivisions. This has been a farm since before the Lahontan Dam was there, and the soil is light, the drainage is to the river, except for the last one at the bottom of the map, which has no drainage because it is sandy soil that just soaks the water in. Regarding the topography, he could understand that in certain subdivisions, but this is almost large land divisions. He said that he doesn’t want to give up an easement on the river, and he wants to keep that so that he can do what he wants to do with it. In the event that they are able to find some water and put back on there, there are certain things that grow along the river that he doesn’t like, like the giant white top and certain other types of vegetation, and there are things that can’t be put in there if there is an easement that might be plants that could be very advantageous to the wildlife. He would like to plant vegetation that would be beneficial for the deer there. He also may want to take out some things that are native, like eight-foot tall greasewood bushes that he wouldn’t be able to with the easement. These are fire hazards. The tumbleweeds happen to blow that way also, and from time to time, he gathers these into a pile to burn. He doesn’t want to give up the opportunity to be able to do that.

Chair Bunyard remarked that this property is unique in that each of the lots to be created would flow to the river, so he thinks that some type of drainage information should be provided for the lots that could have a home on it. This is why the county has this regulation in place. He asked if any of the commissioners had any questions or discussion.

Vice Chair Goings said that regarding the conservation easement, Mr. Casey stated that he wouldn’t be able to touch downed trees and such, and he read in the code that basically says that the intent is to maintain the natural flood barriers that are along the river channel. It doesn’t say anything about someone not being able to go in and clear out dead wood. In fact, it specifically states that health trees, rock outcroppings, and other native features shall be preserved wherever possible, and shall be protected during periods of construction, so on and so forth. If the deer are living along there now, they are obviously thriving right now and there wouldn’t be anything that Mr. Casey would

want to do there would improve that. He doesn't see where it would have an adverse effect on those because it is intended to prevent flood damage due to the natural vegetation in there.

Member Ansotegui inquired what the distance for the setback for the conservation easement would need to be. Dean Patterson stated that it isn't a set distance. It is related to the native vegetation, and Mr. Bell had, at one point, suggested using the flood plain. That gets close, but it is not exact. There are a couple of different ways that this could be approached, but there isn't anything spelled out specifically.

Member Frey questioned the Tentative Parceling Plan, which is different from a subdivision map, and wondered if it is the division of these contiguous parcels that has triggered these requirements. Dean Patterson responded that a Parcel Map is the division of land into up to four parcels, and the tentative parceling is using parcel maps to create land divisions that exceed four parcels without having to do a subdivision map. He also said that Mr. Casey mentioned that this is similar to a division into large parcels; however, that is reserved for parcels that are forty acres and larger, and those maps are not required to meet these requirements. Several of the lots that are being requested in this plan would be less than forty acres.

Member Edgmon verified that the requirements that were mentioned by Mr. Patterson are related to codes that are already in place, and the variances that are being requested would vary from the code requirements. These are in place to assist with review of the parcel maps. Is that correct? Dean Patterson replied in the affirmative.

Vice Chair Goings clarified that in this division there are some forty acre parcels, but there are some twenty-acre parcels to be created as well. Dean Patterson noted that two of the parcels were forty acres, but the rest were less. If all of them were forty acres or more, this would be a division of land into large parcels and these requirements would not apply.

Director Randy Hines stated that these are the requirements in the code, and they are just enforcing those regulations. He cautioned that their decisions related to these variance applications could affect other maps in the future. Member Frey expressed his concern regarding granting variances because he doesn't understand how this situation wouldn't be used by someone else in the future when there isn't any real grounds for granting it. He asked Mr. Casey if there is a financial impact regarding complying with these requirements. Michael Casey didn't see that there would be a financial impact, and he just didn't want to give up the right or opportunity to do what he wants with the river. These are large parcels, there isn't much electricity for them, and he might put water back on it. He just wanted to get it parceled out while he can. He doesn't have any particular intentions of building houses or anything, he just wants to be able to divide the land. He expressed his opinion that he could just divide them into forty-acre parcels right now, and then later he could divide them further, so he didn't see how that would be impacted differently. He commented that a variance granted in this circumstance shouldn't affect the requirements for a one-acre subdivision on the river. This is a unique piece of property. It has a mile and a quarter of river on it, and he just wants to preserve it the way that he wants to and not have someone tell him that he is in violation of some conservation easement.

Chair Bunyard called for public comment.

Steve Bell expressed confusion regarding the topographic information that is being requested. He said that even after meeting with staff he was still confused about the type of information that they are looking for. Are you looking for contours at one foot, two foot, fifty foot? That would be a big financial cost. Director Hines responded that it is contours. Typically, it would be flown or take ground shots to create those contours. It would either be a one-foot, five-foot, etc. as required in the

code. This type of determination could be handled administratively. The requirement is to show contours on the parcels. Mr. Bell stated that the only contours on the whole map will be the isolated parcels on the other side of the canal and road there. There was more discussion related to those and the potential of \$10,000-\$20,000 additional costs for the maps including the isolated parcels that nothing is being done with. Michael Casey understands that most counties have codes, some have less. They shouldn't be an absolute—you have to have contours, you have to give up this, and so on. Each individual parcel, especially larger parcels, have a different situation. He thinks that he has 7,000 acres north of town in sections. If he cuts that into five parcels, would he have to do the same things? These rules should generally be applied this way, but there are exceptions where you shouldn't have to go along with them. Each situation is absolutely different. You can't apply everything to everything; you need to have some common sense in certain things.

Member Edgmon remarked that she believes that any parcel that is on the river becomes very valuable to anybody that wants to live on the river. Parceling these off and becoming something that is a smaller unit that could have some kind of residence on them she thinks should conform to the codes. Member Frey agrees with the idea of common sense, but he also doesn't understand if there are no plans to do anything with it, why parcel it at all. He believes that there are plans to do something with it. Maybe not today, but in the future, there are obviously plans. Michael Casey stated that rules and regulations have changed over the years, and it becomes increasingly difficult to do anything. He shared his experience in dealing with government regulations and how hard things are now. He wants to do this division now before more regulations are put into place that would make it harder for him to do it. He would like to find more water to move to this land, but it is hard to find water anymore.

Dean Patterson agreed that things have changed over the years in what is required. What Mr. Casey referred to in the area around the transfer station is called a division of land into large parcels, and that is still an option available to him that would not require the map to include some of these things. Vice Chair Goings stated that this answers his previous question related to these regulations.

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

Vice Chair Goings, based on the information provided in the application, in the staff report, and heard tonight, moved that the findings have not been met for conformance with the criteria found in CCC 16.08.090(F) and therefore deny all three of the applications for Variances from the river protection easement, from the topography information requirements, and from the drainage information requirements on APN 007-071-16. Member Ansotegui seconded the motion and the decision carried by unanimous vote (5-0).

Chair Bunyard thanked the applicant and advised that there is a ten-day appeal period.

- E. Consideration and possible action re: An application for a variance from the tentative map contents requirements filed by Michael & Claudia Casey. The property is located at 14001 Cadet Road, Assessor's Parcel Number 007-071-16, consisting of 221.0 acres in the A-10 zoning district. The applicant requests to waive the code requirements requiring topographic contour information on the map.

Discussion and decision for this item was included in the previous section of the minutes (Item 9.D).

F. Consideration and possible action re: An application for a variance from the tentative map contents requirements filed by Michael & Claudia Casey. The property is located at 14001 Cadet Road, Assessor's Parcel Number 007-071-16, consisting of 221.0 acres in the A-10 zoning district. The applicant requests to waive the code requirements requiring current and proposed drainage information on the map.

Discussion and decision for this item was included in a previous section of the minutes (Item 9.D).

G. Consideration and possible action re: A special use permit application for outside storage of hazardous materials and an explosion/combustion testing facility filed by NNV Investments LLC. The property is located on Bango Road, Assessor's Parcel Number 007-071-79, consisting of 438.42 acres in the Industrial zoning district. The applicant proposes an outside battery storage yard and a battery testing facility.

Bradley Mayhew, 0 Bango Road, and Don Tatro, 0 Bango Road, representing NNV Investments, LLC, were available to speak regarding this application.

Dean Patterson, Senior Planner, stated NNV Investments LLC is a subsidiary of the Redwood Materials company, which is in the battery recycling and remanufacturing business. The company has other facilities in the USA Parkway area and Carson City. This very large property will have multiple uses. Two uses are proposed at this time, and a third will come later. Uses 1 and 2 are of limited scale at this time, and will expand over time using phasing.

- Use 1 will store end-of-life batteries on the property in an outdoor setting as staging for later disposition to different routes. This is described in more detail in the presentation. Stand-alone outside storage requires a Special Use Permit, as does handling hazardous materials, being the batteries.
- Use 2 will do battery testing on those batteries that still have storage capacity to determine if they are suitable for later use, such as in the third proposed use. Explosion/Combustion Testing is what this use is classified as, and it requires a Special Use Permit.
- Use 3 will be submitted later, and is a solar power facility that will include battery storage using repurposed batteries that still have storage capacity. A Renewable Energy Facility will require a Special Use Permit in the future.

Mr. Patterson went over the two main project areas being the outdoor battery storage and the research and development (R&D) center, which is the battery testing facility.

Outdoor battery storage

The company focuses on lithium-ion batteries, especially those recovered from end of life electric and hybrid cars, but including those for purposes. Batteries are acquired from different sources and will be brought to the storage yard. They are shipped and stored in large packages, either as large individual batteries or in large drums or other containers. Batteries packages will be stored using racks to keep them off the ground and sometimes covered with tarps, etc. when needed.

Battery storage yard will cover 35 acres using three phases (noted as the blue area on the map displayed on the overhead screen). Phases 1 & 2 will border a dry stream pathway running through the property, which creates a complexity regarding stormwater and pollution control. Battery storage will be arranged on a grid pattern with 900 square foot spacing and a height limit to provide separation for containing any fires that might happen. The operational plan uses fire code standards, and the Fire Marshal has been in contact with the applicant regarding operations and safety. The storage yard will

be fenced and controlled for security, and there may be night guards. The fence will be screened with view obscuring material. Operational hours will be a 12-hour daytime schedule, with approximately 12 employees. The storage yard will have an office and parking area. Temporary services are proposed to start with and are an issue in the staff report that results in a condition to ensure permanent facilities are installed before the first annual review. They will need a Temporary Use Permit for the office.

R&D Center (battery testing site)

This is similar to the NNCR/Tesla facility that is in the County, though the testing is not focused on the extreme-condition testing done at that facility. Even with lower stress testing, fire and explosion of battery packs is possible. It will be over 2.5 acres south of Bango Road. The testing area consists of concrete pads enclosed by block walls. There will be three phases, each with a separate testing pad. Operational hours will be a few days a month between 6:00 am-6:00 pm to start with. When operated, there will be 4-5 employees. Mr. Patterson noted that the limited use is likely to increase over time. The R&D Center will have an office and parking area. Temporary services are proposed to start with. Again, Staff recommends a condition to ensure permanent facilities are installed before the first annual review.

Dean Patterson remarked that the Staff Report reviews the five Special Use Permit criteria. Many smaller issues are raised that result in conditions of approval. The main issues are:

- ***Permanent Business Facilities including Sewer water and power facilities:*** Recommended conditions of approval will require permanent facilities using a well and septic system before the first annual review.
- ***Lighting using portable light towers*** need to be in conformance with the County’s Dark Skies lighting requirements.
- ***Outdoor Storage Screening is required for the storage yard:*** The application proposes a screened fence or berming along public facing sides, but the code requires full screening rather than partial. Alternative screening might be allowed if the solar farm moves forward right away, or if a variance is approved if not right away. That would be a subject for later action.
- ***Water Features & Native Features:*** There are multiple requirements within CCC 16.16.010.1-5 for the protection of water features and native features. There is a ravine that drains most of the surrounding square mile and discharges onto private property a mile or so downstream. Stormwater drainage carrying battery fire and explosion residues is a concern resulting in conditions related to containing those residues.

Fire control and firefighting are obvious concerns. The application proposes a “300 gallon fire suppression” vehicle will be on-site. In addition, fire water tanks will be on site. The Fire Marshal has been working with the applicant on a number of points to improve fire and emergency response. These are summarized in the staff report. Staff recommends that the Emergency Management and Response Plan be developed to the satisfaction of the Fire Marshal.

The condition of Bango road is a concern. It is considered paved, but it is actually just “double chip sealed”, which is not a robust construction standard for heavy truck traffic. The project’s heavy vehicle traffic is expected to increase damage and repair needs, especially with phasing. A recommended condition will require the business to participate in future upgrades to Bango Road in coordination with other industrial users on the road. Another issue with Bango Road is when it goes north of the site there are big problems that need to be fixed by relocating it. This is summarized in the staff report. Its official road easement runs along the part of the west property line, so Staff recommends that the easement be continued on to the north edge of property.

One of the environmental concerns is dust during construction and stabilization afterward. The applicant has committed to aggressive dust control through normal permitting. Another environmental concern is hazardous materials released when batteries catch fire or explode in both the testing and storage areas. These can result in both air emissions and discharges in stormwater runoff from the burned areas. Conditions are recommended to control these issues.

There were two comments received—one from the Nevada Department of Transportation, mostly informational (a copy was provided to the applicant), and the other is from a neighbor about a mile away, Sherry Wideman, 13991 & 13993 Cadet Road. Mrs. Wideman provided a comment as well as some information on the sheet. He read the comment into the record (a copy was provided to the applicant and each commissioner). Staff recommends approval of the application with a number of conditions listed in the staff report.

Chair Bunyard inquired if the applicant had anything to add. Don Tatro thought that the staff report was very complete. On Item 8, in the listed conditions regarding the pollution prevention plan, it states that it was required before grading starts. They agreed that they will do this portion; however, they would like to begin grading to put those controls in place. Dean Patterson stated that they spoke with the applicant about this item, and it really should have been stated as “before operation”, so before batteries are brought to the site or are being tested those pollution protection measures need to be in place.

Chair Bunyard requested the applicant give a little background on how many of these facilities they have currently. Don Tatro said that Redwood operates about 338 acres in the TRI (Tahoe Reno Industrial) Center where the operations are. This is where the recycling and manufacturing takes place, as well as a piece of property in South Carolina. There is also a location overseas. Chair Bunyard questioned if this company has historically had any fires. Mr. Tatro confirmed that they have had thermal events in varying degrees. They are well equipped to handle the response, and they have actually been presenting ideas to the governor’s office on best ways to handle lithium fires whether it be use of an electric drill as a hammer and what could potentially happen, and even up to Electric Vehicle (EV) fires. They have their first responders onsite, so the security also provides initial suppression capabilities. Then they have intermediate remediation, testing of soils and removal of any contamination, or anything of that sort. Chair Bunyard inquired if these would be on concrete in order to capture any leakage or spillage, or if they were in containers. Bradley Mayhew noted that they have typically put down base rock at the ground level, not cement, for the entire facility. They have not had issues with leaching or anything following a thermal event. They remediate within 24 hours typically, and they have protocols in place to contain all of that.

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

Vice Chair Goings asked for clarification that there is no off-gassing of these batteries at all; they are a sealed lithium battery, so that when they are sitting in storage, there is no off-gassing of any type. Bradley Mayhew responded that there will be off-gassing of VOC level, which is typical of any alkaline type batteries in a person’s home, similar to when someone opens a plastic box containing these there is an odor. This is typical for batteries. Vice Chair Goings restated that there is still off-gassing with the lithium batteries, and then he questioned with this many batteries what kind of odors there will be from this site. Mr. Mayhew responded that during the public comments there was mentioned information regarding an incident in Missouri and another in Monterrey, California, and this is a very different setup from those sites. It is done purposefully, and the separation between these batteries has a much less energy density between the batteries for better management of those situations and prevention of an event like that. The two events brought up have approximately ten

times or more energy density per square foot than what they have here. The reason that this looks like it is so much is because they have these items spread out pretty far to manage that more appropriately. Don Tatro remarked that if you are looking at this grid, it shows separation between stacks to prevent, if there is an event in one section, from promulgating to the next. This allows them to be able to suppress, hopefully, as soon as possible to prevent that spread. Vice Chair Goings pointed out that they are speaking about a thermal event here, such as fire; however, he was asked about as these batteries are stored onsite will there be odors coming off of those of any type. That is the concern he is trying to address right now. Bradley Mayhew noted that they measure the PPM (parts per million) in the air content and they have not had any issues with that with their current storage site. There have not been any issues with odors or anything of that nature. Vice Chair Goings then verified that this would be a storage facility, and that those batteries would then move to either the recycling facility or potentially where they may be used in the solar field for energy storage. This was affirmed by the applicant. Vice Chair Goings asked about the timeframe that batteries may be stored on this site, and it was stated that they have regulatory requirements from the Environmental Protection Agency (EPA) to have all material there for less than one year, so the maximum would be one year, and ideally it would be much shorter as their production allows.

Member Ansotegui questioned regarding the fire fighting equipment and what is used to put out a lithium ion battery fire. He asked if there is any impact from the chemicals used or from firefighting that could potentially leach into the ground. Bradley Mayhew responded that the best thing to use to put out a lithium ion battery fire is actually water. They primarily use water for these, and the one chemical that they have found to be pretty effective is F-500, which is another very typical material for firefighting. There are no major concerns in terms of chemical residues associated with either of those.

Member Edgmon asked if the applicant was aware of the company that would be west of this site on Bango Road and what they produce or do in their facility. Bradley Mayhew confirmed that they are aware of that company and what they do. Member Edgmon verified that there is no hazard with this facility being that close to the other facility or that would interact with the odors or anything that the other facility produces, or would be impacted by any emergency that the other facility may have related to the proximity, or closeness, of these facilities. Bradley Mayhew stated that they are specifically keeping an appropriate level of distance between these so that where they propose to place these provides appropriate spacing to the other facility. Member Edgmon then inquired regarding the testing site that would be south of this and asked them to share what they do at that site. Don Tatro remarked that this is where they test a variety of batteries to see if they are best for second life or recycling, and then there are some research and development elements within that. He knows that the definition in the code sounds much more aggressive than they would have hoped. Obviously, they don't want those things to happen, and they are testing these batteries to ensure that it would be proper if they did go into a second life application. An Electronic Vehicle (EV) pack has modules, and if they could remove a module and replace it could extend the life of the battery. They do a variety of testing to see how best to apply those. Member Edgmon confirmed that the testing isn't related to maximum testing on what it takes to explode a battery, or any of those types of testing. What would they consider the most detrimental test that they would put on a battery there. Bradley Mayhew said that they would be testing the capabilities of the battery to make sure that second life usage is safe and not a public risk. First and foremost, economically, for their business what is best is to both recycle and use these batteries for second life before they recycle them. They want to pull as many of these as possible to validate that they are still good batteries and shouldn't just recycle them for the

metal content, but rather use them for energy storage and getting additional usage from them. Many of these batteries are from electric vehicles, which have a much higher set of specifications and requirements to operate a vehicle going really fast and to go really far. The charge and discharge for the batteries for second life is a much slower process—the difference between running a sprint and walking with a walker. They want to make sure that any of these batteries that come to them are being tested for that second life application, and being used for the second special use permit application that they would like to request in the future. That is their foremost goal, and this facility would support that effort. Member Edgmon inquired if they find that there are more incidents at the testing site or the storage site—what is their record? Bradley Mayhew responded that this would be their first testing site of this nature. To date, these have been at the storage site. They will purposefully be testing the limits of these batteries at this facility in a controlled way.

Member Frey questioned when they are testing batteries, he guesses they charge and discharge them, if there is more off-gassing that happens in that phase than when they are sitting in storage. Bradley Mayhew stated that if they fully push the limits of that the answer would be affirmative. Member Frey mentioned that the applicants touched on different studies that they have done on the off-gassing and measuring the PPM in different locations, and he asked them to describe some of that testing, what was involved, and some of the procedures. Bradley Mayhew replied that they conduct typical air monitoring for this. They do this for employee safety to make sure that they are not putting people who are working next to this at risk. They ensure that the off gassing is appropriate for human beings to be in the area. They monitor that on a regular basis for their own employees. Member Frey asked, in addition to the safety factors, what about any just smells or odors. He is looking at quality of life issues for neighbors in the area. He thinks there are some specific atmospheric conditions in this location, including inversion layers and such, that seem to trap things in the area. Have they had any research or studies on odors in particular. Bradley Mayhew responded that this has not been an issue for them, and they have not done any broader studies. He fully doesn't expect any odors for any of the neighboring facilities. Don Tatro believes that odors would be more related to the recycling and remanufacturing side of their operations where they have scrubbers in place to capture those. They are not proposing those operations at this site.

Chair Bunyard called for public comment.

Yvonne Mori, related to 13911 Cadet Road and 13999 Cadet Road, expressed serious concerns. They have already had to deal with Bango Oil. She has witnessed the odor of Bango Oil for a very long time. This is her in-laws' house, and they were told the same thing that there wouldn't be any odors. It was a bold-faced lie because that whole area out there reeks from Bango Oil. Batteries with lithium are very, very explosive and are highly flammable. She said that the applicant stated that they could use the water maybe, and she isn't an expert on lithium batteries, but she watches the news, and you can see Tesla vehicles get on fire all of the time and they can't put the fire out. She mentioned an incident on Interstate 80 where they had to close it off because they couldn't put the fire out from a Tesla lithium battery. If there is a fire with the amount of blocks that they would have up there, how is that going to protect all of those houses and all of those beautiful ranches along that river. You are talking about the water table, you're talking about the fire. She also brought up the deer mentioned in the previous application and other wildlife in the area. There are also human beings. She noted that they have an Aunt, who lives at the end of Cadet and just lost her husband, she is elderly, and she couldn't be at this meeting. She pointed out that this person has a swamp cooler, and we already feel the effects of Bango Oil coming in through their houses and in that whole area. She said that they have a meat house that is across the way from Bango Oil and where this is

being proposed. She stated that they are talking about chemicals here, and there is alfalfa, and you don't know what chemicals are getting into all of those crops out there that are then going into the animals, and she's sure that everyone here eats meat. She expressed that they have some serious concerns, and she brought up that there was a fire with the Bango Oil facility before. As she stated previously, they were told that this wouldn't happen, but it does happen. There are a lot of people, not just the ranchers, that whole area is full of people. She said that a lot of people aren't here, but they strongly oppose it. She pointed out that their ranch and all of that area is not a wasteland, and they don't want to be treated like a wasteland for storage of stuff like this.

Lawrence Mori, 13911 Cadet Road, shared his concern about the fire problem. A lot of people don't know how easy it is to get a battery to explode. He does because he's had one explode on him. He believes that with this number of batteries it would be like an atomic bomb going off in this community. He only lives a mile and a half away, but there would be people in this whole valley that will pay the price. It isn't worth it. They can put this out 50 miles away from all of the populated areas, and they would be okay. Right where they are requesting to put it, you are looking for big problems. They are concerned about the water because it would run off into the Truckee Canal and that water would filter right into the dam. All of that acid and that bad material would go right with it. You have to be very careful because it is going to impact the whole valley, and it won't be a very nice situation. They've already had one fire out there. They got really lucky to get it out, and you guys know all about it. He hopes that you guys can figure it out and make it work.

Kim McCreary, who just bought a 600 acre farm on the river right across from Mic Casey and didn't know the address, said that he is not for this. He's surprised that there are only three people here. He thought that Truckee Carson Irrigation District (TCID) should be there, Bureau of Reclamation (BOR) should be here, and the farmers should be here. If they leak something into the Truckee Canal, it is 3.36 miles from the Lahontan Reservoir. What are we doing? He said that Eleanor Lockwood said that the worst decision that ever happened in the county, and she had to live with it the whole time that she was here, was when they put that Bango Road thing in. He remarked that she thought it was horrible and every day someone was complaining. He was surprised that more people weren't there. He thought that if they knew this was happening, they would put their feet down. He doesn't believe that this is the right place to do this. He agreed with the person who said that it should be put somewhere far from people. These guys have lots of money. He thinks that they represent Elon Musk's original partner, Redwood. That is who they are, and he suggested that the commissioners be careful. He asked the applicant if Redwood was part of Tesla originally with Elon Musk. The applicant stated that this is a separate company. Mr. McCreary expressed his opinion that they shouldn't do this and that they needed to be careful.

Michael Casey, 399 Regan Place and owns 14001 Cadet Road, said that he's not sure how many of the commissioners have experienced when you come to the dip near Lahontan and his eyes started watering. It wasn't a horrible stink, but his eyes started watering. He knew that people had been complaining about it, but he didn't live out there then. He stated that someone had an opportunity to buy that place with the water on it because of the odors in that area. The wind kind of comes down that way sometimes and travels down low. Another thing is that there could be other things that you cannot smell. He brought up that these people said that they monitor the air for parts per million or parts per billion for the protection of their employees, but that just says that employees need protection from this. You certainly don't gather all of the particles out. He's not familiar with the zoning around there, and he wondered if that whole area is zoned industrial, or if there were other zoning in there that people could go in there and want to build residences. He wondered if there were

portions that could be developed at some point for residential development in that area. Dean Patterson noted that this lot is around 400 acres and was zoned for industrial use. Michael Casey stated that he wouldn't want to live next to it. He doesn't even like it being in the area. He suggested that they take it downwind somewhere, and north of this area.

Jacob McCreary, right across from Michael Casey's property on the river, said that this says it is hazardous waste and explosive. He pointed out that this is out in the desert with wind, and if there are fires on a windy day, you don't know if it will be able to be put out. If it hits that riverbank, then everything would be gone. They are right next to the Truckee Canal leading to Lahontan. He pointed out that the commission just turned down Mr. Casey regarding making some 40 and 20 acre parcels, but these guys think that it is appropriate to do this.

Chair Bunyard inquired if the applicants wanted to address the comments that were made. Don Tatro remarked that they obviously don't want to impact anyone. He stated that he goes to work every day at their facility, and he has never noticed a smell. He has been in and out of their buildings, and if he didn't think it was safe, he wouldn't be going through there. There is a lot more activity taking place at their current site than they are proposing here. He understands that a prior company had something that has soured some folks in that area. He grew up in a similar community, and he expressed their commitment to not do anything to harm the water. This is why they have the pollution protection plan in place and a variety of these things in place to ensure the safety of this operation. He said that it sounds like nothing they could say would change the minds of these people, but he wouldn't be going to work in their facility every day if he thought there was a risk. He hoped that would bring some level of comfort. Bradley Mayhew stated that their mission as a company is to improve the environment. This is something that everyone in the company cares about every single day. Everything that they are doing is to keep material out of landfills, improve emissions in the world, and do this in a safe and sustainable way. He hears the comments from the public, but he thinks those are very disconnected from what they are doing every day and what they care about as an organization.

Chair Bunyard brought up the drainage concerns because when any fire is put out the water has to go somewhere and would probably go into the ground. He said that with the natural flow it would run down toward the river. Would there be any instance at all that there would be any drainage leave the battery. Don Tatro informed that because of the pollution protection plan and those types of things, the constant testing, especially after any event, they would block any flow, test the soils, and ensure that there isn't anything. If something is found, they would be required, and they do remove that contaminated soil. Chair Bunyard inquired more about the pollution control plan. Don Tatro responded that this is something that they are working on with the planning department to ensure that they have the proper drainage response, grading, and everything in place to control any flows to ensure that it doesn't go further than they plan to contain it. Director Randy Hines pointed out that a pollution prevention plan that is being discussed would be done, if this is approved, during the design phase. Ideally, the site would be designed to flow away from drainage features, and any runoff that would be generated on that site would be put into retention areas, or containment areas, that then could be mitigated as they have stated. They are not just letting stuff just flow into the ground and letting it go wherever it wants to go and follow the existing drainage. They have to come back and show the department exactly where they will be sending any potentially contaminated water, and then they would have to mitigate this from that point. Chair Bunyard inquired if that would also be coordinated with Mitch Young, Fire Marshal, and Director Hines agreed. That is where their fire plan came from because they didn't have any onsite fire prevention, and one of the suggestions

was that they supply fire prevention to allow time for the fire department to get there. It takes approximately 12-15 minutes to get to that site. Mitch Young was requiring some additional onsite, trained fire prevention that would need to be there 24 hours a day in case there is an emergency like that. Don Tatro pointed out that they also have to report to and work with Nevada Department of Environmental Protection (NDEP) on a variety of these things. They have to obtain a lot of permits through the state agency and comply with their requirements as well. Chair Bunyard agreed that he understands that they will meet those standards, and he just wanted to talk about when things just don't go as planned. He also understands that they don't have anything concrete yet and they are still working on it. He said that if they decided to approve this part of the conditions would include their compliance with these standards and permitting.

Vice Chair Goings said that one of the statements made related to one of these Tesla pickups caught on fire, and they did shut down Interstate 80 because they weren't sure that they had the equipment to put that fire out. He asked the applicant to explain why they are looking at this as an easy out when the response to that particular incident didn't seem to be quite so easy to put the fire out. Bradley Mayhew said that part of the challenge, and there was another one on Interstate 15 that someone may have seen, is a lack of training from local fire authorities on how to put out lithium ion battery fires. In particular, the Interstate 15 incident, Redwood actually went down and helped with the first responders on extinguishing that fire and cleaning up the event to where it wasn't contaminating the environment. They brought it to their recycling facility and recycled that material. They are working with local fire departments across the country to provide the appropriate training on how to respond to these events. The right protocols, the right methodology to prevent having an event that goes for a long duration. If you handle it the right way, it doesn't go for a long duration, and usually when that happens it is because they responded the wrong way.

Vice Chair Goings questioned where the recycling facility was located. Bradley Mayhew answered that it is at the Tahoe Reno Industrial Complex.

Member Frey inquired of legal counsel because he thinks that the Bango Oil situation was one of the biggest mistakes that the county has made, and there are people that are not in attendance. Based upon the people that were notified about this, which was done to standard, but he believes that there are a lot more people impacted by this that were not notified just based on the general topography of that valley that are highly impacted by the Bango Road facility to no fault of this company. When the Bango Road facility was put in they were assured of all of the same things about NDEP overseeing things and they would meet all of the county codes and such. There is nothing that will ever be able to be said or done to make the people that have been affected by it be happy with this project. What types of things have been put in place to make sure that they don't make the same mistakes that they made back then. Joseph Sanford, Deputy District Attorney-Civil, responded that a lot of changes have been made since then. The one that he believes is most important to this board is when they look at the recommended conditions that are being put into place today, those types of conditions just weren't included at that time. The planning wasn't as clear about what was going to happen in certain circumstances, whereas, in this case, a pollution plan is being required before operation begins. The Fire Marshal is being consulted, and our county code has also been updated several times to address these types of issues. One is related to if there is a nuisance created or a long term issue, the community would have the ability to review this permit. He wouldn't say that nothing bad could ever happen because that isn't anything that can be guaranteed, but the county has taken several steps since that time, and this board has been provided additional information and conditions on this permit that, he would hope would assure that if something were to go wrong, for example,

there is a condition to require annual review of these permits and if there are consistent problems then this board would have the ability to review and make recommendations at that time. Member Frey questioned if any of their recommendations would have any “teeth”. He didn’t believe that the recommendations on the oil refining facility had much enforceability. He asked if there were issues that were created and there was noncompliance with the special use permit, would they have the ability to revoke the permit or would it be something unenforceable. How do they get something done if it were to get to that point? Joseph Sanford pointed out that our county code has provisions for the revocation of a special use permit if there are conditions of that permit that are being violated. He gave an example if they were not compliant with Condition 8 related to the pollution prevention plan, if there wasn’t a plan, it wasn’t put into place, or it wasn’t approved by the Director, or it wasn’t maintained up to the standards, then they wouldn’t be allowed to begin operations. If for some reason the company went forward anyway, they would have the ability to revoke what has been granted as well as pursue any damages. They do have legal abilities to handle these kinds of issues now.

Director Hines brought up the notification issue, which has been mentioned a few times. County code requires that we notify landowners within at least 300 feet from the boundaries of the subject property and 30 unique property owners. We went out 4000 feet, which is over ten times the required feet. We don’t have control over when people check their mail or attending the meeting or submitting comments. We’ve attempted to notify ten times the amount of area that we are required to notify.

Vice Chair Goings thanked the public for being here. It is important that they come to these meetings and share their thoughts and concerns. He didn’t know if the public was aware that in the information provided to the public there is a copy of the staff report that has all of the information that was provided to the commission and lists the conditions that they have been talking about. He recommended that the public look at these to see the extensive list of conditions that would have to be met for this project to even be able to move forward. He did express some concern that there wasn’t a representative from TCID or BOR at this meeting. He asked if those agencies were notified of this application, and it was stated that both of those agencies are landowners that were notified. They did not respond to the notices that were sent. Vice Chair Goings remarked that this is a facility that he would like to see happen because it will generate income for the county and the community, and on the other hand, he doesn’t believe that we are represented well enough here for him to be comfortable with making a decision on this application at this time. He would like to have those entities involved and at least receive some comment. Dean Patterson said that he hasn’t seen a response from those entities unless we have solicited it from them. The landowner was notified, but we didn’t send a letter to anyone specifically at those agencies for a response. Mr. Patterson spoke regarding the changes mentioned by Mr. Sanford that many things are being done differently now than they were in the Bango Oil days mainly because we learned some hard lessons from big industrial operations, including things like ENEL Stillwater. He gave an example of how conditions of approval would have been written 20-25 years ago, the conditions would have been very generic like getting the NDEP permits, meeting the county code, and not saying anything more specific than that. They did include a few specific ones regarding truck traffic and such. Now we have learned a lot and pay more attention to catastrophic situations that might happen with industrial operations, and the butane transloading operation from last month is a good example of the extent they go, in coordination with the Fire Marshal, in thinking about what can happen and how to deal with it. That results in the Fire Marshal has requirements that they put into place with the applicant. He brought up that some of those last month included separation of the car prior to transloading so that if

something bad happened, it wouldn't take out the other cars as well. We would have looked at a facility similar to Bango Oil differently now than we did then, and we have developed a good relationship with Safety-Kleen, who is the current operator of that facility. He thinks that there are about six different special use permits associated with that facility. We work with them to figure out some of the bad things that can happen. Obviously, it is too late for the fact that they exist, but we have done a lot of work to make sure that the changes that they have made have been improvements. The railroad tie facility is another example. Working with the Fire Marshal to come up with a better way of operating to deal with the potential for those catastrophic events. With a battery facility a lot of the issues are the battery residues that happen when you have a fire or explosion, and the number one way to deal with that is to make sure that the stormwater is controlled, and if there is an event, you go in and clean it up before it can migrate to some other location. He also commented that Mr. Sanford might have been looking for the condition that we normally add regarding being a public nuisance, and it appears that we have left that one off. The Planning Commission can add that condition to the list if they feel it is appropriate.

Member Frey asked if the board would entertain the idea of tabling this item for one month. This is not a decision that can be at all taken lightly. He needs more time to research this, study it, and think about it. He wanted to talk to people because he knows there are people who have been very badly affected in this community; they are his neighbors, and he can't let that happen again. Chair Bunyard expressed his opinion that the fellow board members would be in agreement with that, and he called for a motion. Dean Patterson asked the commission to think about if there is something specific that they would like to have the applicant provide information regarding to help them make their decision easier. Chair Bunyard stated that he would like to have something more than just that grid shown; more detail on how that looks. How are the batteries stacked, what sits underneath, dirt, etc. They would like to see fencing—how it will be fenced, and maybe any concrete barriers, if that is something that is considered. He thinks that they need a little bit more detail on how this facility would even appear or look once it is built. Vice Chair Goings remarked that he would like to see about getting some of the other entities that really are not represented here at least make a comment on it. Obviously, they were notified, but they didn't even make a comment on it. He needs to look at something outside; he wants to see something about these facilities—maybe where some of these facilities are located. He is a little more encouraged by the fact that the recycling facility is in the USA Parkway area, which is a densely populated industrial area. It makes him feel a little better, and he also wanted to point out that in the interim the public should read the staff report and especially the conditions that are being recommended. He hopes that over that time we will be able to answer some of these questions that have been raised. A question was asked about where to get these, and it was pointed out that all agenda items are available on the county website with the agenda—for all boards. Director Hines also stated that if there is anything that the department needs to do as far as mailing these out or having them available for people to come and pick up, we can do that as well. Chair Bunyard noted that everyone has an equal opportunity to get this information that is available on the website. Member Edgmon said that something that she felt eased a lot of the concerns of the public at the last meeting regarding the butane transloading facility was that the company had a presentation that explained exactly how their process went. One process that she would like to get more information about is about contaminant holding. Are you going to have one? If you do have a fire and instead of the water running into a canal, ditch, or seeping into the ground, is there containment for that? What is your process in actually containing the contaminants from these incidents. Member Frey said that he would like to see some information on the air quality

situation, maybe odor tests in stagnant type conditions. He thinks that there is an atmospheric situation in that valley with inversion layers that holds odors. He is not saying that this operation will be the same. He would like more information about not necessarily in well ventilated areas or in even normal atmospheric conditions, but in sort of stagnant air space. He knows that it might be a tall order to pull off in the next month. Member Ansotegui said that he just looked up their website, and he wanted the company to show that they are a legitimate business. He can see that they are very big and know what they are doing. They've been in this business for a while, and they respond well to accidents and emergencies. He just thinks that they need to display that to the community and the board. Joseph Sanford, DDA-Civil, noted for the members that he had the pleasure of taking a tour of Redwood before. He said that this board cannot go together in more than a quorum, but he thinks it might be worthwhile if they wanted to reach out because there was a small area of small storage stuff at that site. They would possibly be able to see what this looks like, so that they could understand better what this looks like and what potential contaminants and off gasses would look like. He didn't smell anything when he was there. He recommended that the company reach out to the planning department so that they could coordinate something like that in order to avoid open meeting law problems.

Vice Chair Goings moved to table this item to the next meeting. Member Edgmon seconded the motion, and the decision carried by unanimous vote (5-0).

10. Update related to code and master plan changes

Joseph Sanford, Deputy District Attorney-Civil, remarked that there are some potential code work to be done in the near future. He spoke with Director Hines that they would be bringing some proposed code plans to the commission within the next month or so. We are looking to hold a workshop in April to discuss those changes. Director Randy Hines said that they have been delinquent on getting updates for the Master Plan done. There have been several large projects coming to the county since he has been there, and our department has been understaffed. We are aware of the need to address this update, and there has just been a lot of other things taking up the time needed to start working on it.

11. 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 special use permit previously granted to Refugio Trillo for a home based mobile welding business. The property is located at 6901 Cox Road, Assessor's Parcel Number 008-112-12. *The applicant has not met the conditions for approval of this permit and has not responded to requests for update. This permit should be terminated as it was not enacted.*
- B. Consideration and possible action re: Termination of a special use permit previously granted to Walker Lake Disposal, Inc. for an off-premises outside storage yard at 9895 Carson Highway, Assessor's Parcel Number 007-171-13, in the C-2 zoning district. *The ownership of the business has changed, and the new owners no longer have plans to use this location for outside storage. They have requested the termination of the permit.*

Member Ansotegui moved to approve the consent agenda as submitted. Vice Chair Goings seconded the motion, and the decision carried unanimously (5-0).

12. Public Comment:

There were none.

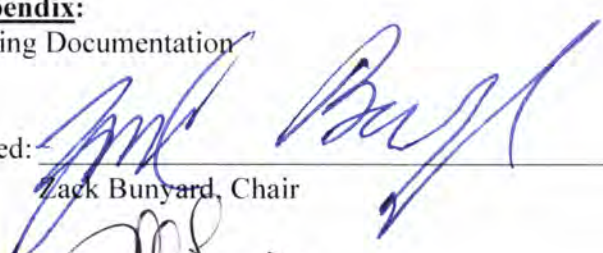
13. Adjournment:

There being no further business to come before the Planning Commission, Chair Bunyard adjourned the meeting at 8:32 p.m.

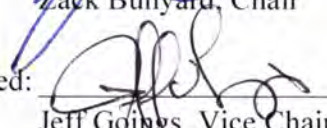
14. Appendix:

Supporting Documentation

Approved: _____


Zack Bunyard, Chair

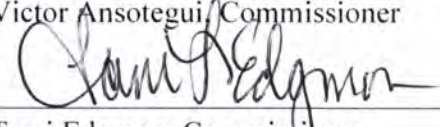
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Jeff Goings, Vice Chair

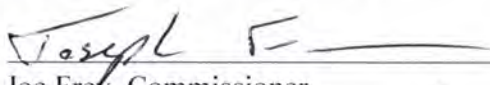
Approved: _____

Not Available
Victor Ansotegui, Commissioner

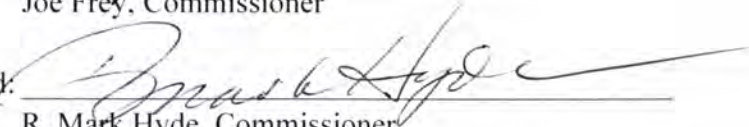
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Tami Edgmon, Commissioner

Approved: _____


Joe Frey, Commissioner

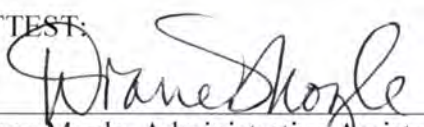
Approved: _____


R. Mark Hyde, Commissioner

Approved: _____

Not Available
Scott Nelson, Commissioner

ATTEST:


Diane Moyle, Administrative Assistant



CHURCHILL COUNTY
PUBLIC WORKS, PLANNING & BUILDING

270 S Maine Street, Suite A, Fallon, Nevada 89406
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STAFF REPORTS FOR
PLANNING COMMISSION MEETING – March 12, 2025

LIST OF STAFF REPORTS

- | | | |
|---|---------|---------------|
| • Lee SUP for Home Based Tailoring Business | Page 2 | |
| • Fallon Livestock Processing Re-Zone E-1 to C-1/C-2 | Page 6 | |
| • Mills Variance from minimum lot size | Page 11 | No Site visit |
| • Casey – 3 Variances related to future Tentative Map | Page 13 | No Site visit |
| - to waive river protection easement requirements | | |
| - to waive topographic information requirements | | |
| - to waive drainage information requirements | | |
| • NNV Investments/Redwood Materials SUP for: | Page 17 | No Site visit |
| - Outside storage of hazardous materials - batteries | | |
| - Explosion/Combustion Testing Facility for battery testing | | |
| • Consent Agenda | Page 25 | |

OLD BUSINESS ITEM MOTIONS

Motion for Annual Review of SUP - should be modified by the Planning Commission as needed.

NOTE: Annual review is **NOT a new decision or renewal**. It is a review for compliance with the previously approved decision. Failure to comply with the permit can be grounds for a permit **REVOCATION** process.

- ☐ I move to review this application in one year. ***[[OR USE OTHER TIMEFRAME]]***
[[ADD OTHER REQUIREMENTS OR INSTRUCTIONS IF NEEDED]]

- ☐ I move no longer require annual review for this application.

Motion for Renewal of Temporary Use Permit - should be modified by the Planning Commission as needed.

NOTE: These permits expire in one year unless a renewal is approved, with the possibility of setting shorter renewal periods. Thus a renewal is a **new decision or approval**.

- ☐ I move to **APPROVE** the renewal of this Temporary Use Permit for ***[NAME OF APPLICANT]*** for one year. ***[[OR USE OTHER TIMEFRAME]]***
[[ADD OTHER REQUIREMENTS OR INSTRUCTIONS IF NEEDED]]

- ☐ I move to **DENY** the renewal of this Temporary Use Permit for ***[NAME OF APPLICANT]***.

Application:	Special Use Permit	Use Listing:	Home Based Business – Tailor
Applicant:	Frances Lee	Owner	Frances & Dennis Lee
Site:	1600 Tarzyn Road (APN 010-451-02) – 1.19 acres		
Designations:	Master Plan – Agriculture // Zoning – A-10		

Summary: The applicant is requesting a Special Use Permit (SUP) for a Home-Based Business at the home property. The definition for a Home-Based Business is:

Any business activity customarily not associated with a residential parcel conducted as an incidental and accessory use of the residential parcel.

Thus, a Home-Based Business is accessory to, and subordinate to the primary residential use. Normally a Home-Based Business is reviewed through an over-the-counter permit. They must meet EIGHT (8) criteria of CCC 16.16.020.8.1(a-h), which would help them to be nearly un-noticeable to neighbors. Those that cannot meet the criteria might have impacts on neighboring residences but might be approved through an SUP if they can meet the criteria of CCC 16.16.020.8.2(a-h). The proposed business is requesting the SUP due to customers coming to the property and adding a shed to the property to house the shop.

The application proposes to perform tailoring, alterations, and repair for customers. The business will be run out of a shed on the NE side of the property – 2 have been placed in the last year or so. Customer parking will be on a gravel driveway along the NE edge of the property in front of the sheds. There will be no employees besides the applicant. Hours of operation are standard daytime hours during the workweek (9am-4pm, Tuesday-Friday). Estimated customer visits are about 7-10 per day by appointment only. Supply delivery visits are expected to increase visits. Car-side service is proposed to provide service to customer that need ADA accommodation.

During a site visit, operations were observed, and the applicant verbally provided additional information.

- It was observed that the shed and access path cannot accommodate disabled customers, at this time. The applicant indicates she has a ramp that can allow disabled customers into the shed, and has committed to providing service to them at their car on request.
- It was observed that the interior of the shed has additional improvements for electrical and wall surfaces.
- The interior is set up for customer access into the shed, including a curtained changing area, which is probably not ADA accessible.
- Customer visits sometimes include multiple people and multiple cars in the customer party – for example for alterations to wedding party clothing.

The property is served by Tarzyn Road, which is a paved County-maintained road located in a 80' road right-of-way owned by the County. Utility easements run along the road easement and certain property lines.

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 residential property is at the east margin of the Tarzyn Road residential neighborhood, which is in turn adjacent to agricultural lands – especially a dairy – lying to the east, SE and NE. **NOTE** that the 1-acre small lot home sites were allowed in the large lot agricultural zone through a lot size Variance many years ago. A full-blown commercial business would not normally be allowed in a residential neighborhood. But running the proposed business as a home business with only the owner as an employee could be

compatible with surrounding residential and agricultural uses. Staff recommends that customers be limited to appointment only, and that other activities such as group classes not be allowed.

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. The area around the proposed home business has a Master Plan designation of Agriculture. The property is zoned A-10 Agriculture. **Home Based Businesses are a listed use** in the use table for the zone, needing an SUP for those proposals that do not meet certain criteria. 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 criterion 1, above. Environmental Impacts are addressed in Criterion 5. **Conditions of approval would allow the project to meet the above policies.**

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

- **Generally:** Changes to the residential septic system and water well should not be needed. The new shed location does not affect setbacks and easements. Any required customer parking for a Home-Based Business would be determined through the SUP, but the proposed parking area appears adequate. Similarly, the landscaping code does not apply to activities accessory to a single-family residence, like a Home-Based Business. No signage is proposed, but the site visit found a sign on the shed. Either the sign must be removed or information about the sign must be provided at the hearing. New residences must pay County impact fees and dedicate water, but not an accessory home business.
- **Use of sheds for business.** The applicant proposes to use a shed for the business. Sheds are not normally built to any construction standard – neither residential nor commercial standards. They are limited to use for storage and property owner access/use. While an owner can do their own activities in a shed, when business customers enter the building there are building code standards that get triggered, such as for basic wall/roof/floor construction, safety, egress, insulation, heat sources, ADA accessibility, etc. It is nearly impossible to alter a shed to meet these standards. No recent home businesses that proposed customer access in a shed have been allowed. Businesses with sheds were only approved when customer service is provided at car-side for pickup and drop-off exchanges. A recommended condition of approval would prohibit customer entry into the shed.

There are other ways to provide customer service for a home business.

- > Customers can be met in the home, which is built to residential construction standards. But that often needs alterations for ADA access.
- > Customers can be met in a shop, which is built to commercial construction standards. ADA access is required, but is often easy to provide with a shop.
- > Customers can be met at another location, such as their home.

- **Handicapped accessibility** is complicated for home businesses. Normal businesses need to meet handicapped accessibility requirements for employees and customers. But businesses at a residence are a special situation. Customer visits that are short and do not need to come into the business, such as for pickup and drop off, do not need an ADA parking space and building access. If customers come into the business for a short visit, an ADA parking space, building access, and customer area are required. For employees or customers staying on the property for an extended time, such as more than 30 minutes or so, the above ADA facilities plus an ADA restroom is required. Since customers cannot come into the shed, ADA facilities are not required unless customers will come into the home.

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. A private water well and septic system currently exist on-site and can be used for the accessory Home-Based Business. Tailoring business activity and fabric item storage will take place within the shed, but that will be of minimal difference from normal shed use. Public services and infrastructure will not be overburdened.

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

The property is served by Tarzyn Road, which is a paved County-maintained road located in a 80' road right-of-way owned by the County. Traffic trips (1 visit = 2 trips) for the business are modest, with a handful (7-10 visits) per day. The driveway has been graveled to the shed building, which will reduce mud trackout. The road is adequate for the traffic, and no mitigation is necessary.

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.*

Businesses with customer traffic in a residential area could be incompatible, but a small-scale operation can be conditioned to be compatible. Potential environmental impact issues are customer traffic and related dust impacts. The business will have modest levels of daytime customer traffic, and the driveway is graveled to reduce dust. Minimal impacts are expected.

STAFF RECOMMENDATION: APPROVAL

MOTION FOR DECISION: 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 that the findings **HAVE BEEN** met for conformance with the criteria found in CCC 16.08.080(H) and therefore **APPROVE** the application for a Special Use Permit submitted by Frances Lee for a home business tailoring business at 1600 Tarzyn Road (APN 010-451-02). 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:

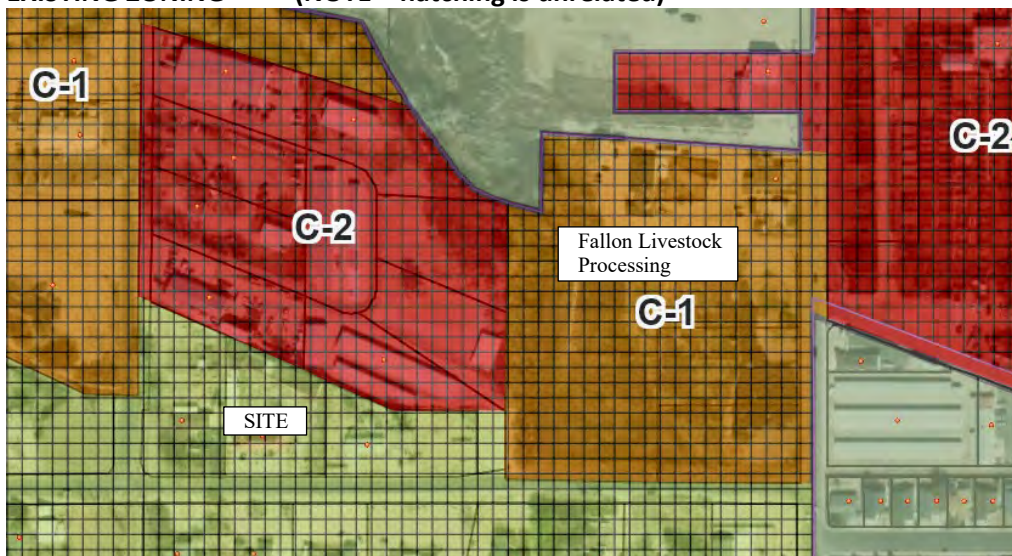
1. Approval of the Home-Based Business is limited to:
 - a. Operation only by Frances Lee, and not transferrable to another location or operator.
 - b. This approval is for tailoring activities only. Adding other activities, such as sewing classes, large scale clothing fabrication, etc. is prohibited.
 - c. Customer visits are limited to 8am-5pm, by appointment only, must be one at a time, and must be spaced to avoid customer overlap. Occasional multi-person clients may count as

- one customer.
- d. Customers may not enter the shed.
- 2. The project must be in conformance with County Code, including but not limited to:
 - a. Outside storage is not approved, and only the sign proposed at the hearing is allowed.
 - b. All outdoor lighting (including for security) shall comply with the Dark Skies requirements.
 - c. A business license must be obtained and maintained.
 - d. Customers may not enter the home without conformance with ADA requirements.
- 3. Operations shall be conducted in a manner that does not create a nuisance (public or private) under Nevada law or Churchill County Code.

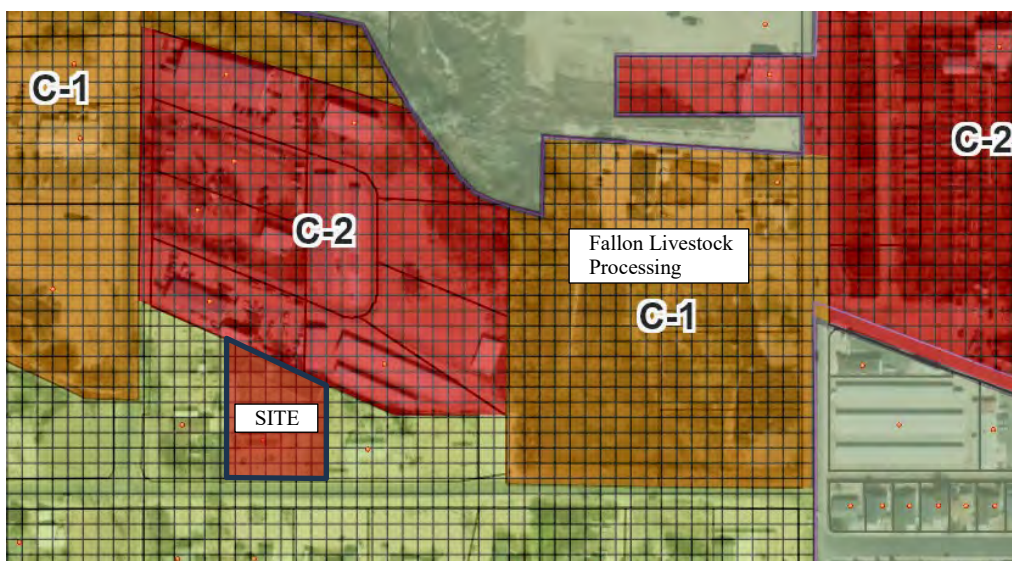
Application: Zoning Map Amendment from E-1 to either C-1 or C-2
Use Listing: Current - commercial (non-conforming) // proposed commercial (conforming)
Applicant: Rich McCartney for Fallon Livestock Processing
Owner: Thomas and Kay Inglis & Paula and Peter Uccelli (contract for sale)
Site: 2150 Mount View Drive (APN 008-811-06); 1.09 acres // Chinese-style roof building
Designations: Master Plan - Urbanizing // Existing Zoning – E-1
Proposed Change to Zoning – C-1 or C-2

Zone Change Summary: The applicant is requesting to change the zoning on the parcel from the existing E-1 single family zoning district (yellow) to a commercial zone – either C-1 or C-2. This is displayed below:

EXISTING ZONING (NOTE – hatching is unrelated)



PROPOSED ZONING – Either C-1 or C-2 (NOTE – hatching is unrelated)



Property History: The current owner, Thomas Inglis, verbally provided a history of the property during a site visit. The property was first purchased by his father in the early 1970s, along with a lot on both sides to the east and west. He then built and used the subject property as a construction contractor business since then. He later built both houses on either side of the business lot. The current block of C-2 zoned land north of the site was a farm at that time. Most on-site buildings were constructed in the late 1970s near the time the zoning code came into existence. Within the west end of the business building, there rooms set up as a kitchen, bathroom, and bedroom. Mr. Inglis indicates his father installed these so he could stay overnight rather than driving home to the family farm near Lahontan Dam - but he did not live on the business property.

The business would pre-date the current residential zoning district in place now. When the current zoning was established, the land to the north was given a C-2 zoning district. Unfortunately, the subject property was NOT given a commercial zone, even though it predated the lands changed to C-2. When the residential zone was applied to this parcel, it made the business a non-conforming use. Mr. Inglis indicates that there were discussions of trying to rezone the property, but those were not pursued.

The approach to nonconforming uses in our Code is that they can continue as they have, but they cannot be expanded, and they are expected to eventually go away. Unfortunately, the commercial use on the site has ceased for more than 1 year, so it has also lost its non-conforming status according to the County Code. Future uses would have to conform with the E-1 residential zone, which has limited business possibilities. Approval of this variance would more freely allow commercial uses on the property.

Proposal: The applicant is requesting a commercial zoning district consistent with the historic use of the property and is open to either C-2 or C-1 zoning district. The desired use of the site is a retail butcher shop to support the main business of Fallon Livestock Processing, which is located a couple of lots away. The company owns the entire corner of S. Allen Rd and Mount View Drive, where the business is located. No slaughtering or meat packing activity is proposed at this location. The applicant has verbally indicated that the former construction yard.

The primary issue for this proposal is the location within the residential area along Mount View Drive. The relationship to nearby commercial zones is illustrated on the images above:

- The C-1 zone is focused on retail commercial uses. This matches the applicant's plans for a retail butcher shop. There is no C-1 zoning abutting the property, but it is found a short distance away.
- The C-2 zone is focused on heavy commercial uses, including some industrial-like uses. Such uses are not very compatible with the adjacent homes on Mount View Dr., but C-2 zoning already abuts the rear of the property.

If approved, Staff recommends that C-1 would be more appropriate than C-2.

In reviewing the request, the Planning Commission should refer to findings for a Zoning Map Amendment:

CCC 16.08.060(E) Findings: The applicant for a zoning map amendment or consolidated development code amendment shall have the burden of proof to provide facts supporting the proposed zoning map amendment or consolidated development code amendment. For purposes of legal clarity, this shall include the burden of going forward with the evidence and the burden of persuasion on all questions of fact which are to be determined by the commission and the board. Additionally, the applicant shall provide adequate information in the application and on the site plan to substantiate the findings required in the subsection. The commission and board shall determine if the information presented is adequate to support their decisions.

- 1. *Before a zoning map amendment may be recommended for approval, the applicant shall provide evidence to the commission and board concerning the physical use of land and zoning currently existing in the general vicinity, and which have occurred in the previous five (5) year time period, and describe:***

Applicant – See application question #1 for a detailed response. The site has been developed for commercial use, with large buildings and storage areas. The surrounding zoning and land uses of the neighborhood are summarized. Staff summary – No changes have occurred in the last 5 years. The neighborhood has been built out as-is for many years, including this commercial property. Surrounding zoning and land uses:

- The south side of the property fronts on Mount View Drive. Properties east and west of the site, and south of the street are zoned E-1, and occupied by single family homes. E-1 zoning extends far south.
- Land north of the site is zoned C-2 Heavy Commercial, being served by a driveway loop for a group of lots occupied by businesses.
- One or two lots to the east and west of the property are C-1 zoned commercial areas along Taylor Place (west – near The Grid restaurant) and Allen Road (east). The applicant owns the C-1 zoned land along Allen Road, with the slaughterhouse and meat packing facility being a non-conforming use in the C-1 zoning district.

- a. *How growth and/or other development factors in the community support a change in the land use.***

Applicant – See application question #2 & #3 for a detailed response. The site has been commercial for 50+ years, since the 1970, and nothing has changed. Other commercial properties are in the area. Staff – There has been little commercial change from what is described above for many years, despite the presence of vacant lots. It is unknown why the property was not zoned for commercial, except that it was expected to eventually revert to residential use. There has been much community growth over the last 20-30 years and more interest in commercial development recently.

- b. *The change in land use represents orderly development and that adequate services and infrastructure to support the proposed land use are available in the area.***

Applicant – See application question #4 for a detailed response. Nothing will change with the rezone. It is near other commercial uses. Staff agrees that the change in zoning will not change the commercial use. It will allow the commercial use to continue without being nonconforming. The traffic capacity of Mount View Drive is adequate for a small increase in retail traffic. Fire and police service have adequate capacity to serve the development.

- c. *The change in zoning provides for an appropriate use of the land.***

Applicant – See application question #5 and #8 for a detailed response. The property has always been used as a commercial site. There is other commercial uses nearby. The property has never been residential, and commercial is a higher and better use. Water rights and agricultural use will not be affected. Staff - The proposed commercial zoning would match the long term commercial use of the site, and prevent it from being lost due to the non-conforming use ceasing operations. Given the history of predating the nearby residential uses, a commercial zone is appropriate.

- d. *The proposed zoning is in substantial conformance with the master plan and other adopted plans and policies.***

Applicant – See application question #6 for a detailed response. The property is bordering other C-2 & C-1 properties. There would be no effect on abutting property. Nearby vacant land is C-1. Staff - The Master Plan designates this area as Urbanizing, which allows all zoning districts. The requested

commercial zone conforms with the Master Plan. Since the commercial use of the property will not change due to the proposed rezone, other plans and policies have little applicability.

e. The proposed zoning and project is sensitive to and compatible with the use and development of the adjacent properties.

Applicant – See application question #7 and #9 for a detailed response. The proposed zoning is extremely compatible with other commercial uses. The butcher shop will bring food to the community. While it is the only commercial use on Mount View, the rezone aligns with properties to the north.

Staff - The commercial use predates nearby residential uses, so the burden of compatibility is normally on the residences. Both have coexisted for 50+ years. The proposed zoning will not change the site's sensitivity to and compatible with adjacent residential properties. The difference is that it will not go away, like nonconforming uses are supposed to.

2. The commission, in forwarding a recommendation to the board for approval of a zoning map amendment or consolidated development code amendment shall make the following findings of fact:

a. That the proposed amendment is in substantial compliance with and supports the goals and policies of the master plan;

Policy LU 2.5 states: "Churchill County shall only approve requests for rezoning, special use permit, land division and other development proposals that are consistent with the land use map, and the policies contained within the Master Plan." The Master Plan designates the area as Urbanizing, which allows a wide variety of conforming zoning districts, including commercial zones. So the proposed commercial zoning is allowed. Other goals and policies do not readily apply, since the commercial use would not change.

b. That the proposed amendment will provide for land uses compatible with existing adjacent land uses and will not have detrimental impacts to other properties in the vicinity;

The adjacent properties to the north, and a few lots to the west and east are currently used for commercial purposes. The proposed area of commercial zoning is compatible with them. The abutting lots to the east, west, and south are residential. Compatibility would normally be a concern with them, but the commercial use would not change with the proposed zoning. However, the nonconforming use would not go away – it would become conforming. If approved, staff recommends that commercial zone that is applied be C-1, to provide some protection to adjacent residences from industrial-style uses.

c. That the proposed amendment will not negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety and welfare.

Since the commercial use would not change, the rezone would not alter the impact or demand on services and facilities. Public sewer & water – These services and facilities are not available to the property, and there are not plans to make them available. Public Services – emergency and community services (a) are located nearby, (b) currently serve the area, and (c) have adequate capacity to serve future development. The change in zoning will not adversely impact these services and facilities. Public health, safety, and welfare –The effect on these services should change minimally with long-term commercial use of the site.

Publicly maintained roads – Mount View Drive serves the site. Few homes are served by the road, but the road also provides connection between Allen Road and Taylor Place for commercial traffic, especially to and from Walmart. This causes traffic to be higher than normally expected. It is a County maintained road that is in good shape, and of a configuration capable of handling the small increased demand from a retail business.

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 16.08.060(E) **HAVE** been met and therefore recommend that the Board of County Commissioners **APPROVE** the Zoning Map Amendment for Fallon Livestock Processing on 2150 Mount View Drive (APN 008-811-06) to change the zoning from E-1 to C-1.

Application:	Variance from Minimum Lot Size	Use Listing:	Agriculture & Residential
Applicant:	Cameron and Mandi Mills		
Owner:	2 Lots: Cameron and Mandi Mills & Gary and Katherine Mills		
Site:	4900 Saint Clair Road (APN 006-231-07) – 2.87 acres No address farm lot (APN 006-231-57) – 31.84 acres		
Designations:	Master Plan –Agriculture // Zoning – A-5		

Proposal: The applicants (Cameron and Mandi) own the large farm lot APN 006-231-57. Relatives (Gary and Katherine) own the small residential lot APN 006-231-07, which is a nonconforming lot size, being less than 5 acres. The residential lot has a portion that extends across the irrigation canal and abutting the adjacent farm lot. That area appears to have been farmed as part of the large lot.

The proposed Variance is from the 5-acre minimum lot size requirements for the A-5 zoning district that are found in Table 16.16.020.1. The proposed Variance is needed to allow the small nonconforming lot to be made smaller. Approving the variance would allow a Boundary Line Adjustment to proceed so that the small area of farm land and delivery canal on the residential lot can be attached to the farm lot. The proposed small lot size would be approximately 2.53 acres, as shown in the application materials.

In reviewing the request, the Planning Commission should refer to:

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 application indicates that the small area of farm field will be attached to the large farm field.

Staff comment - The proposal is similar to situations that the Planning Commission has approved, in which a farmstead is separated from the irrigated land for estate/financial reasons. In this case, the proposal is separating the farmed land so it can be attached to a different farm lot and kept in production.

- 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 application indicates difficulties for the small lot to irrigate and access the far side of the canal.

Staff comments – Staff agrees. Also see Criterion 1 regarding similarities to variances to separate farmsteads.

- 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 application indicates that there will be no impact. Staff comments - Staff agrees. The small change to attach the small area to the larger farm field should have no impact to neighbors, nor to public health, safety, or welfare.

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

The purpose and intent of the A-5 zoning district with its 5-acre lots size is stated in CCC 16.08.150. “This district is intended to preclude premature development of rural land on the fringes of the urban area while protecting the environment and providing for large lot single-family uses (five-acre minimum) that may include agricultural uses.” The application indicates there will be no impact. Staff comment. The boundary line adjustment is not intended to change developability of lots, so it is generally consistent with the intent of the provisions. The nonconforming lot will be made slightly smaller, but still adequate for residential use.

STAFF RECOMMENDATION:

APPROVAL

□ 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 **HAVE BEEN** met and therefore **APPROVE** the Variance application for Cameron and Mandi Mills to reduce the 5-Acre minimum lot size on 4900 Saint Clair Road (APN 006-231-07). 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 variance approves a reduction of the lot to approximately 2.5 acres to remove the canal and lot area on the other side of the canal, with the understanding that the exact acreage will be determined by the map survey.
2. The approval of this variance expires one year from the date of the final decision. The boundary line adjustment to move the parcel line must be submitted before expiration.

Application:	3 Variances from the requirements for Tentative Map: - Variance 1 from providing an easement for river protection on the map - Variance 2 from providing topography information on the map - Variance 3 from providing drainage information on the map		
Use Listing:	Vacant / residential / formerly farming		
Applicant:	Mic & Claudia Casey	Owner:	Michael & Claudia Casey
Representative:	Bell Land Surveying – Steve Bell		
Site:	14001 Cadet Rd. (APN: 007-071-16) – 221.87 acres		
Designations:	Master Plan – Agricultural // Zoning – A-10		

Project History: These 3 variance applications plus a previous variance application are in support of a Tentative Parceling Map for Mr. Casey. The project has been in planning stages for some time, and has changed to a number of different layouts to reduce costs of development.

- Originally, the project planned 10 acre lots matching the A-10 zoning district – however that would require frontage on paved roads, so Fisherman Road would have to be paved.
- The next version had 10 acre lots on Cadet Road since it is already paved, and 20 acre lots on Fisherman Road to avoid the paving requirement. This layout included lots extending across the irrigation canal which created bridge concerns. In addition, Cadet Road was found to not meet code standards and would need road improvements.
- After consultation with BOR and TCID regarding canal crossings, the current version proposes 20 acre lots to void road paving issues in all locations, with 40 acre lots across the canal to avoid building new bridges.
- In the review of this current version, information items that are normally required for Tentative Parceling Maps was not provided. The applicant is proposing variances from 2 information requirements to avoid the cost of preparing them. In addition, another variance related to river protection is being proposed.
- ***IT SHOULD BE NOTED*** that a Division of Land into Large Parcels can create any number of 40+ acre parcels in one map, and it is not subject to the Tentative Parceling Map requirements.

Project Summary: The applicants are proposing 3 Variances from the Tentative Parceling Map requirements. NOTE that another variance was previously proposed to waive the septic soil report requirement. That was approved. The Tentative Parceling Map and implementing parcel maps will be heard at a later date. These variances to waive basic submittal requirements have delayed consideration of the project map. Based on the outcome of these variances, the applicant will need to modify the submittal materials for the project, and it can move forward.

The Tentative Parceling Plan process is a means of doing the equivalent of a subdivision (being more than 4 parcels), without doing an actual subdivision. It uses serial parcel maps to implement the approved lot layout (split 3 small lots and a remainder; then on the remainder, split 3 small lots and another remainder; etc.). Among other requirements, these proposals must show (a) how the river protection easement requirement will be met; (b) describe the topography of the site, particularly where it is hilly; and (c) show the existing drainage patterns on the property and how they will be altered. A review of past Tentative Parceling Map projects show that these information items are normally included. The applicant asks to not provide the information that other projects have been required to provide.

These information items are required in the application, because the application is supposed to demonstrate that the project will work with regard to these items. It is not the County's job to do the research and

investigation to figure out whether the project will work. County staff is only supposed to confirm the information. The purpose of the variance items is described below.

- The river protection easement is Churchill County's chosen method of river and native feature protection during land division. The application is supposed to demonstrate how the project will meet the code to protect the river.
- Topography information is to assist the Planning Staff and Planning Commission with understanding the project and confirming that the project has taken topography into consideration.
- Drainage information is partly but not entirely dependent on topography. Drainage information is to assist the Planning Staff and Planning Commission (a) with understanding how drainage works on the project site, (b) seeing how the project might change the drainage patterns - especially onto other properties, and (c) confirming that the project has taken the drainage patterns into consideration and is showing how they will change or not change.

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.

The river easement application indicates that the owner needs to remove invasive-noxious weeds, and trim or remove downed trees. Staff comment – The application statement is wrong. The river protection easement is to protect “native vegetation”. It does not prevent the control of invasive or noxious weeds. However, some people consider native vegetation to be a weed, which is the point of the requirement. Placing it on the map is supposed to show how the code requirement will be met. This site is the exact situation the Code intended the river protection easement to be applied. There is no extraordinary or exceptional situation.

The topography information application indicates that no design features of the project will change by having contours. Staff comment – The need for the topographic information is not to assist the developer with project design, it is to assist the Planning Staff and Planning Commission with reviewing the project. There is no extraordinary or exceptional situation. This hilly parts of the site are the exact situation the Code intended the topography information to be applied.

The drainage information application indicates that the site drains to the river and no improvements are required for the parcels. Staff comment – The application statement is incomplete in the way that one could say that all drainage *eventually* makes its way to the river. After visiting the site, many drainage pathways are circuitous and unexpected. The need for the drainage information is not to assist the developer with providing drainage improvements, it is to assist the Planning Staff and Planning Commission with reviewing the project. There is no extraordinary or exceptional situation. This circuitous drainage pattern of the site is the exact situation where the Code intended the drainage information to be applied.

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 river easement application indicates that removing weeds would not be allowed. Staff comment – The application statement is wrong – it would be allowed. There are no peculiar difficulties or undue hardship.

The topography information application indicates “same as above” (that no design features of the project will change by having contours). Staff comment – The need for the topographic information is not to assist the developer with project design, it is to assist the Planning Staff and Planning Commission with reviewing

the project. There are no peculiar difficulties or undue hardship.

The drainage information application indicates “see above” (that the site drains to the river and no improvements are required for the parcels). Staff comment –The need for the drainage information is not to assist the developer with providing drainage improvements, it is to assist the Planning Staff and Planning Commission with reviewing the project. There are no peculiar difficulties or undue hardship.

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 river easement application indicates that services will not be affected. Staff comment – Protection of river native vegetation reduces erosion, bank failure, downstream sedimentation, and other important river functions. Removing the vegetation increases the risk to the public, the new parcels, and other properties.

The topography information application indicates “same as above” (that no design features of the project will change by having contours). Staff comment –The need for the topographic information is not to assist the developer with project design, it is to assist the Planning Staff and Planning Commission with reviewing the project. Approving projects without topographic information increases the risk to the public and other properties.

The drainage information application indicates “none”. Approving projects without drainage information increases the risk to the public and other properties.

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

The river easement application indicates that the variance to the code will allow removal of weeds. Staff comment – the variance would allow the opposite of the intent and purpose of the standard, with nothing serving as an alternative. It also conflicts with the safety elements of the intent and purpose of the title.

The topography information application indicates “same as above” (that no design features of the project will change by having contours). Staff comment –The need for the topographic information is not to assist the developer with project design, it is to assist the Planning Staff and Planning Commission with reviewing the project. Not requiring topographic information is contrary to the intent and purpose of the title and land use permit review to make decisions based on good information.

The drainage information application indicates “none”. Staff comment – Not requiring drainage information is contrary to the intent and purpose of the title and land use permit review to make decisions based on good information.

STAFF RECOMMENDATION: DENIAL OF ALL 3 VARIANCES

MOTIONS FOR FINDINGS: The motion should be modified by the Planning Commission as needed.

Variance from river protection easement

☐ Based on the information provided in the application, in the staff report, and heard tonight, I move that the findings **HAVE NOT BEEN** met for conformance with the criteria found in in CCC 16.08.090(F) and therefore **DENY** the application for a Variance from the river protection easement on APN 007-071-16.

Variance from topography information

□ Based on the information provided in the application, in the staff report, and heard tonight, I move that the findings **HAVE NOT BEEN** met for conformance with the criteria found in in CCC 16.08.090(F) and therefore **DENY** the application for a Variance from the topography information requirements on APN 007-071-16.

Variance from drainage information

□ Based on the information provided in the application, in the staff report, and heard tonight, I move that the findings **HAVE NOT BEEN** met for conformance with the criteria found in in CCC 16.08.090(F) and therefore **DENY** the application for a Variance from the drainage information requirements on APN 007-071-16.

IF APPROVED

If a variance is approved, there should be conditions of approval placed on it.

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 requirement to provide **[[STATE THE VARIANCE ITEM THAT IS APPROVED]]** is waived for the proposed land division project. Altering the project substantially may void this approval, and future development is subject to providing full information.
2. The approval of this variance expires one year from the date of the final decision. The land division application that implements the approved variance(s) must be submitted before expiration.

Application:	Special Use Permit
Use Table Listing 1:	Outside Storage w/Hazardous Materials – Used Battery Storage
Use Table Listing 2:	Explosion/Combustion Testing Facility – Used Battery Testing
Applicant:	NNV Investments / Redwood Materials
Owner:	New Nevada Resources (AKA New Nevada Lands) – land under sales contract
Site:	No address on Bango Road (APN 007-071-79) 438.42 acres – Near Safety Kleen
Designations:	Master Plan – Industrial // Zoning – Industrial

Summary: NNV Investments LLC is a subsidiary of the Redwood Materials company, which is in the battery recycling and remanufacturing business. The company has other facilities in the USA Parkway area and Carson City. This very large property will have multiple uses. Two uses are proposed at this time, and a third will come later. Uses 1 and 2 are of limited scale at this time, and will expand over time using phasing.

- Use 1 will store end-of-life batteries on the property in an outdoor setting as staging for later disposition to different routes – this is described in more detail below. Stand-alone outside storage requires a Special Use Permit, as does handling of hazardous materials.
- Use 2 will do battery testing on those batteries that still have storage capacity to determine if they are suitable for later use, such as in the 3rd proposed use. Explosion/Combustion Testing requires a Special Use Permit.
- Use 3 will be submitted later, and is a solar power facility that will include battery storage using repurposed batteries that still have storage capacity. A Renewable Energy Facility will require a Special Use Permit in the future.

Outdoor battery storage

The company focuses on lithium-ion batteries, especially those recovered from end of life electric and hybrid cars, but including those for purposes. Batteries are acquired from different sources and will be brought to the storage yard. Batteries are shipped and stored in large packages. For example, large vehicle battery packs are normally self-contained, and smaller batteries are packaged in large drums or other containers. Batteries packages will be stored using racks to keep them off the ground. Battery packages will also be covered using tarps, etc. where needed for protection from the elements.

The application indicates that the battery storage yard is planned to cover 35 acres north of Bango Road and adjacent to the Safety Kleen property. It includes 3 proposed phases. Phase 1 & 2 will border a dry stream pathway running through the property. Phase 3 is more than half of the total area. A recommended condition addresses the timing of this phasing.

Battery storage will be arranged on a grid pattern using 900 sf areas (~30'x30'), spacing of 10' or more, and a height limit of 10'. This provides separation to help contain any fire that might happen. The operational planning uses the International Fire Code standards. **Note** that the Fire Marshal would like changes to this patterning.

The storage yard will be fenced, including security measures such as gates, electronic surveillance, etc. The applicant verbally indicates there could also be night security guards on-site. The fence will be screened with view obscuring material.

The application indicates that the site's operational hours will be 6am-6pm, being a 12 hour day. The day operations will have approximately 12 employees, and there could be 1-2 night guards. **NOTE** that a future night operations shift must be approved in a Special Use Permit. The storage yard will have an office and parking area. Temporary services are proposed to start with, being a "connex office," generator power, portable toilets, potable water tank. Temporary services are not normally allowed for permanent businesses.

Temporary offices can be approved through a Temporary Use Permit (administrative review). Staff recommends a condition to ensure permanent facilities are installed before the 1st annual review. The Building Official indicates that a permanent foundation will be needed for the office.

R&D Center / battery testing facility

The R&D Center will test batteries for safety in other uses. This is similar to the NNCR/Tesla facility in the County, though the testing is not focused on the extreme-condition testing done at that facility. Even with lower stress testing, fire and explosion of battery packs is possible.

The application indicates that the R&D Center will be a bit over 2.5 acres located south of Bango Road, and SW of a wetland on the property. The testing area consists of a 75'x75' concrete pad, that is enclosed by block walls except for the access opening. The application text also describes a second area of similar size as a future phase, and the site plan shows a 3rd phase. A recommended condition addresses the timing of this phasing.

The site has a small battery storage area that will use the battery storage pattern described for the storage yard. This would normally require screened fencing, but the applicant verbally indicates that this is for "staging" during testing activity, not for long term storage. During testing periods, small groups of batteries are moved to the site as needed. The application describes the site has having low visibility from adjacent properties and the highway. With these stipulations, fenced screening is not needed for the testing storage at this time. This may change with site expansion, including later phases.

The application indicates that the R&D's site operational hours will be a few days a month between 6am-6pm. When operated, there will be 4-5 employees. **NOTE** that the limited use is likely to increase over time, which will increase employees, traffic, demand for facilities, and other impacts. The R&D Center will have an office and parking area. Temporary services are proposed to start with, being a "connex office", generator power, portable toilets, potable water tank. Temporary services are not normally allowed for permanent businesses. Temporary offices can be approved through a Temporary Use Permit (administrative review). Staff recommends a condition to ensure permanent facilities are installed before the 1st annual review. The Building Official indicates that a permanent foundation will be needed for the office.

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 battery storage yard and testing facility is vacant desert or nearby industrial development, along with extensive linear facilities such as power transmission lines, gas transmission lines, rail lines, and canals. Some of the nearby vacant land is checkerboarded federal land. Nearby are industrial uses that include the Safety Kleen refinery, Little John wrecking yard, and rail transloading locations with minor facilities. The closest residential use is about ½ mile away, next to Little John's. Other residences are nearly 1 mile away or more to the south. The proposed testing facility is compatible with surrounding uses. Also see Criterion 5 for environmental impacts.

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. The site has a Master Plan designation of Industrial, with the Industrial zoning district. **Explosion/ Combustion Testing is allowed** in the use table, needing an SUP. Most Master Plan policies are not applicable to industrial activity, other than general support for it. 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, 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, including:

- **Setbacks and Easements:** Setbacks are required to ensure development provides reasonable separation from adjacent properties and roads. The R&D Center is centrally located, so setback and easement requirements are met. The battery storage area fronts on road easements along Bango Road and along the west property line. Outside storage must not be located within the required setbacks. The road setback is 40' plus an additional 30' for higher speed roads like Bango Road, for a total of 70'. No facilities are placed near side or rear property lines, so those setbacks do not come into play. A gas pipeline easement runs through the Phase 1 storage area, being Doc# 408648. The applicant should contact the gas company (Paiute Pipeline or SW Gas) regarding storing materials within the easement. The office and other structures cannot be placed within the easement.
- **Sewer and water facilities:** The facility proposes the battery storage area and R&D Center offices to operate on temporary facilities, being “connex office”, generator power, potable water tank, and portable toilets. But the facility will be operating on a daily, permanent basis, with a full staff present. Temporary facilities are not acceptable. Permanent restroom facilities are recommended in conditions of approval, though the applicant has verbally asked for time to implement them. Recommended conditions of approval will require permanent facilities using a well and septic system before the 1st annual review.
- **Permanent Business Facilities:** The applicant proposes to operate the business out of “office connexes”. But federal, state, and County law requires permanent businesses to operate out of permanent facilities with an on-site business office, restroom and sanitation facilities, employee break and information (OSHA, safety, notices, etc.) facilities, customer facilities, etc. Doing so also ensures there is a legitimate business license location, legitimate addressing, and maintains the community image. Permanent facilities can include manufactured options, as long as they meet building code construction standards, or acceptable manufactured structure standards for human occupation, or are engineered to Building Department satisfaction. Recommended conditions of approval would require that permanent office facilities be installed that include restrooms for employees and visitors. This would require a permanent foundation.
- **Signage and Lighting:** The applicant proposes no standard advertising signage – but rather directional signage for delivery drivers that will meet the sign code. Normal operations will be during daylight hours. But security lighting is proposed using portable light towers the applicant verbally indicates are solar and battery powered. Normally these use flood lighting which does not meet the lighting code. A recommended condition of approval requires conformance with the County’s Dark Skies lighting requirements, which does not allow horizontal and upward floodlighting. This will require having adjustable fixtures and providing more towers to provide light coverage, which in turn will need careful choosing of light tower models.
- **Outdoor Storage & Screening:** The main use is outside storage, and the application proposes a screened security fence or berming along public facing sides. The Code requires full screening rather than partial. However, some sides are planned for other facilities that will provide alternative

screening. Staff recommends that screening requirements be met unless an alternative is approved in a Variance. In addition, the placement of the battery storage area screening along Bango Road must be shifted back 10' to accommodate the landscape buffer along the road. The R&D Center also has a small battery storage area that would normally need to be enclosed by a screened fence. But since it is actually used for temporary "staging", and is infrequently used, screening is not required at this time. A recommended condition points out that future testing area expansion may result in the need for screening.

- **Parking and Landscaping Requirements:** Explosion and combustion testing does not have a defined parking requirement, so parking must be determined by the Administrator. The administrator determines that 1 space per employee, similar to the parking requirement for manufacturing, is appropriate. The application states the R&D Center will have 4-5 employees, and provides a parking lot 5 spaces, including an ADA parking space. This appears to provide adequate parking at this time. The application states that the battery storage site will have 12 employees, and provides a parking lot with 10 spaces, including an ADA parking space. An additional 2 parking spaces are needed at this time. The driveways and parking area will be graveled. **NOTE** that ADA parking spaces must also include an accessible pathway into the office. Employee parking demand is expected to change with phasing.

The landscaping code requires 1 parking lot tree in each parking lot – this should be located next to the office and ADA accessible space, where a water source is available for irrigation. A landscape buffer for Bango Road is required, which means the fence needs to be shifted to be inside the landscape buffer. The application does not provide details, but proposes to use native plants for landscaping. The applicant verbally indicated plans to avoid grading native vegetation, and discussed non-planting landscape alternatives, such as decorative gravel, boulders, etc. A recommended condition of approval would require providing a landscaping plan for the parking areas, the driveway intersection for the testing facility, and the Bango Road frontage for the battery storage area.

- **Friction Zones:** The County Code has friction zone requirements for separation between industrial and other uses, but none apply in this case. It also includes a ½ mile separation between Explosion/Combustion Testing facilities and local highway corridors, which the project meets.
- **Community Development Fees:** New businesses are subject to the County's Road Impact Fee and Water Fee (payment in-lieu-of water dedication). These must be paid with any permits obtained from the Building Department. Normally, the water fee would be paid with concurrent installation of a well for a permanent business. Since the proposal is trying to avoid the installation of permanent facilities, a recommended condition would require the fee with installation of the first office structure.
- **Water Features & Native Features:** Multiple requirements within CCC 16.16.010.1-5 require the protection of water features and native features. There is a long ravine that drains most of the surrounding square mile, passes through the site, and discharges onto private property a mile or so downstream. The large ravine branches into smaller dry stream paths. Another dry stream passes through the south area of the property. The proposed battery storage area extends to the edge of a smaller ravine and drainage path, without extending into it. Stormwater drainage carrying battery residues is a concern discussed in Criterion 5. There are also wetlands on-site, the largest being adjacent to Bango Road (showing on the site plan photo), at the upper end of the large ravine. There are also pockets of playa ponding in the north area of the site that may or may not be wetlands. The current project will not affect them, except for the road upstream from the large wetland. Staff recommends conditions of approval regarding water feature and natural feature protection.

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

There are no public sewer and water services on or near the site. No permanent private sewer and water service are currently installed. Only portable services are proposed and are discussed under Criterion 2, including recommended conditions. Demand for fire and medical services to this remote location will increase with the 2 battery facilities.

The application proposes that a “300 gallon fire suppression” vehicle will be on-site. In addition, fire water tanks will be on site. The Fire Marshal has been working with the applicant on a number of points to improve fire and emergency response. Specific requirements are being worked out to be included in an Emergency Management and Response Plan, such as:

- Increasing the aisle spacing between the 900 sf battery storage areas.
- Find ways to reduce the 900 sf battery storage areas when the yard is not at capacity.
- Provide on-site vehicle capable of dealing with smaller events and/or containing larger events until Fire Department can arrive.
- Provide a minimum amount of drive paths through the storage areas that are strong enough for a fire truck – minimum spacing 300 feet. Soils may need them to be engineered.
- Provide on-site water storage
- Provide firefighter training opportunities related to the special issues of the business.

Staff recommends that the Emergency Management and Response Plan be developed to the satisfaction of the Fire Marshal. With appropriate conditions of approval, public services and infrastructure will not be overburdened. Roads are discussed below.

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

County Code requires both legal and physical access to the site. These are provided by Bango Road, a County-maintained road in an 80’ road easement. While this road is considered paved, it is actually just “double chip sealed”, which is not a robust construction standard for heavy truck traffic. Bango Road was previously gravel until the Bango Oil re-refinery (now Safety Kleen) was constructed. At that time, the project was required to double chip seal the road, and the County took over maintenance.

The proposed project will increase heavy vehicle traffic, both with extensive grading and with battery deliveries. The application indicates that battery deliveries in and out of the site are expected to be approximately 10 visits (20 trips) per day. Employee traffic raises this number to an estimated 44 trips per day. Traffic will change with future phasing. While Bango Road may be able to handle the initial traffic, damage and repair needs will increase with phasing. Improvements to Bango Road will eventually be needed in the future, but are not required at this time. A recommended condition will require the business to participate in future upgrades to Bango Road in coordination with other industrial users on the road.

Another issue is that after reaching the Safety Kleen property, Bango Road quickly degrades in structural capability, safety, and even leaves the official road easement. At the worst, it climbs up on the railroad bed and crosses the canal over an 8 foot width that is failing at the bridge. The official 60’ road easement runs along the west side of this parcel for 2/3 of its length before ending, being centered on the west property line. Staff recommends that the easement be continued to the north property line, which will also provide a better canal crossing location. This would allow a future relocation of Bango Road that can

correct safety and structural problems, as well as provide a perimeter road for future property development.

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 environmental impacts will be:

(a) Dust will be generated from construction and the extensive grading on the site – being nearly 40 acres. State permits will require reasonable prevention of dust during grading and construction. The County dust control permit will require that a point of contact be provided in the event of complaints received.

However, it needs to be pointed out that the soils on the property are exceptionally fine and powdery. Over time, they form a crust from wet weathering that holds down the dust. In addition, the fine texture makes them somewhat resistant to infiltration and more susceptible to causing runoff. When these soils are disturbed they are highly susceptible to dust generation. Staff recommends that particularly aggressive dust control practices be implemented during grading and construction, and that disturbing the soil crust not be allowed needlessly.

(b) Noise from battery testing. This will be intermittent, but could be loud events. However, this is much less likely than the extreme stress testing that other facilities undertake. No special conditions are needed.

(c) Materials released when batteries catch fire or explode. This can include both battery testing and battery storage, and can result in both air emissions and discharges in stormwater runoff from the burned areas. As noted above, this is much less likely than the extreme stress testing that other facilities undertake. Conditions are recommended to deal with the issues below.

Regarding air emissions - Similar battery facilities in the County seem to be exempt from NDEP air permits. A recommended condition of approval requires obtaining a letter from NDEP confirming that the testing and storage facility are exempt air permits.

Regarding stormwater runoff discharges - Exploded or burned batteries at the testing area will release hazardous chemical residue onto the testing pad. A recommended condition of approval requires stormwater control of the concrete testing site pads, to contain residues that wash off during firefighting and storms. In the storage area, there may be rare instances of battery fires consuming a battery storage grid area. A condition is recommended to deal with these instances. Storm drainage can carry battery residues into dry stream paths, the ravine, and downstream to the private property the ravine discharges onto. Drainage from battery storage areas should be controlled to deal with this consideration. These considerations can be incorporated into any state pollution prevention permits that are obtained, or developed separately. Such measures must be documented by a professional with stormwater management expertise showing the adequacy of the retention basin.

STAFF RECOMMENDATION: **APPROVAL - as provided below.**

MOTION FOR DECISION: 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 that the findings **HAVE BEEN** met for conformance with the criteria found in CCC 16.08.080(H) and therefore **APPROVE** the application for a Special Use Permit to establish an outside battery storage facility and a battery testing facility on APN 007-071-79. 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 annual review to ensure compliance with conditions and code requirements until the Planning Commission determines such is no longer necessary.
2. This approval includes authorization for phased construction. All phases must be completed within 5 years, or a new SUP must be obtained.
 - a. Each phase must obtain a Zoning Review to document code compliance, the adequacy of required facilities, and conformance with previous requirements.
 - b. Expansion of operations with phases may require additional facilities.
 - c. Nighttime operations are not authorized, and require a new SUP.
3. The project must be constructed and remain in compliance with Churchill County Code, including but not limited to:
 - a. Any necessary building permits must be obtained for alterations.
 - b. A business license must be obtained or updated.
 - c. One parking space per employee is required. At this time, 5 parking spaces are required for the testing facility, and 12 parking spaces are required for the battery storage facility. More may be required with future phasing.
 - d. Outdoor lighting, including portable lighting towers, shall meet the County Lighting Code.
 - e. A landscape plan shall be provided that meets Code standards.
 - f. The outdoor storage screening standards must be met. Battery storage in the testing facility may require screening with future phases. The screened fencing along Bango Road shall be shifted for the 10' landscape buffer to be outside the fence. Screening shall be provided around the storage yard, unless a Variance is obtained to defer screening until alternative screening features are installed.
4. Temporary Use Permits shall be obtained for the placement of temporary offices.
5. Permanent office facilities shall be constructed before the 1st annual review. This shall include permanent office buildings with foundation, restrooms, service facilities (water well, septic system, and power), and employee and visitor facilities. The facility shall meet acceptable construction standards suitable for human habitation/occupation satisfactory to the Building Department.
6. The County's Road Impact Fee and the Water Fee (payment-in-lieu of water dedication) must be paid for the business at the time of installation of the first office, whether temporary or permanent.
7. Before operations begin, the applicant shall prepare an emergency management and response plan to the satisfaction of the Churchill County Fire Marshal.
8. Before earthmoving begins, a Pollution Prevention Plan that is acceptable to the Director shall be prepared by a professional with stormwater management expertise that documents the adequacy of control measures for pollution generated by exploded or burned batteries. The plan may be incorporated into other similar permit, or submitted separately. The plan shall include:
 - a. Stormwater facilities for the testing area, that can be implemented for the 3 phases.
 - b. Control measures for pollution runoff generated by fires in the battery storage areas that will prevent pollution from entering ravines and leaving the site, that can be implemented for the 3 phases
9. It is recommended that the applicant implement particularly aggressive dust control practices during construction and avoid disturbing soil crust unnecessarily.
10. Before fence construction, the existing road easement along the west property line shall be extended with an additional easement that is 60' in width and reaches to the north property line.

11. The facility must participate in future Bango Road improvements that are organized by the County in coordination with other industrial users of the road.
12. Development on the property shall protect ravines from disturbance, and shall avoid wetlands. The testing facility driveway shall be designed to pass storm flows rather than impounding them, so water flow to the wetland is not obstructed.
13. The applicant shall provide documentation of meeting state and federal agency permits and requirements, including but not limited to:
 - a. Nevada Division of Environmental Protection, Bureau of Air Pollution, permits or exemption letters for dust control and air/chemical emissions, etc.
 - b. Nevada Division of Environmental Protection, Bureau of Water, permits or exemption letters for stormwater control, industrial pollution prevention, etc.

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
March 12, 2025**

Marshall's Septic Care, 4250 Reno Hwy, APN 008-461-07



**Out West Buildings, 7450, 7490 & 7300 Reno Hwy,
APNs 007-251-52, 007-251-53 & 007-251-71**

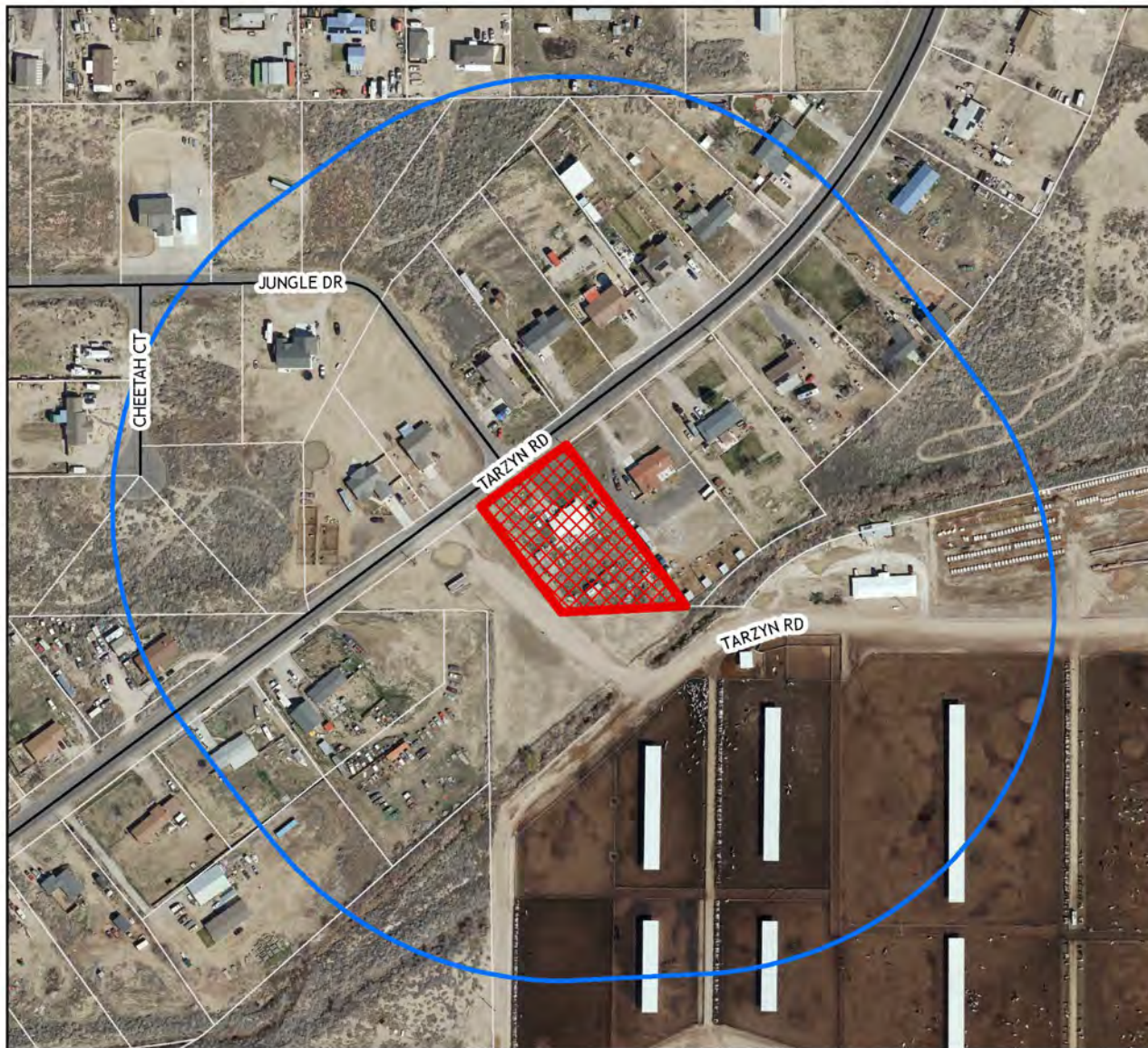


Frances Lee, Home Business SUP, 1600 Tarzyn Ln, APN 010-451-02









Special Use Permit
Frances Lee
1600 Tarzyn Rd
APN: 010-451-02

Notification Boundary
per Churchill County
Code 300 Feet
This Notice: 600 Feet



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|-----------------------|--------------------|
| Zoning | Lakes & Reservoirs |
| E-1 | Carson River |
| R-1 | Property Lines |
| R-2 | Subject Property |
| A-5 | |
| A-10 | |
| C-1 | |
| C-2 | |
| I | |
| RR-20 | |
| Special Restriction's | |

This map is intended to depict approximate boundaries and does not represent a survey. Any area determination or dimensions are estimates, or approximate measurements. 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.

Prepared By: Diane Moyle
 Churchill County Planning Department
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Fallon Livestock Processing Zone Change, 2150 Mount View Dr APN 008-811-06





(1 of 4)



Assessor Parcel Number 008-811-06

Address / Location: 2150 MOUNT VIEW DR

View [Assessor Information](#)

View [Plat Page 008-81](#)

(Links open in a new browser window/tab)

Zoom to





Zone Change
Thomas Inglis
2150 Mount View Dr
APN: 008-811-06

*Notification Boundary
per Churchill County
Code 300 Feet
This Notice: 550 Feet*



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|-----------------------|--------------------|
| Zoning | Lakes & Reservoirs |
| E-1 | Carson River |
| R-1 | Property Lines |
| R-2 | Subject Property |
| A-5 | |
| A-10 | |
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| RR-20 | |
| Special Restriction's | |

550



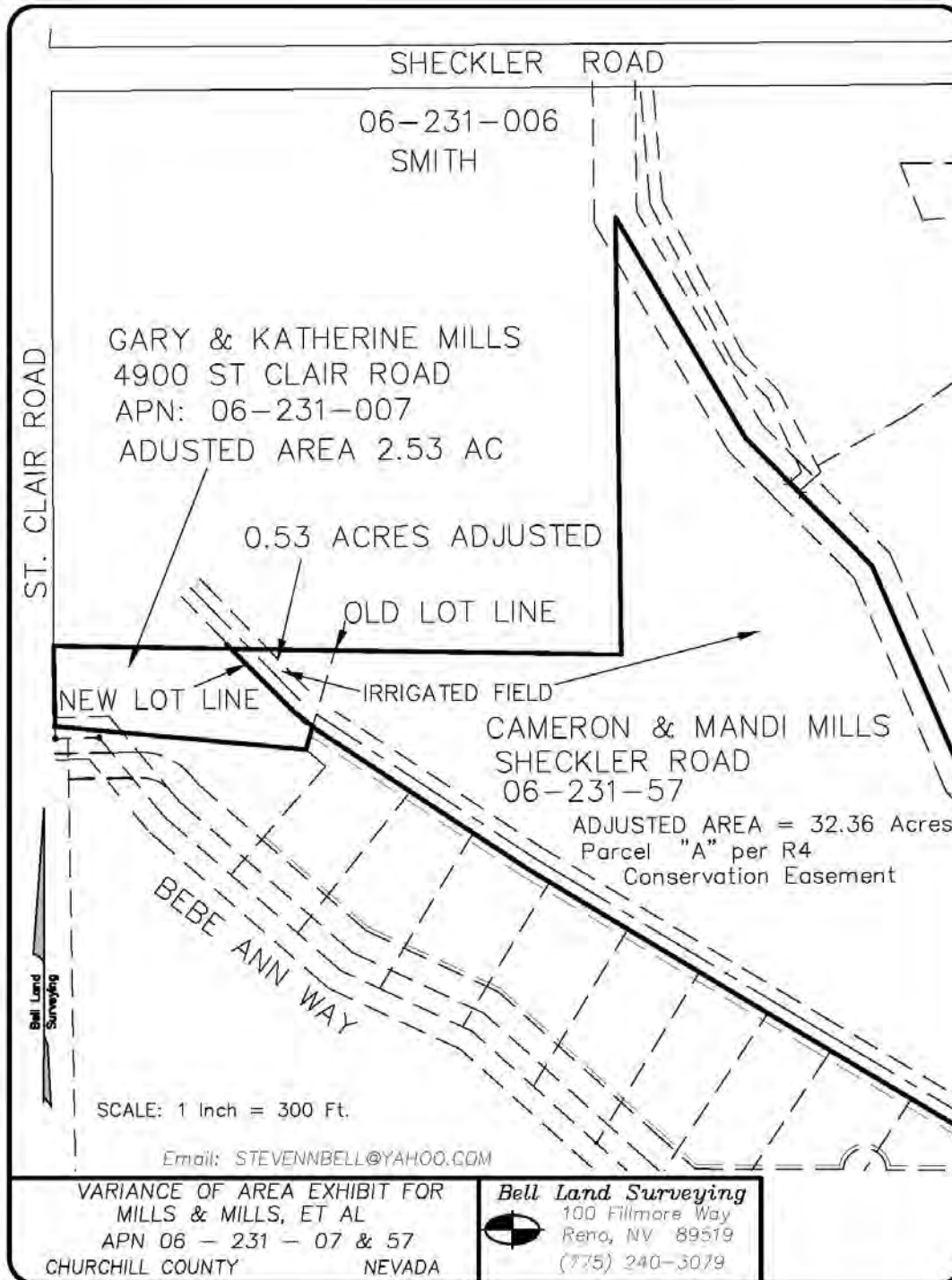
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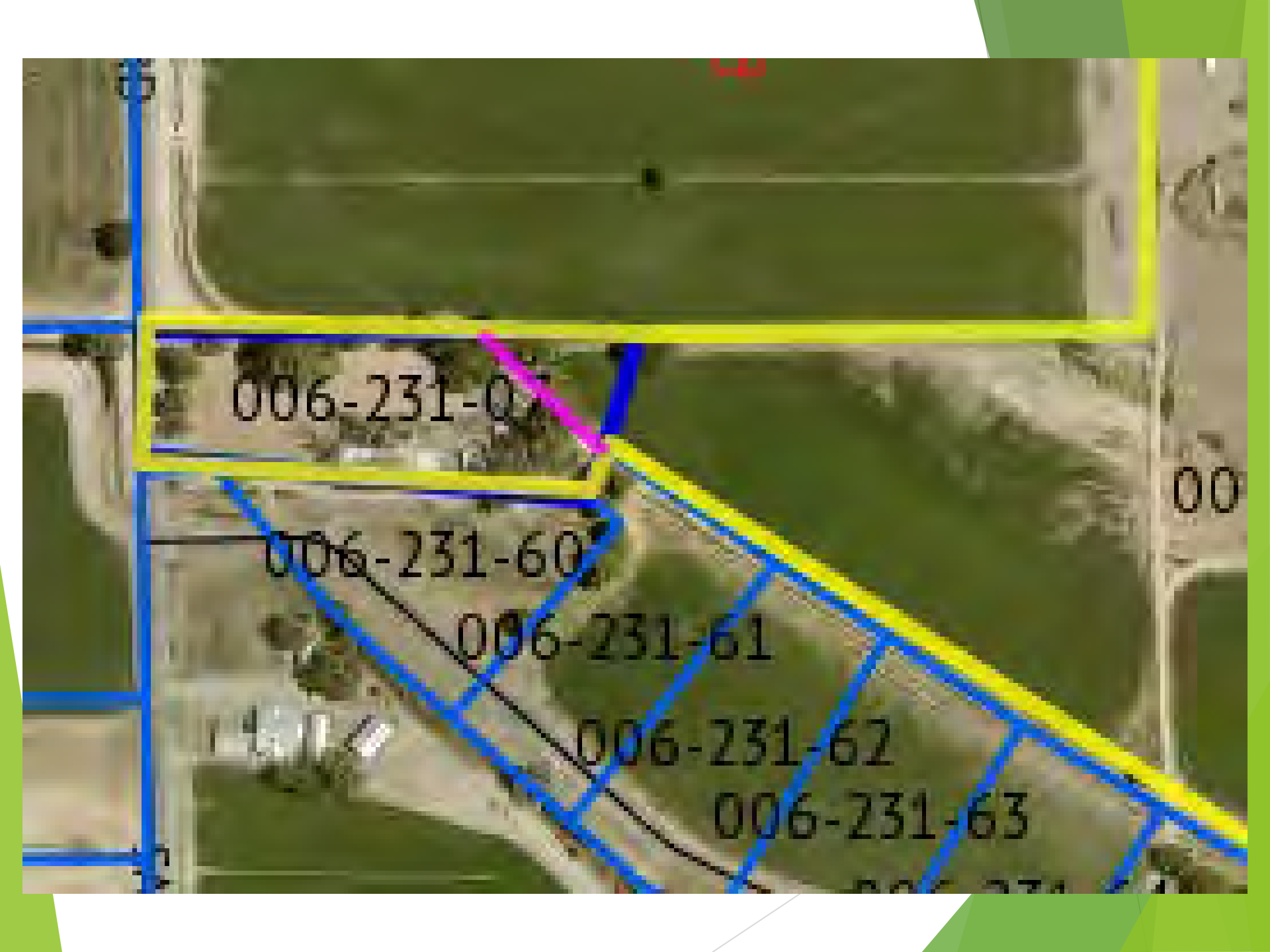
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Churchill County Planning Department
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**Mills, Variance of Lot Area, 4900 Saint Clair Rd
APNs 006-231-07 & 006-231-57**





An aerial photograph of a landscape, likely a golf course or park, with several colored overlays. A yellow line forms a large rectangular boundary at the top. A blue line forms a series of connected shapes, including a large triangle on the right and a vertical line on the left. A pink line segment connects the yellow and blue lines. Various parcel numbers are overlaid on the map. The numbers 006-231-07, 006-231-60, 006-231-61, 006-231-62, and 006-231-63 are clearly visible. Other numbers like 006-231-08, 006-231-59, 006-231-64, and 006-231-65 are partially visible. The background shows green grass, trees, and some buildings.

006-231-07

006-231-60

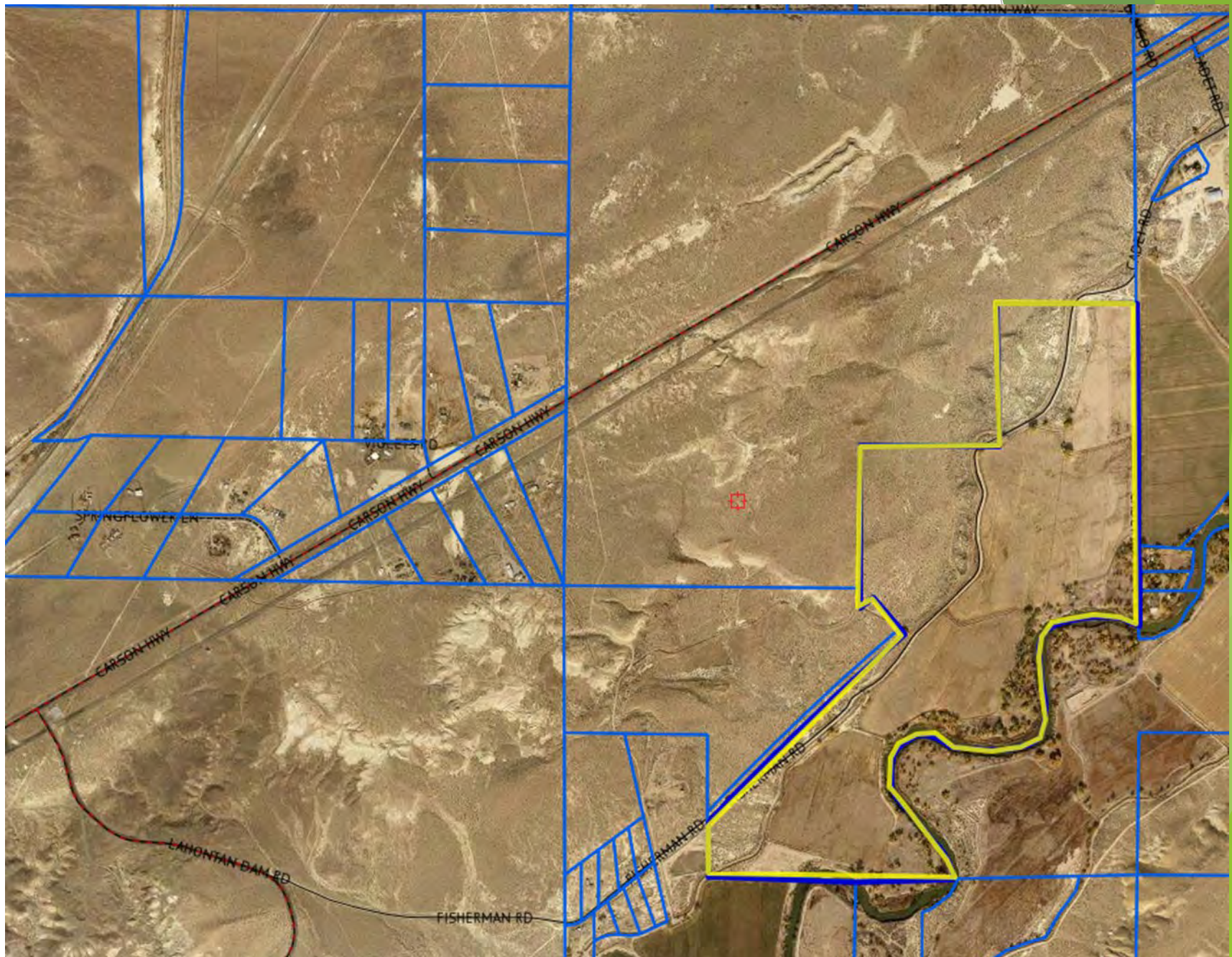
006-231-61

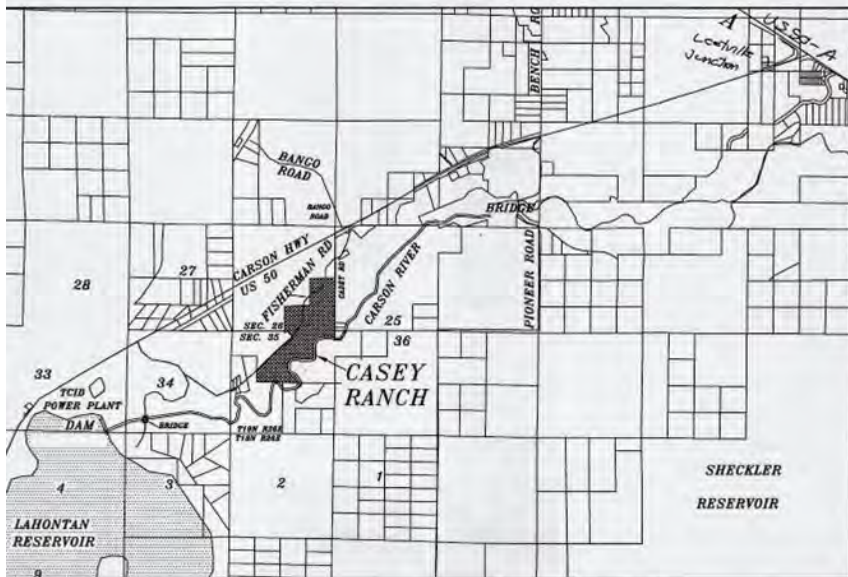
006-231-62

006-231-63

00

Casey, 3 Variance Applications, 14001 Cadet Rd, APN 007-071-16





PROJECT INFORMATION

ASSESSED OWNER: MIC & CLAUDIA CASEY
ADDRESS: 14001 CADET ROAD
REFERENCE: WESTERN NEVADA TITLE COMPANY
COMMITMENT No. 01-45780-23
APN: 7-071-15
ZONING: A-10
TOTAL AREA: 221.87 ACRES ±

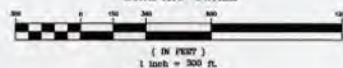
NOTES

- SEPTIC LOCATIONS ARE BASED ON A SEPTIC SIZE OF 20'X100'. ACTUAL SIZE MAY VARY ACCORDING TO SOIL PROPERTIES. AN ENGINEERED SEPTIC SYSTEM DESIGN MAY BE REQUIRED BASED ON WATER TABLE LEVEL, SOIL PROFILE, & PERCOLATION TEST RESULTS.
- A CHURCHILL COUNTY BUILDING PERMIT FOR A RESIDENTIAL HOME MAY OR MAY NOT BE APPROVED BY THE BUILDING DEPARTMENT.

LEGEND

- SECTION OR 1/4 CORNER, AS DESCRIBED.
- 1/16 CORNER, AS DESCRIBED.
- FOUND MONUMENT AS NOTED.
- (R3) MEASURED & RECORD DATA PER REFERENCE.

GRAPHIC SCALE



LEGEND

- LEACH FIELD
- POSSIBLE WELL AND SEPTIC AREA SHOWING THE LAYOUT IS POSSIBLE IN THESE PARCELS.

PUBLIC UTILITY EASEMENTS

10' ON EXTERIOR BOUNDARY
5' ON EACH SIDE OF INTERIOR LOT LINES
7.5' ALONG ROAD EASEMENTS

OPEN RANGE NOTE

PURSUANT TO N.R.S. 569.440 AND N.R.S. 569.450, NEVADA IS AN OPEN RANGE STATE AND IT IS THE RESPONSIBILITY OF THE PROPERTY OWNER TO FENCE OUT LIVESTOCK.

RIGHT TO FARM NOTE

THIS MAP IS SUBJECT TO THE PROVISIONS OF N.R.S. 40.140 AND CHURCHILL COUNTY CODE, AND PROVISIONS IN THIS CODE REGARDING THE RIGHT TO FARM.



SURVEYOR'S CERTIFICATE

I, STEVEN N. BELL, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF NEVADA, CERTIFY THAT: THE ORIGINAL PARCEL DOES NOT EXCEED AN AVERAGE SLOPE OF 5% AND THAT THE FEMA FLOOD ZONES ARE SHOWN

STEVEN N. BELL
STEVEN N. BELL, PLS 11420



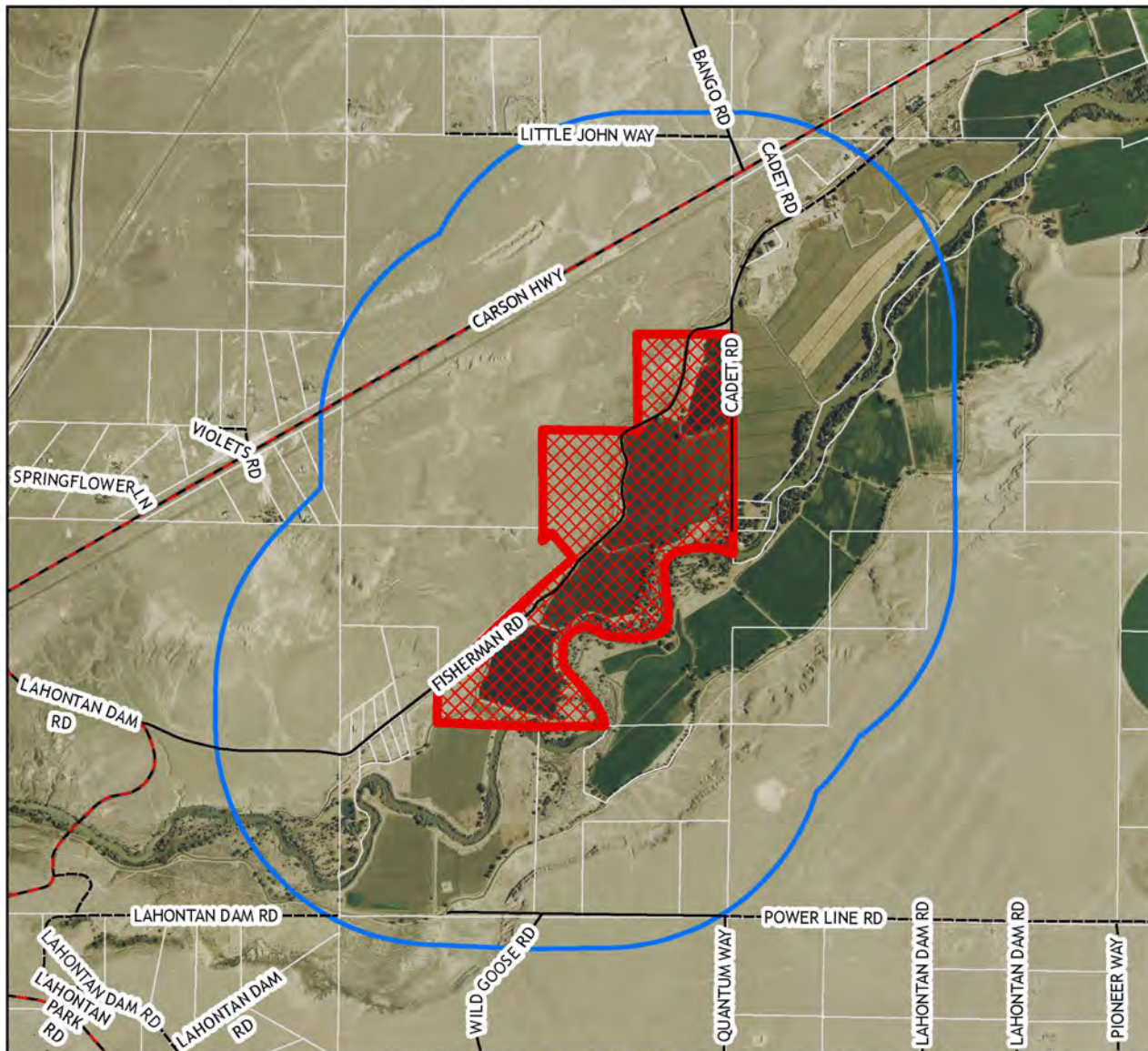
TCID I.D. #

**TENTATIVE MAP FOR
MICHAEL & CLAUDIA CASEY**
PARCEL A OF RECORD OF SURVEY DOC. 508145
A PORTION OF THE SE 1/4 OF SECTION 26 AND THE
N 1/2 OF SECTION 35, T.19 N., R. 26 E., M.D.B. & M.
CHURCHILL COUNTY NEVADA



Bell Land Surveying
100 Fillmore Way
Reno, Nevada 89519
(775) 240-3078 FAX: (775) 423-8701
Email: STEVEN@BELL1994HOG.COM

SHEET
1
OF 1



Variance
Michael and Claudia Casey
14991 Cadet Rd
APN: 007-071-16

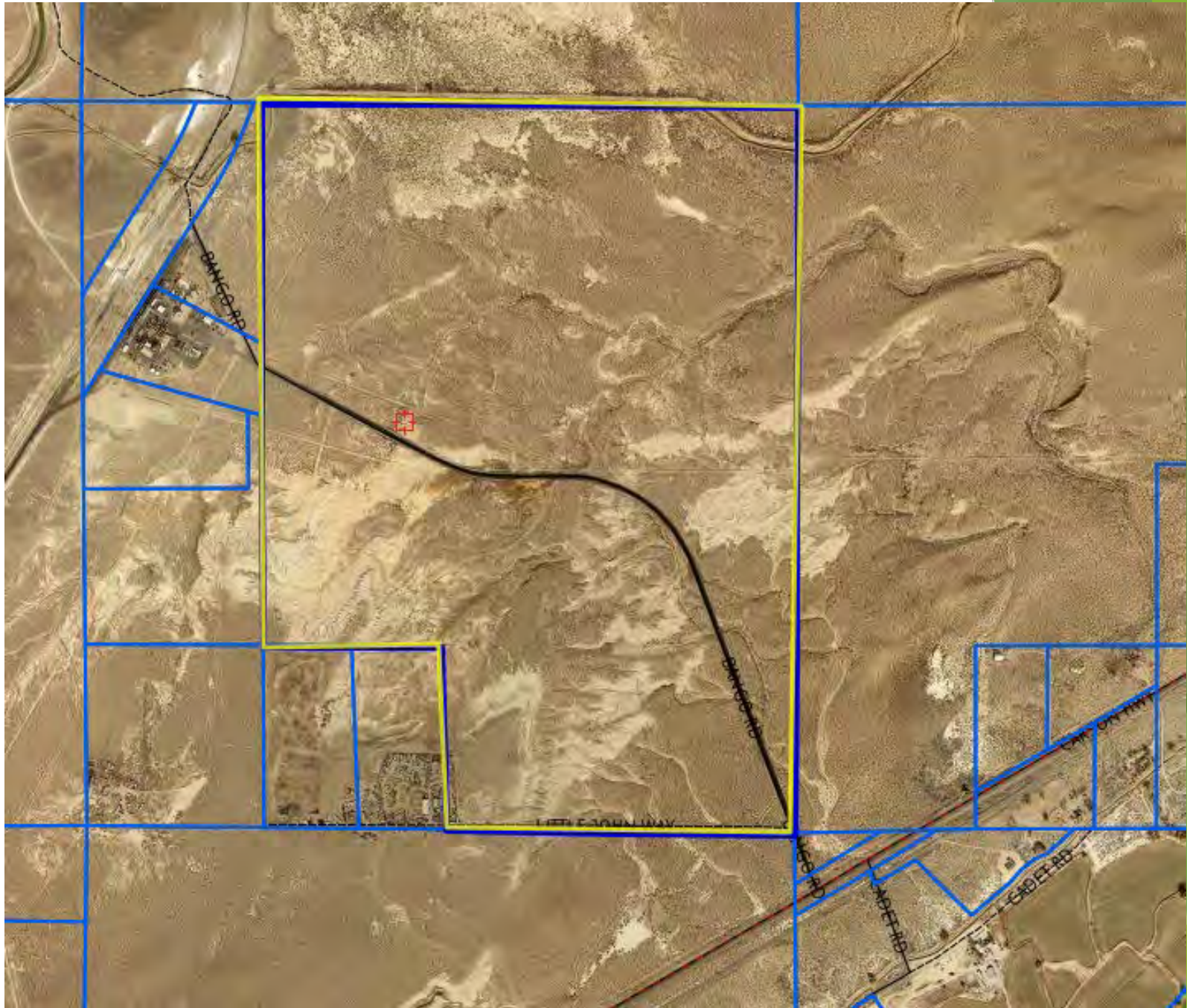
Notification Boundary
per Churchill County
Code 300 Feet
This Notice: 3,000 Feet

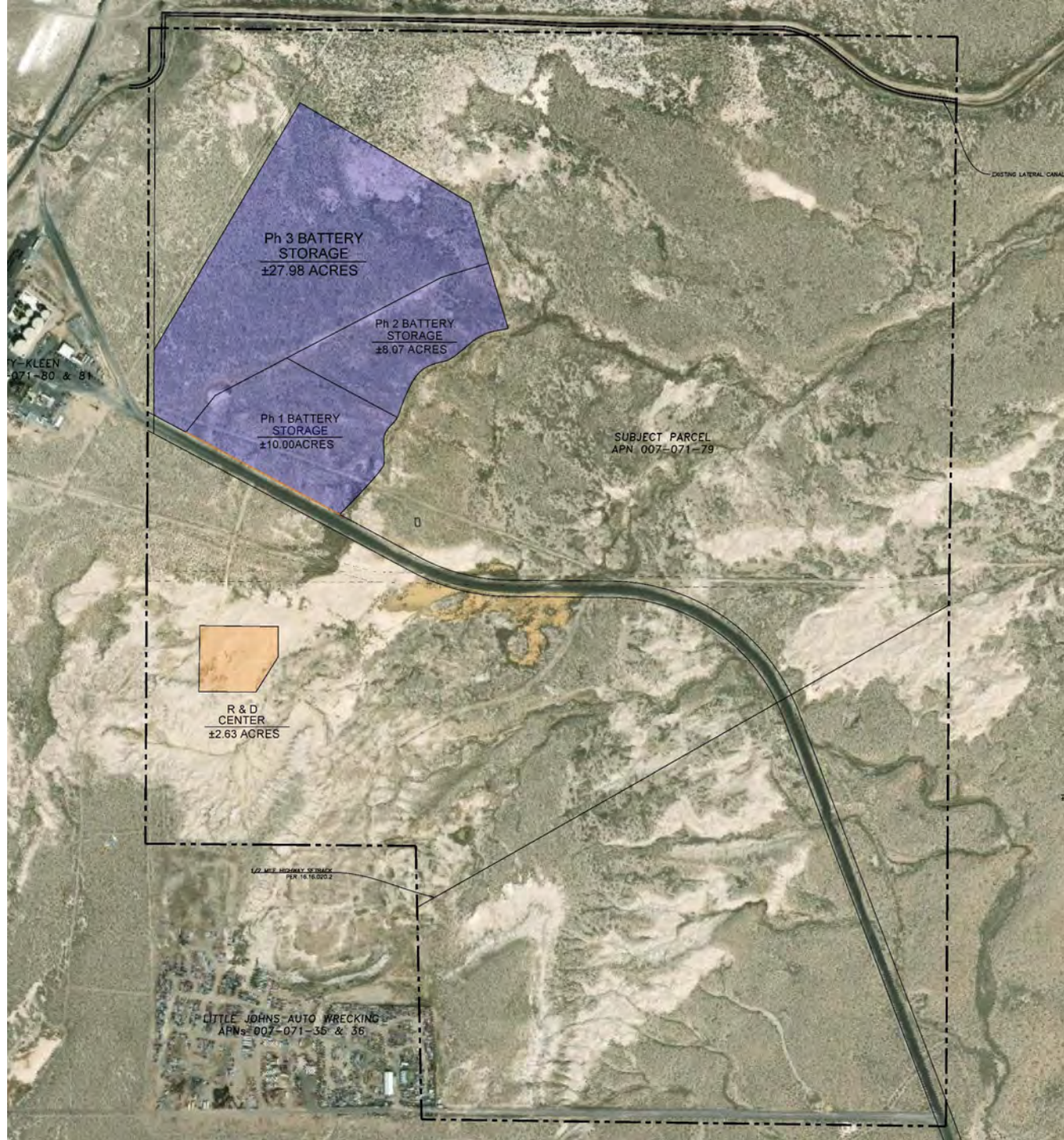


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|-----------------------|--------------------|
| Zoning | Lakes & Reservoirs |
| E-1 | Carson River |
| R-1 | Property Lines |
| R-2 | Subject Property |
| A-5 | |
| A-10 | |
| C-1 | |
| C-2 | |
| I | |
| RR-20 | |
| Special Restriction's | |

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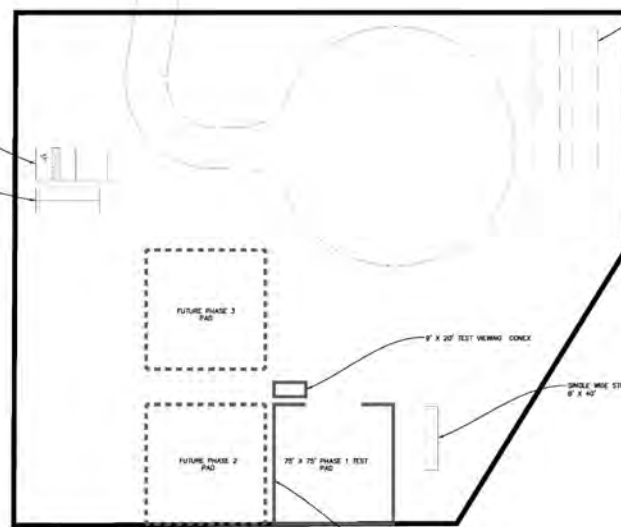
NNV Investments, LLC SUP, Bango Rd, APN 007-071-79

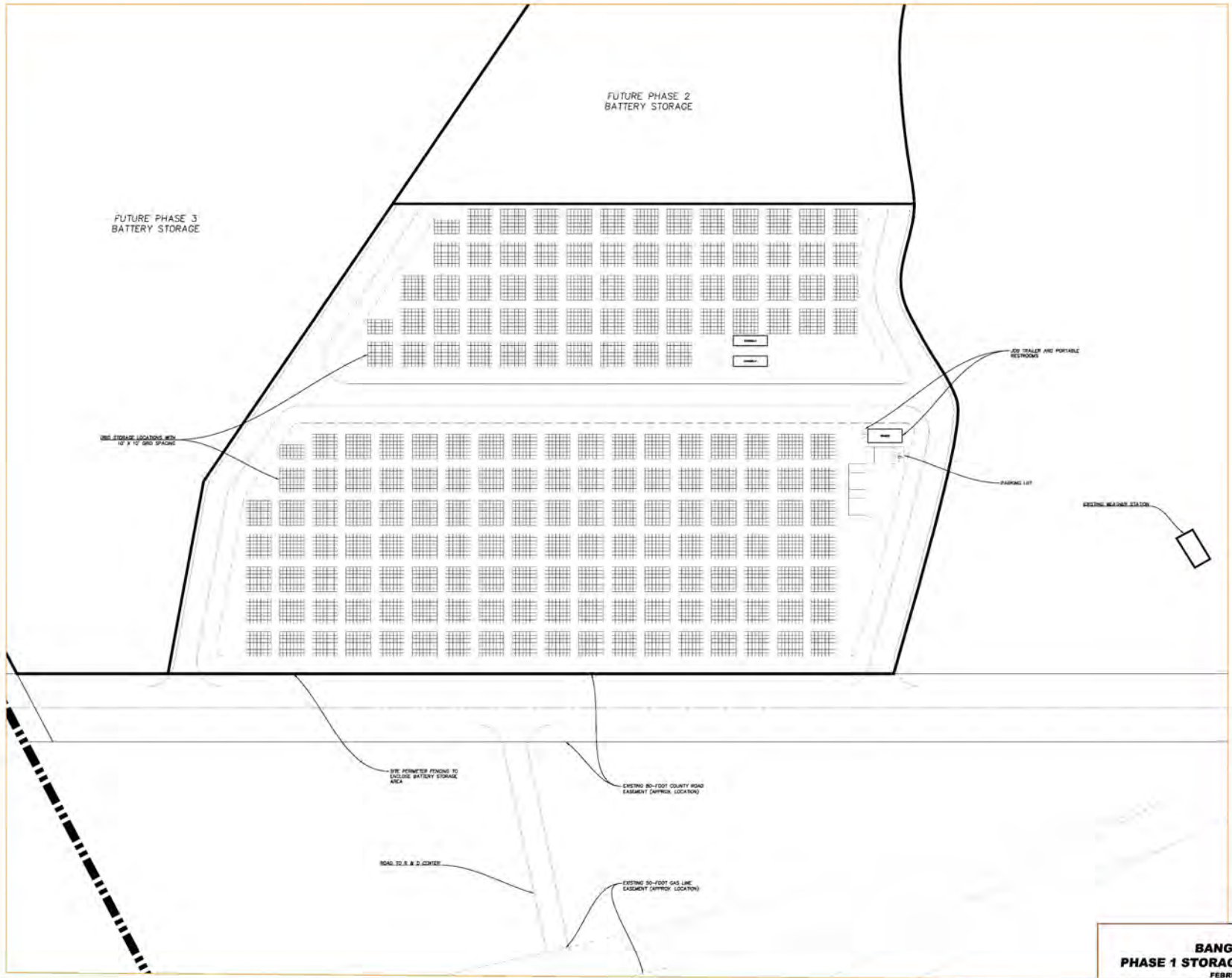




VEH. PARKING STALL AREA (CA)
10' X 20' PARKING STALLS

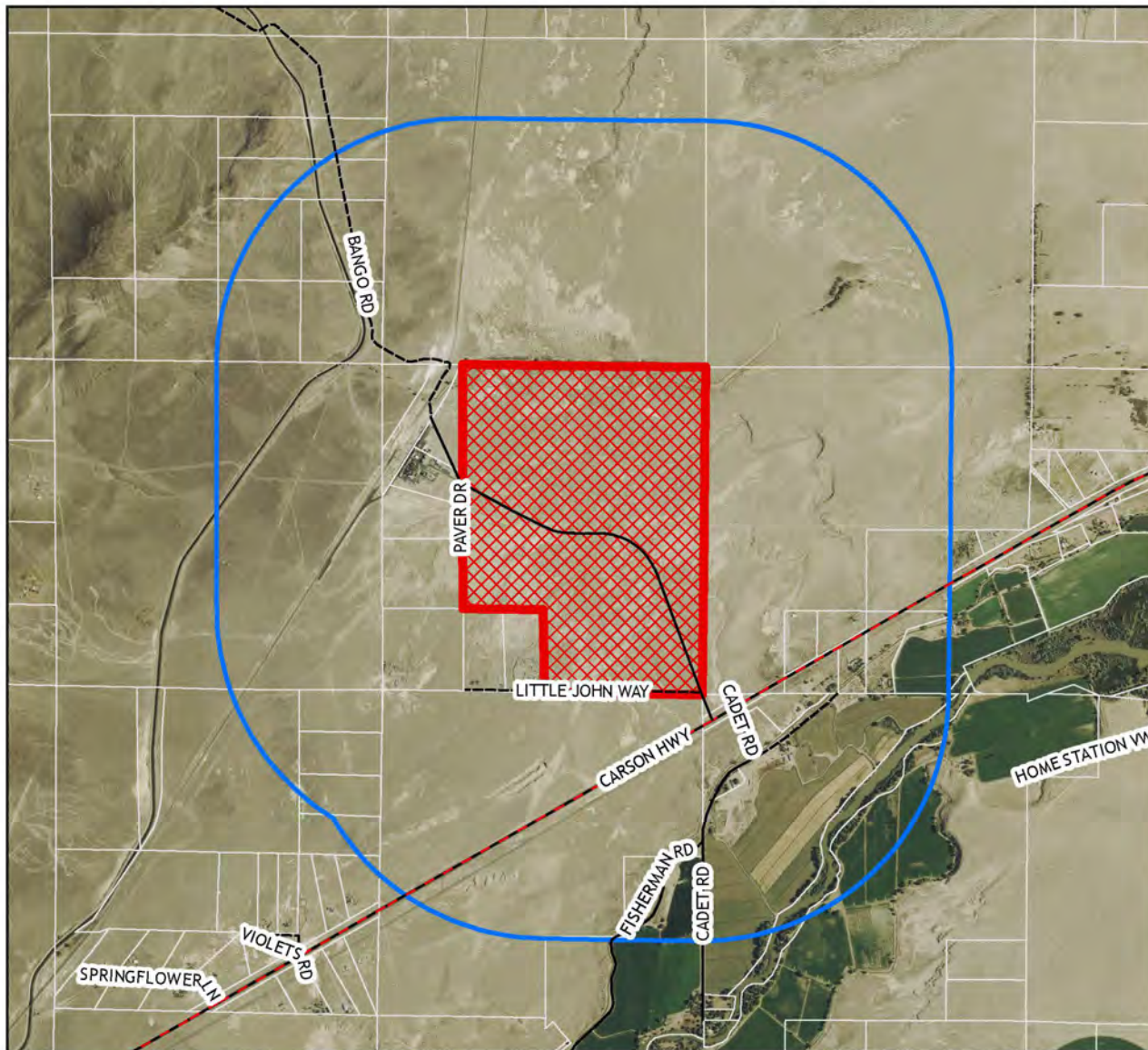
COORDE. WITH SWITCH CONNEX.
10' X 20' WITH (2) RESTROOMS





Special Use Permit
 NNV Investments LLC
 Bango Road
 APN: 007-071-79

*Notification Boundary
 per Churchill County
 Code 300 Feet
 This Notice: 4,000 Feet*



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|-----------------------|--------------------|
| Zoning | Lakes & Reservoirs |
| E-1 | Carson River |
| R-1 | Property Lines |
| R-2 | Subject Property |
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| RR-20 | |
| Special Restriction's | |

4,000

Feet

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Prepared By: Diane Moyle
 Churchill County Planning Department
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Consent Agenda

From: myoung.fallonfire.org
To: [Planning Admin](#)
Subject: RE: Churchill County Planning Commission 3/12/25 -- Lee, Home Business for Tailoring/Alterations Special Use Permit, 1600 Tarzyn Rd, APN 010-451-02
Date: Wednesday, March 05, 2025 4:19:17 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

Regards,

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

From: Planning Admin <planning-admin@churchillcountynv.gov>
Sent: Monday, February 24, 2025 1:24 PM
To: Jera Reidenbach <Jera.Reidenbach@churchillcountynv.gov>; myoung [fallonfire.org](mailto:myoung@fallonfire.org) <myoung@fallonfire.org>; Gary Fowkes <gary.fowkes@churchillcountynv.gov>
Cc: Dean Patterson <dean.patterson@churchillcountynv.gov>
Subject: Churchill County Planning Commission 3/12/25 -- Lee, Home Business for Tailoring/Alterations Special Use Permit, 1600 Tarzyn Rd, APN 010-451-02
Importance: High

Attached is an application for a special use permit to be considered by the Churchill County Planning Commission at their March 12, 2025 meeting. Please provide any comments or questions to me and Dean Patterson (copied on this email) as soon as possible for consideration during the review process.

Diane Moyle
Administrative Assistant
planning-admin@churchillcountynv.gov
Public Works, Planning & Building Department
270 S Maine Street, Suite A
Fallon, NV 89406
775-423-7627 Main Phone

Churchill County is an equal opportunity employer and provider.

From: myoung@fallonfire.org
To: [Planning Admin](#)
Subject: RE: Churchill County Planning Commission 3/12/25 -- Fallon Livestock Processing, 2150 Mount View Dr, APN 008-811-06
Date: Tuesday, February 25, 2025 9:17:31 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,

Fire has no issues with this project, as presented.

Regards,

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

From: Planning Admin <planning-admin@churchillcountynv.gov>
Sent: Monday, February 24, 2025 1:49 PM
To: Gary Fowkes <gary.fowkes@churchillcountynv.gov>; myoung [fallonfire.org](mailto:myoung@fallonfire.org) <myoung@fallonfire.org>; 'dzimney@fallonnevada.gov' <dzimney@fallonnevada.gov>; 'gjohnson@fallonnevada.gov' <gjohnson@fallonnevada.gov>
Cc: Dean Patterson <dean.patterson@churchillcountynv.gov>
Subject: Churchill County Planning Commission 3/12/25 -- Fallon Livestock Processing, 2150 Mount View Dr, APN 008-811-06
Importance: High

Attached is an application for a zone change to be considered by the Churchill County Planning Commission at their March 12, 2025 meeting and then by the Board of County Commissioners at their April 6, 2025 meeting. Please provide any comments or questions to me and Dean Patterson (copied on this email) as soon as possible for consideration during the review process.

Diane Moyle
Administrative Assistant
planning-admin@churchillcountynv.gov
Public Works, Planning & Building Department
270 S Maine Street, Suite A
Fallon, NV 89406
775-423-7627 Main Phone

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RE: Zoning Change for 2150 Mt View APN 008-811-06

3/11/2025

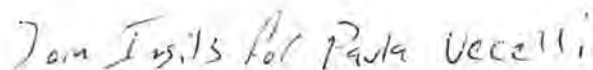
To whom it may concern,

My property at 2150 Mt View was under contract to be sold and a condition of that sale was to have the zoning changed from its current zoning to a commercial zoning. The prior buyers had submitted a zoning change application in their names to have presented but have decided to back out of the sale. I, Thomas Inglis, would like to take over as the applicant for the zoning change and still continue to move forward with that process despite the sale having been canceled. The date for the zoning proposal was set for 3/12/2025 and I understand if that would need to be pushed back to accommodate a change in the application.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tom Inglis".

Thomas Inglis

A handwritten signature in cursive script, appearing to read "Paula Vecelli".

From: myoung.fallonfire.org
To: [Planning Admin](#)
Subject: RE: Churchill County Planning Commission 3/12/25 -- Mills, 4904 Saint Clair Rd, APN 006-231-07 & 006-231-57
Date: Tuesday, February 25, 2025 9:27:19 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,

Fire has no issues with this project, as presented.

Regards,

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

From: Planning Admin <planning-admin@churchillcountynv.gov>
Sent: Monday, February 24, 2025 1:35 PM
To: Gary Fowkes <gary.fowkes@churchillcountynv.gov>; myoung [fallonfire.org](mailto:myoung@fallonfire.org) <myoung@fallonfire.org>
Cc: Dean Patterson <dean.patterson@churchillcountynv.gov>
Subject: Churchill County Planning Commission 3/12/25 -- Mills, 4904 Saint Clair Rd, APN 006-231-07 & 006-231-57
Importance: High

Attached is an application for a variance application to be considered by the Churchill County Planning Commission at their March 12, 2025 meeting. Please provide any comments or questions to me and Dean Patterson (copied on this email) as soon as possible for consideration during the review process.

Diane Moyle
Administrative Assistant
planning-admin@churchillcountynv.gov
Public Works, Planning & Building Department
270 S Maine Street, Suite A
Fallon, NV 89406
775-423-7627 Main Phone

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From: myoung@fallonfire.org
To: [Planning Admin](#)
Subject: RE: Churchill County Planning Commission 3/12/25 -- Casey, 14001 Cadet Rd, APN 007-071-16
Date: Tuesday, February 25, 2025 9:25:08 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,

Fire has no issues with this project, as presented

Regards,

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

From: Planning Admin <planning-admin@churchillcountynv.gov>
Sent: Monday, February 24, 2025 1:43 PM
To: myoung [fallonfire.org](mailto:myoung@fallonfire.org) <myoung@fallonfire.org>; Gary Fowkes <gary.fowkes@churchillcountynv.gov>; Jera Reidenbach <Jera.Reidenbach@churchillcountynv.gov>
Cc: Dean Patterson <dean.patterson@churchillcountynv.gov>
Subject: Churchill County Planning Commission 3/12/25 -- Casey, 14001 Cadet Rd, APN 007-071-16
Importance: High

Attached is an application for variance applications to be considered by the Churchill County Planning Commission at their March 12, 2025 meeting. Please provide any comments or questions to me and Dean Patterson (copied on this email) as soon as possible for consideration during the review process.

Diane Moyle
Administrative Assistant
planning-admin@churchillcountynv.gov
Public Works, Planning & Building Department
270 S Maine Street, Suite A
Fallon, NV 89406
775-423-7627 Main Phone

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From: [Stewart Nichols](#)
To: [Planning Admin](#)
Cc: [Mark Feest](#); [Dean Patterson](#)
Subject: RE: "[EXTERNAL]"Churchill County Planning Commission 3/12/25 -- NNV Investments, LLC, Bango Road, APN 007-071-79
Date: Tuesday, February 25, 2025 3:30:42 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.

CC Comm Engineering has no comment. Services can be provided if requested.

From: Planning Admin <planning-admin@churchillcountynv.gov>
Sent: Monday, February 24, 2025 1:46 PM
To: D2Traffic@dot.nv.gov; jgraham@dot.nv.gov; Stewart Nichols <stewart.nichols@cccomm.co>; Mark Feest <mark.feest@cccomm.co>; infofallon@nvenergy.com; 'laurence.wilbur@nvenergy.com' <laurence.wilbur@nvenergy.com>; 'matt.wagner@nvenergy.com' <matt.wagner@nvenergy.com>
Cc: Dean Patterson <dean.patterson@churchillcountynv.gov>
Subject: "[EXTERNAL]"Churchill County Planning Commission 3/12/25 -- NNV Investments, LLC, Bango Road, APN 007-071-79
Importance: High

Attached is an application for a special use permit to be considered by the Churchill County Planning Commission at their March 12, 2025 meeting. Please provide any comments or questions to me and Dean Patterson (copied on this email) as soon as possible for consideration during the review process.

Diane Moyle
Administrative Assistant
planning-admin@churchillcountynv.gov
Public Works, Planning & Building Department
270 S Maine Street, Suite A
Fallon, NV 89406
775-423-7627 Main Phone

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From: [Dean Patterson](#)
To: [Diane Moyle](#)
Cc: [Randy Hines](#)
Subject: FW: Redwood
Date: Tuesday, March 04, 2025 11:12:57 AM

I talked to Mitch about his conversations with the applicant. Here are the issues being worked out for Redwood Material's battery storage site.

Please note address and direct phone changes

Dean Patterson, Senior Planner

Churchill County Public Works, Planning, & Building

Off. 775-423-7627 || Dir. 775-710-3390 || dean.patterson@churchillcountynv.gov

270 S. Maine St., Suite A, Fallon NV 89406

From: myyoung fallonfire.org <myyoung@fallonfire.org>
Sent: Tuesday, March 4, 2025 9:59 AM
To: Dean Patterson <dean.patterson@churchillcountynv.gov>
Subject: Redwood

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.

Dean,

Here are a few things that we are asking for from Redwood at the Bango site.

1. Per IFC, storage is limited to "cubes of material" not to exceed 900 cubic feet with a height limit of 10 feet. *We would like to see if it would be feasible to have these stacks no close to each other than 15, if not 20 feet.*
2. We would like to see, during initial intake of materials to the site, that the stacks be spaced out as much as economically possible to reduce the potential of fire spreading to adjacent piles. Then as inventory increased the piles would be closer to the agreed upon separation distance for each stack.
3. We would like to see a vehicle on site that would be capable of dealing with smaller events and/or containment of a larger event until our department could arrive on scene to assist.
4. We would also need to have all-weather apparatus access roads separated by no more than 300 feet
5. On site water storage
6. Early training opportunities.

Regards,

Mitch Young

Fire Marshal, FCFD

Office 775 423-6521 ext. 2

Cell 775 427-7911



JOE LOMBARDO
Governor

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

TRACY LARKIN THOMASON, P.E.
Director

February 27, 2025

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

SENT VIA ELECTRONIC MAIL

RE: NNV Investments LLC APN 007-071-79

Dear Ms. Moyle,

Nevada Department of Transportation (NDOT) District II staff has reviewed the application received via e-mail on February 24th, 2025 and provides comments accordingly.

NNV Investments LLC Battery Storage Yard Plan Description – A request has been made to acquire a Special Use Permit (SUP) for approximately 46.05 acres of land which is located to the north side of US Highway 50. The project proposes the construction of battery storage facility and a R&D Center. The R&D Center may be used for battery testing and for battery evaluation.

1. The project proposes regional access to US Highway 50. US Highway 50 is an NDOT maintained facility and is functionally classified as a Principal Arterial in the project vicinity.
2. Per the trip generation estimate provided in the application the project will require a formal trip generation letter with a review of possible mitigations required per NDOT's Access Management Systems and Standards (AMSS). The project's regional access to US 50 may be required to be improved to a type 4 approach to accommodate truck traffic per NDOT's AMSS requirements.
3. All work proposed within the NDOT 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.
4. 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.

5. 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,

Signed by:

Kelly Gaworski

0B63A74DA2BE4A8...

Kelly Gaworski, PE

Engineering Services Manager

District II

KG:dr

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

March 12, 2025

9. New Business G:

Consideration and possible action re: A special use permit application for outside storage of hazardous materials and an explosion/combustion testing facility filed by NNV Investments LLC. The property is located on Bango Road, Assessor's Parcel Number 007-071-79, consisting of 438.42 acres in the Industrial zoning district. The applicant proposes an outside battery storage yard and a battery testing facility.

Public Comment read into the Record:

From: Sherry Wideman, 13991 & 13993 Cadet Rd, Fallon NV 89406

This storage facility is near the Carson River, Lahontan Reservoir, and residents.

Below are quick Google searches that reveal that these types of facilities are prone to fires which release toxic gases. It states that the fire at a large battery storage facility in Monterey County resulted *"alarmingly high concentrations of heavy metals at nearby estuary..."* Please protect our waterways and the residents.

9:48
Jan 29, 2025 3 AM PT
Share 11

Days after one of the world's largest lithium ion battery storage facilities [burst into flames](#) in Monterey County, researchers found alarmingly high concentrations of heavy metals at a nearby estuary that is home to several endangered species.

Scientists at San José State University recorded a dramatic increase in nickel, manganese and cobalt — materials used in lithium ion batteries — in soil samples at the Elkhorn Slough Reserve after the recent fire at the nearby Moss Landing Power Plant.



Missouri Fire Highlights Unique Dangers of Battery Recycling

By Angelo Verzoni
Nov-2024

5:35
All Images News Videos Shopping

Battery Recycling Fires Issues

Redwood Materials, a battery recycling company founded by Tesla co-founder JB Straubel, has faced challenges related to fires and damaged batteries. In late October 2024, a fire destroyed the nation's largest battery breakdown operation at Interco's Critical Mineral Recovery facility, 90 miles south of St. Louis, highlighting the fire risks associated with battery recycling.

Redwood Materials has also been involved in incidents where lithium-ion batteries caught fire during transportation. For instance, a truck transporting lithium-ion batteries overturned on the I-15 highway, leading to a fire that closed the section of the highway for almost two days. Redwood worked alongside Graymar Environmental to clean up the site and recover and recycle the damaged batteries.

Moreover, Redwood has been called upon to manage damaged batteries from natural disasters. Following the Maui wildfires, Redwood worked with the EPA to collect and recycle tens of thousands of pounds of damaged lithium-ion batteries from residential storage systems, golf carts, and electric vehicles.

Despite these challenges, Redwood continues to expand its recycling operations and has raised about \$2 billion to scale up its recycling and production facilities in Nevada, South Carolina, and Germany. The company estimates it currently recycles about 200,000 pounds of lithium-ion batteries per month.

5:39
Fire, delays, and financial woes: Battery recycling...

Bad news: Fire, factory delays, paring back ambitions

In the meantime, the list of battery recycling setbacks has grown long.

Most dramatically, in late October, a fire destroyed what used to be the nation's largest battery breakdown operation. The conflagration at Interco's Critical Mineral Recovery facility, 90 miles south of St. Louis, prompted authorities to issue evacuation orders for nearby residents threatened by toxic smoke and shelter-in-place orders elsewhere. It took firefighters two weeks to officially extinguish the fire, at which point the wrecked facility was slated for demolition. It was not immediately clear what ignited the blaze, but grinding up batteries carries a fire risk, and stockpiles of damaged or old batteries can easily become fuel for a burn.

5:39
Fire, delays, and financial woes: Battery recycling...

Bad news: Fire, factory delays, paring back ambitions

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Most dramatically, in late October, a fire destroyed what used to be the nation's largest battery breakdown operation. The conflagration at Interco's Critical Mineral Recovery facility, 90 miles south of St. Louis, prompted authorities to issue evacuation orders for nearby residents threatened by toxic smoke and shelter-in-place orders elsewhere. It took firefighters two weeks to officially extinguish the fire, at which point the wrecked facility was slated for demolition. It was not immediately clear what ignited the blaze, but grinding up batteries carries a fire risk, and stockpiles of damaged or old batteries can easily become fuel for a burn.

That devastation took out a complex that used to break down 60,000 tons of batteries a year.

Other mishaps have been slower burns. The Cycle paused construction of its Rochester, New York, facility in 2023 after a fire destroyed part of the site.

canarymedia.com

Diane Moyle

From: Julianne Ikonen <nvgirl69@gmail.com>
Sent: Monday, March 24, 2025 3:40 PM
To: Planning Admin; Planning BL
Subject: Special Use Permit for Bango Rd of Storage of Hazardous Materials

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.

Hello,

I cannot be at the meeting today at 4:30 pm but would like to express my thoughts on this subject that is referenced above.

I am a homeowner on Carson Hwy exactly 4.1 miles from the proposed site for this project. I am very shocked and concerned that the county would even consider this project and only send out letters to addresses in a 4000 ft radius of this property.

When you propose a storage facility for hazardous materials and explosion/combustion testing it tends to heighten people's concerns and to have to hear about it from another family that lives in the vicinity is wrong.

I think that this proposal should be postponed and additional letters should be sent out. There is so much potential for harmful impacts on our waterways. There is livestock out there, wildlife, and of course families and recreation.

I am against this and I hope the commissioners and the board take a serious look at this project and do not consider the "pockets of the county" but instead the impact on this area of our great county. I know there are tax benefits and whatnot, but there are other projects to consider.

I am a concerned tax paying conservative citizen of this community and am 100% against this.

A Fallon Resident

Not provided at the meeting
as it came in late after I
was setting up the meeting. (initials)

Diane Moyle

From: Richard Webberson <rkwebberson@yahoo.com>
Sent: Monday, March 24, 2025 2:48 PM
To: Planning BL
Subject: Objection to Special Use Permit
Attachments: Objection Letter Signed.pdf

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.

Attached please find a property owner letter of objection to Special Use Permit for APN 007-071-79 Bango Rd;
Fallon NV.
Thank you

BARBARA PARGEMENT
12780 CARSON HWY
FALLON NV 89406-1345
PH: 775-230-1913

Churchill County Public works
Attn: Randy Hines, Director

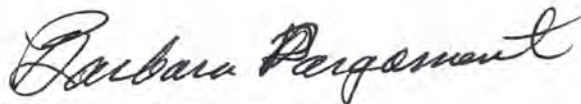
RE: OBJECTION to Special Use Permit Application
Assessor's Parcel Number 007-071-79

As the property owner of the above listed property I **object** to the Special Use Permit for the stated Parcel Number. The 3/13/2025 notice states that it will be an **"outside storage of hazardous materials and an explosion/combustion testing facility"**.

Community members are already contending with living in an industrial zone that allows flammable materials to be processed and the dumping of human waste materials for fertilizer which has been objected to in the past.

Previously the Bango Oil Plant (now Safety Kleen) had a major fire That resulted in an explosion that sent what is believed to be toxic black smoke into the atmosphere about 1.5 miles from my home.

Please consider that any catastrophic incident could very well impact the City of Fallon.



Barbara Pargament
Property owner
12780 Carson Hwy
Fallon NV 89406

CHURCHILL COUNTY PLANNING COMMISSION MEETING
155 North Taylor Street, Commission Chambers
March 12, 2025 at 7:00 p.m.

Name - PLEASE PRINT	For Which Agenda Item	Contact Info
Jonathan P. Burt	meat market rezon	2035 Mount View Dr
Mechelle D. Burnett	Zoning of Mount View Property	2035 Mount View Dr.
Machae Cas	Vandance Codelet	225 423 5019
Dennis / FRANCIE Lee	SUP ¹⁰⁵⁰ Tarzyp Road	775-427-2299
GARY & KATHERINE MILLS	BOUNDARY ADJUSTMENT	775-427-3768
Joel Jeanne Peters	WLD SUP	702-339-0260
Don Tatso	Bango	214 675 8644
Bradley Mayhew	Bango	68-567-3050
Yvonne Mori	Bango	775-423-8232
Lawrence Mori Sr	Bango	775-867-2061
Lawrence Mori Jr	Bango	775 423-8232
Anita Schilling	Zoning of Mt View Property	775-423-1224
Bill Schilling	Zoning of Mt View Property	775-423-1224
Jared Werlinger	Tarzyp Rd Planning	775-233-0982
Justin Johnson	Mount View	775-530-5579
Emma Johnson	Mount View	775 217 9538
Kate & Tom Tengler	Mount View	775-342-2003
Rachael Johnson	Mount View	775-315-0252
Chad Marshall	Chad Marshall	775-426-8250
Jacob McCreary	Bango	779-750-9549
Kim McCreary	Bango	775-745-9056
Sue McCreary	Bango	

**EVERYONE PLEASE SIGN IN & PRINT
YOUR INFORMATION**