

MINUTES OF THE CHURCHILL COUNTY PLANNING COMMISSION

155 N. Taylor St., Fallon, NV 89406

August 10, 2022

1. Call to Order:

The regular meeting of the Planning Commission was called to order at 7:00 p.m. on August 10, 2022 by Vice Chair Yates.

Present: Shane Yates, Vice Chair; Zack Bunyard, Member; Deanna Diehl, Member; Myles Getto, Member; Scott Nelson, Member; and Paul Picotte, Member.

Absent: Charlie Arciniega, Chair.

Planning Staff Present:

Chris Spross, Public Works Director

Dean Patterson, Senior Planner

Diane Moyle, Administrative Assistant

Civil D.A. Staff Present:

Joe Sanford, Deputy District Attorney

2. Pledge of Allegiance:

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

3. Public Comment:

There were none.

4. Verification of the Posting of the Agenda:

It was verified by Diane Moyle, Administrative Assistant, that the agenda for this meeting was posted on August 4, 2022, between 8:30 a.m. and 4:30 p.m., at all of the locations listed on the agenda, in accordance with NRS 241 and the Churchill County Code.

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

Vice Chair Yates asked for any changes to the agenda. The Administrative Assistant stated that the two Fullerton items (variance and parcel map) have been asked to be postponed.

Member Getto moved to approve the agenda as revised. Member Bunyard seconded the motion which carried by unanimous vote.

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

Vice Chair Yates 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. July 13, 2022 Hearing

Member Getto moved to approve the July 13, 2022 minutes as written. Member Nelson seconded the motion and the decision carried by unanimous vote.

8. Old Business:

A. Consideration and possible action re: A temporary use permit renewal application for temporary quarters during home construction filed by Keary Basford for property located at 895 Howard

Place, Assessor's Parcel Number 007-851-19, in the A-5 zoning district. The applicant stated that he has a construction company that will put in a complete septic system.

Director Chris Spross shared information from an email the department received from the Building Department on August 2, 2022 regarding the building permit that was issued for the septic system, and they noted that no inspections had taken place yet since it had not been installed yet.

Keary Basford, 895 Howard Place, stated that the septic system was inspected yesterday by the Building Department. He said that John Hancock Construction put it in and will be coming back to cover it up since the inspection was completed. Vice Chair Yates asked Mr. Basford for an update on the progress toward getting the permanent home on the property. Keary Basford remarked that it was too early at this point financially. Vice Chair Yates then confirmed that since the last time he met with the commission he has only been able to complete the septic system, and Mr. Basford agreed. Vice Chair Yates inquired what progress would be made over the next year if they were to approve the renewal of this permit. He expressed an understanding that there are financial issues, but he wanted to know what the next step that could be done if everything went as Mr. Basford hoped. Keary Basford stated that he assumes the next accomplishment would be to put a foundation in for a dwelling, but he is not financially able to do that yet.

Vice Chair Yates asked for any public comment regarding this request; and there were none, so he turned the discussion over to the commission.

Member Getto said that they are running into the same issue that they did last year with not a lot of progress. He noted that as of August 2, 2022 a letter was received that Mr. Basford got a building permit for the septic system. If the commission decides to renew this permit, they really need to see substantial progress next time whatever that may be. He remarked that he would like to have seen more than just a septic system going in this time.

Dean Patterson, Senior Planner, noted that Mr. Basford has a well, a septic system and electric service now, so the next stage in the development will be to start on the structure of the residence. That would require him to obtain a building permit and paying the fees, and the fees will include the impact fees, which are fairly substantial. He guesses that will be a task, so before Mr. Basford can start construction, he will have to pay the impact fees. That might be the thing that he gets done next. Keary Basford thanked Mr. Patterson for explaining this.

Member Diehl inquired if Mr. Basford has started to get the permits yet, and Keary Basford said that he had not, and that would be something for the next time.

Vice Chair Yates told Mr. Basford that in order for the commissioners to feel comfortable to keep renewing this temporary permit, they need him to be working toward a permanent solution. They don't want this to go on for 10 or 12 years. Keary Basford informed that he has made progress every year and met the requirements. He will work toward the impact fees and building permit for the home.

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

Member Nelson moved to renew the temporary use permit for temporary quarters for home construction for Keary Basford at 895 Howard Place, Assessor's Parcel Number 007-851-19, for another year. Member Diehl seconded the motion and the decision carried by unanimous vote.

Vice Chair Yates told Keary Basford that his permit has been approved for another year and asked that he keep moving forward and when they see him in a year, they hope to

see substantial work done.

9. Public Hearings:

- A. Consideration and possible action re: A temporary use permit application for 2 (two) temporary quarters filed by Autonomous Ops for property located at 6127 Reno Highway, Assessor's Parcel Number, 008-573-06, consisting of 3.1 acres in the C-2 zoning district. The applicant requests to allow an RV for an employee to serve as a Commercial Watchman. The applicant also proposes a Temporary Quarters for General Purposes to allow a remote employee to intermittently bring their RV for short stays during a project.

Samantha Conway, owner of Autonomous Ops, 6127 Reno Highway, and Scott LaValley, 6127 Reno Highway, were there to speak regarding the application. Vice Chair Yates pointed out that he basically understands that they are asking for two (2) temporary use permits with this application. Samantha Conway explained that they have engineering work going on, and some of those projects have a higher value supplies onsite, and they would like to have a watchman on site at all times to deter theft or trespassers. The second permit is due to their business having a number of remote employees that come to the area, and they have had problems booking hotels because they are constantly competing with the base on availability. Having quarters on the site where someone could bring a second RV or stay in a second RV on site for a week at the time would make that a lot easier with their traveling employees coming in.

Vice Chair Yates asked for any public comment; there were none. Therefore, he turned the discussion over to the commissioners.

Member Bunyard questioned if they currently live on the property. Samantha Conway answered that Scott is currently staying there as watchman in his RV. Mr. LaValley responded that Ms. Conway is his sister, and he just moved from Los Angeles, California, to start a robotics company with a major customer in the Los Angeles area in the entertainment business. Currently, he is living on this property and watching the property as well as all of the equipment that is on loan to them from this big customer. Member Bunyard then inquired if the second RV would be for employees that come in. Scott LaValley pointed out that their whole workforce is remote right now, and around two weeks out of the month people are coming in to do work on the premises.

Director Chris Spross shared a response from the Building Department regarding what they would need to do regarding the placement of any RV.

- A separate placement permit for each vehicle that is approved would be needed.
- An electric connection inspection done by the Building Department.
- A plot map with dimensions showing each vehicle's connection to the septic system.
- A septic connection inspection prior to occupancy of either vehicle.

He also noted that the applicant did supply copies of police reports in support of the commercial watchman. Vice Chair Yates asked the purpose of the reports, and Ms. Conway stated that they are to show that they have had security issues in the past, so they do have reason for concern.

Member Bunyard inquired regarding the timeline for needing the temporary use permit. How long would you need to have a watchman and with the temporary housing for employees? Would they be looking for one or two years? Samantha Conway responded that initially the watchman would be a permanent arrangement ideally. She noted that in the staff report there was mention that they would like to eventually move toward a permanent solution that doesn't involve the RV. That would require rezoning and other issues, but they would like to explore their options in order to have something more permanent in the future. Until then, they would need the watchman

to reside in an RV on the property.

Director Spross questioned Mr. LaValley regarding the watchman quarters and position if the permit were approved, how that would affect him since he has been acting as the watchman. Scott LaValley stated that he is in contract on a house located on Rivers Edge Drive, and he plans to close at the end of the month.

Dean Patterson then asked if another employee would stay there as the watchman once he moves, and Mr. LaValley confirmed this to be true.

Member Picotte noted that there are two RVs on the application, and the second one poses the most issue that they are having. Are there any plans in the future to possibly build a dwelling so that they don't have to continue to use both RVs? Samantha Conway replied that she has spoken with Dean Patterson about this for the future and that they would like to build some sort of a dwelling on the back portion of the property for remote employees to stay to solve that problem without relying on an RV. That would be a future project. There was more discussion regarding their future plan, but it was decided that would have to be done at a later time.

Member Diehl inquired if the RVs are connected right now to power, water and sewer. Mr. LaValley answered that there is only one that is connected right now, and it is 15' off of the building as requested by the department. It is hooked up to a 50 amp circuit with a surge protector. The sewer connection is hooked to the septic system. Member Diehl then asked if the second one could be connected to the same usage. Mr. LaValley replied that there are two inlets for the sewer connection. Ms. Conway noted that all connections have been signed off by the Building Department. Member Diehl pointed out that the temporary use permit would require the yearly renewals with the Planning Commission and wanted to make sure they were aware, as well as when the need no longer exists, they would need to remove them from use as a residence.

Member Nelson asked if they have started any of the rezoning or land division processes or land planning for permanent quarters. Samantha Conway expressed her desire to not have to go through a rezoning process if there is another avenue available. There is only a little over three acres, and they would like to work something out since it would strictly be for employees so that they don't have to change any zoning. If that is not a feasible option, they will consider other options. Member Nelson stated that he doesn't think any of the commissioners have a problem with the commercial watchman. It is the second temporary residence that makes it very difficult to be within the code and approve that as a residence. He asked Dean Patterson if there is any way around the rezoning and doing that. Mr. Patterson remarked that residences aren't allowed in the commercial zone. The option is to rezone it for residential; however, that creates an issue with the lot size since the nearest zoning district is A-5. That portion of the parcel would be around one acre, so they would also have to apply for a variance from the lot size along with the rezoning of that portion of the parcel. There is no guarantee of the outcome, but that would be the path in order to get a dwelling close to the commercial property where employees could stay as needed. Member Nelson remarked that there is no way to really be within the code at this point. Dean Patterson stated that they have asked for the general purpose temporary use permit, which is a request that is similar to, but it doesn't really meet the exact standards, and it is just a request to have a living quarters at the business. Staff had recommended denial, but if the commissioners find that there are characteristics that would meet the requirement, which is stated in the staff report, then that is an option for them to consider.

Vice Chair Yates questioned if they were to approve the temporary use permit for the second RV where they would put it. The site plan was displayed on the screen showing the second RV in line with the one for the commercial watchman. Scott LaValley stated that both of the RVs

are brand new, 2022 units.

Member Getto stated his opinion, which runs along with Member Nelson's, that he has no problem with the watchman. His hesitation comes in with the second one for general purposes. He thinks that it kind of opens a Pandora's Box where every other business in the community that may have remote workers or someone that they bring in, and if everyone wants something that doesn't necessarily conform to our code and they allow it, how that is going to work for all of the other businesses. Samantha Conway asked if the second RV was not permitted, how long would they be able to have someone stay in it without needing the permit. It was explained that the code allows 90 days in a year that a person may stay in an RV without a temporary use permit, and that is for all uses as a residence, not 90 days for each person or use it 90 days, remove it for a few days, and then move it back for another 90 days. There was a question regarding the second RV on the property whether it is hooked up or not, and it was answered that unless there is an approved temporary use permit no one can live in the second RV. It could be stored on the property; however, it would not be allowed to be used for someone to stay in.

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

Commercial Watchman:

Member Bunyard, 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 CCC 16.08.070(B)2 regarding a Temporary Use Permit for Temporary Quarters for Commercial Watchman on APN 008-573-06, as described in the Staff Report. Member Getto seconded the motion and the decision carried by unanimous vote.

Member Nelson, based on the previously adopted findings made for this project, moved to approve the Temporary Use Permit application for Autonomous Ops to establish a Temporary Watchman's Quarters on APN 008-573-06. This approval is subject to conditions, as listed in the Staff Report. Member Diehl seconded the motion and the decision carried by unanimous vote.

General Purposes:

Member Getto, 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 16.08.070(B)6 regarding a Temporary Use Permit for Temporary Quarters for General Purposes on APN 008-573-06, as described in the Staff Report. Member Nelson seconded the motion and the decision carried by unanimous vote.

Member Nelson, based on the previously adopted findings made for this project, moved to deny the application for a Temporary Use Permit for Autonomous Ops to establish a Temporary Quarters for General Purposes at 6127 Reno Hwy (APN 008-573-06). This approval is subject to conditions, as listed in the Staff Report. Member Bunyard seconded the motion and the decision carried by unanimous vote.

Recommended Conditions:

1. *The person occupying the RV must be an employee.*
2. *The temporary quarters must comply with Churchill County Code.*
 - a. *All required Building Department approvals and safety certificates must be obtained for the RV, including any required set-up permits, and any inspections of water, septic and electrical connection when the temporary quarters is installed.*
3. *The temporary quarters must use temporary construction practices. It may not be placed on a permanent foundation; and must use the existing water well, power supply, and septic system unless deemed infeasible by the Building Dept.*
4. *When the temporary quarters is no longer needed, it must be removed from the property or otherwise made to be conforming.*

Vice Chair Yates 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 special use permit for a home-based business for firearm customization and weapon sales filed by Michael Sehorn for property located at 4405 Reno Highway, Assessor's Parcel Number 008-461-44, consisting of 1.22 acres in the C-1 zoning district. The applicant proposes to perform weapon painting, customization, and sales, which will require a Federal Firearm License.

Michael Sehorn, 4405 Reno Highway, stated that due to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) making changes in the laws recently, anyone who does painting, etching, laser engraving, and customizing on guns must obtain a Federal Firearms License (FFL), so he has submitted the application in order to get permission to do this business from his home.

Vice Chair Yates asked for any public comments; there were none. Therefore, he turned the discussion over to the commissioners.

Member Nelson inquired if Mr. Sehorn stores a lot of weapons on site, and Michael Sehorn responded that he does have several that are his personal items that stay in his home. Member Nelson clarified that he was asking regarding the business, and Mr. Sehorn said that he is just trying to start the business, so he doesn't really know. He plans to keep this very limited with minimal weapons there during customization. Member Nelson then questioned what type of security measures are in place or will be in place. Michael Sehorn replied that currently his main residence and the shop are actively alarmed and monitored. The front gate is always closed and padlocked. He has closed circuit cameras throughout the property, and there is a Ring camera at the main gate. Member Nelson asked about safes to keep the guns secure. Mr. Sehorn assured that these will be in a safe, and it will be pretty difficult for someone to access the property.

Member Diehl questioned how many people Mr. Sehorn thinks will be coming by to use these services. Michael Sehorn responded that since this is his residence, this is really just going to be on Saturday. The only time someone might come by during the week is if it is an irregular thing where someone is either picking up or dropping off. He plans to limit the traffic coming to his home. Member Diehl inquired if he has the permit and business license for this. Mr. Sehorn said that he has obtained the state business license; however, he must wait for the approval of this permit for the county business license, and then he will apply for the FFL license. Member Diehl asked if Mr. Sehorn has spoken with the Fire Marshall about storage of any munitions. Michael Sehorn remarked that he doesn't store massive amounts of ammunition for the business, and the ammunition he does have on site is for his personal use.

Dean Patterson inquired if Michael Sehorn will work by appointment only and will be able to schedule things so that there isn't any overlap, and this was affirmed. Dean Patterson pointed out that the county would like for Mr. Sehorn to coordinate with the Sheriff and Fire Marshall to make sure that they are aware of his operation regarding security and fire safety issues. Mr. Sehorn explained that part of the ATF process includes meeting with the Sheriff.

Vice Chair Yates asked for any further comments; there being none he called for a motion. Vice Chair Yates shared with Mr. Sehorn that there are numerous conditions that will be required to be met and asked if Mr. Sehorn has received and reviewed those. Michael Sehorn responded that he has.

Member Getto, 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 CCC 16.08.080(H) on APN 008-461-44, as described in the Staff Report. Member Nelson seconded the motion and the decision carried by unanimous vote.

Member Bunyard, based on the previously adopted findings made for this project, moved to approve the special use permit application to establish a Home-Based Business for firearm modification and sales at 4405 Reno Hwy (APN 008-461-44). This approval is subject to conditions, as listed in the Staff Report. Member Diehl seconded the motion and the decision carried by unanimous vote.

Recommended Conditions:

1. *Approval of the Home-Based Business is limited to:*
 - a. *Operation only by Michael Sehorn. Approval is not transferrable to another location or operator.*
 - b. *This approval is for the proposed firearm modification and sales business. Adding other activities, such as firearms classes, fabrication of parts, etc. is prohibited.*
 - c. *Business hours and customer visits are limited to "appointment only" and one at a time. Appointments shall be spaced to avoid customer overlap.*
2. *Firearms and ammunition shall be stored in a secure non-movable environment, such as a gun safe secured to the building.*
3. *The applicant shall coordinate with the Sheriff and Fire Marshall annually to ensure their knowledge of the business in the neighborhood, and implement any recommendations they have.*
4. *The project must be in conformance with County Code, including but not limited to:*
 - a. *No outside storage, signage, outdoor light, or outside modifications have been approved.*
 - b. *A business license must be obtained and maintained.*
 - c. *All changes and inspections required by the Fire Marshall shall be implemented.*
5. *Operations shall be conducted in a manner that do not create a nuisance (public or private) under Nevada law or Churchill County Code.*

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

C. Consideration and possible action re: A special use permit for 3 uses: (a) a brewery with

alcohol sales and night operations, (b) a restaurant, and (c) a multi-tenant marketplace. The application is filed by Paul and Tiffany Picotte for property located at 2030 Reno Highway, Assessor's Parcel Number 008-361-54, consisting of 1.3 acres in the C-2 zoning district.

Member Picotte stated that he would abstain from the on this item since he is the applicant, and he moved to the applicant table.

Paul and Tiffany Picotte, 645 Peaceful Way, said that they purchased the old pawn shop building at 2030 Reno Highway with the intent of setting up a brewery where they will brew their own beer. He shared his plans for the building and what they were proposing to have inside as well as the arrangement for parking. He plans to have the brewery, a small tap room with some food items, a few spaces that could be used for retail merchandise sales, an open courtyard area in the center with some video games near the entrance and a Poki bowl area. They noted that the kiosk areas in the center will not be included in the new design.

Vice Chair Yates asked for any public comment.

Jon Koeckes, 1995 Auction Road, wondered if the exit traffic would be coming out behind the business on the dirt alleyway (old Lincoln Highway) that goes out to the intersection of North Allen Road and Auction Road. He was concerned because there is no stop sign and there are already problems with traffic. Mr. Picotte stated that they removed the fencing around the dirt area behind the buildings in order to hook up to the county water and sewer systems and because they plan to pave the parking area to the rear. Mr. Koeckes verified that there will not be an exit to that dirt road, and Mr. Picotte commented that there would not be. They will probably be putting a fence back up once the parking lot is finished. The main traffic will be directed to the Reno Highway where they will be required to reconfigure the entrance and exit for this area to meet Nevada Department of Transportation (NDOT) requirements. Director Spross pointed out in the recommended conditions for approval that are in the staff report, one condition states that Mr. Picotte would be required to install a six-foot (6') screened fence around the rear parking area behind the buildings along the west side, along the north side located at the edge of the utility easement, and to connect to the Walgreens screened fence at the northeast corner.

Vice Chair Yates turned the discussion over to the commissioners.

Dean Patterson, Senior Planner, said that Mr. Picotte mentioned the NDOT requirements for access onto the highway. He clarified that right now the property frontage is wide open and paved out to the highway. NDOT wants it reduced so that there is one driveway entrance in between the buildings, and they also want urban standard streetscape, like what is in front of Walgreens and Sonic. This would basically fill in the gap that is there. He further pointed out that NDOT has been working to replace all of the curb, gutter, and sidewalks in town east of Allen Road. They will also repave the street through town. Next year NDOT will be starting another project from Leeteville Junction to Allen Road, so they will be doing all of the surface paving for that as well as curb, gutter, and sidewalks in a more limited fashion. That part has not been designed yet, and they are still working on right of way acquisition. It is possible that Mr. Picotte might be able to have NDOT install curb, gutter and sidewalk, like they have been doing through town, but if that turns out not to be the case, he will be required to complete that on his own. Staff is recommending giving them one year to try to work with NDOT.

Member Diehl knows that Mr. Picotte is already in business, but she wanted to state for the record that they will need to get the licensing and permits as required by county code. Mr. Picotte indicated that he is aware.

Vice Chair Yates remarked that there is a very extensive list of recommended conditions in

the staff report and wanted to make sure that they were aware of and understood these requirements. He also restated that based upon what Dean Patterson shared regarding the access for the parcel, working with NDOT could be complicated.

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

Member Nelson, 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 CCC 16.08.080(H) on APN 008-361-54, as described in the Staff Report. Member Getto seconded the motion and the decision carried by unanimous vote (5 in favor and 1 abstaining).

Member Bunyard, based on the previously adopted findings made for this project, moved to approve the Special Use Permit application for The Grid Brewery and Market to establish:

(a) a Light Manufacturing Facility (beverage processing),

(b) an Eating and Drinking Establishment with alcohol sales and nighttime hours, and

(c) a Multi-Tenant Retail Facility

at 2030 Reno Highway (APN 008-361-54). This approval is subject to the conditions, as listed in the Staff Report. Member Getto seconded the motion and the decision carried by unanimous vote (5 in favor and 1 abstaining).

Recommended Conditions:

1. *This permit is subject to review in 1-year to show progress on meeting conditions of approval.*
2. *The entire business must be in conformance with County Code, including but not limited to:*
 - a. *Business licenses must be maintained.*
 - b. *All necessary building permits must be obtained, including items discussed in the staff report.*
 - c. *Nonconforming structures shall be maintained in conformance with County Code.*
 - d. *Necessary modifications shall be made to meet lighting, landscaping, signage, loading space, parking space number, parking lot surfacing, parking lot screening, and other code requirements discussed in the staff report. If requirements cannot be met, the applicant may submit a Variance application.*
3. *Before building permits are issued, a final Parking Plan shall be provided documenting conformance with the Parking Code.*
4. *The property owner shall ensure that required parking for all buildings and uses remains in compliance; including shared use, hours of use that do not conflict, and ensuring continued adequate parking for all uses in the event that the property is divided.*
5. *A 6' screened fence shall be installed around the rear parking lot along the west side, along the north side located at the edge of the utility easement, and connecting to the Walgreens screen fence at the NE corner.*
6. *All required NDOT access permits and authorizations must be obtained. All access changes or improvements required by NDOT must be installed.*
7. *The street access shall be constrained to one point corresponding to the driveway between buildings, and access along other points of frontage shall be obstructed.*

8. *Within 1-year, urban street improvements (curb/gutter/sidewalk) shall be installed, unless documentation from NDOT is provided that indicates they will be providing such improvements in a future road project. Improvement specifications shall meet NDOT standards or requirements.*
9. *A 10' street landscape buffer shall be installed along US 50.*
10. *Operations of the entire business shall be conducted in a manner that does not create a nuisance (public or private) under Nevada law or Churchill County Code.*
11. *All state and/or federal permits required for this type of business shall be obtained and maintained, including those for producing alcoholic beverages, serving alcohol, and any associated gaming machines.*

Vice Chair Yates 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 paving requirement for creating new lots filed by Emma Fullerton for property located at 1767 Lovelock Highway, Assessor's Parcel Number 008-273-62, consisting of 6.7 acres in the E-1 zoning district. The applicant requests a variance to reduce the road surface standard for Northview Drive from paved to gravel when she does her parcel map.

This item has been postponed until the next meeting.

10. Action Item:

- A. Consideration and possible action re: A parcel map application filed by Emma Fullerton for property located at 1767 Lovelock Highway, Assessor's Parcel Number 008-273-62, consisting of 6.7 acres in the E-1 zoning district. The applicant proposes to divide the parcel into 3 parcels of approximately 2-acres each.

This item has been postponed until the next meeting.

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: Recommendation for termination of a temporary use permit for a temporary residence for a caretaker previously granted to Tamara Marsh at 1300 Bell Aire Ln, Assessor's Parcel Number 008-631-17, in the A-5 zoning district. The permit is no longer used for the purpose that it was originally applied for as Tamara Marsh has not lived on the property for a while.
- B. Consideration and possible action re: Termination of a temporary use permit for a temporary residence while constructing a primary dwelling previously granted to Samuel Gilmore at 3300 Saint Clair Road, Assessor's Parcel Number 006-211-43, in the A-5 zoning district. The permit is no longer needed since they have completed the primary residence and no longer use the RV as a residence.
- C. Consideration and possible action re: Termination of a special use permit for a rail based services facility previously granted on March 13, 2019 to Omaha Track, Inc. for property located at 1006 Nevada Street, Hazen, Assessor's Parcel Numbers 009-251-74, 009-251-86 and

009-251-88, in the A-10 and Industrial zoning districts. The permit was not completed as planned with this permit; therefore, they applied for a new permit based upon the current use and plans for an office building. Since the new special use permit was granted on July 13, 2022, the previous permit is no longer needed.

Michelle Spooner, 1300 Bell Aire Lane, requested to pull Item A for discussion. She stated that she has purchased the property from Tamara Marsh and would like to request additional time to remove one of the mobile homes from the property. She was the caretaker for Tamara Marsh, and had originally thought to use the other residence for her mother to live in; however, she found another property with a larger home where her mother could reside in the same residence. She plans to fix one of the mobile homes to sell, and then she needs to place the other mobile home on a foundation for it to be legal. Vice Chair Yates questioned how long of an extension she would need to complete this, and Ms. Spooner responded that she was thinking about six months.

Vice Chair Yates sought direction from staff or legal counsel regarding this issue because he believes that the temporary use permit (TUP) is granted for a person and not to a parcel. Joe Sanford, Deputy District Attorney—Civil, stated that the Planning Commission cannot allow the permit to continue because the basis for which the permit was granted is no longer valid. In the code there is a 90 day period in which the temporary mobile home must be removed unless she can submit another application. Since the criteria for the permit are not able to be met, the permit would need to be terminated; however, Ms. Spooner may be able to submit a separate request regarding the time period in which the other mobile home would need to be removed, but that submittal is not on the agenda and cannot be acted upon today. Ms. Spooner verified that she would need to reapply in order to request an extension. Dean Patterson, Senior Planner, remarked that staff and legal counsel would need to work together to see what steps Ms. Spooner could take for her request, and there may not be an application that addresses the request. He suggested that staff confer and get with Ms. Spooner about what she needs to do.

Regarding Item A, Member Nelson moved to approve the termination of the temporary use permit for Tamara Marsh at 1300 Bell Aire Lane, Assessor's Parcel Number 008-631-17. Member Diehl seconded the motion and the decision carried unanimously.

Member Bunyard moved to approve Items B and C on the Consent Agenda as submitted. Member Getto seconded the motion and the decision carried unanimously.

12. Public Comment:

Vice Chair Yates asked for any public comment.

Alan Harrison spoke regarding the Fullerton Variance application that was postponed to the next meeting. He stated that he did write a letter in case he couldn't make the meeting. He explained some of the things that could affect their ability to attend the next meeting. Vice Chair Yates stated that since the item has been postponed, they are unable to discuss this item at this time. Director Chris Spross informed him that the commissioners were provided with a copy of his letter with the application, and he would be able to read it into the record. Mr. Harrison wanted to make sure that his comments were included in the discussion for the application and was unsure if he would be able to make the next meeting.

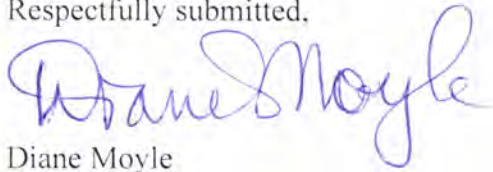
13. Adjournment:

There being no further business to come before the Planning Commission, Vice Chair Yates adjourned the meeting at 7:59 p.m.

14. Appendix:

Supporting Documentation

Respectfully submitted,



Diane Moyle
Administrative Assistant



CHURCHILL COUNTY
PUBLIC WORKS, PLANNING, & ZONING

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STAFF REPORT FOR PLANNING COMMISSION MEETING – August 10, 2022

Prepared August 3, 2022

PLANNING COMMISSION MEMBER-STAFF MEETING

A meeting was held on August 3, 2022 to review the project applications listed below that are on the agenda for the August 10, 2022 Planning Commission Meeting. Site visits were made as noted.

- | | | |
|--|---------|---------------|
| • Autonomous Ops 2 TUPs for Temporary Quarters for Commercial Watchman
& Temporary Quarters for General Purposes | Page 2 | No Site visit |
| • Sehorn SUP for Home Based Firearms Business | Page 5 | No Site visit |
| • The Grid Brewery & Market SUP for multiple uses:
(a) a Light Manufacturing Facility (beverage processing),
(b) an Eating and Drinking Establishment, and
(c) a Multi-tenant retail facility | Page 8 | No Site visit |
| • Fullerton Variance for gravel road on parcel map | Page 14 | No Site visit |
| • Fullerton & Johnson Parcel Map (3 lots) | Page 17 | No Site visit |
| • Consent Agenda | Page 21 | No Site Visit |

PC Members Present

Myles Getto
Paul Picotte
Deanna Diehl

Staff Members Present

Dean Patterson
Chris Spross
Diane Moyle

REVIEW OF PROJECT FILES

The Public Works, Planning, and Zoning Department Staff has reviewed these applications for compliance with Churchill County Code as required by the Development Code. This staff report summarizes our findings and provides recommendations for the Planning Commission to consider while making their decisions on a project or making recommendations to the Board of County Commissioners.

If you have questions concerning details of the project or this staff report, please contact the Public Works, Planning, and Zoning Department staff for assistance.

Application:	<u>Temporary Use Permit</u>		
Use Listing:	(1) <u>Temporary Quarters for Commercial Watchman</u> (2) <u>Temporary Quarters for General Purposes</u>		
Applicant:	Samantha Conway for Autonomous Ops	Owner:	Autonomous Ops Inc.
Site:	6127 Reno Hwy. (APN 008-573-06) – 3.1 acres		
Designations:	Master Plan – Urbanizing // Zoning – C-2		

Background: This application results from enforcement action on the subject property for 2 RVs being live in. This request attempts to resolve the matters.

Proposal: The Company makes a variety of graphics items, but also assembles electronics for custom robotic machines. The electronics assembly is the activity generating the request for 2 temporary quarters, both of which will be RVs. This is due to the value of the projects and the remote workforce that is used.

Criteria Review – Commercial Watchman: CCC 16.08.070(F) Findings requires the Planning Commission to find that the criteria for a watchman's quarters from CCC 16.08.070(B)2 are met. The applicant has a burden of proof to provide evidence supporting the request. The criteria are:

"Temporary living quarters for watchman's quarters is only permitted in conjunction with a commercial or industrial operation and is to be used for **security purposes only**. These security purposes must be proven, established, justified, or demonstrated. Watchman's quarters shall not be used solely as a primary single-family dwelling."

Information in the application and conversations with the applicant provide the following background for the request. The business is a bona-fide commercial operation operating for several years. It also has a business license in compliance with County Code. The electronics and machines are valuable items needing additional security from break-in and theft. The request is for an employee to provide additional security for the business projects. The initial trigger for the enforcement action is that one of the business owners has been living in his RV on-site for quite a while. He will serve as the watchman initially, until he buys a home. A current employee is living in an RV at a local RV park, and will eventually become the watchman with a different RV. The current RV is fairly new, is in place, and is set up. The future RV is also newer and will take the place of the current RV. Staff recommends approval for this temporary quarters.

Criteria Review – General Purposes for Employee Housing: CCC 16.08.070(F) Findings requires the Planning Commission to find that the criteria for a General Purpose Temporary Quarters in CCC 16.08.070(B)6 are met. The applicant has a burden of proof to provide evidence supporting the request. The criteria is that the purpose "is similar to and not more obnoxious or detrimental to uses listed in subsections B1 through B5 of this section. Evidence must be provided that demonstrates an extraordinary need and demonstrates attempts to find an alternative accommodation."

Information in the application and conversations with the applicant provide the following background for the request. The company hires engineers, many of whom live outside the area. While the employee can work away from the business for some periods; at certain points in a project, the engineer may need to work on-site for a short time, and normally stay in a hotel. But finding hotel rooms is sometimes a problem. Remote employees coming to work at the site is a normal situation, and sometimes several remote employees may be staying at hotels. An employee would normally only stay for a week or two. Having some of the employees stay in the RV will save on hotel costs. As a longer-term solution, the company wants to somehow arrange for employee housing on-site. Residences are not allowed in the commercial zones, so this would require

rezoning, land division, and additional permitting – but that would be for future consideration. This request is (a) unlike any other type of TUP, (b) essentially serves as a way to get around zoning code limits, and (c) would allow multiple RVs on the site; all of which would be more obnoxious than the one temporary quarters for a watchman. Staff recommends denial of this temporary quarters. The long-term solution described above should be pursued as soon as possible.

Location: The proposed location for the temporary watchman quarters is near the middle of the east side of the long building. The proposed location for the temporary watchman quarters is near the north edge of the east side of the long building. The applicant verbally indicates both will be connected to the property's existing well, septic, and power services. The property takes access from the Reno Highway, which is a publicly maintained paved road located in its own strip of state owned land. A 30' road easement runs along the east side of the property, which also includes the driveway for the site. The east-side road serves as a driveway for two other homes south of the property. The RVs must be located outside the easements and yard setbacks. A site visit determined that a storage container had been placed within the 30' setback for the road easement. This should be moved outside the setback. A shed next to the storage container appears to be right at the edge of the setback.

STAFF RECOMMENDATION – COMMERCIAL WATCHMAN: **APPROVAL**

MOTIONS FOR FINDINGS: 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 // HAVE NOT BEEN**] met for conformance with the criteria found in CCC 16.08.070(B)2 regarding a Temporary Use Permit for Temporary Quarters for Commercial Watchman on APN 008-573-06

[For APPROVAL - Staff Report provides adequate findings.]

[For DENIAL – add additional findings:] Specifically, the project fails to **[ADD NEEDED**

REASONING RELATED TO CRITERIA]

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

- Based on the previously adopted findings made for this project, I move to [**APPROVE // DENY**] the Temporary Use Permit application for Autonomous Ops to establish a Temporary Watchman's Quarters on APN 008-573-06.

For APPROVAL the motion should ADD: This approval is subject to conditions, as listed in the Staff Report.

STAFF RECOMMENDATION – GENERAL PURPOSES: **DENIAL**

MOTION FOR FINDINGS: 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 // HAVE NOT BEEN**] met for conformance with the criteria found in CCC 16.08.070(B)6 regarding a Temporary Use Permit for Temporary Quarters for General Purposes on APN 008-573-06.

[For DENIAL – Staff Report provides adequate findings.]

[For APPROVAL add] Specifically, the proposal will be NOT be more obnoxious than other similar temporary quarters.

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

- Based on the previously adopted findings made for this project, I move to [**APPROVE // DENY**] the application for a Temporary Use Permit for Autonomous Ops to establish a Temporary Quarters for General Purposes at 6127 Reno Hwy. (APN 008-573-06).

[For APPROVAL the motion should ADD] This approval is subject to conditions, as listed in the Staff Report.

Recommended Conditions for either temporary quarters on the property (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 person occupying any RV must be an employee.
2. The temporary quarters must comply with Churchill County Code.
 - a. All required Building Department approvals and safety certificates must be obtained for the RV, including any required set-up permits, and any inspections of water, septic and electrical connection when the temporary quarters is installed.
3. The temporary quarters must use temporary construction practices. It may not be placed on a permanent foundation; and must use the existing water well, power supply, and septic system unless deemed infeasible by the Building Dept.
4. When the temporary quarters is no longer needed, it must be removed from the property or otherwise made to be conforming.

Application:	<u>Special Use Permit</u>	Use Listing:	<u>Home Based Business for Firearm modification and sales</u>
Applicant:	<u>Michael Sehorn for Raven Eight Tactical</u>		
Owner:	<u>Michael & Lanya Sehorn</u>		
Site:	4405 Reno Hwy (APN 008-461-44) - 1.22 acres		
Designations:	Master Plan – Urbanizing // Zoning – C-1		

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.

The business will be run out of an existing shop on the property. There will be no employees besides the applicant. Hours of operation are by appointment only during the workweek, and 10am-5pm on Saturday. Customer visits during the workweek are expected to be approximately 1/day, with 6 or 7 on Saturday. Some delivery visits can also be expected to increase trip counts. No alterations that impact the well and septic are proposed. The property is served by a 60' road easement running along the east edges of this property and those to the north – reaching to the Reno Hwy. A 10' utility easement runs along the east side of the road easement. At the south property line, the road easement "Ts" to serve 3 nearby residences. The road easement is filled by a privately maintained gravel drive that serves the 4 residences at the south end and the mini-storage businesses to the north.

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 neighborhood very eclectic in uses and lot sizes. Most nearby residential lots lie to the south and east, and are similarly sized 1-2 acre lots. The OK Mobile Home Park is adjacent to the east, with its driveway along the common property line. Mini-storage businesses dominate the nearby commercial uses, but there are a few others. Some farming exists, to the east, west, and south, though not adjacent.

A full-blown firearms business would not normally be allowed in a residential neighborhood, but this site is zoned C-1 so the existing home is a Nonconforming Use. It also means a firearm business could be proposed as a stand-alone business; though doing so would trigger the need to install normal commercial improvements. Running the firearms business as a home business with only the owner as an employee would be compatible with surrounding residential and commercial uses.

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

The **Master Plan** establishes land use districts that are implemented by the zoning districts. The area around the proposed home business has a Master Plan designation of Urbanizing. The property is zoned C-1 Commercial. **Home Based Businesses are a listed use** in the zoning district or use table for the C-1 zone (but only if in association with a legal existing home), 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 should 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. ***NOTE that full-scale businesses must normally meet the code requirements referred to below.***

- **Generally:** Changes to the residential septic system and water well should not be needed. Changes to the existing buildings are not proposed and would not affect setbacks and easements. The parking code (including handicapped parking) does not require parking for activities accessory to a residential use. Any required 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 or outdoor lighting is proposed. New residences must pay County impact fees and dedicate water, but an accessory home business does not.

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

There is no public sewer and water services on or near the site. Private sewer and water service currently exist on-site and can be used for the accessory Home-Based Business. Firearm businesses can attract a criminal element, which could place additional demand on Police service. Ammunition could place additional demand or hazard on Fire service. Staff recommends ensuring the security of such materials using a weapon safe, etc. The Sheriff and Fire Marshall are aware of the project and it will not overburden police and fire services. Public road infrastructure is discussed below.

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

Traffic trips for the business are minimal with a handful per day (1 visit = 2 trips). The driveway serving the site is gravel, in decent condition, and (according to the application) maintained by the applicant. It is adequate for the small amount of customer 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 and employee traffic often have traffic impacts on neighboring uses, but in this case impacts will be minimal. A Federal Firearm License is required for the business and the applicant is in the process of applying for it. Secure storage of firearms and ammunition should be required to address issues of increased security for firearm businesses, and address the increased hazard of larger than normal ammunition volumes.

STAFF RECOMMENDATION: APPROVAL

MOTION FOR FINDINGS: 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 // HAVE NOT BEEN***] met for conformance with the criteria found in CCC 16.08.080(H) on APN 008-461-44.

[For APPROVAL - Staff Report provides adequate findings.]

[For DENIAL – add additional findings:] Specifically, the proposal fails to ... **[ADD NEEDED REASONING RELATED TO CRITERIA]**

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

- Based on the previously adopted findings made for this project, I move to [***APPROVE // DENY***] the special use permit application to establish a Home-Based Business for firearm modification and sales at 4405 Reno Hwy (APN 008-461-44).

For APPROVAL the motion should ADD: 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 Michael Sehorn. Approval is not transferrable to another location or operator.
 - b. This approval is for the proposed firearm modification and sales business. Adding other activities, such as firearms classes, fabrication of parts, etc. is prohibited.
 - c. Business hours and customer visits are limited to “appointment only” and one at a time. Appointments shall be spaced to avoid customer overlap.
2. Firearms and ammunition shall be stored in a secure non-movable environment, such as a gun safe secured to the building.
3. The applicant shall coordinate with the Sheriff and Fire Marshall annually to ensure their knowledge of the business in the neighborhood, and implement any recommendations they have.
4. The project must be in conformance with County Code, including but not limited to:
 - a. No outside storage, signage, outdoor light, or outside modifications have been approved.
 - b. A business license must be obtained and maintained.
 - c. All changes and inspections required by the Fire Marshall shall be implemented.
5. Operations shall be conducted in a manner that do not create a nuisance (public or private) under Nevada law or Churchill County Code.

Application: Special Use Permit
Use Table Listing: Multiple Uses:
(a) Light Manufacturing Facility (beverage processing),
(b) Eating and Drinking Establishment with alcohol sales and nighttime hours,
(c) Multi-Tenant Retail Facility
Applicant: The Grid Brewery and Market (Paul and Tiffany Picotte)
Owner: Picotte Segura Holdings LLC
Site: 2030 Reno Highway (APN 008-361-54) - 1.3 acres
Note that 2040 Reno Hwy is on same property in a different building.
Designations: Master Plan – Urbanizing // Zoning – C-2

Introduction: The property has been developed for a long time, with buildings built in the mid-1970. The building occupied for 3-D Shipping has been used for retail and motorcycle repair (Tu Brothers). The building proposed for the brewery has been used for retail and services. The site has never been used for a restaurant or similar high traffic use.

Summary: The applicant proposes to establish a business with multiple uses, which is named in association with the applicants current business – The Grid (restaurant and bar). Some of these uses will be rented/leased for operation by other businesses.

- The primary use will be a brew pub, being an Eating/Drinking Establishment needing a Special Use Permit. It includes alcohol sales and nighttime hours, both of which also require Special Use Permit approval. While the current The Grid location has a liquor license, the brew pub location will have to get its own liquor license.
- Part of the overall business is a food stand that will provide take-away counter service. This is also an Eating/Drinking Establishment.
- The brewery use will take place in the rear of the building. It is a Light Manufacturing use (food processing) needing a Special Use Permit. State or federal permits will be needed for producing alcoholic beverages. The applicant verbally indicates that it will only produce enough beer to support the brew pub (and presumably the main restaurant). Large scale production would take much more water than currently planned and would need a larger facility at a different site.
- The “Market” inside the building is composed of small retail stands that will be rented to small businesses. The concept is similar to the retail stands seen in airport terminals. This use is a multi-tenant retail facility, which requires a Special Use Permit.

The site is laid out with a west building (currently 3-D Shipping), and an east building (the proposed brew pub) located on or close to the site lot lines. The rear of the site has a large open area to be used mostly for parking. There is also parking in the front of the buildings. Parking is a major issue because the requirements for an eating and drinking facility will occupy nearly all parking on the site. Parking is discussed in the detail below.

Traffic and access are important issues for this application. The application states that the business will start with 5 employees, though it is unknown what the distribution among the different uses is, or if it accounts for all parts of the proposed uses. Expected customers are 138 (12 per hour). Deliveries are expected to be 1/week. Total traffic trips are in the neighborhood of 300/day. Street access for business traffic will be from the Reno Hwy. (US 50), which lies within its own strip of state-owned land. NDOT controls access onto the highway, and will normally require access permits and improvements with a change in use that increases previous traffic levels. Access is discussed in detail below.

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 property is zoned C-2 Commercial, as are the lots to the east and west, all of which are used for commercial purposes, mainly retail. To the south of the site is the Reno Highway and the Fallon City Limits with commercial uses. The property to the north is zoned C-1, and is used for a mobile home park – being a residential use. While the commercial to residential boundary has existed for a long time, the proposed brew pub will have much more traffic than the previous commercial uses, and the new parking lot at the rear of the site will face the mobile home park. Screening is required by Code, and a screen fence is recommended and discussed in multiple locations below to also address other issues.

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. ***All of the multiple proposed uses are listed uses*** in the use table for the C-2 zone, needing a SUP to be approved. Most Master Plan policies are not applicable to the development of commercial uses or are neutral in terms of general commercial activity. The main applicable section in the Master Plan is Chapter 11 Land Use, which requires protection of the community from new development.

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

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

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

Compatibility issues are discussed under criterion 1, above. Regarding visual quality issues, It is recommended that the streetscape common for nearby properties be installed, including curb/gutter/sidewalk and street landscaping.

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

- **Setbacks and Easements:** The C-2 zone has a 60' front/street setback, being measured from the Hwy 50 property line. The existing buildings already do not conform to this standards, making them non-conforming structures; with the brew pub building being approx. 55' (closest point), and the 3-D Shipping building being approx. 45' (closest point). In addition, until recently, there were covered walkways along the fronts of both buildings; with the brew pub's being approx. 47' (closest point), and the 3-D Shipping building being approx. 37' (closest point).

Non-conforming structures may continue to exist as is, but they cannot be extended to increase their non-conformity. They may be restored/replaced/etc. in the same location, but if they are removed for a long time, they cannot be replaced. The difficulty in this case is that the covered walkways on both

buildings have recently been removed. They must be replaced ASAP or they will lose their non-conforming status and cannot be replaced.

The C-2 zone has no side setback requirement, and has a 20' rear setback, which are met. The utility easement along the rear property line must be kept clear, so any fencing needs to follow the edge of easement, which the previous fence did.

- **Friction Zones:** Normally a friction zone buffer is required between commercial and residential uses. However, the existing situation has existed for a long time. There are new impacts from changing the use to a brew pub, and the new parking lot will be subject to additional standards, including a screen fence. Additional friction zone improvements are not needed.
- **Office, sewer, and water facilities:** The existing buildings have recently been connected to the County's water and sewer systems at the rear of the property. Permanent facilities for employees and customers exist and ADA accessible improvements are planned.
- **Outside Storage Requirements:** Outside storage is not proposed.
- **Parking and Loading Requirements:** The parking code provides calculations for determining required parking for restaurants, but the Director must determine parking requirements for the beer processing area and the "market" stalls. Different areas have different parking requirements as itemized below:

Full building ~6700 sf. – Total Parking Required = 54 spaces

Brewing room (food processing) ~ 1400 sf – Director determines 2 spaces required

5 Retail "market" stalls - Director determines 2/stall = 10 spaces required

Food/beverage area (lounge) - ~4240 sf at 1 space per 100 sf = 42 spaces required.

The site plan does not show the required number of parking spaces in the currently developed parking area for the site. The applicant intends to expand the parking lot to the rear area behind the buildings. A parking plan is being developed by the applicant's consultant to show the full allocation of parking spaces, but it has not been received yet. The applicant should bring it to the hearing to demonstrate that parking can be provided. County code requires that expanded parking lots be surfaced with gravel or better, and the applicant indicates plans to pave the parking lot.

NOTE that the site plan does not show the 3-D Shipping building addition that extends further into the rear area than the brew pub building. This will affect the shape of that parking area.

NOTE that the 3-D Shipping building (~7000 sf including addition) also has a parking demand (though the entire building is not being used for retail). But the peak parking need for the shipping business (mainly workday hours) will NOT correspond with the peak parking need for the brew pub building (mainly late afternoon/evening hours). This means that parking demand does not have to be calculated additively. This would change if the uses at the 3-D Shipping building changed to late afternoon/evening hours.

NOTE that the applicant has future plans to split the property so the buildings will be on their own parcels. This will complicate parking for the brew pub, since it will need parking lot space that spans the entire property. The applicant has stated plans to provide a shared parking easement across both properties.

The Parking Code requires that the two buildings need **two loading space** that don't obstruct driveways or occupy parking spaces. Adequate space is available between the two buildings. The Parking Code also requires parking lots adjacent to residential uses (mobile home park) to be screened to the Directors approval. Staff recommends a view obscuring fence around the rear parking area.

- **Landscaping:** New and expanding businesses normally require 10' landscaping strip along the street frontage. In addition, the expanded parking lot at the rear of the building requires additional parking lot trees at 1 tree/15 parking spaces. So 3 or 4 trees will be needed behind the building depending on the size of the parking lot.
- **Lighting:** The application mentions flood lights, which are not normally allowed. These lights and any future lights must meet the Dark Skies Ordinance requirements for lights shining down.
- **Signage Requirements:** A small pole sign exists along the street, and will be re-faced for the new business. The building elevation shows what appears to be a Roof Sign on the covered walkway in front of the business. While details are not provided, it appears to meet the Roof Sign code requirements:
"Roof signs. Roof signs may not exceed four feet in vertical dimension, may not extend above the upper edge of the roof, below the lower edge of the roof, or beyond the terminating edge of the roof. Roof signs must be constructed separately from the roof surface, must be mounted perpendicular to level grade and parallel to the nearest horizontal roofline, and must have all supports enclosed or otherwise made not visible from the public street or other public area."
- **Water rights and impact fees:** Additional fees are not required.

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

There is a utility easement along the rear of the property for the County sewer and water system mains. The property has recently connected to County sewer and water systems, with each building being independently served from the rear of the property. Power and telecommunication service exists on-site. Public road infrastructure is discussed below.

Police and fire service demand will be increased somewhat for a bar/restaurant than for retail, but existing services are adequate. Services will not be overburdened.

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

County Code requires the site access to meet County or NDOT standards. Access for the site is taken from US 50, a paved NDOT facility. The highway lies within its own strip of land. NDOT has three common issues they look for: (1) paved access aprons, (2) limited points of access on a frontage, and (3) in urban areas they want urban improvements (curb/gutter/sidewalk). While the property's site access is paved, the entire 200' frontage is open to the highway, and does not have curb/gutter/sidewalk like most other nearby properties. A wide-open frontage is less safe because it allows turning directly into parking spaces, and possibly backing maneuvers into the highway.

When a use changes significantly (a large increase in traffic, lots of large trucks using the site, etc.) NDOT usually requires a new permit; and may require changes to the frontage to handle the new traffic and correct existing problems.

NDOT has not submitted written comments at this time, but they are expected before the hearing. In conversation, NDOT indicates that the wide-open access across a frontage needs to be limited to one location, specifically between the buildings. This means obstructions of some sort need to be installed along the rest of the frontage. They also indicate that street improvements common for the setting need to be installed, in this case curb/gutter/sidewalk. Traffic estimated by the applicant is in the 300 trip/day range. While this nears the 80 peak hour trips or 500 daily trips that would trigger a traffic study under County Code, NDOT has determine such is not required for this proposal.

OF IMPORTANCE for this project is that NDOT has been doing major reconstruction of US 50 through Fallon, and will be doing the section west of Fallon next year. These projects have been installing curb/gutter/sidewalk for properties that did not have them. This may be the plan at this location as well. The applicant should be given time to find out if NDOT will be installing these improvements before being required to do so for this permit.

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.***

Any environmental impacts will most affect nearby residents at the mobile home park. The possible impacts are:

- (a) Smells from the beer making process are common in a large brewery, but small scale operations have much better control of such matters and do not have the problem as much. Little or no impacts are expected.
- (b) Night time vehicle traffic that shines headlights at the mobile home park would be a problem without mitigation. Staff recommends a view obscuring fence around the rear parking lot to block light.
- (c) Night time noise from enebriated people in the rear parking lot could affect mobile home residents. But most activity would be toward the street side parking lot (the first choice of parking spaces), and less toward the rear of the property. The recommended site obscuring fence around the rear parking area can help to reduce that impact to minimal levels.
- (d) Excessive use of the “alley” between the business and the mobile home park, would most affect the mobile home park residents. The recommended fence around the rear parking area would prevent using the “alley,” and the applicant indicates plans to install a fence.
- (e) Dust from the rear parking area and driving in the “alley” could be a problem for nearby properties and residents. The code requires surfacing the parking lot with gravel or asphalt to control dust, and the applicant indicates plans to pave it.

STAFF RECOMMENDATION:

APPROVAL - as provided below.

MOTION FOR FINDINGS: 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 // HAVE NOT BEEN***] met for conformance with the criteria found in CCC 16.08.080(H) on APN 008-361-54.

[For APPROVAL - Staff Report provides adequate findings.]

[For DENIAL – add additional findings:] Specifically, the proposal fails to **[ADD NEEDED REASONING RELATED TO CRITERIA]**

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

□ Based on the previously adopted findings made for this project, I move to [**APPROVE // DENY**] the Special Use Permit application for The Grid Brewery and Market to establish:

- (a) a Light Manufacturing Facility (beverage processing),
- (b) a Eating and Drinking Establishment with alcohol sales and nighttime hours, and
- (c) a Multi-Tenant Retail Facility

at 2030 Reno Highway (APN 008-361-54).

For APPROVAL the motion should ADD:

This approval is subject to conditions, as listed in the Staff Report.

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

1. This permit is subject to review in 1-year to show progress on meeting conditions of approval.
2. The entire business must be in conformance with County Code, including but not limited to:
 - a. Business licenses must be maintained.
 - b. All necessary building permits must be obtained, including items discussed in the staff report.
 - c. Nonconforming structures shall be maintained in conformance with County Code.
 - d. Necessary modifications shall be made to meet lighting, landscaping, signage, loading space, parking space number, parking lot surfacing, parking lot screening, and other code requirements discussed in the staff report. If requirements cannot be met, the applicant may submit a Variance application.
3. Before building permits are issued, a final Parking Plan shall be provided documenting conformance with the Parking Code.
4. The property owner shall ensure that required parking for all buildings and uses remains in compliance; including shared use, hours of use that do not conflict, and ensuring continued adequate parking for all uses in the event that the property is divided.
5. A 6' screened fence shall be installed around the rear parking lot along the west side, along the north side located at the edge of the utility easement, and connecting to the Walgreens screen fence at the NE corner.
6. All required NDOT access permits and authorizations must be obtained. All access changes or improvements required by NDOT must be installed.
7. The street access shall be constrained to one point corresponding to the driveway between buildings, and access along other points of frontage shall be obstructed.
8. Within 1-year, urban street improvements (curb/gutter/sidewalk) shall be installed, unless documentation from NDOT is provided that indicates they will be providing such improvements in a future road project. Improvement specifications shall meet NDOT standards or requirements.
9. A 10' street landscape buffer shall be installed along US 50.
10. Operations of the entire business shall be conducted in a manner that does not create a nuisance (public or private) under Nevada law or Churchill County Code.
11. All state and/or federal permits required for this type of business shall be obtained and maintained, including those for producing alcoholic beverages, serving alcohol, and any associated gaming machines.

Application:	<u>Variance of the road surface standard from paved to gravel</u>		
Use Listing:	<u>Residential</u>		
Applicant:	Emma Fullerton	Owner:	Justin Johnson & Emma Fullerton
Representative:	Bell Land Surveying – Steve Bell		
Site:	1767 Lovelock Hwy. (APN: 008-273-62) – 6.7 acres		
Designations:	Master Plan – Urbanizing // Zoning – E-1		

Project Summary: Emma Fullerton is proposing a Variance for her parcel map to reduce the road surface standard from paved to gravel. The parcel map is also being heard at this meeting – see the next staff report item. The creation of new lots requires frontage on publicly maintained road, or construction/upgrading of a road reaching to the new lots. When the new lots are under 20 acres, the road must be paved. The road serving the applicant’s parcel map is Northview Drive. It is mostly gravel, but has a strip of paving on its east-most end. The applicant had thought the existing strip of paving was adequate and was prepared to pave the remainder to serve her new lots.

During the review it was learned that Northview was not paved correctly, and the condition of the road is questionable. It is unknown if it was built to any road standard. In addition, the last land division was required to pave the east-most portion of the road (an estimate from the time lists 350 feet). County records indicate that a letter of credit was posted to financially guarantee the road construction, and the lots were allowed to record. But the road was not built and the letter expired. Repeated contact with the developer was apparently ineffective. However, the developer eventually had a 16’ strip of road paved (not the required 26’ width) that is roughly 700’ long. This is the width of a paving machine, so he probably got a paving company to do a reduced price “test strip” in preparation for a large road project. It does not meet the required 26’ paved driving surface standard, and there is no “extra” gravel driving surface, just the shoulders. West of the paved strip, the gravel road also does not meet the 34’ driving surface standard, though the defined edge is difficult to identify.

When the paving inadequacies were discovered, it was determined that the correction would require tearing out the existing paving and repaving it to County standard. This would be prohibitively expensive for two new lots. The only alternative staff could think of was to request a Road Surface Variance to allow a gravel road. If the gravel surface variance was granted, the substandard strip of paving would be contrary to that standard and would have to be removed. Then the gravel bed would need to be assessed, and deficient portions upgraded. Such deficiencies could be minor or major. If the variance was granted, the savings from not paving the road will be substantial, Staff would recommend the County gravel standard be carried to the west edge of the property.

The Road Supervisor recommends denial of the Variance.

The Road Supervisor also recommends that whatever standard is used, the road should remain privately maintained.

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 application provides no extraordinary or exceptional situation. Staff comment – While there is no physical characteristic of the property generating the need for a Variance, an exceptional situation is created by the failure of the previous developer to adequately pave his part of the road. The variance would generally allow the existing gravel road to remain, though it will be upgraded where it does not meet County gravel standards. Denial of the Variance will likely mean that the applicant will have to abandon the land division.

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 that the difficulty would be the unforeseen cost of removing existing paving, and repaving that segment. Staff comments – This road situation was caused by someone else and presents an unforeseen and undue hardship on the applicant in dividing her property.

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 the variance would not affect neighbors. Staff comments – The proposal will create 2 new homesites, with an associated increase in traffic on the Northview Road. County standard roads are required to ensure they are of a condition and durability to serve the new lots. Paving reduces maintenance costs and controls dust. Approval of the variance to allow the road to remain gravel would increase maintenance costs and dust generation somewhat. Public health and neighbors would be detrimentally affected to a minor extent. If the variance is approved, Staff recommends that the upgraded gravel standard be carried to the west end of the applicant's property.

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

The paved road standard for smaller parcels found in CCC 16.12.040.2.A.4.a ensures that roads are provided that are of a condition and durability to serve the new lots. Paving reduces maintenance costs and controls dust. The application indicates the variance will create a wider gravel road. Staff comment. Increased traffic will affect existing users some as noted in Criterion 3. The road is existing and apparently satisfactory to the users, including the paved strip. Approving the variance will not substantially change the existing situation other than improving the existing gravel surface to some extent. The Road Supervisor recommends denial of the Variance, and recommends that the land division provide a paved road.

STAFF RECOMMENDATION: **DENIAL** NOTE that the staff report findings do not definitively support a single decision. They could support either approval or denial. The Road Supervisor recommends denial.

MOTIONS FOR FINDINGS: 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 // HAVE NOT BEEN**] met for conformance with the criteria found in CCC 16.08.090(F) regarding a Variance to reduce the parcel map road surface standard from paved to gravel on APN 008-273-62.

[For APPROVAL - Staff Report provides adequate findings.]

[For DENIAL – Staff Report provides adequate findings.]

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

- Based on the previously adopted findings made for this project, I move to [**APPROVE // DENY**] the request for Variance to reduce the parcel map road surface standard found in CCC 16.12.040.2.A.4.a from paved to gravel on APN 008-273-62.

For APPROVAL the motion should ADD: This approval is subject to conditions, as listed in the Staff Report.

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

1. The approved road standard for the proposed parcel map shall be for a County gravel road, which shall be improved through the west end of the property.
2. Compliance with Churchill County Code.
3. This variance expires 1 year from the date of approval. Any parcel map utilizing this variance must be approved by the BOCC within 1 year.

Application:	<u>Parcel Map for 3 lots</u>	Use Listing:	<u>Residential</u>
Applicant:	<u>Emma Fullerton</u>	Owner:	<u>Justin Johnson & Emma Fullerton</u>
Representative:	<u>Bell Land Surveying – Steve Bell</u>		
Site:	1767 Lovelock Hwy. (APN: 008-273-62) – 6.7 acres		
Designations:	Master Plan – Urbanizing // Zoning – E-1		

Proposal: The applicant is requesting a Parcel Map to split the property into three lots: one containing the existing home, and 2 new homesites. All new parcels will be slightly larger than 2 acres.

The existing parcel is U-shaped with two points of frontage on Northview Drive (on the north edge), and frontage on the Lovelock Highway (east edge). There are two existing parcels located within the “U” shape that were created from this larger parcel long ago and also front on Northview. The existing home takes access on Lovelock Highway, a state-maintained paved highway set within its own strip of state-owned land. It will continue to use this access using a flag-lot configuration, with the “flag-pole” reaching to the highway. The 2 new homesites will both take access off of Northview Drive, a privately-maintained public road in a 60’ road easement that lies entirely on the existing lot.

This proposal has road problems that stem from a previous developer’s failure to fulfill road requirements. (Reference the McKenzie-Smitten Amended Parcel Map recorded 11/5/93.) Due to complexities and costs of correcting the deficiencies, the applicant has submitted a Variance from road surface requirements to reduce the standard from Paved to Graveled. The variance will be heard at the same meeting as this parcel map. Road issues are discussed in detail below.

Criteria Review:

CCC 16.04.040(C) Design Standards: Churchill County has adopted development standards, which shall be complied with in all application submittals.

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

- **Setbacks and Easements:** The proposed new lot lines will not be placed near any existing buildings. All required road and utility easements are provided. There are wells and septic systems on the existing property and adjacent properties, but there is room on the proposed 2-acre lots to provide needed setbacks for new wells and septic systems. The Code’s Friction Zone standards require protection of farm property from new residential development – see Criterion 2 below.
- **Lot size and width:** While the lots are of non-standard shape, they meet lot area and lot width standards, except for the “flag-pole” portion of the lot for the existing home.
- **Access, sewer, and water facilities:** The existing home on the parent parcel is served by on-site water well and septic system. The two new homesite parcels will be served by new well and septic systems and has adequate road access. Also see Setbacks and Easements.
- **Water dedication and community development fees:** County Code requires that community development fees will be due with any new home or new business construction on the new lots. The exception is that a parcel map requires a water right dedication of 2 acre-feet for each new lot; unless no water rights exist on the property, in which case a payment-in-lieu is allowed in the amount of \$3276 per lot. This also applies to sites with existing homes, unless the home has already satisfied the requirement. Previous dedications can contribute to meeting this requirement.

The parent parcel has a water right dedication credit on-file from previous development, but a water dedication or fee will be needed for the two new homesites.

CCC 16.04.050(A) Conditional Development Approval: The planning director, planning commission or county commissioners are authorized to apply conditions to applications for development. Conditions are employed to development projects to ensure:

1. Conformity with the master plan.

The **Master Plan** designates the area as Urbanizing and is implemented by the existing A-5 zoning district. Most Master Plan policies are not applicable to the issue of a land division. Both **GOAL LU 2** and Policy LU 2.1 discuss compatibility issues that are discussed under criterion 2, below. The Goals and Policies in Chapter 12 Public Services and Facilities do not allow most land divisions of less than 5 acres without community sewer or water services. But it includes exceptions, such as for in-fill, and this proposal meets those exceptions.

2. Compatibility with existing adjacent properties and uses.

The potential of two more residential properties adjacent to other similar residential properties will be compatible with them. The existing residential use on the large parent parcel will not change, and its compatibility with existing nearby uses will also not change.

However, there are Friction Zone requirements to provide a Protection Plan to reduce compatibility problems between the new residential uses and the existing farm south of this site. No plan has been provided for the 3 new parcels being created. Staff recommends the following:

Parcel 4 – On the middle lot, the existing home is already set back ~65' from the farm field. This is inadequate compared to other friction zone setbacks, but it is a situation that has existed for nearly 20 years. No additional changes are needed.

Parcel 5 - The east-most new parcel will be separated from the farm parcel by the 30' flag-pole driveway, plus the farm field does not extend adjacent to this portion of the property line. No additional changes are needed.

Parcel 3 – The west-most new parcel will abut directly with the farm field. An additional setback is needed to ensure the home will not be placed close to the farm field. Several other friction zone standards use a 100' separation. That seems adequate in this case, and Staff recommends that a setback line and label stating "100' residence setback from agricultural land" be displayed on the map unless a suitable alternative is proposed.

3. Protection of the public health, safety and general welfare.

The existing 1 residential use on the parent parcel will become 3 residential uses when the parcel is split, with no change in protection of public health, safety and welfare. The creation of 2 additional residential parcels will minimally increase human activity in the neighborhood. Public health, safety, and general welfare are adequately protected.

4. That adequate public facilities and services are available to the development.

With the parcel map, the future development of 2 additional residential lots will place a minimally greater demand on facilities and services.

There are no public sewer or water services, so on-site services are currently used or will be used for new development. Power is available at the site, with a utility easement provided along property lines. Power poles exist along the south and north property lines. The current county standard is for road easements and property lines to include utility easements. The map complies with this. Fire and police services are adequate to serve the existing or future uses.

All three new lots will have road frontage: the middle lot will have access on Lovelock Highway, and the 2 new homesites will front Northview Drive along their north edges. NDOT indicates that any additional access points onto Lovelock Highway will be prohibited, but the existing access can continue to be used. Northview is a privately-maintained public road within a 60' road easement, and the new lots will be required to use it for access.

The problem for this proposal is the condition of the road. It is unknown if it was built to any road standard. In addition, the last land division was required to pave the east-most portion of the road (an estimate from the time lists 350 feet). County records indicate that a letter of credit was posted to financially guarantee the road construction, and the lots were allowed to record. But the road was not built and the letter expired. Repeated contact with the developer was apparently ineffective. However, the developer eventually had a 16' strip of road paved (not the required 26' width) that is roughly 700' long. This is the width of a paving machine, so he probably got a paving company to do a reduced price "test strip" in preparation for a large road project. It does not meet the required 26' paved driving surface standard, and there is no "extra" gravel driving surface, just the shoulders. West of the paved strip, the gravel road also does not meet the 34' driving surface standard, though the defined edge is difficult to identify.

Road Surface Variance A Variance to reduce the road surface standard from paved to gravel is submitted with this parcel map, and it is being heard at the same meeting as this parcel map. The applicant had thought the existing strip of paving was adequate and was prepared to pave the remainder to her new lots. When the paving inadequacies were discovered, it was determined that the correction would require tearing out the existing paving and repaving it to County standard. This would be prohibitively expensive for two new lots. The only alternative staff could think of was to request a Road Surface Variance to allow a gravel road. If the gravel surface variance was granted, the substandard strip of paving would be contrary to that standard and would have to be removed. Then the gravel bed would need to be assessed, and deficient portions upgraded. Such deficiencies could be minor or major. If the variance was granted, the savings from not paving the road will be substantial, Staff would recommend the County gravel standard be carried to the west edge of the property.

The Road Supervisor recommends denial of the Variance.

The Road Supervisor also recommends that whatever standard is used, the road should remain privately maintained.

- 5. As a part of the review and analysis of the development request, findings of conformance with the goals and objectives of the code and the master plan must be made in order to recommend approval and impose conditions. The conditions imposed by the staff may be modified by the final decision-making body.**

Based on the above assessment, options for Findings are provided below.

STAFF RECOMMENDATION: APPROVAL

MOTION FOR FINDINGS: 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 // HAVE NOT BEEN**] met for conformance with the criteria found in CCC 16.04.040(C) and CCC 16.04.050(A) regarding an application for a Parcel Map to split the lot into three parcels on APN: 008-273-62.

[For APPROVAL - Staff Report provides adequate findings.]

[For DENIAL – add additional findings:] Specifically, the project fails to **[ADD NEEDED REASONING RELATED TO CRITERIA]**

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

- Based on the previously adopted findings made for this project, I move to recommend that the Board of County Commissioners:
 - (A) [**APPROVE // DENY**] the Parcel Map permit application for Emma Fullerton to divide APN: 008-273-62 into three parcels.
[For APPROVAL add] This approval is subject to conditions, as listed in the Staff Report.
 - (B) ACCEPT the offer to grant easements identified on the map.
 - (C) REJECT all offers to dedicate lands and improvements at this time.

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) Changes shall be made for compliance with Churchill County Code, including but not limited to:
 - a) Typographic errors in certificates shall be corrected.
- 2) Any final changes required by the County Surveyor shall be made prior to recording.
- 3) A Note shall be placed on Parcel 5 stating: “Access for this property must be from Northview Drive.”
- 4) An Agricultural Protection Plan shall be submitted. An acceptable alternative is to place a setback line 100’ from the south property line of Parcel 3 labeled “100’ residence setback from agricultural land”.
- 5) Northview Drive shall be improved to the County standard consistent with the final decision on the proposed Variance from the road surface standard.
- 6) All required permits and authorizations from NDOT must be obtained for improvements and alterations made to Northview Drive.
- 7) An application for new addresses shall be submitted prior to recording the map.
- 8) Water dedication requirements must be met prior to recording the map, and includes an existing credit for the existing home.

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.

From: [Jeralynne Pierson](#)
To: [Planning Admin](#); [Marie Henson](#); [Raymond Brown](#)
Subject: RE: 895 Howard Place
Date: Tuesday, August 02, 2022 2:19:29 PM
Attachments: [image001.png](#)
[image002.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

A septic permit was issued today for 895 Howard Place. We haven't yet inspected the system as it's not ready.

Jera Pierson

Churchill County Building
155 N. Taylor Street
Suite 170
Fallon, NV 89406-2754
O: (775) 428-0264
Fax: (775) 423-8185
jpierson@churchillcounty.org



From: Planning Admin <planning-admin@Churchillcounty.org>
Sent: Tuesday, August 02, 2022 8:30 AM
To: Jeralynne Pierson <jpierson@Churchillcounty.org>; Marie Henson <mhenson@Churchillcounty.org>; Raymond Brown <rbrown@Churchillcounty.org>
Subject: 895 Howard Place
Importance: High

One of our TUP renewals for home construction is up for renewal at next week's PC meeting. One of the commissioners always asks about building permits, and Mr. Basford said that John Hancock Construction is installing a septic system at 895 Howard Place for Keary Basford. Did he get the permit from your office for this? Mr. Basford told me this morning that the septic tank is already in the ground.

Diane Moyle

Churchill County Public Works, Planning & Zoning Department
155 N Taylor St, Suite 194
Fallon, NV 89406
775-423-7627 phone
775-428-0259 fax



Churchill County Building Department

July 20, 2022

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

RE: AUTONOMOUS OPS, INC TEMPORARY USE PERMIT

Mr. Spross:

Regarding the Temporary Use Permit application for placement of one recreational vehicle for commercial watchman's quarters and one recreational vehicle for general purposes, the Building Department will require the following:

- A. A separate Placement Permit for each vehicle. (\$200.00 fee each)
- B. Electric connection inspection
- C. A plot map with dimensions showing each vehicles connection to the septic system.
- D. A septic connection inspection prior to occupancy of either vehicle.

The Building Department has concerns as to whether a suitable connection to the existing septic system is possible from the proposed placement of the recreational vehicles.

We have no further comments.

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

Sincerely,

Marie A. Henson
Building Official

155 N Taylor St
Suite 170
Fallon, NV 89406

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

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Churchill County Building Department

July 20, 2022

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

RE: COMMENTS PERTAINING TO SPECIAL USE PERMIT APPLICATION FOR THE
GRID BREWERY AND MARKET, 2030 RENO HIGHWAY

Mr. Spross:

Regarding the Special Use Permit application for The Grid Brewery and Market, the Churchill County Building Department will require the following:

- A. A commercial building permit application that includes:
 - a. A fully dimensioned plot plan showing all parking spaces and landscaping,
 - b. Complete building plans drawn by a State of Nevada Registered Architect or a State of Nevada licensed commercial contractor, to include structural, floor plan, HVAC, plumbing and electrical schematics
 - c. Completed Com-Check Energy report.
 - d. Additional information as determined.
- B. In-process inspections at all stages of construction. No building component may be covered, or any new construction started prior to an approved inspection by the Churchill County Building Department.
- C. No business or occupancy of any type will be allowed prior to an occupancy certificate being issued by the Churchill County Building Department.

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

Sincerely,

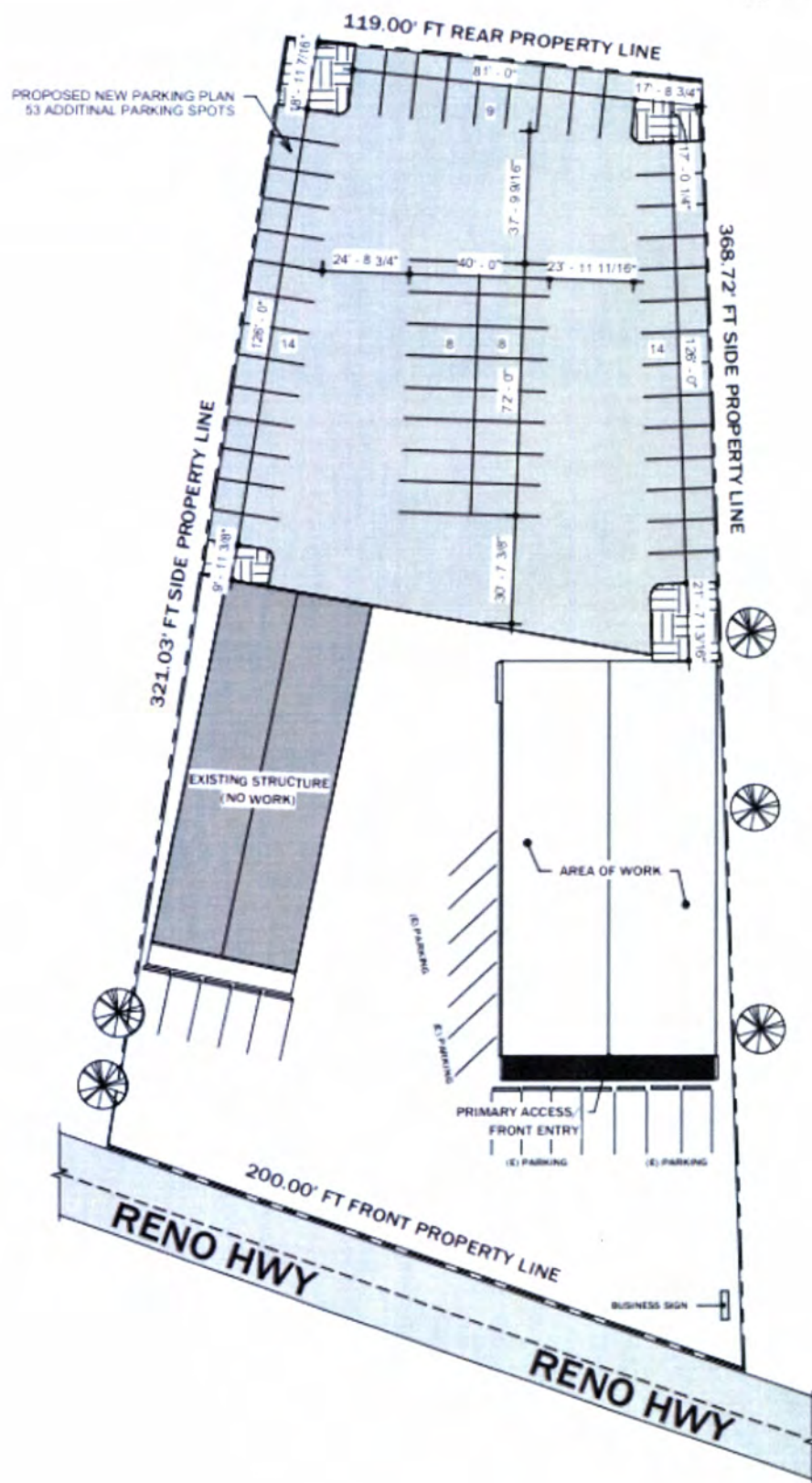
Marie A. Henson
Building Official

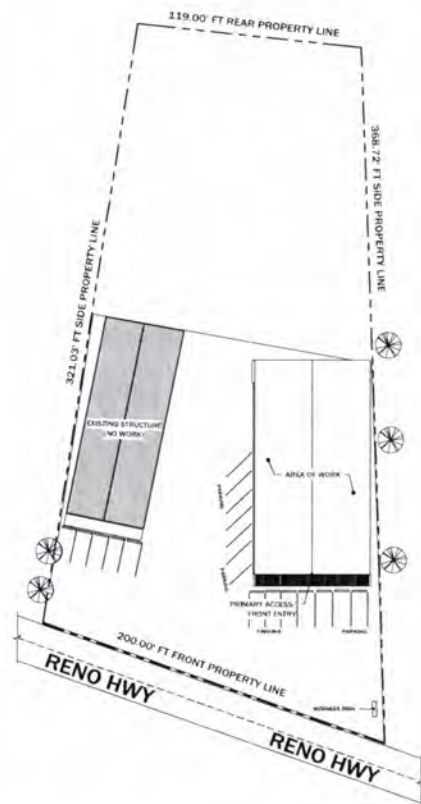
155 N Taylor St
Suite 170
Fallon, NV 89406

Phone 775-428-0264
Fax 775-423-8185
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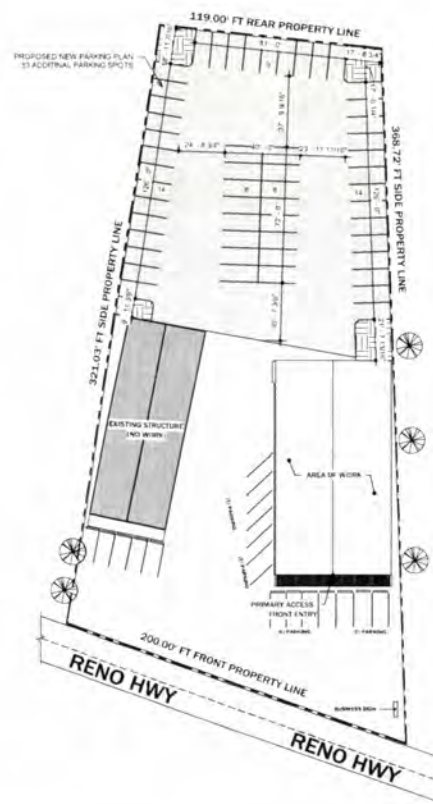
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71 TOTAL





A EXISTING SITE PLAN
1" = 30'-0"



B PROPOSED SITE PLAN
1" = 30'-0"



ZONING ANALYSIS

ADDRESS:	307 RENO HWY, FALLON, NV 89401
LOT:	006-BN-04
TAX ID:	00
ZONE:	02
LOT AREA:	5.890 ACRE
NORTH PROPERTY LINE:	119 FT
EAST PROPERTY LINE:	265 FT
SOUTH PROPERTY LINE:	298 FT
WEST PROPERTY LINE:	321.03 FT
EXISTING STORES:	1
PROPOSED STORES:	1



NA
NELSON ARAVE
DESIGN SERVICES

PROJECT
THE GRID

307 RENO HWY,
FALLON, NV 89401

DATE: 08/02/2022
PROJECT NO: 22-418
REVISION: DATE:

NOTES

**SITE AND
ZONING**

SCALE: 1" = 30'-0"

Z001

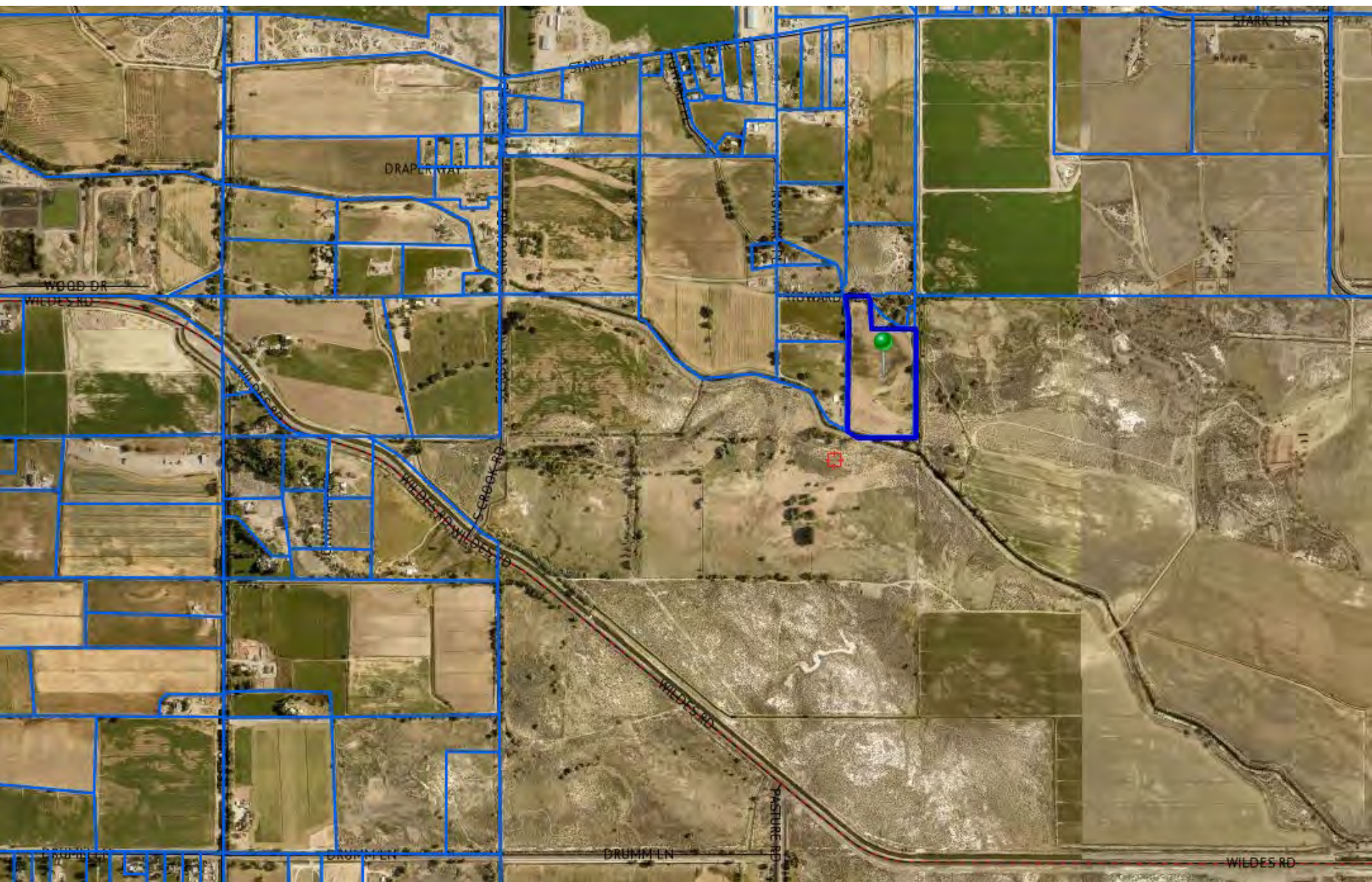
DRAWN BY: Author



CHURCHILL COUNTY PLANNING COMMISSION HEARING

August 10, 2022

Basford, TUP Renewal, 895 Howard Place, APN 007-851-19







This is an aerial map of a residential area, likely in Reno, Nevada, based on the street names. The map displays numerous property parcels, each outlined in blue and labeled with a unique identifier. The highlighted parcel, 008-573-06, is located in the lower right quadrant of the map, adjacent to RENO HWY. It is marked with a yellow border and a small blue icon. The map also shows other streets such as SUTTER BLVD and KADOC BLVD, and various other parcel numbers including 008-572-56, 008-572-31, 008-572-26, 008-572-25, 008-572-24, 008-572-22, 008-572-20, 008-572-18, 008-572-17, 008-572-16, 008-572-15, 008-572-14, 008-572-13, 008-572-12, 008-572-11, 008-572-10, 008-572-09, 008-572-08, 008-572-07, 008-572-06, 008-572-05, 008-572-04, 008-572-03, 008-572-02, 008-572-01, 008-573-19, 008-573-18, 008-573-17, 008-573-16, 008-573-15, 008-573-14, 008-573-13, 008-573-12, 008-573-11, 008-573-10, 008-573-09, 008-573-08, 008-573-07, 008-573-06, 008-573-05, 008-573-04, 008-573-03, 008-573-02, 008-573-01, 008-574-01, 008-574-02, 008-574-03, 008-574-04, 008-574-05, 008-574-06, 008-574-07, 008-574-08, 008-574-09, 008-574-10, 008-574-11, 008-574-12, 008-574-13, 008-574-14, 008-574-15, 008-574-16, 008-574-17, 008-574-18, 008-574-19, 008-574-20, 008-574-21, 008-574-22, 008-574-23, 008-574-24, 008-574-25, 008-574-26, 008-574-27, 008-574-28, 008-574-29, 008-574-30, 008-574-31, 008-574-32, 008-574-33, 008-574-34, 008-574-35, 008-574-36, 008-574-37, 008-574-38, 008-574-39, 008-574-40, 008-574-41, 008-574-42, 008-574-43, 008-574-44, 008-574-45, 008-574-46, 008-574-47, 008-574-48, 008-574-49, 008-574-50, 008-574-51, 008-574-52, 008-574-53, 008-574-54, 008-574-55, 008-574-56, 008-574-57, 008-574-58, 008-574-59, 008-574-60, 008-574-61, 008-574-62, 008-574-63, 008-574-64, 008-574-65, 008-574-66, 008-574-67, 008-574-68, 008-574-69, 008-574-70, 008-574-71, 008-574-72, 008-574-73, 008-574-74, 008-574-75, 008-574-76, 008-574-77, 008-574-78, 008-574-79, 008-574-80, 008-574-81, 008-574-82, 008-574-83, 008-574-84, 008-574-85, 008-574-86, 008-574-87, 008-574-88, 008-574-89, 008-574-90, 008-574-91, 008-574-92, 008-574-93, 008-574-94, 008-574-95, 008-574-96, 008-574-97, 008-574-98, 008-574-99, 008-575-00, 008-575-01, 008-575-02, 008-575-03, 008-575-04, 008-575-05, 008-575-06, 008-575-07, 008-575-08, 008-575-09, 008-575-10, 008-575-11, 008-575-12, 008-575-13, 008-575-14, 008-575-15, 008-575-16, 008-575-17, 008-575-18, 008-575-19, 008-575-20, 008-575-21, 008-575-22, 008-575-23, 008-575-24, 008-575-25, 008-575-26, 008-575-27, 008-575-28, 008-575-29, 008-575-30, 008-575-31, 008-575-32, 008-575-33, 008-575-34, 008-575-35, 008-575-36, 008-575-37, 008-575-38, 008-575-39, 008-575-40, 008-575-41, 008-575-42, 008-575-43, 008-575-44, 008-575-45, 008-575-46, 008-575-47, 008-575-48, 008-575-49, 008-575-50, 008-575-51, 008-575-52, 008-575-53, 008-575-54, 008-575-55, 008-575-56, 008-575-57, 008-575-58, 008-575-59, 008-575-60, 008-575-61, 008-575-62, 008-575-63, 008-575-64, 008-575-65, 008-575-66, 008-575-67, 008-575-68, 008-575-69, 008-575-70, 008-575-71, 008-575-72, 008-575-73, 008-575-74, 008-575-75, 008-575-76, 008-575-77, 008-575-78, 008-575-79, 008-575-80, 008-575-81, 008-575-82, 008-575-83, 008-575-84, 008-575-85, 008-575-86, 008-575-87, 008-575-88, 008-575-89, 008-575-90, 008-575-91, 008-575-92, 008-575-93, 008-575-94, 008-575-95, 008-575-96, 008-575-97, 008-575-98, 008-575-99, 008-576-00, 008-576-01, 008-576-02, 008-576-03, 008-576-04, 008-576-05, 008-576-06, 008-576-07, 008-576-08, 008-576-09, 008-576-10, 008-576-11, 008-576-12, 008-576-13, 008-576-14, 008-576-15, 008-576-16, 008-576-17, 008-576-18, 008-576-19, 008-576-20, 008-576-21, 008-576-22, 008-576-23, 008-576-24, 008-576-25, 008-576-26, 008-576-27, 008-576-28, 008-576-29, 008-576-30, 008-576-31, 008-576-32, 008-576-33, 008-576-34, 008-576-35, 008-576-36, 008-576-37, 008-576-38, 008-576-39, 008-576-40, 008-576-41, 008-576-42, 008-576-43, 008-576-44, 008-576-45, 008-576-46, 008-576-47, 008-576-48, 008-576-49, 008-576-50, 008-576-51, 008-576-52, 008-576-53, 008-576-54, 008-576-55, 008-576-56, 008-576-57, 008-576-58, 008-576-59, 008-576-60, 008-576-61, 008-576-62, 008-576-63, 008-576-64, 008-576-65, 008-576-66, 008-576-67, 008-576-68, 008-576-69, 008-576-70, 008-576-71, 008-576-72, 008-576-73, 008-576-74, 008-576-75, 008-576-76, 008-576-77, 008-576-78, 008-576-79, 008-576-80, 008-576-81, 008-576-





Sehorn SUP Application, 4405 Reno Hwy, APN 008-461-44





008-461-44

008-461-43

7N

TO
RENO
HWY ↑

Electrical Pole

Electrical
Panel

Shop
Location

Parking

Gated
Entrance

4405 Reno Hwy

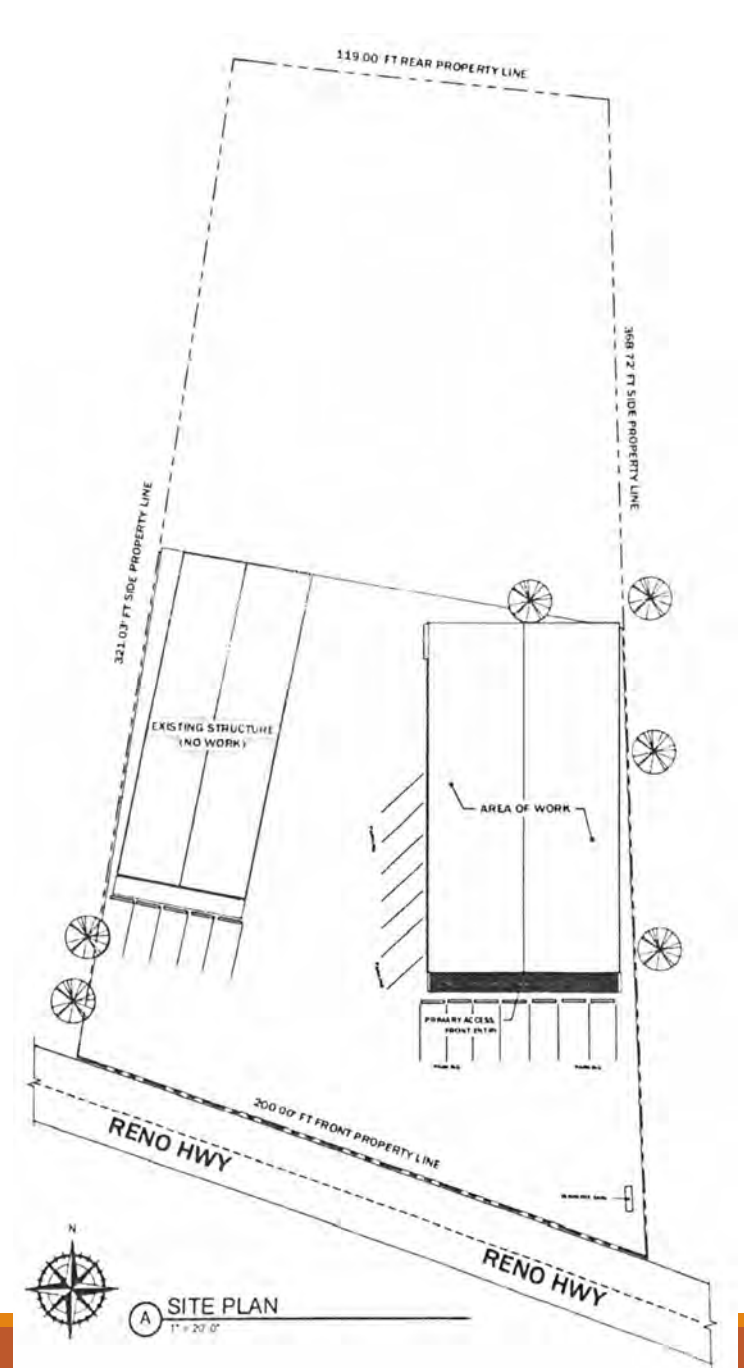
Septic
Tanks

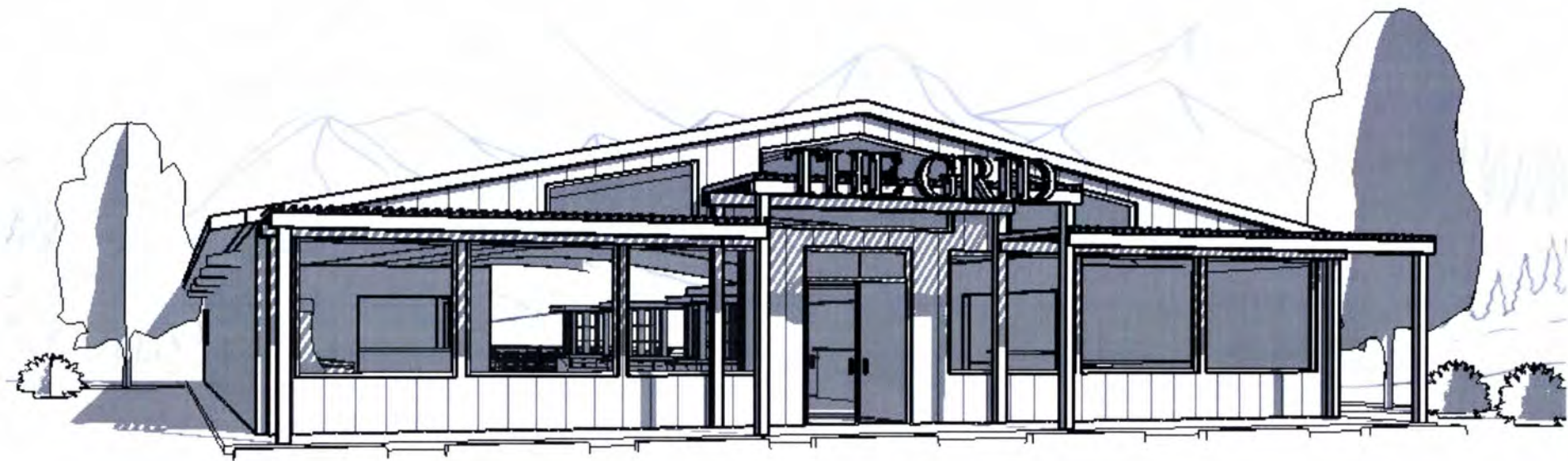
Parking

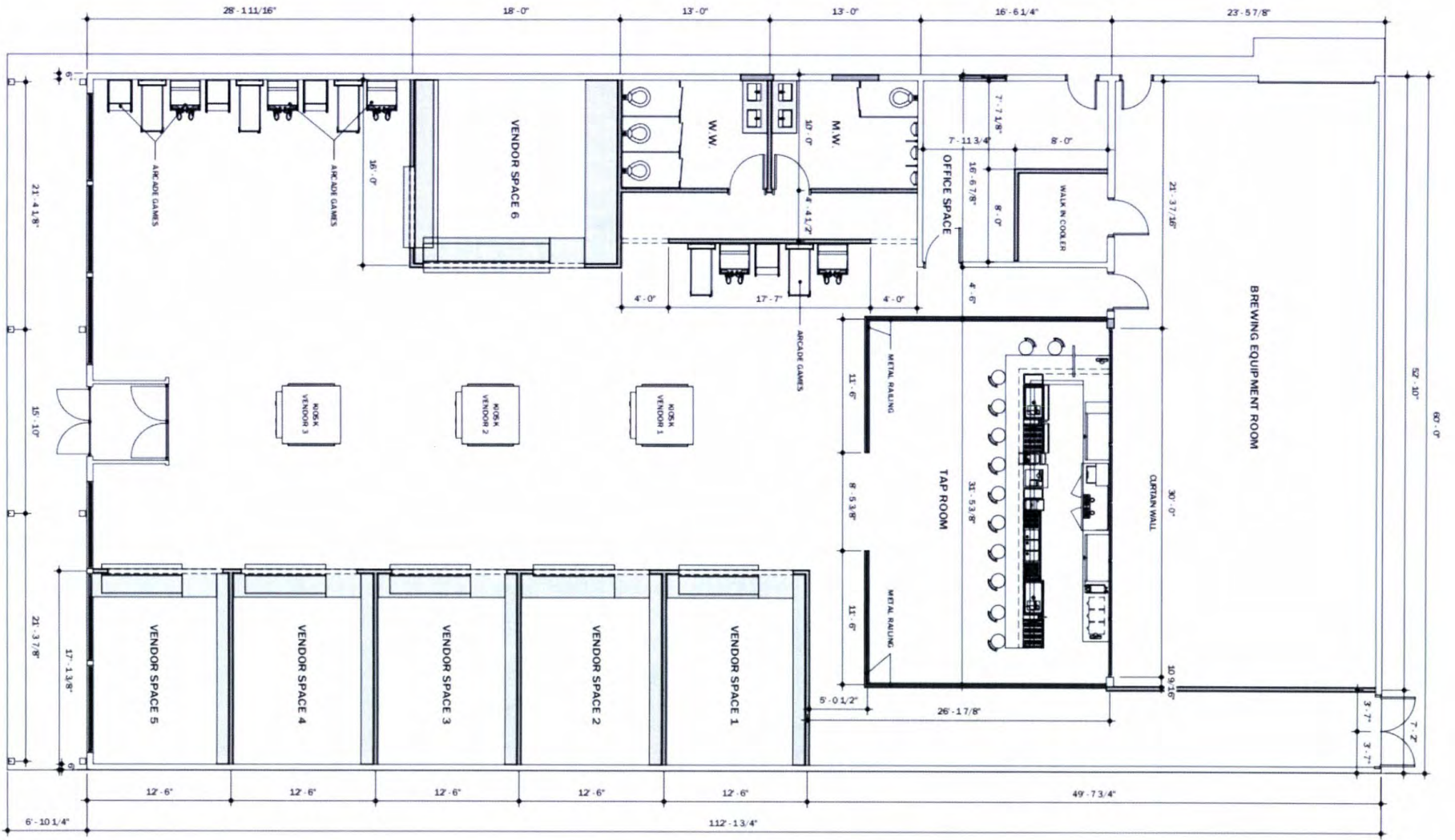


Picotte The Grid SUP Application, 2030 Reno Hwy, APN 008-361-54

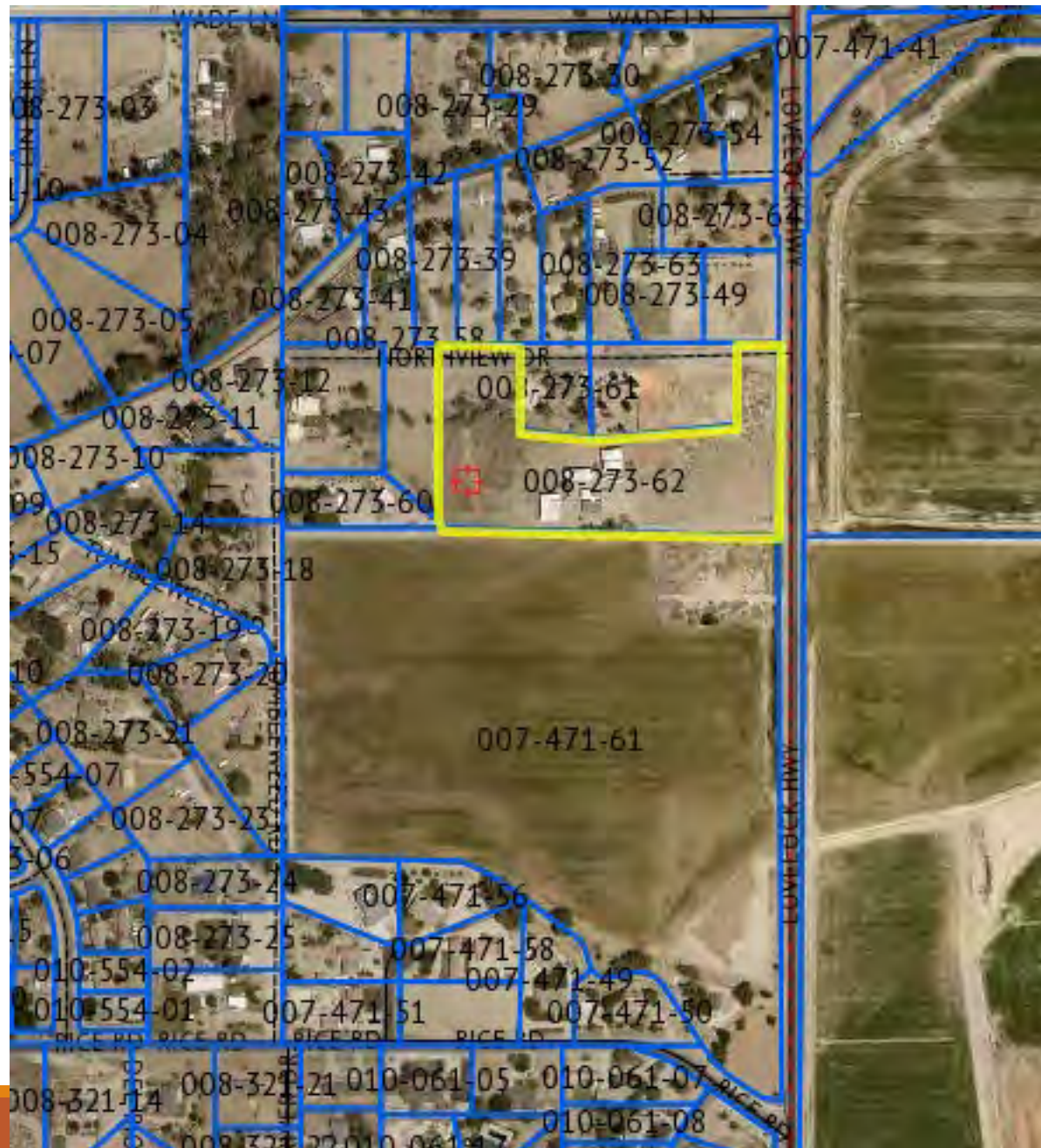








Fullerton Variance Application, 1767 Lovelock Hwy, APN 008-273-62





APN 8-273-39
PARCEL 2 PER R5

APN 8-273-38
PARCEL 1 PER R5

APN 8-273-37
PARCEL 3 PER R7

APN 8-273-36
PARCEL 2 PER R7

APN 8-273-63
PARCEL 1B PER R8

APN 8-273-49
PARCEL 2 PER R6

APN 8-273-50
PARCEL 3 PER R6

APN 8-273-58

CONSTRUCT COUNTY STANDARD GRAVEL ROAD

57

APN 8 - 273 - 58

PARCEL 3 PER R9

(U) ACTUAL ADJ. LOCATION

Parcel 3
2.00 Acres +/-
NW/R

APN 8 - 273 - 61
PARCEL 1 PER R1

APN 8 - 273 - 47
PARCEL 1 PER R2

21' +/- WIDE GRAVEL WITH 6' SHOULDER

NORTHVIEW DRIVE

116' +/- PAVED T/W

LOVELOCK HIGHWAY

US - 95

Parcel 5
2.00 Acres +/-
NW/R

Parcel 4
2.70 Acres +/-
1767 LOVELOCK HIGHWAY

POLE
BARN

POLE
BUILDING
FORAGE

POLE
BUILDING
FORAGE

REFERENCE

POLE
BARN

EL 2 PER R4
273 - 60

FOUND NO & CAP STAMPED
PLUS 8012 FOR 8
INSTEAD OF 12427

140.83'

730.83' BASIS OF BEARINGS

APN 7 - 471 - 70

PARCEL 4 PER R4

APN 8 - 273 - 12

APN 8 - 273 - 41

APN 8-273-58

APN
PAR

APN 8 - 273 - 57

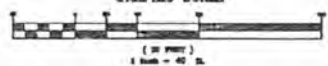
BASIS OF BEARINGS

THE BASIS OF BEARINGS IS THE NEVADA STATE PLANE NAD 83 ZONE FROM GPS
ELEVATION DATA AND SHOWN AS LISTED WITHIN THE SOUTHWEST CORNER OF
THE MAP OF SECTION 12, 11N 25E AS SHOWN
GROUND COORDINATES AND TARGETS ARE SHOWN CORRESPONDING
COMPUTED SCALE FACTOR OF 1.0000

DATUM

1983 UTM FROM GPS OBSERVATIONS

GRAPHIC SCALE

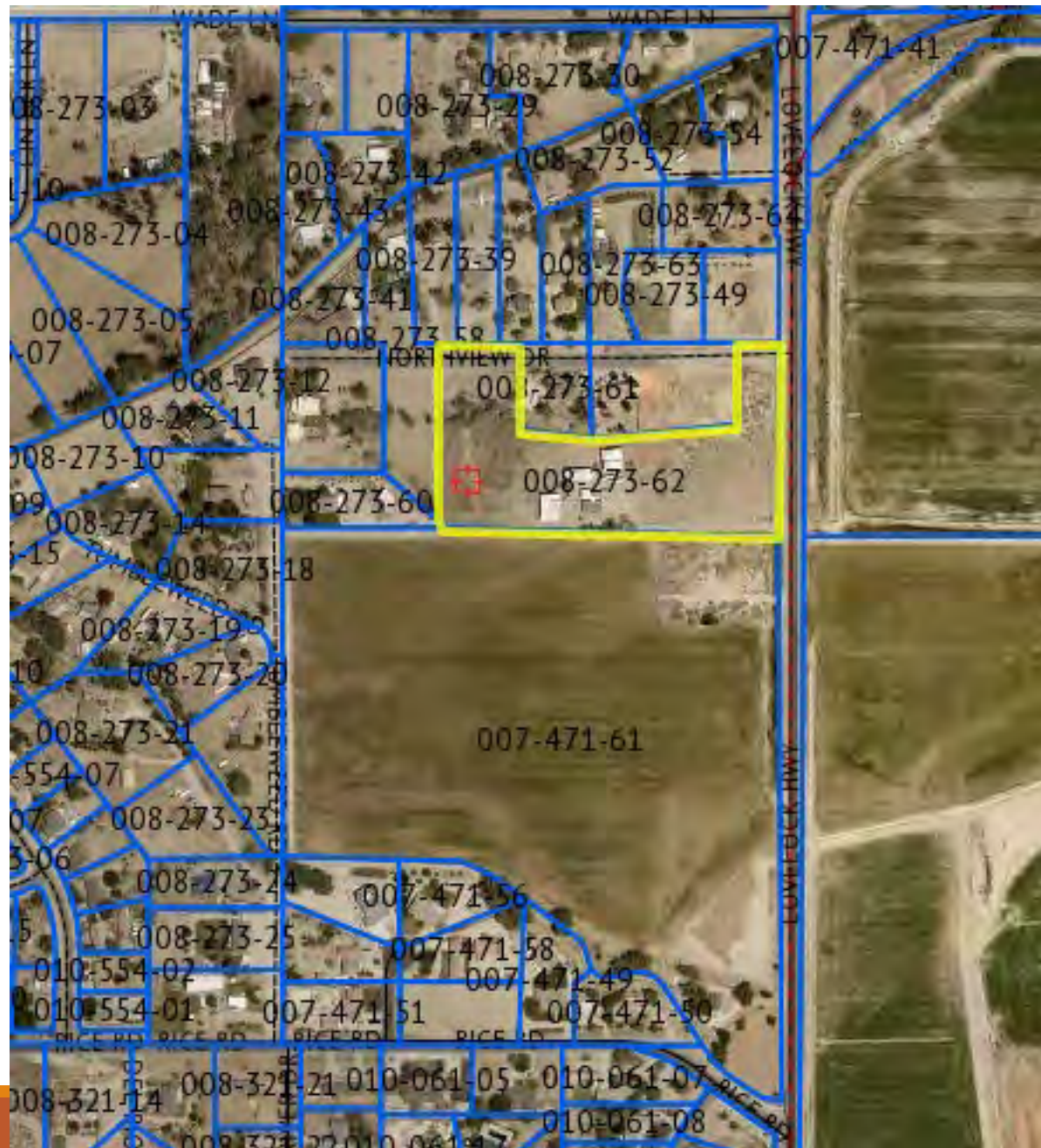


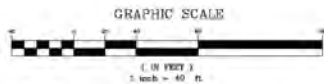
Bell Land
Surveying

SURVEYORS STATEMENT
THIS SURVEY WAS DONE BY ME ON
APRIL 26 2022
Steven H. Bell
STEVEN H. BELL
N.E. 22222
SILVERADO, NV 89420



Fullerton Parcel Map Application, 1767 Lovelock Hwy, APN 008-273-62





BASIS OF BEARINGS

THE BASIS OF BEARINGS IS THE NEVADA STATE PLANE WEST ZONE FROM GPS OBSERVATIONS AND SHOWN AS N89°52'50"W ON THE SOUTH LINE OF NEIGHBORING SECTION 16, T19N R2E AS SHOWN. COORDINATE VALUES AND DISTANCES ARE SHOWN COMPUTED WITH A COMBINED SCALE FACTOR OF 1.00000.

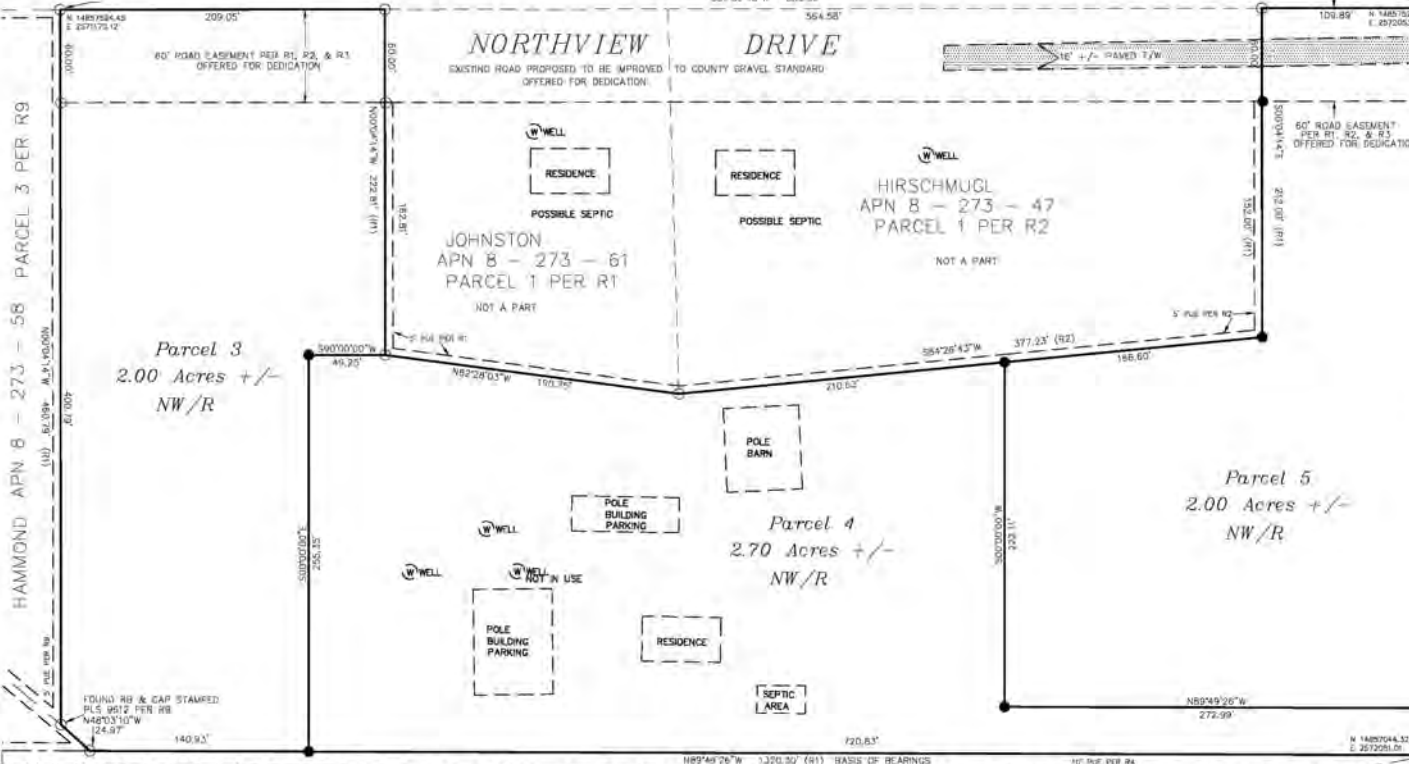
WADE LANE

1/4 Corner T19N R2E
Set Not & PLS 11420 (m)
Set Not & PLS 11420 (m)
Set Not & PLS 11420 (m)
Set Not & PLS 11420 (m)

HAMMOND APN 8-273-39 PARCEL 2 PER R5
REBBETOY APN 8-273-38 PARCEL 1 PER R5
REYNOLDS APN 8-273-37 PARCEL 3 PER R7
REYNOLDS APN 8-273-36 PARCEL 2 PER R7
HARRISON APN 8-273-63 PARCEL 1B PER R8
RENO HWY PROPERTIES APN 8-273-49 PARCEL 2 PER R6
RENO HWY PROPERTIES APN 8-273-50 PARCEL 3 PER R6

NORTHVIEW DRIVE

EXISTING ROAD PROPOSED TO BE IMPROVED TO COUNTY GRAVEL STANDARD OFFERED FOR DEDICATION



OWNER

EMMA FULLERTON
JUSTIN JOHNSON
1767 LOVELOCK HIGHWAY
APN 8-273-62
FALLON, NV 89405

SITE SAME
ZONE E-1
TOTAL AREA 6.70 ACRES +/-

FISHER
APN 8-273-60
PARCEL 2 PER R4

FOUND RB & CAP STAMPED
PLS 9512 PER RB
N48°03'10"W
24.87

EASEMENTS FOR UTILITY AND VIDEO SERVICES

15' WIDE ALONG LOT LINES THAT COINCIDE WITH THE EXTERIOR BOUNDARY OF THIS LAND DIVISION, EXCEPT WHERE THE BOUNDARY IS PROVIDED BY A ROAD.

5' WIDE ALONG INTERIOR LOT LINES EXCEPT WHERE THE LINE IS PROVIDED BY A ROAD.

7.5' WIDE MEASURED FROM THE EDGE OF ROAD EASEMENTS OR RIGHTS-OF-WAY.

ALL EASEMENTS ARE ESTABLISHED AS INDICATED EXCEPT WHERE SUCH EASEMENT OVERLAYS AN EXISTING PUBLICLY MAINTAINED IRRIGATION OR DRAINAGE EASEMENT. IN SUCH CASE THE APPROPRIATE UTILITY EASEMENT SHALL BE PARALLEL TO AND CONTIGUOUS WITH THE EXISTING EASEMENT.
A PUBLIC UTILITY EASEMENT IS HEREBY GRANTED WITHIN EACH PARCEL FOR THE EXCLUSIVE PURPOSE OF INSTALLING AND MAINTAINING UTILITY SERVICE FACILITIES TO THAT PARCEL, WITH THE RIGHT TO EXIST THAT PARCEL WITH SAID UTILITY FACILITIES FOR THE PURPOSE OF SERVING ADJACENT PARCELS AT LOCATIONS MUTUALLY AGREED UPON BY THE OWNER OF RECORD AT THE TIME OF INSTALLATION AND THE UTILITY COMPANY. PUBLIC UTILITY EASEMENTS INCLUDE CTV.
A PUBLIC UTILITY EASEMENT IS HEREBY GRANTED TO SOUTHWEST GAS CORPORATION, WITHIN EACH PARCEL, AS SHOWN FOR THE EXCLUSIVE PURPOSE OF INSTALLING AND MAINTAINING UTILITY SERVICE FACILITIES TO THAT PARCEL WITH THE RIGHT TO EXIST THAT PARCEL WITH SAID UTILITY FACILITIES FOR THE PURPOSE OF SERVING ADJACENT PARCELS. PUBLIC UTILITY EASEMENTS INCLUDE CTV.

REFERENCES

- R1 AMENDED PARCEL MAP FOR MARIOLA FOR MARIOLA & SMITH BY LUMOS DOCUMENT # 211644 DATED 04/11/1990
- R2 AMENDED PARCEL MAP FOR MARIOLA & SMITH BY LUMOS DOCUMENT # 211644 DATED 04/11/1990
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- R92 AMENDED PARCEL MAP FOR MARIOLA & SMITH BY LUMOS DOCUMENT # 211644 DATED 04/11/1990
- R93 AMENDED PARCEL MAP FOR MARIOLA & SMITH BY LUMOS DOCUMENT # 211644 DATED 04/11/1990
- R94 AMENDED PARCEL MAP FOR MARIOLA & SMITH BY LUMOS DOCUMENT # 211644 DATED 04/11/1990
- R95 AMENDED PARCEL MAP FOR MARIOLA & SMITH BY LUMOS DOCUMENT # 211644 DATED 04/11/1990
- R96 AMENDED PARCEL MAP FOR MARIOLA & SMITH BY LUMOS DOCUMENT # 211644 DATED 04/11/1990
- R97 AMENDED PARCEL MAP FOR MARIOLA & SMITH BY LUMOS DOCUMENT # 211644 DATED 04/11/1990
- R98 AMENDED PARCEL MAP FOR MARIOLA & SMITH BY LUMOS DOCUMENT # 211644 DATED 04/11/1990
- R99 AMENDED PARCEL MAP FOR MARIOLA & SMITH BY LUMOS DOCUMENT # 211644 DATED 04/11/1990
- R100 AMENDED PARCEL MAP FOR MARIOLA & SMITH BY LUMOS DOCUMENT # 211644 DATED 04/11/1990

LEGEND

- FOUND/IN CORNER AS DESCRIBED
- 1/8" CORNER AS DESCRIBED
- SET 5" REBAR AND PLS 11420 YELLOW CAP
- WITHIN CORNER
- SET 5" REBAR AND PLS 11420 YELLOW CAP
- FOUND RB & CAP STAMPED PLS 9512 PER RB OR AS DESCRIBED
- CALCULATED POINT ACTUALLY SET



NOTE
IN ACCORDANCE WITH NEVADA STATUTE 217.030, THE SURVEYOR HAS OBTAINED AN OFFICIAL COPY OF THE MAP FROM THE NEVADA COUNTY RECORDS.

PARCEL MAP FOR
JUSTIN JOHNSON & EMMA FULLERTON
PARCEL 12 OF DOCUMENT 314494
LOCATED WITHIN A PORTION OF THE NW 1/4 OF SECTION 19,
TOWNSHIP 19 NORTH, RANGE 29 EAST M.D.B. & M.
CHURCHILL COUNTY NEVADA
Bell Land Surveying
1501 W. 1st St.
Fallon, NV 89405
775.775.1111
www.bellandsurveying.com

A solid orange vertical bar is positioned on the left side of the slide, extending from the top to the bottom.

Consent Agenda

August 10, 2022 at 7:00 p.m.

[illegible]

PLEASE PRINT YOUR INFORMATION