

MINUTES
CHURCHILL COUNTY SENDING SITE REVIEW COMMITTEE
November 7, 2022

Present: Christian Spross, Chairman
Bob Getto, Committee Member
Carla Pomeroy, Committee Member
Ernie Schank, Committee Member
Dean Patterson, Associate Planner
Robin Schofield, Navy Representative
Diane Moyle, Administrative Assistant
Colby Frey, Applicant

1. Call to Order.

Chairman Spross called the meeting held in the Planning Department Conference Room of the Churchill County Administrative Complex, 155 North Taylor Street, Fallon, Nevada, to order at 8:30 a.m.

2. Verification of the posting of the Agenda.

Chairman Spross verified that the agenda had been posted in accordance with NRS 241 on November 1, 2022, between the hours of 8:30 a.m. and 5:00 p.m. He asked if there were any changes to the agenda, and Diane Moyle stated that there were none.

3. Consideration and possible action re: Review and Adoption of the Agenda as submitted or revised.

Member Schank moved to approve the Agenda as submitted. The motion was seconded by Member Pomeroy, and the Agenda was unanimously approved.

4. Public Comment.

Chairman Spross asked if there were any public comments on anything not on the agenda, and there were none.

5. Consideration and possible action re: Review and Adoption of Minutes of the regular meeting held:

A. June 21, 2021

Committee members had previously been provided with the Minutes of the meeting held on June 21, 2021.

Member Getto moved to approve the Minutes of June 21, 2021 as submitted. The motion was seconded by Member Pomeroy, and the Minutes were approved by a vote of two (Members Getto and Pomeroy) with Member Schank abstaining (he didn't attend that meeting).

6. Public Hearing

A. An application filed by C & A Rentals LLC, managed by Colby & Ashley Frey, for a sending site located at 9125 Flying K Ranch Road and 8500 & 9170 Pasture Road,

APNs: 006-092-05, 006-093-18 & 006-093-19, consisting of +/-707.5 total acres with +/-408.35 total water righted acres in the A-10 zoning district.

Diane Moyle, Administrative Assistant, questioned Mr. Frey which parcel he would like to request the potential future reservation, and Colby Frey clarified that if he did choose to reserve a future home site, it would be for APN 006-093-18 that has no residence on it currently.

Member Schank ensured that Colby Frey and all of his family was aware that this program is for perpetuity, and Mr. Frey responded that they understand this since he has been through this process with other properties.

Motion by Member Getto, based on meeting the criteria for a Sending Site, including zoning designation, minimum acreage, water rights, community benefit, and military operations buffer area, that the application concerning Assessor's Parcel Numbers 006-092-05, 006-093-18 & 006-093-19, commonly known as 9125 Flying K Ranch Road and 8500 & 8169 Pasture Road, consisting of ± 707.5 total acres, with ± 408.35 total irrigated water righted acres, be approved as a Sending Site. Member Schank seconded the motion and approved unanimously.

Member Getto made a motion based upon the calculations for acreage, irrigated water righted acreage, and location in the military buffer zone to recommend a total of 762 Transfer of Development Rights (TDRs) be approved for APNs 006-092-05, 006-093-18 & 006-093-19 at 9125 Flying K Ranch Road and 8500 & 9170 Pasture Road. The motion was seconded by Member Schank and approved unanimously.

7. Discussion Item.

A. Updates and other items of interest.

Diane Moyle, Administrative Assistant, informed that E & C Schank Properties is awaiting recordation for the Conservation Easement to be on those parcels. Also, the Brown and Eckert properties recently had purchase agreements approved by the Board of County Commissioners. These will be moving forward with baseline reports and conservation easement deed preparation to send to the Navy.

8. Public Comment.

Chairman Spross asked if there were any public comments. Member Schank mentioned that many years ago there were some transferrable development rights (TDRs) certificates issued to landowners as part of the negotiated price for the sending site development rights. He is one of the people that owns a certificate for a certain number of these TDRs. He believes that there needs to be developed a way to create a market for selling these TDRs, and he would like to propose that meetings or workshops be held to discuss the use of TDRs. The county has thousands of these development rights, and there needs to be a mechanism to recoup the money invested in these through this program as well as provide for a way to create a market whereby the private owners can sell theirs.

There was some discussion about possible avenues to look at including rezoning property where there is an increase in density, Planned Unit Developments, accessory dwelling units,

parcel maps where the acreage is not quite sufficient to allow division of the property, etc. A primary problem is there isn't very much listed in the county code for what can be considered a receiving site and other ways to encourage the purchase of TDRs in order to increase density. Questions were asked regarding who should prompt the discussion or what avenue should be taken to request that a review and possible amendment(s) be made to the code addressing receiving sites and utilization of TDRs for development. Member Getto asked regarding the timing of this, and he suggested that right now might be the best time when the real estate market has kind of leveled off and things are moving quite as quickly as it has been. Maybe come up with a solution before the market picks back up again. There was also mention that there should be a way to require private certificates to be purchased first and before those that the county has in their possession. This would create a better market to establish a value, and then the county would be able to get more of a return on the money that was used to obtain these TDRs. The county has these as assets that they are not using. We also need to recognize that the impetus for this program is to protect the Navy base from encroachment, and the Navy has a great economic impact to this community.

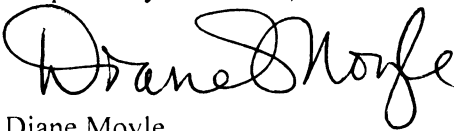
Chairman Spross asked Diane Moyle to set up a workshop early next year to start discussion regarding this issue—utilizing TDRs, creating a market, what may be also considered as a sending site, etc. Someone mentioned that cluster developments may need to be revised to create more of a sending and receiving site situation that involves the transfer of development rights to create the illusion of a market value. There was some question about how long the process could take to actually get some action taken toward a solution, and it was stated that it could probably take less than six months should there be a good response to these meetings. It will require a review and recommendation from the Planning Commission and then there would be two readings with the Board of County Commissioners before a decision would be made.

Member Schank also requested a copy of the Conservation Easement map in a format that they could zoom in to read the names on the properties without a magnifying glass because sometimes that doesn't work either. There was also a question about those that privately hold TDR certificates. Diane Moyle stated that she would check the Adobe file to see if it could be read when zoomed in, and she would look up information about the privately held TDRs and get this information to the committee members.

9. Adjournment.

Chairman Spross adjourned the meeting at 8:59 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Diane Moyle". The signature is fluid and cursive, with the first name "Diane" and last name "Moyle" clearly distinguishable.

Diane Moyle
Administrative Assistant