

MINUTES OF THE CHURCHILL COUNTY PLANNING COMMISSION

155 N. Taylor St., Fallon, NV 89406
February 14, 2024

1. Call to Order:

The regular meeting of the Planning Commission was called to order at 7:00 p.m. on February 14, 2024 by Chair Blakey.

Present: Eric Blakey, Member; Zack Bunyard, Member; Jeff Goings, Member; Scott Nelson, Member; and Paul Picotte, Member.

Absent: Deanna Diehl, Member, and Mark Hyde, Member.

Planning Staff Present:

Chris Spross, Public Works Director
Dean Patterson, Senior Planner
Savannah Dukes, Planning Technician
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 February 8, 2024, between 8:30 a.m. and 5:00 p.m., at all of the locations listed on the agenda, in accordance with NRS 241 and the Churchill County Code.

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

Chair Blakey informed that Item 8 would be heard before Item 6, and he called for a motion to approve the revised agenda.

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

Decisions related to Item 8 were handled prior to moving forward with the other agenda items.

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

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

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

- A. Request Planning Commission to decide if good cause has been found for the October 24, 2023 and November 8, 2023 minutes not being approved within 45 days as there was no quorum for approval at the December 13, 2023 Planning Commission meeting

and the January 10, 2024 Planning Commission meeting was postponed due to inclement weather.

- B. October 24, 2023 Workshop
- C. November 8, 2023 Public Hearing

Member Picotte moved to approve the October 24, 2023 Workshop and November 8, 2023 Public Hearing minutes as written and that there was good cause for the minutes not being approved within 45 days. Member Bunyard seconded the motion and the decision carried by unanimous vote (5-0).

8. Consideration and possible action re: Election of Officers for the Planning Commission—Chair and Vice Chair.

Member Picotte nominated Member Blakey to serve again as Chair. Member Bunyard seconded the nomination, and the decision carried by unanimous vote (5-0).

Member Goings nominated Member Nelson to serve again as Vice Chair. Member Bunyard seconded the nomination, and the decision carried by unanimous vote (5-0).

9. Old Business

- A. Consideration and possible action re: Review of a special use permit previously granted to Shelby & Kim Cecil, C & L Auto, for a vehicle service and repair business located at 620 S Crook Road, Assessor's Parcel Number 007-851-08. This permit was approved on November 19, 2021, and the applicants were granted a one-year extension on November 10, 2022. They have not completed the conditions for the special use permit and are requesting an additional six-month extension to meet the conditions.

Shelby & Kim Cecil, 620 S Crook Road, were available to speak regarding this request.

Director Spross stated that the Cecils were granted a special use permit on November 19, 2021. They had some issues with getting some building work done, so in October 2022 they requested an extension. Churchill County Code allows the director to grant a one-year extension, which was done. There were still some things that needed to be completed, and a second request for an extension was received on October 11, 2023. That is something that the department does not have authority to grant, so it comes before the Planning Commission. He suggested that the Commissioners inquire of the applicant the reason another extension is required.

Kim Cecil reported that they have just about everything done except for having the building completely finished. She isn't sure where that falls in with the conditions for the special use permit. They need to complete the inside of the building for the ADA (Americans with Disabilities Act) requirements. Director Spross went over some of the conditions from the special use permit to give an idea of what was required.

2. *The site must be constructed and operated in conformance with County Code and building permit requirements, including but not limited to:*
 - a. *Outdoor storage of inoperable vehicles shall be inside a visually screened vehicle storage yard.*
 - b. *Lighting must meet Dark Skies code requirements.*
 - c. *Signage is limited to that which is described in the application.*
 - d. *Applicable community development fees must be paid.*
3. *A landscape strip shall be provided to meet the landscaping and friction zone requirements satisfactory to the Public Works Director. It shall include plants with irrigation. It shall be located along Crook*

- Road from the driveway to the north property line, and shall provide separation from the agricultural drain to allow a vehicle to drive along the drain.*
4. *Abandoned and inoperable vehicles shall not be permanently accumulated on the property, whether inside or outside the vehicle storage lot.*
 - a. *The business shall maintain a operable haul trailer with winch capability or similar piece of equipment capable of delivering vehicles abandoned by customers back to them, or otherwise*
 - b. *The business shall require customer authorization to leave abandoned vehicles at the customer's residence or otherwise dispose of the abandoned vehicles.*
 5. *The number of vehicles allowed to remain on the property in the storage yard will be limited to twenty-five (25).*
 6. *Any necessary alterations shall be made to upgrade the septic system to commercial standards.*
 7. *State and federal permits and requirements shall be maintained in good standing.*
 8. *Operations shall be conducted in a manner that does not create a nuisance (public or private) under Nevada law or Churchill County Code.*

Chair Blakey inquired if the applicant was familiar with these items and gave them a chance to speak to any of these. Kim Cecil answered in the affirmative and said that all of those are met except for the building being completed for them to operate. Chair Blakey questioned if she had a timeframe for getting the certificate of occupancy from the Building Department. Kim Cecil went over some of the items that she is currently working on. Chair Blakey verified that the primary reason for requesting an extension is to finish the interior of the building. Mrs. Cecil confirmed that she wasn't sure where they stood in meeting the conditions since the electrical is not done, so the lighting, under 2.b., that is supposed to meet dark skies code requirements has not been installed yet. Director Spross pointed out that the building itself is not a condition that is part of this permit, but because the lighting is going to be part of that building, that is really the only condition that is not being met yet. There was some discussion about getting the lighting installed on the outside of the building in order to be in compliance with this permit, and then they could work on all of the other items inside of the building with the Building Department.

Chair Blakey questioned what timeframe the applicants believed they could meet in order to get the lighting installed and operational. Kim Cecil wasn't sure what inspections would be required in order to get the electricity to the outside lighting. She believes that they would be able to get the electrical work done in about the next month or so. Member Goings and Vice Chair Nelson wondered if three months would be sufficient, and Kim Cecil thought that would be enough time.

Member Nelson moved to approve an extension for the permit granted to Shelby & Kim Cecil at 620 S Crook Road for three months. Member Picotte seconded the motion, and the decision carried by unanimous vote (5-0).

Kim Cecil confirmed with Director Spross that once they have completed the outside lighting they are done with this permit and will not need to return to the Planning Commission, and Director Spross asked that they let our office know when it is done, so that we can take a look. He also noted that if they ever fall outside of those conditions, then they will be subject to code enforcement. As long as they maintain the conditions of that permit, they are fine.

- B. Consideration and possible action re: Review of a temporary use permit previously granted to Aaron & Katherine Murray for property located at 2400 Lucas Road, Assessor's Parcel Number 008-112-15, in the A-5 zoning district. Origination Date 9/12/18. *The Planning Commission approved the renewal of the permit to coincide with the Building Permit expiration date and*

requested a review in February 2024 to check on the progress.

Aaron Murray, 2400 Lucas Road, was available to speak regarding this application.

Director Spross stated that Mr. Murray received a temporary use permit in September 2018. At the last Planning Commission meeting the commissioners approved a renewal of the permit to coincide with the expiration date of the building permit and requested a review in February 2024. The renewal application says that the work is still in progress and should be completed by August 2024. He said that extensions may be granted for building permits. He suggested that Mr. Murray tell them what has been done and what remains.

Aaron Murray shared that he had an inspection completed on Monday by Jera Reidenbach with the Building Department. He said that she commented on their excellent progress since the last inspection. He stated that he suffered a setback of about a month and a half due to a fall he had that made it difficult to walk. They have put siding on, painted, sealed, and added a porch. He has brought electricity in with multiple circuits—lights, outlets, etc. They got the heat pump yesterday, which is what they are installing now along with about a half dozen more electrical circuits. Jera told him that she would come back to inspect and sign off once this was completed. Then they will move on to the water system and get that finished. After that it will be insulation, sheetrock, and finishing the rest. They plan on having it completed by summer as he stated when he was at the October 2023 meeting.

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

Member Bunyard moved to extend the temporary use permit to coincide with the building permit expiring September 2024. Member Picotte seconded the motion, and the decision carried by unanimous vote (5-0).

10. New Business

A. Consideration and possible action re: An application for abandonment filed by Ralph & Deborah Mills for property located at 4572 Bebe Ann Way, Assessor's Parcel Numbers 006-231-69. A petition has been filed to abandon the 60 foot road easement and related parallel easements that currently extend across Parcel 10 and lie east of the existing turn around as shown on map document number 408057, Churchill County Records. *This is a resubmittal of a previous request that was not approved.*

Ralph Mills, 2255 Sheckler Road, was available to speak regarding this application.

Director Spross explained that this is an application for the abandonment of an easement for a road and other purposes. He shared information about the property and said that this application was reviewed at the May 2022 meeting. The Planning Commission recommended denial at that time, and the Board of County Commissioners convinced the applicant to withdraw the application and resubmit it at a later date after the development plans for their dairy were underway. The applicant has started groundwork for the dairy development and has resubmitted their application. The Staff Report contains information from the previous one prepared for their first application.

This application proposes to abandon the road easement and associated parallel drainage and utility easements through this property at the end of Bebe Ann Way. The road currently ends in a cul-de-sac, but the easements continue through the east end of the property and provide access to the adjacent lands to the east. Bebe Ann Way was created by a cluster development. North of this cluster development, Newel Mills also created another cluster development along Sheckler Road and Chavez Drive with a conservation easement located adjacent to the one for Bebe Ann Way project. Recently, the easement was moved to a different location. This conservation easement

property extended south to abut the subject property at the end of the roadway easement proposed to be abandoned. This conservation easement was different in that it was only for a period of 30 years, half of which time had already passed. On expiration the farm property, which abuts the road easement, could be further developed. Since the previous application, a number of developments have taken place. The Mills family has renamed Chavez Drive as Farmer Way, the family worked with Deputy District Attorney, Joe Sanford, to remove the north conservation easement for the Chavez Drive lots to facilitate the dairy construction and replace it with a conservation easement on an adjacent property to the east, and the family began construction of the dairy near the end of Farmer Way, thereby obstructing its extension southward toward Bebe Ann Way. The removal of the conservation easement no longer obstructs the extension of Bebe Ann Way making its extension eastward toward Lima Lane easier.

Director Spross informed that Nevada Revised Statutes (NRS) and county code requires two public hearings. The first is before the Planning Commission that makes a recommendation to the Board of County Commissioners. The second hearing is before the Board, who makes the final decision. Notice of this proposal was provided to other departments. The Fire Marshal had no objections, the Road Supervisor recommended not abandoning the easement, and the County Surveyor reviewed the proposal and made recommendations: (A) indicates that the abandonment is complex enough to need careful description by a licensed surveyor and (B) that the drainage and utility easements need to be established to continue southward rather than to be simply cut off. The Road Supervisor and the Public Works Director have recommended against abandoning the easement and connection through this property because it would result in material injury to the public. What is meant by this is that the county always needs to think about future road and utility networks to serve the community in the future. The Bebe Ann Way road easement was purposefully established like it is to provide road and utility connections east of the Bebe Ann Way development. Development by just a few owners to the east would allow the creation of an east-west connection to Lima Lane lying approximately halfway between Sheckler Road to the north and Saint Clair Road to the south. Expiration of the above noted conservation easement in a few years will allow the farm lot to be developed again, and thus the north-south road connection between Bebe Ann Way and Chavez Drive and Sheckler Road is possible. Since the previous application, the applicant has obstructed this route with a new dairy and removed the conservation easement so the property can be further developed. Finally, the land division purposely established this property as it is in a way to still provide a viable homesite. The site currently has 2.29 acres of which one-half to three-quarters of an acre is buildable. This is adequate to locate a home and accessory structures. The portions of this site encumbered by the road and parallel easements will be non-usable for structural uses until such a time that the road is constructed in the future. Because of all of that the department staff does recommend, once again, denial of this application. Should the Planning Commission decide to recommend approval, there are certain conditions that should be part of that approval:

1. The applicant shall provide an exhibit prepared by a surveyor licensed in the State of Nevada that will accompany the Order, and that clearly illustrates the revised easement situation. The map must be drawn to the satisfaction of the County and the County Surveyor.
2. The abandoned road easement shall be the portion lying east of a north-south line measured 60' directly east of the centerpoint of the turn-around on the Third Cluster Development Parcel Map for Ralph P. & Deborah K. Mills, Doc. # 408057.
3. The applicant must establish replacement easements for the abandoned drainage easement and utility easement such that they co-exist with the east-most 10-feet of the truncated road easement.

4. The Order of Abandonment shall be prepared for execution by the Chair of the Board.

Ralph Mills further stated that the potential for the continuation of that road would go through property owned by their family. This easement dead ends into the property where they are constructing the dairy and the next property to the east is also owned by them, which is where the conservation easement is located. It is about 3,000 feet from there to Lima Lane, and he doesn't know the probability of building a road. He knows that construction of a road is very expensive, and he wouldn't want to do it again.

Chair Blakey requested that staff explain using the pointer on the overhead screen what they are talking about and where the easement is located and potential for extension of the road. Dean Patterson pointed out the lot where the abandonment is being requested and spoke about the original potential for connection with Chavez Drive and possible connection with future developments toward the east toward Lima Lane. He spoke regarding the conservation easements that were created and when they would end.

Member Goings remarked that he drove out to this area. He noted that it says in the Staff Report that they have begun construction on the dairy, and when he was out there, he didn't see any footings or anything. Mr. Mills responded that they started moving base in the last couple of weeks. Member Goings asked if Dean Patterson could point out where the dairy will be constructed. He said that Chavez Drive could have tied into this corner here, but if the dairy is actually built on what could be extended, you have basically blocked that from ever happening. It was pointed out on the aerial photo displayed on the screen where the dairy is going to be constructed. Member Goings stated that this would stop the connection from the north. He further commented that he can see in the future this road extending to Lima Lane or there will just be a dead end road in the middle of nowhere. Ralph Mills pointed out that there are also a lateral and irrigation ditches in that area, which would require multiple crossings to actually build a road there.

Member Bunyard inquired if the Mills family owns all of the property to the east, and Mr. Mills remarked that they own the next 80 acre parcel to the northeast. Member Bunyard thinks that this will remain a dead end road because they won't develop any other properties to the east. He asked regarding other subdivisions on Coleman and on Birch Lane that are off of county maintained roads, and in those developments the county is not going to maintain the roads in the developments. This road is essentially a dead end, and he doesn't see why they couldn't allow them to abandon the easement.

Vice Chair Nelson inquired if the county currently maintains Bebe Ann Way, and Director Spross didn't think that it was. Vice Chair Nelson then asked how long this easement has been in place, and it was stated that it has been 15-16 years. Vice Chair Nelson questioned if the road was paved, and Mr. Mills said that it was. Member Bunyard pointed out that it had to be paved for the development, and Mr. Mills affirmed that to be correct as well as the turnaround. Ralph Mills commented that the drainage easement area is between parcel 7 and 8 where it drops into the drain ditch. The gradient flows back around that cul-de-sac and goes back. It doesn't proceed toward the lateral. The lateral blocks the whole field at the end of that parcel 10 (along the entire north edge). Member Bunyard asked Mr. Mills, if they recommend approval of the abandonment, if he was aware of the recommended conditions as stated by Director Spross, and Ralph Mills replied that he is.

Member Goings stated that if that abandonment was to be approved, there would be a dead end road on Bebe Ann Way to the cul-de-sac, and if anything was to happen in the future on any of the properties east of that. He understood that there is a conservation easement, but it would expire in a few years. If the county at some point wanted to extend that road, from that point, out to Lima

Lane, there would be another dead end road because the easement would be gone where they couldn't connect the roads. You would end up with two dead end roads with no connection between the two. He can see where the county is coming from on this issue. By abandoning that easement, you create a dead end road on Bebe Ann Way, and a potential dead end road from Lima Lane back toward this area. We can't do anything off of Chavez Drive anymore because the dairy is going to be there. He could see this becoming an island here with dead end roads coming in. He can see where staff is recommending denial of this because of the potential for development in the area. There was more discussion about the potential for development versus the probability of any development or construction of another segment of road.

Director Spross said that he reached out to the Road Supervisor regarding maintenance of Bebe Ann Way and found out that it is county maintained. Member Bunyard noted that this was what the county was doing at the time of this development. They would have the developer pave the road and the county would take over maintenance of it. It has only been recently that the county has not been adopting some of the paved roads, and Director Spross pointed out that the Road Department doesn't get any property tax revenue to put toward roads. They only get gas taxes, and it is difficult for the county to pick up a bunch of roads that must be maintained. We have gotten into a lot of county maintenance agreements with developers for them to be able to take care of their own roads; however, a few of the most recent developments had plans that were developed back in 2004 or 2005, and it had been written into the tentative and final maps that those will be county maintained roads. We are trying to get away from that because if there is a road with only three houses on it, it is very cost prohibitive to pick that up as a maintenance.

Director Spross commented that it is the county's responsibility to look into what is going to happen in the future, and he doesn't have anything against this project. This was our position previously, with the potential for this conservation easement to expire in 13-14 years and the possibility for development happening there, this could really be prohibitive for that. If this was one of the conservation easements that does not have a sunset clause, this would be a completely different conversation. Member Bunyard asked if the easement could be reestablished if it was needed in the future. Deputy District Attorney Sanford responded that they could if it was the same owner; however, if the owner of the small parcel is different, they would have to get the permission of the new owner. This is only related to Lot 10 of the development. Member Bunyard pointed out that any future road over to Lima Lane would require agreements from all of the property owners.

Member Goings mentioned that if they were to abandon the easement and the new owner built a structure within the easement area, we would not be able to go back and get that easement reestablished because there is a structure obstructing the easement through there. He sees both sides, but if you abandon that, sell that parcel, and build it out, then there would probably be something in the way of the easement going back in there.

Dean Patterson pointed out on the aerial photograph along the south edge of the picture is a parcel number ending in 39, and that runs all of the way to Lima Lane. If this one property owner decided to do something, then the road could be put in all of the way to Lima Lane. It would have to cross the tip of Mr. Mills property. Ralph Mills noted that it would be the tips of two of their properties. He again pointed out the lateral and ditches that would complicate the construction of a road through that area. There was discussion regarding the potential for development of a road and property owners that would have to be in agreement to connect the roads. They also discussed the conservation easements.

Member Picotte asked if any of the other landowners had anything to say about this and if they were given notice. Director Spross responded that the department didn't receive anything from

any landowners. Member Picotte wondered what their thoughts are on the potential of the hypothetical road. Director Spross pointed out that we also have to consider future owners of these properties when it comes to development potential.

Chair Blakey called for public comment. There were none, and Chair Blakey inquired if the applicant had anything to add. Ralph Mills stated that the process of putting a dairy in has been extensive and expensive, and the concept of dairy properties is to maintain as little access from and proximity to nearby housing as possible. As far as future development, they would not be in favor of more housing being constructed nearby because of the potential complaints from people moving in close to a dairy facility.

Vice Chair Nelson inquired what the purpose is for getting rid of the easement, and Mr. Mills responded that it would make that parcel more usable. He is in the process of building a house on it for his other son that is moving to town. The house is planned for the existing buildable area, but it would allow for future development on the parcel and possibly building a shop where the easement is located.

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

Member Bunyard, based on the information provided in the application, in the staff report, and heard tonight, moved to find that the criteria found in CCC 16.08.050 have been met and therefore recommend that the Board of County Commissioners approve the request to abandon a portion of the Bebe Ann Way road easement and parallel easements that pass through Parcel 10 of the Third Cluster Development Parcel Map for Ralph P. & Deborah K. Mills, Doc. # 408057, APN 006-231-69, and that lie east of the existing road turn-around; and that if approved, the specifics of the abandonment should be further refined as described in conditions of approval, as listed in the Staff Report. No one seconded the motion. Chair Blakey stated that the motion failed for lack of a second and called for a motion to recommend denial of the application.

Member Goings, based on the information provided in the application, in the staff report, and heard tonight, moved to find that the criteria found in CCC 16.08.050 have not been met and therefore recommend that the Board of County Commissioners deny the request to abandon a portion of the Bebe Ann Way road easement and parallel easements that pass through Parcel 10 of the Third Cluster Development Parcel Map for Ralph P. & Deborah K. Mills, Doc. # 408057, APN 006-231-69, and that lie east of the existing road turn-around. Chair Blakey seconded the motion and the decision carried by a vote of three (Members Blakey, Goings, and Picotte) to two (Members Bunyard and Nelson).

The applicant was advised that this item would be forwarded to the Board of County Commissioners' meeting on March 7, 2024 with the recommendation of the Planning Commission. There was some discussion about how these types of applications are handled. It was stated that the Board of County Commissioners will make the final decision on this application.

B. Consideration and possible action re: An application for a zone change filed by Hooper Management Family LLLP and Sharyl Bancroft Trust for property located off Gummow Drive, Assessor Parcel Numbers 008-391-28 & 008-391-29, consisting of 6.11 and 27.97

acres respectively in the E-1 zoning district. The applicant is requesting a zone change for a portion of the parcels, being a 13 acre parcel fronting Gummow Drive resulting from the proposed boundary line adjustment, from E-1 to R-2. *This application was postponed from a previous meeting.*

Sharyl Bancroft, representing Hooper Management Family LLLP, was available to speak regarding this application.

Director Spross stated that this application is for a zoning map amendment from E-1 to, originally R-3, and that request has now been changed to be from E-1 to R-2. This is an undeveloped lot off of Gummow Drive west of the golf course. This is in the urbanizing area in the Master Plan with existing zoning of E-1. Ms. Bancroft is proposing to change the zoning of 13.0 acres along Gummow Drive to R-2. This application was previously reviewed at the August 2023 meeting, and the county staff had recommended denial or tabling the project until a traffic study was prepared to accompany the application because, at that time, it was being requested to change it to R-3. The Planning Commission convinced the applicant to request tabling the application for six months to provide time to do the traffic study. The applicant has proposed changing the request from R-3 to R-2 and has asked to forgo the need for a traffic study. The staff report is based upon the previous one prepared with some updates.

The applicant is requesting to change the zoning on two parcels from the existing E-1, single family, zoning district to a mix of E-1 and R-2, multifamily, zoning district. The applicant has submitted a boundary line adjustment to change the line between the existing two lots with the intent to change the existing east west line to a north south line. The proposed R-2 zoning district has an upper density limit of 10 dwelling units per acre, which is much less than the 16 dwelling units per acre allowed by R-3 zoning. The application indicates plans for about 70 apartment units resulting in a density on 13.0 acres of about 5-6 units per acre. However, R-2 zoning only allows 2, 3 and 4-plexes on one lot, so large complexes on one lot is not allowed.

Director Spross continued by saying that the primary issue for this proposal is the function of Gummow Drive and the US Highway 50 intersection during rush hour. It is the Planning Commission's responsibility to answer two questions and the answers are provided in the application and in the staff report: (1) before a zoning map amendment may be recommended for approval, the applicant shall prove evidence to the commission and board concerning physical use of the land, and (2) the commission in forwarding a recommendation to the board for approval of a zoning map amendment or consolidated development code shall make certain findings. There are three findings that need to be met, and the biggest area of concern was the publicly maintained road, specifically Gummow Drive. It is a county maintained road that is in good shape and of a configuration that is capable of handling the increased demand; however, its intersection with US Highway 50 is notoriously dangerous and the railroad crossing near the intersection complicates its safe operation. A possible additional difficulty is that the main access road for the development appears to be planned adjacent to the agricultural supply store, which may place it within the cueing distance from US Highway 50 and project traffic would likely fill in any available cueing out to the access road. Drivers would then be incentivized to make unsafe maneuvers to get onto Gummow Drive. For the previous proposal the department heads had significant concerns about the traffic generated by the project potentially developing at an R-3 density.

During the period of postponement, the applicant inquired about R-2 zoning and if that would eliminate the need for a traffic study. Staff agreed that the chance and magnitude of negative consequences is greatly reduced with the R-2 zoning, so it would be acceptable to defer the traffic study to the development application stage. In this case it would be a subdivision. The later traffic

study might still determine the need for very costly improvements that could affect the viability of that project. He reiterated that we are not eliminating the traffic study, we are just saying that it would need to be done prior to subdivision map. When the applicant was requesting R-3 zoning, we wanted it prior to recommending approval of the zone change application. Staff, after reviewing the application, does recommend approval. There are no conditions.

Chair Blakey asked the applicant for any further comments, and there were none.

Chair Blakey inquired if the members had any questions or discussion.

Member Bunyard noted that the applicant had previously been requesting R-3 zoning, and he questioned why the applicant has now changed the request to R-2 zoning. Sharyl Bancroft responded that she wasn't aware that there was an R-2 zoning. She just wanted to put some units along Gummow Drive, and her original plan was to put ten to twelve 6-plexes. She had a gentleman working for her that told her they would have to ask for R-3 zoning. She no longer has this person working for her. If she had known better, she would have requested R-2 zoning to start with.

Member Picotte asked if Ms. Bancroft understood that she will have to complete a traffic assessment at some point. Sharyl Bancroft confirmed that she does, and she indicated that she did talk to the people in Reno that do these, and he told her that he didn't think that for the density that she was asking for that it should be necessary. He also felt that the cueing distance was viable. She didn't think that they would need a traffic study, and she understands that they are still asking for that but at a delayed time.

Member Nelson inquired of staff regarding the density limit for R-2 zoning being up to 10 units per acre. Dean Patterson confirmed that to be accurate, but the other part of R-2 zoning is that you can only do 2, 3 or 4-plexes. Each one has to have its own lot, and that means a subdivision. Ms. Bancroft is planning to do a subdivision on the remaining E-1 area, so he guesses they would be done together or have them in phases.

Chair Blakey called for public comment.

Rose Marie Bracher, 2891 Country Club Drive, is concerned that the density isn't compatible with 70 potential units across the street from where she lives. She mentioned that previously when a subdivision was proposed in this area there was discussion about hazardous waste that was a big concern along with the traffic study. Isn't there something less than R-2 for the E-1? It just doesn't seem cohesive with the neighborhood. Mrs. Bracher thinks that the letter from the county said that this would connect to the county water and sewer system. She noted that there is no sewer where they are located. They have septic systems. She stated that she is definitely against this zone change. Director Spross noted that the county water is available on Country Club Drive, and that the developer would be responsible for bringing the sewer system from the subdivision and for connecting it to the county system via Gummow Drive to Rice Road. Chair Blakey indicated that this answers the question regarding the sewer system, and then he wanted to address the hazardous waste that was brought up. Sharyl Bancroft noted that Dean Patterson has told her that she will have to do soil sampling, which will be done before she moves forward. Director Spross said that prior to construction of any subdivision there will be a requirement to do a geotechnical report and soil will be analyzed for many different things. Anything that is determined as a result of the geotechnical report would have to be remediated by the developer to make sure that the subdivision would be free and clear of any hazardous materials. Member Nelson inquired what kinds of hazardous materials we are concerned about here because a geotechnical report may not test for certain types of materials. Director Spross hadn't heard of any hazardous materials in regards to these properties prior to this meeting. He is sure that anything hazardous will be dealt with prior to development of subdivision. He knows that part of the property to the south has a

railroad track.

Member Goings reiterated that in E-1 zoning it allows for 2 units per acre and in R-2 zoning it is up to 10 units per acre. Those units would be either 2, 3 or 4-plexes. He inquired if there was a limit to the size of the two structures that would be permitted in E-1 zoning. Can they be a 4-plex or greater than that? Dean Patterson pointed out that in E-1 zoning the structures may only be single family units, but they could be allowed to have two per acre. If the developer wanted to do a Planned Unit Development (PUD) they could do more, but Ms. Bancroft is not talking about that. Dean Patterson further explained that in the R-2 zoning area they could have a multiplex on each lot.

Dean Patterson stated that the department received a letter from the Building Department noting that Nevada Division of Environmental Protection (NDEP) has identified the Carson River as a place where you might have mercury contamination due to sediment in the river, so Ms. Bancroft may have to work with NDEP to figure that out. The property had been used for an earthen materials transportation location and maybe processing magnesium, so that may be what the woman providing comments was referring to.

Cory Tolman, 2775 Country Club Drive, noted that the application was difficult to read. He is very concerned about the traffic at the intersection of Gummow Drive and US Highway 50 (Reno Highway). He said that he has lived in this area the majority of his lifetime, and regardless of what any traffic study will tell you, this is an extremely dangerous intersection. He noted that in the morning rush hour traffic will back up well into the storage sheds. He brought up things that were mentioned in the application including three story multi-family buildings. Deputy District Attorney Joe Sanford stated that it had been part of the R-3 zoning, which has been withdrawn and replaced with a request for R-2 zoning. There was discussion about the change in the zoning request being through an email and not filing a new application or revising the application. The change in zoning would affect what would be allowed to be done within the R-2 zoning district. Sharyl Bancroft interjected that the man she had working for her filed for the R-3 zoning, and she didn't want to build any three story buildings. Mr. Tolman pointed out that the application was ill prepared at the moment for the magnitude of the project that we are talking about. Chair Blakey noted that Ms. Bancroft submitted her original application and was heard by the Planning Commission. They recommended postponing it until this meeting, and in the meantime, she worked with staff to rework her request. He is only assuming that there was nothing else made public other than on the website. Mr. Tolman asked if there was a new application that supersedes the previous one or if it is just a difference in the zoning request. Dean Patterson pointed out that the request was modified to have a lesser density zoning, and that is also within the commission's purview to approve something less intense than is requested. Mr. Tolman asked where they would be able to find information as it changes. Director Spross commented that it is being discussed right now and it is in the staff report. There is no new application, there has been discussions since filing the application, and it is now being brought here. Any new information is being shared here at this time.

Cory Tolman also mentioned that lighting could be a decent concern. The lighting from the H & L Storage sheds were intrusive, and he imagines that the increase in lighting from this development would further cause light pollution through the windows. He noted that water upgrades were discussed a little bit, and he is a little concerned that all of the homes on the south side of Country Club Drive are not on the county water system. They are on well and septic, and he thinks that there is a possibility of contamination of these wells. He also questioned access and if they planned to go through the golf course, or if it would all be through Gummow Drive. Sharyl

Bancroft pointed out that it is designed to come off of Gummow Drive. Director Spross noted that right now this is a zone change application. There has not been any plans submitted to the county in terms of what this development might look like. There is talk about doing 2, 3 and 4-plexes, but we don't know the quantity of any of those or where the roads are going to be. There is no idea of the number of single family homes or anything else. This is just a request for the zone change to be able to put a development together that subsequently will be in front of this Planning Commission for a decision as well. In terms of what this development looks like, he's sure that there is a conceptual idea, but there have been no plans submitted to the department. Sharyl Bancroft said that she thought it was important to get the zoning proper before she paid a company to design the development.

Cory Tolman reiterated the traffic issues with the curve on Gummow Drive and the intersection at US Highway 50. He noted that due to the curve near Country Club Drive it is difficult to see vehicles on the road, especially if they are doing more than the speed limit. He thinks that it would make things even more difficult by adding more traffic from this development to the mix. Director Spross remarked that it is everyone's concern and was mentioned in the staff report, too. Gummow Drive and the intersection is a concern, and when a traffic study gets done, Nevada Department of Transportation (NDOT) will be involved in that as US Highway 50 is under their purview. They will have a say in what is going to happen at that intersection. That may complicate this project or the cue that is created by potentially having a light there. We won't know until that actually gets done with all of the players that need to be involved in reviewing and analyzing that traffic study.

Andy Harris, 2955 Country Club Drive, stated that by his calculations the potential is for another 115 dwellings in this area. He said that the current infrastructure in that area is not going to handle this. There is water available there, but the 14 houses on that block that use that water has stressed it so much that it has broken twice in the last year. He has been without water for at least a day. Mr. Harris agreed that the road is there, but it isn't painted and not ready for that much traffic. He pointed out that a lot of stuff would need to be done in order to do this at the proposed E-1 and R-2 zoning, and even if it was only E-1, that would be 75 units. Sharyl Bancroft noted that she has 80 water hookups that she has paid for a number of years. This was based upon a tentative plan for 80 houses. Andy Harris is primarily concerned about the road, intersection, light pollution, access, and water problems, but these won't be addressed until they plan out the subdivision. Even if it was all E-1, which would fit better with that area because most are half-acre to one-acre lots, there will be concerns. Anything denser than this would overstress the system, and the nearest convenience is about one mile away at Walmart.

Chair Blakey asked if the applicant wanted to address anything from the public comment that has not been answered. Sharyl Bancroft thought that having Walmart within walking distance to this area was a good thing.

Member Goings commented that the concerns raised are the same ones that many people that he has spoken to, and the commission is aware of the dangerous intersection there. He pointed out that the railroad tracks also creates an issue there because it creates a little island between the tracks and the highway. Potentially, the silver lining that he sees in this is that before they could ever move forward with any kind of project there, it will have to come before this board again, and it would be reviewed by many other entities, which could possibly improve that road that has always been a problem. These concerns would have to be addressed before it could move forward. The zone change request is just a first step, so there will be plenty of time to look at this.

Chair Blakey 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 to find that the criteria found in CCC 16.08.060(E) have not been met and therefore recommend that the Board of County Commissioners deny the application because he doesn't think that they have enough information without traffic studies to make the determination as to whether the findings have been met. Member Goings seconded the motion, and the decision failed with a vote of two in favor of denial (Members Nelson and Goings) to three opposed (Members Blakey, Bunyard and Picotte).

Member Bunyard, based on the information provided in the application, in the staff report, and heard tonight, moved to find that the criteria found in CCC 16.08.060(E) have been met and therefore recommend that the Board of County Commissioners approve the Zoning Map Amendment for Sharyl Bancroft on Assessor's Parcel Numbers 008-391-28 & 008-391-29, subject to the requirements that:

- (a) the area zoned R-2 shall be the area displayed on the proposed boundary line adjustment map accompanying the rezone proposal, and**
- (b) the zone change does not become effective until the said boundary line adjustment is recorded.**

Member Picotte seconded the motion and the decision carried by a vote of three in favor of approval (Members Blakey, Bunyard and Picotte) to two opposed (Members Nelson and Goings).

Chair Blakey thanked the applicant and advised that this item with their recommendation will be forwarded to the Board of County Commissioners' meeting on March 7, 2024.

- C. Consideration and possible action re: An application for a variance from the side setback requirement in CCC 16.16.020.1 filed by Angela Diane Moyle for property located at 1405 Soda Lake Road, Assessor's Parcel Number 008-191-11, consisting of 4.17 acres in the A-5 zoning district. The applicant proposes a variance to the side setback from 25' to 20' to accommodate the replacement of the existing home which does not meet the side setback.

Stuart Moyle and Angela Diane Moyle, 1405 Soda Lake Road, were available to speak regarding this application.

Director Spross explained the application is for a variance. The applicant is seeking a variance from the 25' setback requirement to facilitate the replacement of an existing mobile home, which fails to meet the current setback standard. The existing home was placed in approximately 1971, which was prior to the establishment of the side setback requirement. The new home will be approximately two and a half feet wider and four feet longer than its predecessor. Despite the increase in dimensions the new homes placement will extend west and south ensuring that it does not encroach any closer to the northern property line than the existing home had. Due to the narrowness of the applicant's parcel, alternative locations for the new home are limited, especially considering the need to accommodate the septic system and the driveway, which cannot be relocated. Staff has received a letter in support from the neighboring property owner to the north, which is approximately 120' from the proposed home. The commission has four findings they need to make, and these are listed in the staff report with the applicant's answer and staff's comment on

each one. This new home will sit essentially on the same footprint as the old home. Based upon a review of the application, staff recommends approval with two conditions:

1. The approved side setback is 20 feet from the side property line, and ONLY applies to the replacement of the existing home. The normal setbacks apply in all other situations.
2. The approval of this variance expires one year from the date of the final decision. Construction of the home must begin before expiration.

Chair Blakey asked if any of the commissioners had any questions or discussion. There were none.

Chair Blakey called for public comment. There being none, he called for a motion.

Member Bunyard, based on the information provided in the application, in the staff report, and heard tonight, moved to find that the criteria found in CCC 16.08.090(F) have been met and therefore approve the Variance from the side setback requirement for Angela Diane Moyle at 1405 Soda Lake Road (Assessor's Parcel Number: 008-191-11). This approval is subject to conditions, as listed in the Staff Report. Member Nelson seconded the motion and the decision carried by unanimous vote.

- D. Consideration and possible action re: An application for a zone change filed by Jared Card and Jesus Mariezcurrena for multiple properties located at the intersection of Carson Highway and Beasley Drive, Assessor Parcel Numbers 007-171-52, 007-171-53, 007-171-54, and 007-171-74, consisting of 4.26 acres in the C-1 zoning district. The applicant is requesting a zone change for the parcels from C-1 to Industrial. Churchill County is also including the two remaining C-1 zoned adjacent properties in this request; the first being APN 007-171-56, owned by Galen and Margaret Hines, totaling approximately 0.49 acres; and the second being the portion of US 50 passing through or adjacent to the affected properties. Such consideration may include changing the zoning district to one that allows a less intensive range of uses.

Jared Card, 2525 Beasley Drive, was available to speak regarding this application.

Director Spross stated this application is for a zoning map amendment from C-1 to Industrial. As part of this the staff also recommends rezoning the remaining C-1 properties to the south. This is regarding properties used for a trucking business and construction contractor (well drilling) business. Since 2020, the primary applicant, Jared Card, has operated a trucking business on one of the C-1 zoned parcels and the Industrial zoned parcel located to the north. Trucking is not an allowed use in the C-1 zoning district. In May 2023, Jared Card obtained a special use permit for an off premises outdoor storage yard on the Industrial zoned parcel and this discrepancy was discovered. The special use permit was subject to a condition that he must address the non-conforming trucking use on the C-1 parcel, which could be achieved by either re-zoning from C-1 to Industrial or by removing the trucking use and ensuring compliance with friction zone standards between the C-1 and the Industrial parcels. The special use permit also imposed other conditions and while some progress has been made toward the landscaping requirements, as of February 6, 2024, not all of the conditions have been fully satisfied relating to screening. This application seeks to correct the problem of the trucking use on the C-1 parcel as required. The second applicant holds two special use permits for operation of a well drilling and portable toilet rental businesses on three of the subject parcels. These permits, granted in April 2018, included conditions for landscaping and screening. While some progress has been made toward landscaping, as of February 6, 2024 the conditions have not been fully satisfied.

Director Spross reiterated that Jared Card is operating a non-allowed use on one of the parcels and proposes a zone change to remedy the issue and bring the parcel into conformance with Churchill County Code (CCC). A change from General Commercial (C-1) to Industrial would be consistent with the surrounding Industrial and Heavy Commercial (C-2) land uses. There are no plans for a change in use on any of the subject parcels, though a change to Industrial zoning would ensure that future uses remain consistent with the surrounding areas. Churchill County is also including two adjacent C-1 zoned parcels in this request to avoid spot zoning. Section 16.08.060(D) empowers the Planning Commission to consider additional properties for change extending beyond those initially included in the zone change application.

Director Spross pointed out that there are two items that need to be considered before a zoning map amendment may be recommended for approval, the applicant shall prove evidence to the commission and board concerning physical use of the land and zoning concurrently existing in the general vicinity. There are applicant statements along with staff responses to those statements in the packet provided to the commissioners. There are three findings that need to be met and the staff report outlines how the application meets those findings. Based upon the review and investigation the staff has carried out, the staff does recommend approval. There are no conditions.

Chair Blakey asked if any of the commissioners had any questions or discussion. There were none.

Chair Blakey called for public comment; 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 to find that the criteria found in CCC 16.08.060(E) have been met and therefore recommend that the Board of County Commissioners approve:

(A) The Zoning Map Amendment request for Jared Card and Jesus Mariezcurrena to change the zoning on Assessor's Parcel Numbers 007-171-52, 007-171-53, 007-171-54, and 007-171-79 from C-1 to Industrial,

(B) A change in zoning for the adjacent US 50 right-of-way from C-1 to Industrial, and

(C) A change in zoning for Assessor's Parcel Number 007-171-56 (owned by the Hines) from C-1 to C-2.

Member Bunyard seconded the motion and the decision carried by unanimous vote (5-0).

- E. Consideration and possible action re: A reversion to acreage map application filed by Allen Hughes and other property owners. The proposal would revert properties located in Block 52 of the Hazen Townsite Map, and is in conjunction with a request to abandon adjacent streets and alleys. Assessor Parcel Numbers of properties listed in the application are APNs 010-291-02, 010-291-04, 010-291-06, 010-291-07, 010-291-08 & 010-291-09, and APN 009-251-74, totaling 22.47 acres in the A-10 and Industrial zoning district. The applicants propose to combine the multiple lots within their ownership to a smaller number of lots along with adjacent abandoned rights-of-way.

Items E and F were discussed together during the meeting.

Allen Hughes, 764 Nevada Street, Hazen, NV, was available to speak regarding this application.

Director Spross noted that Items 10.E and 10.F are related and need to be heard at the same

time. This discussion will include both items. The first application is for a reversion to acreage for multiple owners and the second application is for an abandonment of multiple road rights-of-way. This project attempts to make the old Hazen townsite lots created in 1905 into more useable lots for today's methods of development. It proposes to revert small lots into larger lots and abandon certain adjacent county road lands into reverted lots. Reversions to acreage of a couple of lots are normally simple and fast to approve; however, this case is not simple because it involves multiple large and small lots. Due to the complexity, staff, the county surveyor, and the title company recommend that a record of survey be done to clearly show the resultant parcels. There are multiple property owners involved in this application. Mr. Hughes owns most of Block 52, Scott and Williams jointly own two small lots of Block 52, TRP Properties owns the Omaha Track rail tie processing site east of Block 52, which has already undergone a reversion and abandonment process to consolidate the many parts into a larger property. The project requests that the county abandon the adjacent, unused right of way lands and incorporate them into the adjacent lots. None of the rights of way have roads or utilities installed; they are undeveloped land. In the packet provided is a clearer definition of the reversion proposal for all of the different property owners and properties.

Director Spross pointed out a couple of things. There are some difficulties with reviewing both of the applications at once. Nevada Revised Statutes provides procedures for reversion to acreage, and one difficulty is that it requires (1) that a metes and bounds legal description of reverted lots be submitted with the application, and (2) that future conveyance use the metes and bounds legal description of reverted lots as opposed to referring to them as "Parcel A of Map Y". Doing so has proven difficult because the original Hazen townsite map is so old, and it has a poor level of detailed information that is unsuitable for metes and bounds descriptions of the reverted lots. In addition, it is unsuitable for the future conveyance of the property using modern land conveyance practices. After extensive communication between the county surveyor and the project surveyor, with input from the title company, legal descriptions of the reverted lots were developed that are acceptable for use in the abandonment, which will simultaneously change the lots again by adding the adjacent road segments. The record of survey and associated updated deeds can also provide good legal descriptions for the resultant lots. Because of the complexity of both the reversion with its difficulties and the abandonments of multiple segments, staff recommends that the application also include a record of survey to show the resultant parcels. After reviewing the proposal, staff, the county surveyor, and the title company also recommend that new deeds for the properties should be developed to provide the clear legal description of the resultant lots, and that they are then illustrated on the record of survey map. Simultaneously, developing the new deeds and records of survey help resolve problems with the unsuitable reversion to acreage legal descriptions.

In considering these two applications, the reversion to acreage criteria need to be met and the abandonment criteria need to be met. The reversion to acreage criteria review talks about the setbacks, easements, and the water and sewer, which is outlined in the packet provided to the commissioners. In the conditional development approval there are also conditions that need to be met, which are also provided in the packet and include conformity with the Master Plan, compatible with existing adjacent properties and uses, and so on. Staff does recommend approval, and he pointed out that the conditions for approval listed in the staff report are for both the reversion to acreage and the abandonment. These conditions are based upon approval of both requests, and the recommended conditions would change should one be recommended for denial.

Director Spross said that the abandonment application proposes to abandon the multiple county owned road rights of way adjacent to the Hughes, TRP Properties, and Scott Williams parcels. The rights of way are undeveloped with no roads, structures, or any known utilities. They

are not needed to provide connectivity through an area, and they are not needed to provide legal and physical access for resultant parcels or other adjacent lands. The Planning Commission may recommend, and the Board may approve the abandonment if it determines that the public will not be materially injured. It should be noted that the Master Plan includes goals and policies, as described under the reversion to acreage section, that support projects such as abandonments and reversions to acreage to improve the developability of the Hazen Townsite lands. Notice of the proposal was also provided to other county departments. The Fire Marshal had no objections. The Road Supervisor had no objections. The County Surveyor reviewed the proposal and approves of the abandonment, but also indicates that the abandonment and reversion to acreage are complex enough to need a record of survey with new deeds. NV Energy, CC Communications, and Southwest Gas also indicated no objections to the abandonment. The Churchill County Public Works Director has no objection to the abandonment. Staff, the Road Supervisor, and the Public Works Director recommend approving the abandonment because the public will not be materially injured, so long as the conditions of approval ensure that land ownership and deeds are not clouded by the action.

Director Spross then went over the recommended conditions of approval for both applications:

1. *Changes shall be made for compliance with Churchill County Code, including but not limited to:*
 - a. *Provide blank spaces for document numbers of the Order of Abandonment and new deeds, which will be recorded before recording the map and filled in on the map.*
 - b. *Adding “NOTE” information regarding the deed error for the Scott-Williams property, similar to the Hughes deed error.*
 - c. *Correcting the name of the referenced document # 931 in the Surveyor’s Certificate.*
 - d. *Correcting typographic, arrow placement, and other minor errors.*
2. *To ensure compliance with NRS reversion to acreage and abandonment requirements, approval is subject to the following:*
 - a. *The proposed reversion to acreage and record of survey map shall be recorded after the Order of Abandonment, with the Order’s document number referenced on the map.*
 - b. *New deeds using the resultant lot legal descriptions shall be recorded before recording the reversion to acreage and record of survey map, with the deeds’ document numbers referenced on the map.*

Chair Blakey asked if the applicant had anything to add, and there was none.

Chair Blakey inquired if any of the commissioners had any questions or discussion. There were none.

Chair Blakey called for public comment; 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 to find that the criteria found in CCC 16.04.040(C) and CCC 16.04.050(A) have been met, and therefore recommend that the Board of County Commissioners approve the reversion to acreage application for Allan Hughes, Julie Scott, Shona Williams, and TRP Properties for the multiple properties included in this application; and that, if approved, the combined conditions of approval for abandonment and reversion to acreage that are listed in the Staff Report be required.

Deputy District Attorney Joseph Sanford interjected that the conditions that have been

outlined in the Staff Report are for a combined approval of both applications, so he recommended that if there is any intention of not approving both applications, they should discuss it now before passing the motion that was made. Chair Blakey noted that no comments were heard.

Member Bunyard seconded the motion and the decision carried by unanimous vote (5-0).

- F. Consideration and possible action re: An application for abandonment of easement filed by Allen Hughes and other property owners. The request is to abandon multiple rights-of-way within the Hazen Townsite map (Doc. # 931) lying adjacent to the petitioner's land, and that are not developed with roads. The rights-of-way are: (a) Utah Street extending east of Hazen Avenue to Tahoe Avenue, (b) Tahoe Avenue between Nevada Street and Utah Street, and (c) the alley located between Nevada Street and Utah Street extending between Hazen Avenue and Tahoe Avenue. Adjacent properties are APNs 010-291-02, 010-291-04, 010-291-06, 010-291-07, 010-291-08 & 010-291-09, and APN 009-251-74.

Discussion of this item was combined with the previous Item 10.E.

Member Nelson, based on the information provided in the application, in the staff report, and heard tonight, moved to find that the criteria found in CCC 16.08.050 have been met and therefore recommend that the Board of County Commissioners approve the request to abandon County road right-of-way lands shown on the proposed reversion to acreage and record of survey map accompanying the application, being portions of Utah Street, Tahoe Avenue, and the alley through Block 52, all established on the Hazen Townsite map, Doc. # 391; and that, if approved, the combined conditions of approval for abandonment and reversion to acreage that are listed in the Staff Report be required. Member Goings seconded the motion and the decision carried by unanimous vote (5-0).

- F. Consideration and possible action re: Parcel Map applications for two maps creating 7 lots filed by NEV DEV LLC for property located on Desert Hills Loop, Assessor's Parcel Number 008-176-82, consisting of 16.48 acres in the E-1 zoning district. The proposed maps implement the project's tentative parceling plan approved by the BOCC on Oct. 5, 2023.

Steve Bell, 100 Fillmore Way, Reno, was available to speak regarding this application.

Director Spross explained that these applications are for two serial parcel maps for creating seven lots. This is the creation of the remaining lots between the two ends of the existing Desert Hills Loop. This project had its tentative parceling plan reviewed by the Planning Commission at the September 2023 meeting, and it was approved by the Board of County Commissioners on October 5, 2023. These two maps implement the proposed plan. The applicant proposes to construct the entire development in Phase I with both maps recorded at the same time once the road segments are built or bonded. There are certain design standards that must be met—setbacks, easements, lot sizes, etc. All of that information is in the packet provided to the commissioners. There are five criteria that must be met, and those are outlined in the packet along with comments from staff. The department received correspondence from the Building Department stating that "...there is no current soil profile and percolation test data for this map. Soil profiles and percolation tests shown on the tentative map were observed in February 1998 and may not reflect the current conditions.

Suitability of the parcels for the placement of septic systems may not be determined without individual soil profiles and percolation tests being performed.” This indicates that each individual lot will require percolation tests prior to placement of septic systems.

Director Spross commented that based upon the information in the application and through the review process, staff does recommend approval. There are conditions as a part of that approval:

1. *Changes shall be made for compliance with Churchill County Code, including but not limited to:*
 - a. *Changes to labels on road easements and improvements shall be made to be consistent with the final decision on offers to grant easements and dedicate land and facilities.*
 - b. *Changes to the Churchill County Commissioner’s Certificate shall be made to be consistent with the final decision on offers to grant easements and dedicate land and facilities.*
 - c. *Roads serving the development shall be constructed or financially guaranteed before recording the maps.*
 - d. *Any portions of project roads that are off-site of project land shall be constructed at the developer’s expense and offered for dedication to the County through appropriate processes.*
 - e. *Water dedication requirements must be met prior to recording the map.*
 - f. *Any typographic errors, and errors in certificates and notes shall be corrected, including the Planning Certificate reference to the approved variance.*
2. *Any final changes required by the County Surveyor shall be made prior to recording, including but not limited to the following:*
 - a. *Changes shall be made for accurate display and placement of all monuments, and of all markers at the edges of road easements, canal easements, and building envelopes.*
 - b. *Curve data shall be provided.*

Chair Blakey inquired if Mr. Bell had anything to add, and he did not.

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

Member Bunyard questioned regarding the motion and whether they were going to dedicate any land for these parcels. Director Spross clarified that this is not a planned unit development (PUD) or a subdivision. This is a serial parcel map, which is why there are two maps in two separate applications. Member Bunyard verified that this is the reason that we are not asking them to dedicate any lands. Director Spross agreed.

Chair Blakey called for public comment; there being none he called for a motion.

Member Bunyard, based on the information provided in the application, in the staff report, and heard tonight, moved to find that the criteria found in CCC 16.04.040(C) and CCC 16.04.050(A) have been met for 2 parcel map applications implementing a previously approved parceling plan to create 7 residential lots, and therefore recommend that the Board of County Commissioners:

- (A) Approve the 2 parcel maps entitled 1st and 2nd Parcel Map for Nev Dev LLC to divide APN 008-176-82 into 7-lots. This approval is subject to the conditions as listed in the Staff Report.**
- (B) Accept the offer to grant easements identified on the maps.**
- (C) Reject the offer to dedicate lands for Desert Hills Loop.**
- (D) Accept the offer to dedicate road facilities for Desert Hills Loop.**

Member Picotte seconded the motion and the decision carried by unanimous vote (5-0).

G. Consideration and possible action re: Review and discussion of the current Master Plan and of the 2025 Master Plan Update.

Dean Patterson, Senior Planner, explained that every five years we update the Master Plan. The last update was very comprehensive and involved a lot of updating old wording, reorganizing, and clarifying a lot of the text in the Master Plan. It was comprehensive enough that there isn't a whole lot that needs to be done this time. Consequently, we don't expect a plan-wide update, but rather making minor updates to specific parts of the plan that are reliant on data. Rather than going through modifications of individual chapters, we think that it would be more beneficial to start implementing some of the recommendations in the Master Plan. He said that the commissioners were provided with an orientation document that outlines a number of the tasks in the Master Plan that call for actions or tasks to be undertaken. We are proposing to work on some of those things rather than going through and rewriting a lot of the text in the Master Plan.

Dean Patterson went through a PowerPoint presentation highlighting the areas that need updating. He said that something that needs to be decided is which ones should be completed sooner rather than later.

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

- A. Consideration and possible action re: Termination of a temporary use permit for temporary quarters for hardship/caretaker previously granted to Robert Baker for property located at 660 Union Lane, Assessor's Parcel Number 006-811-50, in the A-10 zoning district. The need for the permit has ended and they have removed the RV from use as a residence. The permit should be terminated.
- B. Consideration and possible action re: Termination of a special use permit for a chemical storage tank previously granted to Safety-Kleen Systems, Inc. for property located at 22211 Bango Road, Assessor's Parcel Numbers 007-071- 80 & 007-071-81, in the Industrial zoning district. The applicant decided not to move forward with this project and the permit should be terminated.

Member Bunyard moved to approve the consent agenda as submitted. Member Goings seconded the motion and the decision carried unanimously.

12. Public Comment:

There were none.

13. Adjournment:

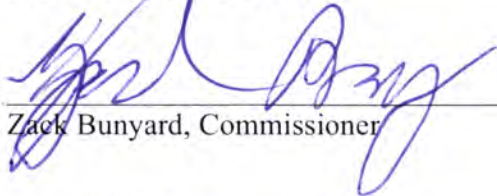
There being no further business to come before the Planning Commission, Chair Blakey adjourned the meeting at 9:17 p.m.

14. Appendix:

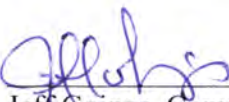
Supporting Documentation

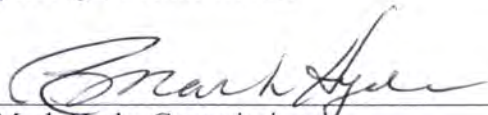
Approved: 
Eric Blakey, Chair

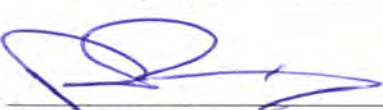
Approved: 
Scott Nelson, Vice Chair

Approved: 
Zack Bunyard, Commissioner

Approved: NOT AVAILABLE
Deanna Diehl, Commissioner

Approved: 
Jeff Goings, Commissioner

Approved: 
R. Mark Hyde, Commissioner

Approved: 
Paul Picotte, Commissioner

ATTEST:

Diane Moyle, Administrative Assistant