

**PAHRUMP REGIONAL PLANNING COMMISSION and MASTERPLAN WORKSHOP
MINUTES OF THE APRIL 12, 2023 MEETING**

Members in Attendance: Walt Turner, Robert Blackstock
Beth Lee, Gina Meredith
John Koenig, Pamela Tyler

Members Absent: Debra Hayden

Planning Staff: Brett Waggoner, Qiana Medici, Amanda Marshall
Steve Osborne, Celeste Sandoval, Amber Randle

District Attorney's Staff: Marla Zlotek

Public Works Staff: Tyler Mulvey

Other Attendees: Frank Carbone

Acronyms Used:

APN	=	Assessor Parcel Number
BOCC	=	Board of County Commissioners
CUP	=	Conditional Use Permit
DWR	=	Division of Water Resources
FEMA	=	Flood Emergency Management Association
GC	=	General Commercial
MP	=	Master Plan
NCC	=	Nye County Code
NDEP	=	Nevada Div. of Environmental Protection
RPC	=	Regional Planning Commission
SD	=	Site Development
SPD	=	Special Plan of Development
SFR	=	Single-Family Residential
ZC	=	Zone Change

1. Pledge of Allegiance/Call to Order

Meeting called to order at 6:01 pm

- 2. Public Comment (first)** – No action will be taken on matters raised under public comment until the matter itself has been included on the agenda as an action item. (Three-minute time limit per person and speakers are requested to limit comments to items not on the agenda.)

Public comment opened at 6:02 pm

Laura Larsen stated she would like to remind everyone to contact the legislature regarding SB-419. The SB-419 bill will create an unaccountable government database with your health records in expanding Medicaid to illegal aliens, who will use it free of charge. Red tie event for the Nye County Republican Central Committee on May 20th at 5:30 pm -9 pm. You can go online or go to 41760 Pahrump Valley Blvd Suite 9 and 10 or call the office at 775-727-2500. The speaker is Wayne Allen Rute. Tickets are \$125.00, table of 8 will be \$500 and committee table will be \$125.00. It is located at the Pahrump Nugget. There will be dinner, raffle tickets, dessert with cocktail attire.

Ammie Nelson stated Matt Sadler is having G-CON meeting. Grassroots Conservatives of Nevada every 4th Monday at 6pm at Hope Bail Bondsman on 160 and Basin and for all conservatives. May 7th conservative women's tea 2-3pm at 6601 Fox Avenue.

Public comment closed at 6:07 pm

3. For possible action - Approval of Minutes:

a. PRPC Meeting – March 15, 2023

Commissioner Lee stated she turned in some minor typographical errors to staff.

Public comment opened and closed at 6:08 pm

Motion: approve the minutes with submitted changes to staff, **Action:** Approve, **Moved by** John Koenig, **Seconded by** Walt Turner.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Beth Lee, Gina Meredith, John Koenig, Pamela Tyler, Robert Blackstock, Walt Turner.

4. For possible action - Approval of / Modifications to the Agenda: Approval of the Agenda after Considering Requests to Rearrange, Hold or Remove Items.

None

Public Comment opened and closed at 6:08 pm with no comments.

Motion: accept agenda as submitted, **Action:** Approve, **Moved by** Pamela Tyler, **Seconded by** John Koenig.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Beth Lee, Gina Meredith, John Koenig, Pamela Tyler, Robert Blackstock, Walt Turner.

5. Correspondence and Announcements

Commissioner Lee stated she would like to welcome John Koenig back to the board.

6. Commission/Committee/Director Reports:

a. BOCC Liaison Report

Commissioner Carbone stated the BOCC meeting on the 18th of this month.

b. Director's Report

Steve Osborne stated March Planning applications received was 284 which was an increase of 64 over last month. Total applications processed was 247 which was 123 more than last month. Since July there have been 1683 planning applications received and 285 new code compliance complaints. Compared to 1627 applications and 240 Code Compliance complaints for the same period last year.

Building Permits had 39 SFR permits which was 18 more than last month, there was 2 MF permit which was 1 more than last month and there were 15 commercial permits last month, which was 1 more than last month. Total permits all categories was 236 which was 73 more than last month and total inspections all categories was 474 which was 86 more than last month. Since July 1st there have been 208 SFR compared to 375 at this same point last year. Code Compliance had 29 new complaints, which was 12 less than last month and closed was 23 which was 1 less than last month.

Previous items heard by the board Bill 2022-12 amending chapter 17.04.805 Mobile Food Vending has been scheduled for a public hearing with the BOCC on March 21, 2023. ZCMP-22-24 and ZCMP-22-26 were both heard by this board at the February 15, 2023 meeting and were recommended for approval to the BOCC. They will be heard at the March 21st BOCC meeting. WV-23-5 was heard at the board March 15, 2023, and was denied. An appeal was filed and will be heard at the April 18th 2023 meeting.

7. **For Possible Action – CU-23-5:** Public Hearing, discussion, and deliberation on an application for a Conditional Use Permit to allow multi-family residential (townhomes) to be built on a General Commercial (GC) zoned parcel located at 1571 E. Basin Avenue. Assessor’s Parcel Number 038-241-22. Khosrow Alighchi & Batoui Esmaeiligorji – Property Owners/Applicants. **(This item is Final Action by the Pahrump Regional Planning Commission unless appealed to the Board of County Commissioners, or as otherwise announced) (QM)**

Qiana Medici reviewed her staff report and stated this application is for a CUP to allow MF townhomes in a GC parcel. MF are permissive with approved CUP and site development plan. The applicant believes there is a need for residential development in the area. The parcel is in walking distance to shops, offices, etc. proposing the 1-acre lot with 6 buildings, which includes 4 townhomes per building for a total of 24 units at 24,000 sq ft. each town home is proposed to be 2-story, 2 bedrooms with 1,000 sq ft of living space and 64 sq ft of porch. Applicant provided documents for the proposed development with open space and a dog park for residences. The townhome will be available to purchase or for rent. The development will provide an affordable solution for those individuals who are single parents or entry level like teachers, police, etc. The required impact fees are \$11,088, per dwelling unit, the fire station receives \$127, parks receive \$273, the Sheriff’s office receives \$104, the streets receive \$893 and schools receive \$1600 for townhome dwelling units. Staff is recommending approval of this application.

Khosow Alighchi, applicant states in cities MF are next to commercial. It is close to amenities. People get MF to be close to work and amenities.

Commissioner Lee asked if he has read, understand, and agrees to the conditions of approval outlined in the staff report?

Mr. Alighchi stated yes.

Commissioner Koenig stated there is a dog park and nothing for kids.

Mr. Alighchi stated he is flexible and can provide a play area for the children that will be fenced.

Commissioner Meredith stated it is in a good location.

Commissioner Carbone asked if they were going to be for sale or for rent? And asked if they know they will be next to a dispensary.

Mr. Alighchi stated they can either rent or sell, and dispensaries are everywhere right now.

Commissioner Lee asked if there will be an HOA?

Mr. Alighchi stated yes probably.

Public comment opened at 6:28 pm

Laura Larsen stated they are not a mini-Vegas, we are a rural area. It shouldn’t happen, not in that location. It’s so crammed together. That’s a pretty tight area for parking in addition to an emergency with the fire department coming in there if there’s an emergency and the gravel for the dogs should not happen, they need grass, so it doesn’t burn their paws.

Ammie Nelson stated she thinks it’s a great location because there will not be anything in the backyard. Her concern is water. The dispensary is already near residential areas. This is a pretty good location. But would like more information on the water.

Tim Bohannon asked if they have any rules or regulations for dispensaries. As for MF housing, we need it, the location is fine.

Public Comment closed 6:49 pm.

Mr. Alighchi stated regarding the water usage, the grass uses a lot of water, but he is open to suggestions. There is a 24 ft driveway for a firetruck and to turn around.

Commissioner Koenig stated we are taking commercial zoning and turning it into MF. It's a 1-acre site and put 72 people into that. Mr. Dave Walman comment from an agenda item on last month's meeting, he talks about the many disadvantages to attach single-family dwellings, common walls transmitting unwanted sounds, noxious smells going through, plumbing problems in one causing damages to the others. The connection between units does not provide aesthetic appeal, safety, security, or any other benefit to the occupant of the surrounding community as a whole. You know, it's nice to have all of these things squished together with a common wall in between them, but kids scream, babies cry, someone's trying to sleep because they have to go to work in the morning, you have problems.

Mr. Osborne stated dispensaries are only allowed in the light industrial, heavy industrial, general commercial, commercial manufacturing or the business opportunity zones. And then also a special use permit is required. The dispensaries just can't go basically anywhere. There are only certain zones and require board approval.

Mrs. Medici stated the water, dog park, and fire access will be discussed with site development. There's an apartment complex in Las Vegas and there's a dispensary right in front, where those residents get a discount because they live close by. As far as apartments and multifamily dwellings go, not everybody can afford a single-family residence. Parents take care of their kids, they take care of their animals when they're playing in the dog park, they take care of their kids when they're on the playground. To discount a multifamily project like this just because it's in a general commercial area and it's not something that is the normal in the Pahrump Valley is harsh.

Mr. Waggoner wanted to clarify MF is not permissive use even with the CUP in neighborhood commercial. It is only in GC.

Commissioner Turner stated that dispensaries have more security than liquor stores, gun stores, and bars. I'm not too worried about kids being around it.

Commissioner Carbone asked what the rent price will be?

Mr. Alighchi stated about \$1,200 for rent for that size townhome and to purchase would be about 200 to 220 thousand dollars.

Commissioner Turner stated when it comes to impact fees, let's say an acre with a SF residence on it, are those impact fees anything close to the per unit impact fees a multi-family would pay on the same acre?

Mr. Waggoner stated an SFR runs roughly around \$4,000 per unit, the only thing that changes are the roads. I want to remind everybody on impact fees, that's not the applicant's issue. That's a Nye County issue they haven't updated it since they adopted it. That shouldn't be used as a determination on whether a project is feasible or not.

Motion: approve CU-23-5 based on the findings as outlined within the staff report and subject to conditions stipulated in this report., **Action:** Approve, **Moved by** Gina Meredith, **Seconded by** Walt Turner.

Vote: Yes (**summary:** Yes = 5 No = 1).

Yes: Beth Lee, Gina Meredith, Pamela Tyler, Robert Blackstock, Walt Turner **No:** John Koenig

8. **For Possible Action – ETSU-23-6:** Public Hearing, discussion, and deliberation on a request for an Extension of Time for CU-22-30, to allow an animal rescue on property located at 3091 N. David Street. APN 027-381-67. Never Forgotten Animal Society – Property Owner; Pat Leming – Applicant. **(This action is Final Action by the Pahrump Regional Planning Commission unless appealed to the Board of County Commissioners, or as otherwise announced.) (QM)**

Commissioner Koenig stated his disclosure of working with Pat and he has not taken money for it.

Mrs. Medici reviewed her staff report stating this is for an extension of time to September 30, 2023 so the applicant can work with the various departments for approval for CU-22-30. The conditional use permit was approved by the RPC at the October 12, 2022 meeting. The property owner was unable to meet the conditions of obtaining commercial water rights, a commercial OSDS, and manufactured housing division. She did contact the Nevada Division of Manufactured Housing and was advised that the single wide would have to be taken back to the original state for it to be inspected by their department. The Category 2 site development plan cannot be submitted until the water rights and commercial OSDS system requirements have been met. The OSDS system is a state requirement, and the RPC is unable to remove that condition from the CUP. The Nevada Department of Environmental Protection has deemed the town of Pahrump a nitrogen management area and advanced wastewater treatment and denitrifying systems are required for commercial development. At the October 12th RPC meeting, when the CUP was approved, the subject of limits on the number of animals was briefly discussed. After reviewing the current application, staff would like to revisit that discussion and add as a special condition of approval a limit on animals permitted on the premises and that number would be up to the RPC to come up with.

Commissioner Blackstock asked why is a nitrogen issue coming up now and not before?

Mrs. Medici stated this is commercial development and that is required by the state and the other shelters were on residential. And as far as the county goes we can't waive that.

Mr. Waggoner stated that requirement comes from NDEP, the problem is they designated the whole valley as a high nitrate area and with any commercial use requires a nitrate recovery system. The County has no authority at all but to do the inspections on behalf of the State with the MOU.

Commissioner Meredith stated staff mentioned putting a limit on dogs, do they have a recommendation for that?

Mrs. Medici stated during the discussion the limit was 50.

Pat Leming stated in regard to the water, a family in the Valley has donated 4-acre feet of water to our organization, and they're paying all the costs of transferring all title, doing the engineer's report, setting up for the installation of the meter. As for the limit of animals, it's very difficult to limit the number of animals on site because of the different circumstances. We make sure all our animals are spayed and neutered. She is not going to take in animals I cannot take care of and would like to be able to make those decisions based upon the circumstances as they're presented. To give you an idea, at any given moment, my lowest inventory has been 175 animals and my largest has been over 300. They are not all going to be on site, they have a foster to adopt program.

Commissioner Carbone the question is how many animals will be in that building at one time is it 50 or 100? Are you working with the county shelter at all to help with some of these animals if you can't take some of them?

Ms. Lemming stated they just had a kennel inspection by animal control and they have 32 dogs and 27 cats. They can maintain that.

Mr. Waggoner asked what the number of average animals' day to day on the property is. What can you accommodate and designed to accommodate.

Ms. Leming stated now they are changing it from the building itself to the entire property.

Mr. Waggoner stated when she applied for the CUP she stated all the animals would be housed indoors. The only animals outside would be for exercise, and asked how many animals can the building today as set up, accommodate.

Ms. Leming stated she has two buildings.

Mr. Waggoner stated she has one building with a C of O and the other is a MH that at this point is not licensed to be used for anything other than possibly storage.

Ms. Leming stated 50 is reasonable.

Mr. Waggoner stated everybody understands that there's going to be a situation where you might have an extra 20 animals or 30 animals on property. But provided that's a temporary thing and you're trying to provide accommodation or find them foster homes. And that's what we're looking for.

Ms. Leming stated her mandate is to try and get them fostered or adopted if they can, they don't want them onsite.

Commissioner Lee asked for emergency situations, how long do they stay on property?

Ms. Leming stated it was within days.

Mr. Waggoner stated it's also important to know that they can surrender animals to the animal shelter just like any other person could. If they were to take possession of 60 dogs or cats, I think it's important to use that resource up there, just as well as your foster program and everything else. That's what it was built for.

Molly Clark stated they are new to this, and it is evolving and the cats will be in the manufactured house, when that happens there will be more room to house dogs.

Mr. Waggoner stated the CUP is in place for today, and when the time comes you can come back, and we can reevaluate.

Ms. Lemming stated she had been told by the manufactured home division that if Nye County would take the unit into their inventory the state backs off and we don't have to do anything with the state.

Ms. Clark stated when the lot was divided the manufactured home didn't move, but the address changed. The Assessor's office has no record of it, they thought it was an illegal move of the single wide to this property. They started to renovate the single wide but stopped, when finding out we have to go through Manufactured Housing Division.

Commissioner Koenig stated that's why you need an extension, dealing with the state.

Ms. Lemming stated she has to get the original plans from the manufacturer from 1979, then get a contractor to come in to refurbish the unit back to its original specifications. Once that is done, call for an inspection.

Commissioner Lee asked if 6 months is enough time, or do they need more time?

Ms. Lemming stated she has no idea.

Mr. Waggoner stated changing the point of diversion for water rights now is taking anywhere from 4 to 6 months.

Commissioner Lee asked if they should move the extension to 9 months, in December?

Ms. Lemming asked if this is going to be something that I have to report on daily, monthly, weekly, annually, semi-annually? Is there going to be an inspection? Is somebody going to come through? Is animal control going to be in charge of this?

Mr. Waggoner stated it's not anything they are going to have to be reporting on but a 6-month report. Per your Title VI permit, animal control can come on your property anytime.

Public Comment opened 7:28 pm.

Tim Bohannon stated for limitations if you have a new birth, you will have additional animals on site. Having a time constraint or a time waiver for weanlings to be able to get them weaned and in proper timing from that standpoint, is often a common thing in ordinances to provide for the young.

Ammie Nelson stated when she did animal rescue and fostering in Clark County, they didn't include puppies. There's a lot of puppies that don't live six weeks, maybe that might be a solution for all the stress and tension for puppies and kittens. The shelter is always available to help if there's ever anything that puts them over and is going to endanger the animal society.

Laura Larson stated she's dealt with Pat before. Her sister had a bully at home in Vegas, that had pneumonia. She called Pat immediately; she ended up sitting there on the phone with her. We can't lose her.

Public comment closed 7:33 pm.

Commissioner Lee stated they should determine the number of animals, and asked the board if they are okay with not more than 50 for 5 consecutive days?

Commissioner Koenig stated he is good with 50, but for how many days?

Commissioner Tyler stated if it's good with them, split the number to 10 days.

Commissioner Lee stated 50 dogs over the age of 6 weeks, for not more than 10 consecutive days?

Commissioner Meredith asked Ms. Leming how soon they spay and neutering them?

Pat Lemming stated they neuter the dog at 5 months and cats at 3 lbs.

Commissioner Koenig asked if Ms. Leming is amendable to limit the number of dogs in the building to 50 for no more than 10 days.

Ms. Lemming stated she would appreciate 15 to 20 days, 20 being the maximum. Because then she can make sure that if they have health issues, she can nurse them back to health. If they get hit with multiple illnesses, they will have to shut down for an extended period of time.

Commissioner Lee stated they understand there's going to be births that are going to come in and that there's going to be emergency situations.

Ms. Lemming stated she hopes that you keep in mind that there are circumstances in which we have no control and that the health and welfare of the animals always come first.

Commissioner Lee asked Ms. Lemming if she is amenable to that condition? And if she has read, understands and does she agree to the remainder of the conditions that are in the staff report with this extension of time.

Ms. Lemming stated yes.

Motion: to approve ETSU-23-6 based upon the findings outlined in staff report and adjusting the limit of dogs to 50 for only up to 20 days onsite in the existing building and extending the ETSU to 12/31/2023, **Action:** Approve, **Moved by** John Koenig, **Seconded by** Walt Turner.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Beth Lee, Gina Meredith, John Koenig, Pamela Tyler, Robert Blackstock, Walt Turner.

9. **For Possible Action – ETSU-23-3:** Public Hearing, discussion, and deliberation on a request for an Extension of Time for CU-2020-000100, to allow a Multi-Family Residential four (4) plex on property zoned Town Center (TC), located at 2560 E. Ambush Street. Assessor's Parcel Number 042-101-11. Ledgerwood Trust & JC Cornerstone – Property Owner/Applicant. **(This item is Final Action by the Pahrump Regional Planning Commission unless appealed to the Board of County Commissioners, or as otherwise announced) (AM)**

Commissioner Turner stated he has a disclosure that Mr. Ledgerwood is a client of his company's property management. They manage his properties, and he will be abstaining from the vote however I can participate in the discussion.

Mrs. Marshall reviewed her staff report and upon review of the application, the staff finds sufficient justification to recommend approval of this extension of time to October 12th, 2025. The applicant states that they're unable to meet with the previous time constraints due to the economy and is requesting it to be extended for 36 months due to interest rates for the building materials to come down. The parcel is undeveloped in the TC zoning in which they propose to build a MF unit consisting of 2 duplex units which is required that site development be starting and construction by April 12th, 2026.

Public comment opened and closed 7:43 with no comments.

Motion: approve ETSU-23-3 with an extend the time for 36 months to obtain an approved site development plan and all required permits and licenses based upon the findings as outlined in the staff report and subject to the conditions stipulated in this report, **Action:** Approve, **Moved by** John Koenig, **Seconded by** Gina Meredith. **Vote:** Motion passed (**summary:** Yes = 5, No = 0, Abstain = 1).
Yes: Beth Lee, Gina Meredith, John Koenig, Pamela Tyler, Robert Blackstock.
Abstain: Walt Turner.

10. **For Possible Action – ETSU-23-4:** Public Hearing, discussion, and deliberation on a request for an Extension of Time for CU-2020-000099, to allow a Multi-Family Residential four (4) plex on property zoned Town Center (TC), located at 2480 E. Ambush Street. Assessor's Parcel Number 042-101-07. Ledgerwood Trust & JC Cornerstone – Property Owner/Applicant. **(This item is Final Action by the Pahrump Regional Planning Commission unless appealed to the Board of County Commissioners, or as otherwise announced) (AM)**

Mrs. Marshall reviewed her staff report and as with the previous application it mimics that one. They're requesting the same time limit to be extended for the same date for just a different location on a different conditional use permit application that was previously approved by the board.

Public Comment opened and closed 7:45 pm with no comments.

Motion: to approve ETSU-23-4 and extend the time for 36 months to obtain an approved site development plan and all required permits and licenses based upon the findings as outlined within the staff report and subject to the conditions stipulated in this report., **Action:** Approve, **Moved by** John Koenig, **Seconded by** Pamela Tyler. **Vote:** Motion passed (**summary:** Yes = 5, No = 0, Abstain = 1).
Yes: Beth Lee, Gina Meredith, John Koenig, Pamela Tyler, Robert Blackstock.
Abstain: Walt Turner.

- 11.
- a. **For Possible Action – ZCMP-23-2:** Public Hearing, discussion, and deliberation on an application for a (Minor) Master Plan Amendment of approximately 2.17 acres from Rural Density Residential (RDR) to Rural Development Area (RDA) for property located at 3620 W. Bell Vista Ave. Assessor's Parcel Number 028-245-33. Top Notch Carrier LLC – Property Owner; Valerie Martel - Applicant/Agent. **(The Pahrump Regional Planning Commission makes a recommendation on this item. Final Action by the Board of County Commissioners is scheduled for April 18, 2023, or as otherwise announced.)**
- b. **For Possible Action – ZCMP-23-3:** Public Hearing, discussion, and deliberation on an application for a Zone Change to change 2.17 acres from Neighborhood Commercial (NC) to Commercial Manufacturing (CM) for property located at 3620 W. Bell Vista Ave. Assessor's Parcel Number 028-245-33. Top Notch Carrier LLC – Property Owner; Valerie Martel - Applicant/Agent. **(The Pahrump Regional Planning Commission makes a recommendation on this item. Final Action by the Board of County Commissioners is scheduled for April 18, 2023, or as otherwise announced.)**

- c. **For Possible Action – CU-23-1:** Public Hearing, discussion, and deliberation on an application for a Conditional Use Permit to allow Mixed use developments for property located at 3620 W. Bell Vista Ave. Assessor’s Parcel Number 028-245-33. Top Notch Carrier LLC – Property Owner; Valerie Martel - Applicant/Agent. **(This item is Final Action by the Pahrump Regional Planning Commission unless appealed to the Board of County Commissioners, or as otherwise announced.)**
- d. **For Possible Action – WV-23-1:** Public Hearing, discussion, and deliberation on an application for a Waiver from 17.04.750 Lighting, 17.04.740 Landscaping requirements, 17.04.760 F. 1. b - Screening, Walls and Fences to allow 6-foot chain link fencing without opaque screening, and to waive 15.28.100: Unpaved Parking and Storage Areas for property located at 3620 W. Bell Vista Ave. Assessor’s Parcel Number 028-245-33. Top Notch Carrier LLC – Property Owner; Valerie Martel - Applicant/Agent. **(This item is Final Action by the Pahrump Regional Planning Commission unless appealed to the Board of County Commissioners, or as otherwise announced.)** (AM)

Mrs. Marshall reviewed her staff report stating staff finds sufficient justification to recommend approval of the minor master plan amendment to change 2.17 acres from rural density residential to rural development area and the zone change from 2.17 acres from neighborhood commercial to commercial manufacturing and deny the waiver from the development standards requiring landscaping, lighting, paving, and privacy screening. Staff recommends approval of the CUP to allow an outdoor storage yard on half of the parcel and for a towing storage yard on the other half. If the master plan amendment is approved, the requested zone change would then be conforming, and the requested uses would also be allowed with the approved waiver and conditional use permit. If the board wishes to entertain the waiver application, staff suggests adding a restriction to add a block wall or privacy screen on the property section that abuts residential properties and all areas that will have inoperable or abandoned vehicles screened from view.

Commissioner Lee asked for clarification that the applicant is asking for a waiver to have opaque fencing adjacent to the residentially zoned properties.

Mrs. Marshall stated they requested not to use privacy slats at all.

Valerie Martel, applicant, stated she has nothing to add but about the screening. All the properties surrounding are all vacant. If there are any screenings requested it would be okay, they don’t have any issues, and they understand if they need it. There is 70 acres between the property and the residential homes that are in the back.

Public comment opened at 8:03 pm.

Ammie Nelson stated it will be towing and storage and she remembers storage facilities coming in the last few years and they had to put in paving, and it shouldn’t be waived for them. No lighting is a safety and security issue. It seems to her they are trying to subdivide something without actually subdividing by asking for these changes and a little confused on the intent here.

Public comment closed at 8:05 pm.

Commissioner Koenig stated he would like to remind everyone at the last meeting there was something similar on 160 on a request for no block wall and only with privacy slacks in the back, that was not approved.

Commissioner Blackstock asked staff what the ruling is, do they want paving at all times. What would staff prefer.

Mr. Osborne stated the code’s requirement is that it is paved. All drive aisles, anywhere they would have vehicles driving.

Commissioner Blackstock stated he agrees, there are issues with oils seeping into the soil. There should be no issue with the paving part, I know it’s a lot of paving.

Commissioner Turner asked which is required by code, opaque or block?

Mr. Osborne stated in this case they are allowed to have chain link with opaque slats. They are asking not to have slats.

Commissioner Carbone asked if there is alternate paving they can use.

Mr. Osborne stated they can have asphalt paving or double layer chipseal.

Commissioner Carbone asked if that is cheaper.

Mr. Osborne stated yes.

Mrs. Martell stated the storage yard is not for vehicles but is mainly for our building materials and overflow for the two other commercial properties. The chain link is already there but her question is if they need to pave, do they need to pave the whole thing even though one side is only for materials not vehicles. Or just the portion where they will have parking for vehicles?

Mr. Osborne stated the area for where the vehicles will be going in and out will have to be paved.

Commissioner Koenig stated in the future they may not be storing materials but being used for vehicles coming in and out.

Mr. Waggoner stated that determination would be made through the Site Development process to determine where the traffic areas would be versus the storage area.

Commissioner Carbone stated they could separate them with fencing.

Motion: recommend approval to the BOCC of ZCMP-23-2, ZCMP-23-3, and to approve CU-23-3 and to deny WV-23-1 based upon the findings as outlined within the staff report and subject to the conditions stipulated in this report, **Action:** Approve, **Moved by** John Koenig, **Seconded by** Walt Turner.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Beth Lee, Gina Meredith, John Koenig, Pamela Tyler, Robert Blackstock, Walt Turner.

12.

- a. **For Possible Action – ZCMP-23-4:** Public Hearing, discussion, and deliberation on an application for a Zone Change to change 10.43 acres from Specific Plan (SP) to Neighborhood Commercial (NC) for property located at 4779 E. Mountain Falls Pkwy. Assessor's Parcel Number 045-021-74. Mountain Falls LLC – Property Owner; Taney Engineering - Applicant/Agent. **(The Pahrump Regional Planning Commission makes a recommendation on this item. Final Action by the Board of County Commissioners is scheduled for May 16, 2023, or as otherwise announced)**
- b. **For Possible Action – CU-23-4:** Public Hearing, discussion, and deliberation on an application for a Conditional Use Permit to allow RV Storage located at 4779 E. Mountain Falls Pkwy. Assessor's Parcel Number 045-021-74. Mountain Falls LLC – Property Owner; Taney Engineering - Applicant/Agent. **(This item is Final Action by the Pahrump Regional Planning Commission unless appealed to the Board of County Commissioners, or as otherwise announced)**
- c. **For Possible Action – WV-23-6:** Public Hearing, discussion, and deliberation on an application for a Waiver of Development Standards, 17.04.740 Landscaping, located at 4779 E. Mountain Falls Pkwy. Assessor's Parcel Number 045-021-74. Mountain Falls LLC – Property Owner; Taney Engineering - Applicant/Agent. **(This item is Final Action by the Pahrump Regional Planning Commission unless appealed to the Board of County Commissioners, or as otherwise announced) (SO)**

Mr. Osborne reviewed his staff report and recommended approval to rezone the subject property to the NC zoning district and a CUP for an RV storage yard that is specifically for a 1.82 acre portion of the subject parcel.

The RV storage lot already exists with a TUP issued for this lot. Staff recommends the denial of a waiver from the landscaping requirements, due to not having water available.

Mr. Waggoner stated for clarification that they do have water and water rights. They don't have the infrastructure for it.

Commissioner Turner asked if the 10.43 and the 1.8 acres were going to be used for RV storage?

Mr. Osborne stated, it's a long thin parcel but only 1.8 of that 10 acres will be RV storage.

Commissioner Turner asked if the waiver for the landscaping is for the whole 10 acres?

Mr. Osborne stated no, everything is for the 1.8-acre piece.

Steve Dush stated for clarification that it's only the 1.8 acres that they are looking to rezone not the entire area. It had a TUP for RV storage. There are currently 49 slots on there, and they're all being utilized. Their objective is to keep the use as it is, not modify it for anything but the landscaping. They will do the landscaping, but they would not be able to meet the code requirement as it relates to the irrigation system, they don't have the infrastructure for the water. What we would suggest is hand watering for six months to establish drought-tolerant plants and put in landscaping in accordance with your staff-recommended condition for the site development plan.

Commissioner Koenig asked the applicant when they plan on moving the RVs to the permanent location?

Mr. Dush stated they are efforting that currently in which we identified a location on the further west end of this property of our master plan. And are going through an assessment right now and looking for individuals who would like to operate that facility. Currently the HOA is maintaining and operating this.

Public comment opened 8:19 pm.

Tim Bohannon stated as a resident of Mt. falls, landscaping would be nice to have, and the location is good.

Ammie Nelson stated the rezone states 10.43 and not the 1.88 you should change the wording of that. If this is an HOA, why is this before planning and not the HOA. If there is no water and they are going to be storing RV's, what are they going to do if they have RVs on there with no water and it catches fire?

Public comment closed at 8:21 pm.

Commissioner Koenig stated for clarification all he wants to change in the zoning is the 1.82. If we make a motion to approve, how do we make sure the 10 acres is not included.

Mr. Osborne stated you could just in the motion specify that it's only for the 1.82 as depicted in the site plan.

Commissioner Koenig asked if all of this to revert back to what it used to be when they moved it to the new location. How does Planning make sure that that happens?

Mr. Osborne stated once they move to a new location, they will have to go through site development or zone changes for the new location.

Commissioner Koenig asked if at that time, somehow you remember to go back to this one and change it back?

Mr. Osborne stated they can put it into our OpenGov system as a reminder.

Motion: recommend to the BOCC ZCMP-23-4 and approve CU-23-4 on the 1.88 acres and deny WV-23-66 based upon the findings as outlined in the staff report and subject to conditions stipulated within, **Action:** Approve and deny, **Moved by** Walt Turner, **Seconded by** Pamela Tyler.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Beth Lee, Gina Meredith, John Koenig, Pamela Tyler, Robert Blackstock, Walt Turner.

13. **For Possible Action – TA-20:** Discussion and deliberation on a proposed Text Amendment to Nye County Code Title 17, Section 17.04.230, SE Suburban Estates Residential, removing Subsistence Farming as a permissive use and adding “Farms for the raising/growing of tree and bush crops and/or field crops for commercial or household use.” (**This item is a recommendation by the Pahrump Regional Planning Commission to the Board of County Commissioners**) (AM)

Mrs. Marshall stated in 2016 they removed livestock from the SE zoning district. In 2020 there was an error where it was added back in when they added in subsistence farming. This is now to clean up the language because the whole purpose of the SE was to not have livestock in the zoning district. This now allows them to have the farming of the bush crops and trees without the animals.

Public Comment opened and closed at 8:26 pm with no comments.

Commissioner Koenig asked for clarification if they are approving Bill 2023-02 or TA – 20.

Mrs. Marshall stated you are recommending approval to the BOCC of Bill 2023-02 it is the internal application number of TA-20.

Motion: Recommend approval of Bill 2023-02 to the BOCC, **Action:** Recommendation **Moved by** John Koenig, **Seconded by** Gina Meredith.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Beth Lee, Gina Meredith, John Koenig, Pamela Tyler, Robert Blackstock, Walt Turner.

14. **For Possible Action – TA-22:** Discussion and deliberation on a proposed Text Amendment to Nye County Code Title 17, Section 17.04.430, LI Light Industrial, by removing “renewable energy generating facility” as a permissive use (**This item is a recommendation by the Pahrump Regional Planning Commission to the Board of County Commissioners**) (QM)

Mrs. Medici stated we are removing the renewable energy generating facility from light industrial. Through the zoning code there was a text amendment before that removed it from RH 9.5. Staff had been directed by the BOCC to bring back a bill to remove it as permissive use.

Commissioner Koenig stated in the use subject to a conditional use permit, there's sexually oriented businesses, but we might consider removing that at some point in time also.

Commissioner Lee asked if it also eliminates battery storage projects or if there's battery storage developed for anything?

Mr. Waggoner stated its specific for solar energy generation.

Commissioner Turner asked if there is another type of renewable energy generating facility that would be more beneficial? Is there stuff that we're cutting out as well like wind, biomass?

Commissioner Lee stated if there's something out there that's already developed it would be designated legal non-conforming because it was already developed before the code.

Commissioner Tyler asked Mr. Bohannon, would this have any impact on your energy generation from manure that was part of your proposal?

Tim Bohannon stated the manure component they were looking at for making of bedding. They're not using that as an energy generator but as bedding.

Commissioner Turner asked if there is still a zoning that covers the renewable energy generating facility?

Mr. Waggoner stated this is the last zoning that would allow for renewable energy without a CUP, in the PRPD area. We'll research this further, but through a development agreement the county has the authority to allow certain uses.

Public Comment opened and closed at 8:34 pm with no comments.

Motion: recommend approval of Bill 2023-04 to BOCC, **Action:** Recommendation **Moved by** Pamela Tyler, **Seconded by** John Koenig.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Beth Lee, Gina Meredith, John Koenig, Pamela Tyler, Robert Blackstock, Walt Turner.

15. **For Possible Action – TA-23:** Discussion and deliberation on an application for a Text Amendment to Nye County Code 17.04.260, Multi-Family Residential, to allow single-family detached dwelling units in the MF zoning district. Dave Walnum, Managing Member, Square Trade Holdings LLC - Applicant (**This item is a recommendation by the Pahrump Regional Planning Commission to the Board of County Commissioners**) (SO)

Mr. Osborne stated this is an applicant-initiated proposal and is asking to allow detached homes in MF. Currently it just says attached homes are allowed. They have a project where they want three detached homes, it doesn't change the height or density of the zoning. Staff is recommending approval of the change.

Mr. Waggoner stated for clarification it will still be MF but to give a little bit of privacy aspect, densities would not change, 1 unit per so many square feet of acreage would still be required.

Commissioner Turner asked for clarification that this wouldn't lead to selling them off individually, right?

Mr. Waggoner stated this would not be a condominium or townhome project. It would still be common property.

Commissioner Koenig asked theoretically could he build a SFR in GC.

Mr. Waggoner stated there isn't anything that would prevent you from doing that today, there is no minimum amount of units.

Public commented opened at 8:38 pm.

Ammie Nelson stated she hit number by mistake, they're both great.

Public comment closed at 8:38 pm.

Motion: recommend approval to the BOCC of Bill 2023-07, **Action:** Recommendation **Moved by** Walt Turner, **Seconded by** Robert Blackstock.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Beth Lee, Gina Meredith, John Koenig, Pamela Tyler, Robert Blackstock, Walt Turner.

16. **Future Meetings/Workshops: Discussion and Direction Concerning Items for Future Meetings/Workshops; Set Date, Location and Time.**

The next meeting will be May 10th in the chambers at 6 pm.

Commissioner Koenig stated he is bothered that when they hear items and ask questions to staff, and the applicant and they are told that will be addressed in the Site Development process. Those answers can affect how they vote on the items. He doesn't know how to fix that.

Mr. Waggoner stated he suggests they become familiar with 17.04.950 it is the site development process and spells out the requirements per code and the other section is the Development Standards section of the code, that

is what they review the plans to make sure they comply with the code and development code. Provide it fits within the parameters of the code that determines if the SD is approved.

Mrs. Medici stated they are bringing back the entire masterplan for the next meeting.

Public Comment:

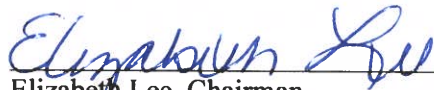
17. **Public Comment (second)** – No action will be taken on matters raised under public comment until the matter itself has been included on the agenda as an action item. (Three-minute time limit per person and speakers are requested to limit comments to items not on the agenda.)

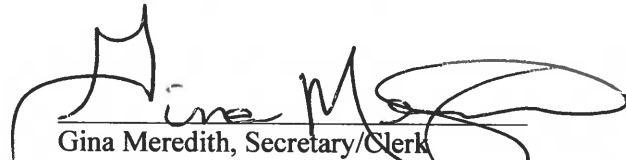
Tim Bohannon congratulated John Koenig and he likes to the feedback they are seeing across the RPC with different ideas.

Ammie Nelson stated it was great to here from John and Marla. Stated she talks about items with Anthony Greico at 97.7 FM and if you have anything you want her to talk about or to be on the show just to email her.

18. **Adjournment.**

Meeting adjourned at 8:46 pm.


Elizabeth Lee, Chairman
Pahrump Regional Planning Commission


Gina Meredith, Secretary/Clerk
Pahrump Regional Planning Commission