

**PAHRUMP REGIONAL PLANNING COMMISSION
MINUTES OF THE JANUARY 12, 2022 REGULAR MEETING**

Members in Attendance: Leah-Ann DeAnda
Carol Curtis
Gina Meredith
Robert Blackstock
Pamela Tyler
Walt Turner

Members Absent: Beth Lee

Planning Staff: Mr. Waggoner
Steve Osborne
Cheryl Beeman
Celeste Sandoval
Amber Randle

District Attorney's Staff: Michelle Nelson

Public Works Staff: Tyler Mulvey

Other Attendees: Commissioner Carbone

Acronyms Used:

AP	=	Assessor Parcel Number
BDA	=	Business Development Area
BOCC	=	Board of County Commissioners
CIP	=	Capital Improvement Plan
CUP	=	Conditional Use Permit
FEMA	=	Federal Emergency Management Agency
GC	=	General Commercial
MH	=	Manufactured Home
NCC	=	Nye County Code
NRS	=	Nevada Revised Statutes
PRPD	=	Pahrump Regional Planning District
PW	=	Public Works
ROW	=	Right-of-Way
RPC	=	Regional Planning Commission
SFR	=	Single-Family Residential
ZC	=	Zone Change

1. Pledge of Allegiance/Call to Order

Meeting called to order at 6:0 pm.

- 2. Public Comment (first)** – No action will be taken on matters raised under public comment until the matter itself has been included on an 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 and closed at 6:03 pm with no comments.

3. For possible action - Approval of Minutes:

- a.** PRPC Meeting – December 15, 2021

Public comment opened and closed at 6:04 pm with no comments.

Motion: approve the minutes as presented, **Action:** Approve, **Moved by** Walt Turner, **Seconded by** Leah-Ann DeAnda.

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

Motion passed unanimously.

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 6:06 pm with no comments.

5. **Correspondence and Announcements**

None

6. **Commission/Committee/Director Reports:**

a. BOCC Liaison Report

Commissioner Carbone stated there will be a project on Kittyhawk that will entail a new 2 story building for Dr. Craigs Physical Therapy office and at the next BOCC meeting they will be asking for a piece of property to come off the disposal list for a rehab facility.

b. Director's Report

Brett Waggoner stated total applications received for December was 132 which was a decrease of 74 from last month and processed 112 which was a decrease of 56. Since July 1st, 2021, 1109 planning applications received and 187 new code complaints compared to 971 Planning applications and 159 code cases for this same time period last year.

Building permits processed for December was 38 SFR which was a decrease of 3 over last month, MF was 1 which was a decrease of 4 from last month. Total permits issued all categories was 189 which was 28 less than last month and 361 inspections which was 18 less than last month.

Since July 2021 there have been 205 SFR permits compared to 241 SFR last year. Code Compliance saw 9 new complaints for December, 22 less than last month and 48 closed, 9 more than last month.

An update on previous items heard by the RPC: ZCMP-21-32, ZCMP-21-33 was recommended for approval and were heard at the BOCC on 12/16/21 and approved.

7.

- a. **For Possible Action – ZCMP-21-34:** Public Hearing, discussion, and deliberation on an application for a (Conforming) Zone Change to change three (3) parcels totaling approximately 3.3 acres from Neighborhood Commercial (NC) to General Commercial (GC) on property located at 3670 E. Alfalfa Street, 3700 E. Alfalfa Street, and 3730 E. Alfalfa Street. Assessor's Parcel Numbers 042-451-11, 042-451-10, and 042-451-09. Pinewood Company, LLC – Property Owner. Red Apple Fireworks – Applicant. Mark H. Fiorentino – Agent. **(The Pahrump Regional Planning Commission makes a recommendation on this item. Final Action by the Board of County Commissioners is scheduled for February 15, 2022, or as otherwise announced.)**

- b. **For Possible Action – WV-21-161:** Public Hearing, discussion, and deliberation on a Waiver application to waive the requirements of Nye County Code Section 17.04.700.A(18)(b) to allow a permanent new warehouse for the storage of fireworks on property less than one thousand five hundred feet (1,500') from residential properties, located at 3670 E. Alfalfa Street, 3700 E. Alfalfa Street, and 3730 E. Alfalfa Street. Assessor's Parcel Numbers 042-451-11, 042-451-10, and 042-451-09. Pinewood Company, LLC – Property Owner. Red Apple Fireworks – Applicant. Mark H. Fiorentino – 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 – CU-21-141:** Public Hearing, discussion, and deliberation on an application for a Conditional Use Permit to allow the construction of a permanent new warehouse for the storage of fireworks on property located at 3670 E. Alfalfa Street, 3700 E. Alfalfa Street, and 3730 E. Alfalfa Street. Assessor's Parcel Numbers 042-451-11, 042-451-10, and 042-451-09. Pinewood Company, LLC – Property Owner. Red Apple Fireworks – Applicant. Mark H. Fiorentino – 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)**

Steve Osborne stated the applicant is requesting a continuation to the February 9, 2022 meeting.

Mr. Waggoner stated the applicant will be adding in a fourth parcel to the project.

Public comment opened at 6:16 pm.

Dan Simmons stated the applicant is on the phone if they have any questions.

Public comment closed at 6:17 pm.

Commissioner Turner asked staff if there are any other similar cases to the waiver of the 1500 ft.

Mr. Waggoner stated yes they are all within the 1500 ft of residences and have the same requirements.

Motion: to continue to the February 9th meeting, **Action:** Continue, **Moved by** Walt Turner, **Seconded by** Leah-Ann DeAnda.
Motion passed unanimously.

8.

- a. **For Possible Action – ZCMP-21-35:** Public Hearing, discussion, and deliberation on an application for a (Conforming) Zone Change to change two (2) parcels totaling approximately 2.2 acres from Neighborhood Commercial (NC) to General Commercial (GC) on property located at 3550 E. Alfalfa Street and 3580 S. Nevada Highway 160. Assessor's Parcel Numbers 042-451-15 and 042-451-14. Pinewood Company, LLC – Property Owner. Red Apple Fireworks – Applicant. Mark H. Fiorentino – Agent. **(The Pahrump Regional Planning Commission makes a recommendation on this item. Final Action by the Board of County Commissioners is scheduled for February 15, 2022, or as otherwise announced.)**

- b. **For Possible Action – WV-21-162:** Public Hearing, discussion, and deliberation on a Waiver application to waive the requirements of Nye County Code Section 17.04.700.A(18)(b) to allow the temporary storage of fireworks on property less than one thousand five hundred feet (1,500') from residential properties, located at 3550 E. Alfalfa Street and 3580 S. Nevada Highway 160. Assessor's Parcel Numbers 042-451-15 and 042-451-14. Pinewood Company, LLC – Property Owner. Red Apple Fireworks – Applicant. Mark H. Fiorentino – 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 – CU-21-139:** Public Hearing, discussion, and deliberation on an application for a Conditional Use Permit to allow for the temporary storage of fireworks on property located at 3550 E. Alfalfa Street and 3580 S. Nevada Highway 160. Assessor’s Parcel Numbers 042-451-15 and 042-451-14. Pinewood Company, LLC – Property Owner. Red Apple Fireworks – Applicant. Mark H. Fiorentino – 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 stated the applicant is requesting a continuation to the February 9, 2022 meeting.

Public comment opened and closed 6:22 pm with no comments.

Commissioner Turner asked if they will be providing design specs to the storage rooms.

Mr. Waggoner stated this is for the storage parcel. These are for the existing storage of the shipping containers.

Mark Fiorentino thanked the board for taking the time to open hearing and continue to the next meeting.

Motion: continue to the February 9, 2022 meeting, **Action:** Continue, **Moved by** Walt Turner, Seconded by Leah-Ann DeAnda.

Motion passed unanimously.

9. Presentation, discussion, and review of the comments received at the 12/14/2021 Workshop.

Cheryl Beeman stated she reviewed the comments and questions made at the Masterplan workshop and wanted to address some that may not have been addressed fully. Mr. Waggoner explained that the OU and HF are old zoning districts and have been replaced by the new zoning codes and we now have different commercial and residential code. These are ones that need to be repealed and moved away from. One question that came up was removing educational related special projects out of RDR. SP overlay is for 80 acre projects, massive campuses etc. Our zoning code allows public and private schools by CUP in many zoning districts and as a permissive use in NC and Medical.

Removing medical zoning out of HDR there are several residential aspects covered in medical that have aspects of residential. Like rest homes, convalescent, hospice, adult day care facilities. Although they are touched on in other districts as appropriate uses they should look at expanding that for aspects that are medical related but fit in the residential zoning districts. She still stands by the removing of it for the high-density medical uses that don’t fit in a residential district.

Public comment opened 6:30 pm.

Tim Bohannon stated when looking at item 9, C2 he asked for clarification for example if there was a trade school connected with colleges teaching horsemanship and training with horses how does this impact that?

Ms. Beeman stated RIA as they have been mapped in the community and identified primary because there was existing rural industrial type businesses, so what we tried to do was to give them some legitimacy in that area, knowing the road way may not be adequate and development on that land may take considerable amount of effort. The Rural industrial area may not be what you want to be looking for, for the 80-acre SP project. You will want to pick one of the other MP areas that dovetail into your concept.

Mr. Bohannon stated and use the SP overlay.

Ms. Beeman stated correct.

Public comment closed 6:33 pm.

10. Presentation, discussion, and possible direction to staff regarding the Village Residential Zoning of properties in the Zolin Ranch Area. (This item is a Recommendation by the Pahrump Regional Planning Commission and must be scheduled for action by the Board of County Commissioner TBD at a later date.)

Ms. Beeman states this has been before the RPC several times before. In 2011 it was deferred until the adoption of the Masterplan Update and then in 2019 it was brought up due to several properties being rezoned in the area. At the time the RPC decided to take no action on the matter. We need to look at it and say it is zoned properly but we need to update the Masterplan or is the Masterplan right and we need to rezone.

Waggoner stated there have been zone changes from VR-20 to RH-9.5 because they wanted to do agriculture and the VR doesn't allow it. The parcels are over a half-acre and don't meet the criteria for VR-20. The zoning done way back when was improper but the Masterplan is good.

Commissioner Meredith asked if anyone has spoken to the residents in the area.

Mr. Waggoner stated no.

Commissioner Meredith asked for clarification that all the data is before covid because that makes a difference.

Ms. Beeman stated that makes no difference at all, the parcels numbers and parcel size all remain the same, the ownerships may have changed and the reason they haven't reached out to owners yet is because they don't know what they are going to do yet. Once they come up with an action either rezoning or remaster planning then they reach out.

Commissioner Meredith stated she doesn't believe they should do anything without the resident's input.

Ms. Beeman stated they wouldn't do anything without the residents input it would be the same as any other zone change or master plan amendment, it would go through the public hearing process. They will receive public hearing notices. It may be in such specific intensity that we may want to have neighborhood meetings to engage with the residents.

Commissioner Tyler stated this is just for if they want to move forward with anything else. Do they want to leave it as is, or move it forward to a public workshop.

Commissioner Meredith stated she'd like to hear from people who have livestock in the area.

Mr. Waggoner stated that is why they are bringing this forward if they have chickens or livestock today it isn't a conforming use of the property. We have had applications of the last few years that want livestock and they have gone through the expense of a zone change.

Commissioner Turner asked for clarification that staff has had people contacting them with interest on changing the zoning.

Ms. Beeman stated yes, they don't have to do the whole area, they can do it by smaller areas.

Public comment opened 6:45 pm.

Tim Bohannon stated this sounds more of a what is our process if you have a non-conforming property in the zoning change area and it needs to be explained clear and concise to those who are currently on the property. If they are told early then it will reduce the issues later.

John Koenig stated a lot of this stuff goes back awhile, when we did the masterplan, we made a conscious decision to not change the zoning at the time. There were a lot of upset people that heard they will be changing the zoning and you won't be able to do anything. There is a lot of VR-20 the one acre lots shouldn't be VR-20. It needs to be rezoned, but due to the political climate around here he'd suggest waiting.

Commissioner Carbone asked if there are very specific properties that need to be changed because they already have farm animals.

Mr. Waggoner stated he is sure there is, but then we will have spot zoning which we are trying to avoid by doing things in larger chunks, another issue is if someone was to come to the Planning dept to subdivide we would require a masterplan amendment because it wouldn't be allowed. The zoning currently ties their hands on what they can do.

Commissioner Carbone stated since we are just talking about it right now, they haven't stated they will do anything. Maybe it is something we just continue to look at.

Mr. Waggoner stated as an option we correct the MP to conform with the zoning that is there.

Public comment closed 6:52 pm.

Commissioner Turner stated he agrees with it and would like to keep it on our list since they are going through other sections.

Mr. Waggoner reminded the board a waiver application will be coming back to them in April for this very issue, the board continued it in efforts to correct the issue for the area. You will have a tough time approving the waiver because your findings will contradict the zoning.

Ms. Beeman stated she believes in the public process and engaging them. Do we want to do a neighborhood plan, maybe they can come together as a coalition and create their own plan?

Mr. Waggoner stated marketing the properties and see's VR-20 they may think they can come in and subdivide to VR-20 and that isn't the case. It is confusing and misleading in the current state.

Commissioner Tyler suggested that they looked at the proposed zoning district compared to the current. There is a lot of VR-20 here. Can they come up with a better character to suit the community, Planning and residents on the properties. Instead of doing nothing allow them to provide input.

Mr. Waggoner stated this is a service we owe to the public, if we see an issue it needs to be fixed. We need direction by the board on what to do.

Commissioner Turner asked if they pick three spots to send a mailing out with two times of day to show up at a workshop to explain what we want to do and based on their turnout it can help them determine what they do.

Commissioner Tyler stated they have to decided tonight if they want to recommend steps for the Planning Department to take on their behalf or do nothing. We need to direct staff with something to do.

Mr. Waggoner stated they can get the maps updated and get them supplied to the members of the board to look at for a few weeks. We can keep this on the next meeting as well.

Commissioner Tyler stated she likes the recommendation by Mr. Waggoner to get updated maps and wait till February 9th meeting.

Commissioner Turner stated direction to staff would be to bring this back to the next meeting with updated maps from Staff.

11. Presentation, discussion, and possible direction to staff regarding recently enacted “tiny homes” legislation.

Mr. Waggoner stated there is incorrect back up provided online. The correct back up was emailed out but not attached and asked the DA for clarification on moving forward.

Michelle Nelson stated they would need to make the backup available and correct for all members of the public and there would be a motion to accept the additional back up, she recommends the item to be continued to the next meeting.

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

Commissioner Tyler stated it will be items 10 and 11 for February 9th, 2022 at 6:00 pm.


Public Comment:

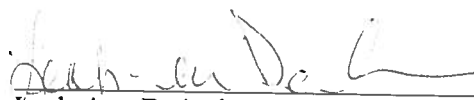
- 13. Public Comment (second)** – No action will be taken on matters raised under public comment until the matter itself has been included on an agenda as an action item. (Three-minute time limit per person and speakers are requested to limit comments to items not on the agenda.)

Public comment opened and closed at 7:11 pm with no comments.

14. Adjournment.

Meeting Adjourned at 7:11 pm.


Elizabeth Lee, Chairman
Pahrump Regional Planning Commission


Leah-Ann DeAnda, Secretary/Clerk
Pahrump Regional Planning Commission