

**PAHRUMP REGIONAL PLANNING COMMISSION  
MINUTES OF THE SEPTEMBER 14, 2022 REGULAR MEETING**

Members in Attendance: Gina Meredith  
Pamela Tyler  
Walt Turner  
Debra Hayden  
Jacob Skinner

Members Absent: Robert Blackstock  
Beth Lee

Planning Staff: Mr. Waggoner  
Steve Osborne  
Qiana Medici  
Celeste Sandoval  
Amber Randle

District Attorney's Staff: Michelle Nelson

Public Works Staff: Tyler Mulvey  
Cameron Young

Other Attendees: Commissioner Carbone

Acronyms Used:

AP	=	Assessor Parcel Number
BOCC	=	Board of County Commissioners
CUP	=	Conditional Use Permit
NCC	=	Nye County Code
ROW	=	Right-of-Way
SFR	=	Single-Family Residential
ZC	=	Zone Change

**1. Pledge of Allegiance/Call to Order**

Meeting was 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 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.)

Opened and closed with no comment at 6:03

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

None.

**4. Correspondence and Announcements**

Brett Waggoner stated they have a new building next door, Public Works moved over there 2 weeks ago, B & S moved over there a week ago and we will be moving next week.

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

a. BOCC Liaison Report

Commissioner Carbone stated the ASPCA will be taking total control over, they have had a doctor looking at the dogs at the animal shelter for the dogs that have been taken.

b. Director's Report

Mr. Waggoner stated total planning applications received for August was 212 which was decrease of 7. Total applications processed was 158 which was an increase of 39 over the previous month. Since July 1<sup>st</sup> of this year there have been 459 Planning applications received and 54 new code compliance complaints received compared to 368 Planning applications at this time and 61 code compliance complaints.

Building permits was 31 SFR which was an increase of 5 from last month, there was 1 MF which was the same as previous month and total permits all categories was 200 which was 22 more than last month and total inspections all categories was 523 which an was increase of 118 over previous month. Since July 1<sup>st</sup> there have been 57 new SFR compared to 53 at the same point last year.

Code compliance had 37 new complaints which was an increase of 10. They closed 15 which was an increase of 12 from the previous month.

Previous items heard by the RPC on 8/31/22 ZCMP-22-15 was recommended for denial to the BOCC and will be heard by the BOCC on 9/20/22. ZCMP-22-10 and ZCMP-22-11 were both recommended for approval to the BOCC and will be heard at the 9/20/22 meeting.

6. **Public Hearing – AC-22-1:** Discussion, deliberation, and possible direction to staff on an Address Renumbering for 19 parcels on Desert Hills Circle. The Pahrump Regional Planning Commission shall review evidence and make a determination as to whether a major addressing problem exists, and shall set a date, time, and place for a Public Hearing on this matter for the following affected Assessor Parcel Numbers: 029-191-01 thru 029-191-10, 029-191-20, 029-191-21, 029-192-01, and 029-192-04 thru 029-192-10. Nye County Assessor – Applicant. **(This item is Final Action by the Pahrump Regional Planning Commission unless appealed to the Board of County Commissioners.) (LH)**

Lisa Haux stated this was brought to her by a Planning Department staff member and there are 12 duplicate street numbers on the street that cause difficulties with deliveries and emergency services. She asks that the RPC approve the request for a public hearing as residents on the street are having issues with important deliveries.

Public comment opened and closed at 6:12 pm with no comments.

**Motion:** set Public Hearing on October 12<sup>th</sup>, 2022 at 6 pm, **Action:** Set Public Hearing, **Moved by** Jacob Skinner, **Seconded by** Walt Turner.

**Motion passed unanimously.**

7. **For Possible Action – ETSU-22-7:** Public Hearing, discussion, and deliberation on a request for an Extension of Time for CU-21-135, located at 2321 E. Charleston Park Avenue. Assessor's Parcel Number 035-271-14. Tim Birk – Property Owner. Roy Mankins – Agent. **(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 stated this is for an extension of time of 12 months on CU-21-135 to obtain site development, building permits and a business license. The Property Owner was unable to obtain an approved Site Development Plan within the one (1) year as required by Condition #11 and #2 of the approved CUP, and obtain construction permits and begin construction of the park as required by

Condition #12 of the Final Action Memo. The request is due to delays during the Great Basin Water Co. annexation process in order to complete the construction of the proposed recreational vehicle park. The current expiration is 9/21/2022. If approved new deadline would be 9/21/2023 to obtain permits and complete construction. Staff is recommending approval of the 1 year extension.

Commissioner Skinner asked if they come back the next year, are we able to keep approving extensions of time?

Mr. Waggoner stated yes it would be the pleasure of the board and they have the ability to ask for the extension perpetually.

Gina Meredith asked when the last time you spoke to this person.

Mr. Waggoner stated probably 2 weeks ago.

Public comment opened and closed at 6:18 pm with no comments.

Commissioner Carbone asked if this is a utility issue they are having problems with.

Mr. Waggoner stated yes they are outside the utility tariff and until they are annexed in the utility company can't provide them with an intent to serve. They are moving through the annexation process; the PUC is very backed up and things are slow coming out of there.

**Motion:** approve ETSU-22-7 based on staff findings to extend the time to 12 months to obtain an approved site development plan and all required permits modifying the previous deadline from 9/21/2022 to 9/21/2023 based on staff's findings and subject to the conditions in the staff report, **Action:** Approve, **Moved by** Walt Turner, **Seconded by** Jacob Skinner.  
**Motion passed unanimously.**

8.

- a. **For Possible Action – ZCMP-22-13:** Public Hearing, discussion, and deliberation on an application for a (Conforming) Zone Change to change one (1) parcel totaling approximately .46 acres from Neighborhood Commercial (NC) to General Commercial (GC) on property located at 2090 S. Cortina Street. Assessor's Parcel Number 042-733-04. Dirt to Surf, LLC – Property Owner. Steve Keith – Applicant/Agent. **(The Pahrump Regional Planning Commission makes a recommendation on this item. Final Action by the Board of County Commissioners is scheduled for October 18, 2022, or as otherwise announced.)**
- b. **For Possible Action – WV-22-14:** Public Hearing, discussion, and deliberation on a Waiver application to waive the requirements of Nye County Code Sections 17.04.770.I(6), (7)(a-c), and (8)(a-c) to allow an off-premises sign, located at 2090 S. Cortina Street. Assessor's Parcel Number 042-733-04. Dirt to Surf, LLC – Property Owner. Steve Keith – 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 – CU-22-26:** Public Hearing, discussion, and deliberation on an application for a Conditional Use Permit to allow an off-premises sign on property located at 2090 S. Cortina Street. Assessor's Parcel Number 042-733-04. Dirt to Surf, LLC – Property Owner Steve Keith – 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 stated this is to allow for an off-premises sign for Burger King. The subject parcel is CDA and the rezoning is in conformance with the Master Plan. NCC allows for off-premises sign with a CUP in the GC zoning district. Staff is recommending approval of the applications subject to all the conditions.

Applicant was not present at the meeting.

Public Comment opened at 6:24 pm.

John Koenig asked if 8 A, B, C get approved and then 8-A goes to BOCC and does not get approval, what happens to 8 B, C. Because they are dependent on 8-A. Do we make a motion that it is conditional on 8-A passing?

Mr. Osborne stated if the Zone Change does not get approved, then the sign will not be allowed. Because it has to have the GC zoning. Eventually those would expire because both of those applications require the approval of the building permit and sign review. The WV and CUP would expire in 6 months if the ZC is denied.

Mr. Waggoner stated typically there should be a condition in there saying the approvals are contingent on a successful ZC. He recommends adding the condition that if the ZC isn't approved the WV and CUP would become void immediately.

Mr. Waggoner stated there is a condition on the ZC that states if the property isn't used for what they are asking for it would expire.

Commissioner Skinner asked if they have to come back if they want to change the graphics?

Mr. Osborne stated no, they can change the graphics.

Commissioner Skinner asked what happens when the property changes ownership? Can that owner then change the graphics to whatever they want to?

Mr. Osborne stated this is specifically for Burger King, so as long as it is Burger King related it can change however, they want. But it can't change to some other business.

Public Comment closed at 6:29 pm.

Commissioner Turner stated Dirt to Surf LLC is the owner who is requesting the ZC, WV and CUP, so it doesn't have to be Burger King, its what ever the owner rents it out for.

Mr. Waggoner stated no the purpose of this is for an off-premises sign for Burger King, they can not change it.

Commissioner Turner asked who holds the CUP?

Mr. Waggoner stated the CUP stays with the property, the staff reports says it is for Burger King.

Commissioner Turner stated if they rent it to Taco Bell then they'd have to come back?

Mr. Waggoner stated they would need a new CUP, these aren't like a billboard where they can change the face on the billboard. It is specific to off-premise advertising for a specific business.

Commissioner Turner asked which application is written specific for the business.

Mr. Waggoner stated all three are written specific for only Burger King.

**Item 8-A Motion:** recommend approval to the BOCC of ZCMP-22-13 based on the conditions stipulated in the report and subject to the conditions of approval, **Action:** Approve, **Moved by** Walt Turner, **Seconded by** Gina Meredith.

**Motion passed unanimously.**

**Item 8-B Motion:** to approve WV-22-14 based upon the staff findings and subject to the conditions of approval adding the additional condition that should the zone change not be approved the waiver be null and void, **Action:** Approve, **Moved by** Walt Turner, **Seconded by** Gina Meredith.

**Motion passed unanimously.**

**Item 8-C Motion:** approve CU-22-26 as stipulated in staff report and subject to conditions of approval and adding the additional condition that should the zone change not be approved the CUP be null and void, **Action:** Approve, **Moved by** Walt Turner, **Seconded by** Jacob Skinner.

**Motion passed unanimously.**

9.

- a. **For Possible Action – ZCMP-22-14:** Public Hearing, discussion, and deliberation on an application for a (Conforming) Zone Change to change one (1) parcel totaling approximately 0.597 acres from Neighborhood Commercial (NC) to General Commercial (GC) on property located at 2530 S. Rainbow Avenue. Assessor's Parcel Number 042-832-10. Dirt to Surf, LLC – Property Owner. Steve Keith – Applicant/Agent. **(The Pahrump Regional Planning Commission makes a recommendation on this item. Final Action by the Board of County Commissioners is scheduled for October 18, 2022, or as otherwise announced.)**
- b. **For Possible Action – WV-22-15:** Public Hearing, discussion, and deliberation on a Waiver application to waive the requirements of Nye County Code Sections 17.04.770.I(6), (7)(a-c), and (8)(a-c) to allow an off-premises sign, located at 2530 S. Rainbow Avenue. Assessor's Parcel Number 042-832-10. Dirt to Surf, LLC – Property Owner. Steve Keith – 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 – CU-22-25:** Public Hearing, discussion, and deliberation on an application for a Conditional Use Permit to allow an off-premises sign on property located at 2530 S. Rainbow Avenue. Assessor's Parcel Number 042-832-10. Dirt to Surf, LLC – Property Owner. Steve Keith – 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 stated this is also for the off-premises Burger King sign. It is just a different location and all the same applications and staff is recommending approval of the applications.

Commissioner Turner asked if the condition that was placed on the previous items on being null and void are missing from these conditions.

Mr. Osborne stated yes, we need to add those same conditions.

Applicant was not present.

Public comment opened and closed at 6:37 pm with no comments.

**Item 9-A Motion:** recommend approval of ZCMP-22-14 to the BOCC based upon the findings within the staff report and subject to the conditions of approval, **Action:** Approve, **Moved by** Walt Turner, **Seconded by** Jacob Skinner.

**Item 9-B Motion:** approve WV-22-15 based upon the findings outlined within on the report and subject to the conditions of approval adding the additional condition that should the zone change not be approved the waiver be null and void, **Action:** Approve, **Moved by** Walt Turner, **Seconded by** Debra Hayden.

**Motion passed unanimously.**

**Item 9-C Motion:** approve CU-22-25 based upon the findings outlined within on the report and subject to the conditions of approval adding the additional condition that should the zone change not be approved the CUP be null and void, **Action:** Approve, **Moved by** Walt Turner, **Seconded by** Debra Hayden.

**Motion passed unanimously.**

10. **For Possible Action:** Discussion, deliberation, and possible direction to staff regarding the Pahrump Regional Planning District Master Plan Update; project status, proposed workshops, and schedule for completion. (QM)

Mrs. Medici reviewed the power point stating they did a Master Plan update in 2014 and revised the categories at that point because there were categories that were the same as the zoning districts. They have discussed in prior meetings that the Master Plan doesn't work in certain areas of town with the zoning or vice versa. They have discussed the VR-20 study areas and will be a priority. They are trying to preserve the rural feeling of the Pahrump Valley. They will review land use, streets and physical factors and they are now in the middle of a FEMA flood study and there is an area of the valley that hasn't been studied in quite a while and they are now and hope to have that project done in June of 2023. There is a transportation element we will be discussing; we understand there are also urban aspects we need to address as well. Next month we will be discussing the Master Plan survey that was done and we will analyze the comments. Workshop October 12<sup>th</sup> and come back to ask to set the Public Hearing to adopt on November 9<sup>th</sup> and take it to the BCOC for December 20<sup>th</sup>.

Commissioner Tyler asked if they want to take a more in-depth look at a section or further discussion and public comment it would move back deadlines, but they are able to do that, correct?

Mrs. Medici stated yes.

Mr. Waggoner stated the current 2014 Master Plan is up on the website and encourages the board in preparation for the meeting to review the chapters and pay specific attention to the goals. He thinks we have around 8400 parcels that are zoned VR-20. Some parceled down to the correct size, others are still pretty large acreage but out in the rural areas of Pahrump. They can't change zoning through the process but develop a goal to bring the MP and Zoning more together, so it makes sense. Some areas are zoned commercial where there are no infrastructure and roads aren't in good shape, that can be a goal. Do we want to direct commercial business into town where infrastructure is.

Commissioner Turner asked if on the 2014 map the large green section in the Northwest are those lots that are owned, open space or BLM land. And is there anything specific planned for that.

Mr. Waggoner stated it is a combination of both. It is an area that is a drainage issue and probably why it is classified as Open Space.

Commissioner Hayden asked for clarification on a workshop and if it is something other than one of these meetings.

Mrs. Medici stated it will be part of this meeting. We will hear all the items and then a workshop for the public that is here. The plan is to have a few maps for the public to ask questions and get familiar with what the Master Plan is and what everyone is looking and hoping for.

Mr. Waggoner did a survey back in 2020 trying to gauge what services or vision of what they want for the future in Pahrump. It was very disappointing on the number of survey results we received but they want to try and zero in on what they are looking for.

Public Comment opened and closed at 7:01 pm with no comments.

**Motion:** set Master Plan Workshop for the next RPC Meeting, **Action:** Set Workshop, **Moved by** Jacob Skinner, **Seconded by** Walt Turner.

**Motion passed unanimously.**

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

**Public Comment:**

12. **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 at 7:00 pm.

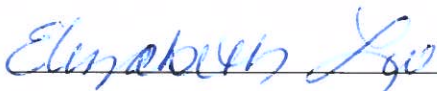
John Koenig stated NDOT is having a meeting on the 19<sup>th</sup> at the coalition for their plans on 160, including 4 lanes up to Roadrunner and 1 or 2 roundabouts near Manse. They are taking comments if anyone is interested.

Tyler Mulvey stated he believes it starts at 4:30 pm for walk-ins and presentation is at 6 pm.


Public comment closed at 7:06 pm.

13. **Adjournment.**

Meeting adjourned at 7:06 pm



Elizabeth Lee, Chairman  
Pahrump Regional Planning Commission

  
Gina Meredith, Secretary/Clerk  
Pahrump Regional Planning Commission