

**PAHRUMP REGIONAL PLANNING COMMISSION
MINUTES OF THE JULY 10, 2019 MEETING**

Members in Attendance: Beth Lee
Leah-Ann DeAnda
Carol Curtis
Walt Turner
Thomas Duryea
Pamela Tyler
Robert Blackstock

Members Absent:

Planning Staff: Steve Osborne
Brett Waggoner
Cheryl Beeman
Joseph Ehrheart

District Attorney's Staff: Marla Zlotek

Public Works Staff: Tim Dahl
Cody McKee
Tyler Mulvey

Other Attendees: Commissioner Koenig

Acronyms Used:

APN	=	Assessor Parcel Number
B & S	=	Building and Safety
BO	=	Business Opportunity Overlay
BOCC	=	Board of County Commissioners
CIP	=	Capital Improvements Plan
CUP	=	Conditional Use Permit
CM	=	Commercial Manufacturing
DA	=	District Attorney
GC	=	General Commercial
HI	=	Heavy Industrial
LI	=	Light Industrial
MH	=	Manufactured Home
MP	=	Master Plan
NC	=	Neighborhood Commercial
NCC	=	Nye County Code
NRS	=	Nevada Revised Statutes
PRPD	=	Pahrump Regional Planning District
PW	=	Public Works
RDR	=	Rural Density Residential
ROW	=	Right of Way
RPC	=	Regional Planning Commission
RTC	=	Regional Transportation Commission
SFR	=	Single-Family Residential
TUP	=	Temporary Use Permit
WV	=	Waiver
ZC	=	Zone Change

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

Meeting called to order at 6:05 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 6:05 pm with no comments.

3. **For possible action - Annual Election of Officers:** Nomination and Election of Officers for the current fiscal year (July 1, 2019 to June 30, 2020). The election of an Officer shall be by affirmative vote of not less than four (4) members of the Planning Commission.

a. Nomination and Election of Chairman

Commissioner DeAnda nominated Commissioner Lee. Seconded by Commissioner Tyler.

Vote: Motion passed (**summary:** Yes = 6, No = 0, Abstain = 1).

Yes: Carol Curtis, Leah-Ann DeAnda, Pamela Tyler, Robert Blackstock, Tom Duryea, Walt Turner.

Abstain: Beth Lee.

b. Nomination and Election of Vice-Chairman

Commissioner DeAnda nominated Commissioner Duryea. Seconded by Commissioner Curtis.

Vote: Motion passed (**summary:** Yes = 6, No = 0, Abstain = 1).

Yes: Beth Lee, Carol Curtis, Leah-Ann DeAnda, Pamela Tyler, Robert Blackstock, Walt Turner.

Abstain: Tom Duryea.

c. Nomination and Election of Secretary/Clerk

Commissioner Duryea nominated Commissioner DeAnda. Seconded by Commissioner Curtis.

Vote: Motion passed (**summary:** Yes = 6, No = 0, Abstain = 1).

Yes: Beth Lee, Carol Curtis, Pamela Tyler, Robert Blackstock, Tom Duryea, Walt Turner.

Abstain: Leah-Ann DeAnda.

4. **For possible action - Approval of Minutes:**

a. PRPC Meeting – June 12, 2019.

Commissioner Lee stated she turned in changes to staff.

Commissioner Tyler motioned to approve with changes. Seconded by Commissioner DeAnda.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Beth Lee, Carol Curtis, Leah-Ann DeAnda, Pamela Tyler, Robert Blackstock, Tom Duryea, Walt Turner.

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

None.

6. Correspondence and Announcements

Commissioner Lee stated Valley Electric will have the 13th annual Fill the bucket school supply drive on August 3rd from 9 am to 1 pm and will be outside Albertsons, Walmart, Smiths and lobby at VEA.

7. Commission/Committee/Director Reports:

a. BOCC Liaison Report - BOCC Liaison – John Koenig

None.

b. Director's Report

Brett Waggoner stated for the month of June total applications was 166 total, 90 less than last month. Applications processed 112, which is 70 less than last month. Building permits were 31 issues for SFR which is a decrease by 37 from last month. Manufactured Home permits was 28 which is 7 less, total permits issued in all categories was 187 which was 43 less than last month. Total inspections were 615. Code Compliance had 32 new complaints which is an increase of 14 and closed 33.

Past items heard by the RPC: Bill 2019-09 proposing to amend NCC Lighting, Bill 2019-10 proposing to amend NCC 17.04.407, Airport overlay for Public Hearing, Area 51 Fireworks' reconsideration of conditions of approval has been appealed to the BOCC, Marijuana Cultivation facility on Hafen Ranch is appealing the Directors decision on their applications, ZC-2019-000034 from NC to CM on N. Leslie Street; RPC recommended approval to the BOCC, ZC-2019-000035 from NC to CM on Mesquite the RPC recommended approval to the BOCC. All these items will be heard on the July 16th BOCC.

Commissioner Koenig asked for clarification on the ZC on Mesquite, he didn't believe the RPC recommended approval.

Mr. Waggoner stated that is correct, there was no motion.

Commissioner Koenig stated there were two motions but both failed.

8. Ex Parte Communications and Conflict of Interest Disclosure Statements

None

SITTING AS THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE

9. For Possible Action – WORKSHOP – Training and discussion related to Capital Improvements Plan (CIP), history, background, duties, and purpose; and related subject matters. (TD)

Tim Dahl, Public Works Director. He asked for comments, requests or concerns the RPC may have with the CIP plan. He will be back before them to orchestrate a priority list of roads they want to improve within the PRPD. We need to look at the Impact Fee code, and the Streets and Highways Capital Improvement Plan. If anyone has any questions, they can stop by his office at any time so he can explain any questions they may have. The CIP impact fees are paid for by developers based on the use and the size of the building. Once the fees are paid, they need to start spending the funds in 5 years and have them spent within 10 years or the developers can ask for it back. We aren't in jeopardy of losing any or developers asking for any back. You have the last list approved by the BOCC and the previous CIP committee. Some roads have been done since approved in 2013.

Manse Road from Fox to Hafen Ranch, from Homestead to Hafen Ranch and that will come off this list. He will provide them a list with his recommendations based on traffic, classification of road, where development has contributed to the roads, including crash data, school bus routes and complaints will be included.

Commissioner Duryea stated Wilson and 160 there is a median now, there isn't a need for a traffic light now.

Mr. Dahl stated in the future any intersection that has or is being considered for a traffic signal he will recommend a roundabout. That is the best way to get someone safely through an intersection.

Commissioner Duryea stated the roundabouts are working quite well now.

Mr. Dahl stated the county, through the impact fees paid the state \$450,000 for each intersection that we do have a roundabout. Those shouldn't be on the list any longer.

Commissioner Curtis asked for clarification because it states impact fees are only to be used for capital improvements. But further down it says impact fees must not be used to maintain the capital improvements.

Mr. Dahl stated we aren't using the funds to restripe a road or put down a fog sealer over them and restripe them or fix pot holes or do overlays, those are temporary fixes to extend the life of the roads.

Commissioner Curtis asked if a repair fund comes from another source.

Mr. Dahl stated yes, the RTC and other funding mechanisms help do the maintenance activities.

Commissioner Lee stated Mr. Lacy is working on updates to the Capital Improvements Plan, do we have a status on that.

Mr. Dahl stated he would like Mr. Lacy to provide a status, they have spoken about incorporating changes in cost and flood control costs into it as well.

Mr. Waggoner stated he is working on getting an update on the August meeting agenda.

Commissioner Lee asked if the NRS has a time frame stating how long we have to get the plan updated or just update as we see fit.

Mr. Dahl stated he doesn't have the answer for that. The CIP is through a specific timeframe and we are past that and now it is out of date.

Commissioner Lee stated it looks like we will have an update on the CIP next month at our next meeting.

Commissioner Duryea asked what the balance of the account was.

Mr. Dahl stated around \$3 million.

Adjourned sitting as the Capital Improvements Advisory Committee.

10.

- a. **For Possible Action – CU-2019-000080:** Public hearing, discussion and deliberation on an application for a Conditional Use Permit to allow a Mobile Food Vending Unit (Dippity Dan's Hand-Dipped Ice Cream) to be stationary in one location for more than 12 hours per day up to

seven (7) days per week, located at 291 S. Frontage Road, Assessor Parcel Number 038-234-12. Duke Properties, LLC – Property Owner. Ed Feriance/Golden Knight Delights, LLC dba Dippity Dan’s Hand-Dipped Ice Cream – Applicant.

- b. **For Possible Action – WV-2019-000098:** Public hearing, discussion and deliberation on an application for a Waiver to allow a Mobile Food Vending Unit (Dippity Dan’s Hand-Dipped Ice Cream) to (1) operate less than three hundred feet (300') from the entry door of an existing restaurant, and (2) waive the required site development improvements related to; improved parking, landscaping, screening walls and fences on property located at 291 S. Frontage Road, Assessor Parcel Number 038-234-12. Duke Properties, LLC – Property Owner. Ed Feriance/Golden Knight Delights, LLC dba Dippity Dan’s Hand-Dipped Ice Cream – Applicant. **(These items are Final Action by the Pahrump Regional Planning Commission unless appealed to the Board of County Commissioners, or otherwise announced.) (CB)**

Cheryl Beeman stated the applicant has requested to withdraw both items.

Commissioner Tyler motioned to withdraw CU-2019-000080 and WV-2019-000098. Seconded by Commissioner DeAnda.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Beth Lee, Carol Curtis, Leah-Ann DeAnda, Pamela Tyler, Robert Blackstock, Tom Duryea, Walt Turner.

11.

- a. **For Possible Action – CU-2019-000081:** Public hearing, discussion and deliberation on an application for a Conditional Use Permit to allow a Manufactured Home Dealership (Factory Home Center) to be located within a Mixed Use (MU) zoning district, located at 2371 S. Homestead Road. Assessor Parcel Number 042-391-18. Gerald Schulte – Property Owner/Applicant.
- b. **For Possible Action – WV-2019-000099:** Public hearing, discussion and deliberation on an application for a Waiver to allow a sales display/storage area for a Manufactured Home Dealership (Factory Home Center) to use chat as a surfacing material in lieu of asphalt paving, located at 2371 S. Homestead Road. Assessor Parcel Number 042-391-18. Gerald Schulte – Property Owner/Applicant. **(These items are Final Action by the Pahrump Regional Planning Commission unless appealed to the Board of County Commissioners, or otherwise announced.) (CB)**

Ms. Beeman reviewed her staff report, she stated the property is situated behind Maverick gas station. They have asked for a CUP for outdoor sales display area and a waiver from NCC for improved parking area only on the back half where the model homes will be displayed. They will have a sales office with paved parking, paved drive aisles, landscaping and go through site development. They are proposing the use of chat for the display area. There is a condition of approval that if there are issues with the chat and any noted violations of dust that would eliminate the waiver. Public Works is asking if the motion is made to approve the application that chat is only used for that area of the display yard.

Gerald Schulte, applicant. Mr. Schulte stated he will be bringing a beautiful stucco building from Mountains Edge to this location as his sales center. The chat will be safe for his customers to walk on and he does use the chat at his current location right now and he would like to continue to use it here too.

Commissioner Lee stated the property is in an AO-1 flood zone, how will you prevent chat run off on to the neighboring property.

Mr. Schulte stated it is fairly level property and with a plot plan they'll design where the water is going, it comes along the sidewalk and curb on Homestead. There is very little back there with what the Maverick has done to divert it. It will be an average of 1.5 to 2 inches thick and will be a light brown color that compacts hard unlike the light gray.

Commissioner Curtis stated he has 9 parking spaces and asked how many employees he anticipates he will have.

Mr. Schulte stated there will be 3 employee cars during the day. He sometimes parks in the back as well as the employees of his other company when they come to work on the homes. On average he has 4 or 5 customers a day.

Commissioner Curtis asked if he thinks it is adequate.

Mr. Schulte stated yes. He has a neighbor that he doesn't believe will ever get her swap meet off the ground. He has intentions of purchasing surrounding properties at some point and expand his housing showcase.

Mr. Waggoner stated as a reminder that this project will still have to go through site development to make sure parking will be adequate to the business.

Mr. Schulte stated he can add more parking and minimize landscaping, but he already has 100 tons of boulder for the landscaping.

Commissioner Duryea asked if he has gotten with the utility company for connecting water.

Mr. Schulte stated yes, it is very expensive.

Public comment opened and closed with no comments at 6:38 pm.

Commissioner Turner motioned to approve CU-2019-000081 and WV-2019-000099 based on staff's findings and subject to conditions as outlined in staff report. Seconded by Commissioner DeAnda.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Beth Lee, Carol Curtis, Leah-Ann DeAnda, Pamela Tyler, Robert Blackstock, Tom Duryea, Walt Turner.

12.

- a. **For Possible Action – MP-2019-000013:** Public hearing, discussion and deliberation on an application for a (Minor) Master Plan Amendment to change an approximately 1.12-acre portion of a 30.0-acre parcel from Rural Density Residential (RDR) to Rural Development Area (RDA), located at 9381 S. Homestead Road, Assessor Parcel Number 045-411-03. Spidle, Agee and Karen – Property Owner. Paul Thomas/GATA HF, LLC – Applicant.
- b. **For Possible Action – ZC-2019-000036:** Public hearing, discussion and deliberation on an application for a Zone Change to change an approximately 1.12-acre portion of a 30.0-acre parcel from Rural Homestead Residential (RH-4.5) to Commercial Manufacturing (CM), located at 9381 S. Homestead Road, Assessor Parcel Number 045-411-03. Spidle, Agee and Karen – Property Owner. Paul Thomas/GATA HF, LLC – Applicant. **(These items are recommendations by the Pahrump Regional Planning Commission. The Board of County Commissioners is scheduled to take Final Action on these items on August 20, 2019, or otherwise announced.) (SO)**

Steve Osborne reviewed his staff report. The applicant is proposing an indoor hemp extracting facility utilizing a building already on site. They are proposing an ethanol solution extraction process,

estimating 18,000 to 20,000 pounds of hemp per year to be processed. Producing 450 to 500 liters of CBD distillate annually. The ZC to the CM zone allows for the extraction facility but staff is recommending a less extensive zoning of BO. It also allows for the proposed hemp extraction facility. The CM zone may not be appropriate in the area, as it allows for auto paint and body shops that might not be appropriate in the area. Staff recommends approval of the MP and the approval of the BO zone subject to all the conditions in the staff report.

Commissioner Lee asked since staff is recommending BO and not the requested CM zone, has it been discussed with the applicant.

Mr. Osborne stated he has discussed it with one of the applicants and they have no objections to the BO.

Commissioner Duryea asked for clarification that they aren't changing to zoning but just doing a BO on the existing zoning.

Mr. Osborne stated yes, the property currently zoned RH-4.5 and the BO would be applied on top of that. They would still have to recommend going to the overlay to the BOCC.

Commissioner Tyler asked if the property was to change hands does the overlay designation follow the property or revert to original zoning.

Mr. Osborne stated the BO would stay with the property, it doesn't change with ownership.

Paul Thomas, applicant stated there is an existing 3000 sq. ft. structure with a rollup door and utilities. They are starting up with a chilled ethanol extraction and will only take up a 1000 sq. ft. of the 3000 and they will then eventually shift to a CO2 extraction.

Commissioner Lee asked what the shipping traffic is like.

Mr. Thomas stated it will be negligible.

Commissioner Lee asked what type of vehicle would be used.

Mr. Thomas stated they wouldn't move more than 100 to 500 liters at a time and fit in a sprinter Mercedes vans they have.

Commissioner Lee asked Mr. Thomas if he has read, understood and agree to the conditions of approval.

Mr. Thomas asked for clarification on the 40-foot easement.

Cody McKee stated the 40-foot dedication is because further north it is the ROW they have and what the full ROW should be the length of Homestead.

Mr. Thomas asked if it was from the center of the road to the property. He has a full heavy wall and fence and doesn't want to encroach.

Mr. McKee stated the center line is further west from the property line, so not exactly center line.

Mr. Waggoner stated Mr. Osborne used the GIS to measure and it is 40 feet to that block wall.

Mr. McKee stated it is an aerial measurement and they aren't using surveyors but a pretty accurate guess.

Commissioner Lee asked if that was clear to the applicant.

Mr. Thomas stated yes.

Commissioner Duryea asked if he had a commercial well and commercial water rights.

Mr. Thomas stated yes.

Public comment opened and closed with no comments at 6:48 pm.

Commissioner Turner motioned to recommend approval to the BOCC of MP-2019-000013 and ZC-2019-000036 for the BO overlay. Seconded by Commissioner Curtis.

Commissioner Duryea asked if that includes the special conditions of approval.

Commissioner Turner stated yes and stated he amended his motion.

Commissioner Curtis amended her second.

Vote: Motion passed (**summary:** Yes = 6, No = 1, Abstain = 0).

Yes: Beth Lee, Carol Curtis, Pamela Tyler, Robert Blackstock, Tom Duryea, Walt Turner.

No: Leah-Ann DeAnda.

13. **For Possible Action – ZC-2019-000037:** Public hearing, discussion and deliberation on an application for a Zone Change to change 0.85 acres (37,026 square feet) from Neighborhood Commercial (NC) to Commercial Manufacturing (CM), located at 1270 W. Charleston Park Avenue, Assessor Parcel Number 036-323-22. Desert Myst, LLC – Property Owner. Thomas and Janice Maher/Desert Myst, LLC – Applicant. **(This item is a recommendation by the Pahrump Regional Planning Commission. The Board of County Commissioners is scheduled to take Final Action on August 20, 2019, or otherwise announced.) (SO)**

Mr. Osborne reviewed his staff report, this is a conforming zone change. The property is already developed with existing buildings, paved parking and landscaping which was mostly built within the 1980s and 1990. The property owner is asking for a ZC to allow for future uses under the CM zone. Approval of the ZC will bring it into conformance with the current MP and staff is recommending approval subject to the conditions of approval in the staff report.

Thomas Maher, owner of the property, stated he doesn't have a project, but the property is up for sale and wants to make it more attractive for a buyer and the nature of the structures are more applicable to CM.

Commissioner Duryea stated one of the conditions of approval from PW was another 10 feet of ROW on Charleston Park.

Mr. Maher stated there is a 10-foot buffer between the road and the fence and asked if this would be another 10 feet.

Mr. McKee stated it would be another additional 10 feet and be consistent with what they have asked in the past of properties in this area. It would make up the entire 40 feet of the ROW.

Commissioner Lee asked Mr. Maher if he has read, understood and agree to the conditions of approval.

Mr. Maher stated yes.

Public comment opened and closed at 6:56 pm with no comments.

Commissioner Tyler motioned to recommend approval of ZC-2019-000037 with staff recommendations and special conditions. Seconded by Commissioner DeAnda.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Beth Lee, Carol Curtis, Leah-Ann DeAnda, Pamela Tyler, Robert Blackstock, Tom Duryea, Walt Turner.

- 14. For Possible Action – ZC-2019-000038:** Public Hearing, discussion and deliberation on a Zone Change application to change approximately 5.0 acres from the Neighborhood Commercial (NC) zone to the Commercial Manufacturing (CM) zone, located at 6041 S. Hafen Ranch Road, further described as a portion of Township 21 South, Range 54 East, Section 15, File #84221, Parcel 1. Assessor Parcel Number 045-131-48. R Land Company, LLC – Property Owner. Nevada Natural Medicines, LLC / Scott Sibley, Manager – Applicant. **(The Pahrump Regional Planning Commission makes a recommendation on this item. Final Action by the Board of County Commissioners is scheduled for August 20, 2019, or otherwise announced.) (SO**

Mr. Osborne stated this is also a conforming zone change. In 2015, this property was rezoned by the BOCC from the NC zone to the CM zone for a proposed marijuana facility. Since the facility wasn't operational within the time frame the zoning reverted to the NC zone. In 2018, the property was then rezoned to the CM zone but again since the facility wasn't operational by the deadline the zoning reverted again to the NC zone. This is the third rezoning to CM. Staff is recommending approval subject to recommendations of approval.

Heather Ebnetter they are okay with the approvals, they have the approvals from the State, and they are just waiting on this approval.

Commissioner Curtis asked what the hold up was for them, if it was the state approvals.

Ms. Ebnetter stated that and getting annexed into the utility company.

Commissioner Curtis asked if that has all been taken care of.

Ms. Ebnetter stated yes.

Commissioner Turner asked if they are on public or private utilities.

Ms. Ebnetter stated public.

Commissioner Lee stated Pahrump Utilities.

Commissioner Duryea stated one of the original conditions of the BOCC was to put up a brick wall around the entire property. There is a brick wall along the front and some sides then there is a 6-foot chain link fence. You have a lot of neighbors on the N side that their yards look into the facility, they were promised a brick wall. You keep saying you are going to finish it, but it still isn't done. He is very much opposed to the ZC.

Mr. Waggoner stated if they do obtain the ZC they still have to re-apply for the SUPs that would certainly be addressed at that process.

Commissioner Duryea stated they were here in January or February and said it would be done, and it hasn't yet.

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

Commissioner Duryea motioned to recommend disapproval of ZC-2019-000038 to the BOCC. Seconded by Commissioner DeAnda.

Vote: Motion failed (**summary:** Yes = 3, No = 4, Abstain = 0).

Yes: Leah-Ann DeAnda, Robert Blackstock, Tom Duryea.

No: Beth Lee, Carol Curtis, Pamela Tyler, Walt Turner.

Commissioner Turner asked for clarification on the completion of the block wall. Even if the ZC is approved they will have to finish the wall to meet the SUPs.

Mr. Waggoner stated the block wall was part of the approved site development. Without an approved amendment to that site development, yes.

Commissioner Turner stated for clarification no matter what the ZC says the block wall still has to be completed.

Mr. Waggoner stated yes.

Commissioner Lee clarified we aren't speaking about the SUP's only handling the ZC.

Commissioner Turner motioned to recommend approval to the BOCC ZC-2019-000038 based upon finding and subject to conditions in the report. Seconded by Commissioner Curtis.

Vote: Motion passed (**summary:** Yes = 4, No = 3, Abstain = 0).

Yes: Beth Lee, Carol Curtis, Pamela Tyler, Walt Turner.

No: Leah-Ann DeAnda, Robert Blackstock, Tom Duryea.

15.

- a. **For Possible Action – ZC-2019-000039:** Public hearing, discussion, deliberation and possible action on a request for a Conforming Zone Change of the northern 5-acre portion situated along N. Blosser Ranch Road (660 ft by 330 ft.) of a 19.68-acre parcel from General Commercial (GC) to Light Industrial (LI), to allow the development of a processing facility for hemp on property located at 2461 N. Avenue of the Stars. Assessor Parcel Number 027-411-60. Nye Valley LLC – Property Owner. Rene Morales – Applicant. **(The Pahrump Regional Planning Commission makes a recommendation on this item. Final Action by the Board of County Commissioners scheduled for August 20, 2019, or otherwise announced.) (CB)**
- b. **For Possible Action – WV-2019-000100:** Public hearing, discussion, deliberation and possible action on a request for a Waiver from NCC 17.04.740 (Landscaping) to omit the landscaping requirement for a proposed development of a processing facility for hemp located on the northern 5-acre portion situated along N. Blosser Ranch Road (660 ft by 330 ft.) of a 19.68-acre parcel on property located at 2461 N. Avenue of the Stars. Assessor Parcel Number 027-411-60. Nye Valley LLC – Property Owner. Rene Morales – Applicant. **(The Pahrump Regional Planning Commission takes Final Action on this item.) (CB)**

Ms. Beeman reviewed her staff report, this is a conforming zone change and Master Planned Business Industrial Area, and only is for the top 5 acres of the property located at Blosser Ranch. The property does have a gravel pit located on it as well. LI required 10% of the net lot area must have landscaping off of a 5-acre parcel it could lead to a lot of landscaping. It could be a reasonable request to relieve them of the 10% lot area. Staff still believes the development can meet the landscaping request without getting into substantial water use. PW is asking for 30 feet of ROW along Avenue of the Stars and 40 feet on Blosser Ranch. Under analysis and application details there is on correction to the second sentence that begins with CM zoning should be stricken and not applicable.

Commissioner Duryea stated he doesn't see the ROW request in the conditions of approval.

Ms. Beeman stated those will need to be added.

Commissioner Duryea asked for clarification that was 30 feet on Ave. of the Stars and 40 feet on Blosser Ranch.

Ms. Beeman stated correct.

Jeffrey McPhee, co-owner and director of operations of Hemptsun Farms, Rene Morales, property owner, Sean Wilson, Operations Manager for Top Rank Builders.

Mr. Wilson stated they plan to put up an 8 ft privacy chain link fence around the 5-acre parcel.

Commissioner Lee asked if this is still an active gravel pit.

Mr. Morales stated yes, for 20 years.

Commissioner Lee asked if it will continue to stay an active pit.

Mr. Morales stated they don't know yet, they have more options, they would like to dedicate for that facility for the processing plant.

Commissioner Duryea stated you have a proposed well and asked if they have commercial water rights on the property.

Mr. Morales stated he has been here for 26 years, and he is familiar with the water rights and he does have quite a few commercial and agriculture water rights. He is the general contractor at the old dairy, they are growing a lot of hemp and there is a need for this facility and wants to keep the revenue in our community.

Mr. McPhee stated his group consists of generational farms from the North West. Specific to cherries, apples, pears, wine grapes and hops. Cannabis, hemp and hops are in the same genetic family and can graft one on to the other and vice versa. The same processing occurs for hemp as it does for hops. So, the experience in post-harvest biology and biomass extraction has a minimum 40 years on staff and networking in Washington State.

Commissioner Lee asked if the entrance to the facility would be off Ave. of the Stars?

Mr. Morales stated yes.

Commissioner Lee stated it looks like there is a residential building across the street.

Mr. Morales stated around 600 to 700 feet.

Commissioner Duryea stated there is a large berm that goes up the property and a gate opening.

Mr. Morales stated that is going to change and will move farther towards Mesquite for security purposes. It won't be in line with the neighbor's entrance.

Commissioner Turner asked for clarification, that the gate is further away or closer to the property.

Mr. Morales stated further away, it will be moved closer to Mesquite.

Mr. McPhee stated the facility has concern about security and smell. The processing of the product once they package it in the field, it will be an oxygen free barrier, they process it in a closed loop system, they have a charcoal filter to help with smell that is produced. They will have 24-hour security at the facilities.

Commissioner Tyler asked for clarification that they will only be processing on this site, no cultivation.

Mr. McPhee stated correct, their cultivation will be Blagg and Irene, the old dairy and Pechstein Ranch. They are farming 604 acres this season, planting 555 in total with 3.3 million plants for the season.

Commissioner Turner asked what the consistency of deliveries will be.

Mr. McPhee stated peak times Mid-October to Mid-November, weekly and multiple trucks daily.

Commissioner Tyler asked for clarification that they base harvest times on crops you currently grow in Nevada or based on your knowledge of crops in other places.

Mr. McPhee stated they see a ripeness in this climate in Mid-October to Mid-November range.

Commissioner Turner asked if they have a route already for deliveries. Assuming up Mesquite, over to Ave. of the Stars or is there another route.

Mr. McPhee stated that is the simplest route.

Public comment opened at 7:19 pm.

William Publow stated he lives across the street. The road is still dirt and there is a lot of dust. Mr. Morales waters the South end into his pit. If he is moving his entrance he will be lined up with his driveway and that is his main concern. He isn't opposed to this but Ave. of the Stars is a dirt road and doesn't get any maintenance.

Public comment closed at 7:22 pm

Mr. Morales stated he is willing to commit to have the entrance anywhere Mr. Publow wants so it won't interfere with his access. He would also propose doing a double chip seal road on Ave. of the Stars.

Commissioner Turner asked if the road is a county maintained road.

Mr. McKee stated there are some ROW dedication issues with APNs 027-411-30 and 027-411-31 those would have to dedicate ROW in order to put them in alignment with Ave. of the Stars, currently that is private property. As soon as they dedicate their 30-foot ROW on Ave. of the Stars they would have adequate ROW dedication and would make it a county maintained road if they built it to our standards. The Nye County minimum standard for a road to be dedicated is 3.5" of AC over 10" of compacted Type II, chip seal wouldn't meet that standard.

Commissioner Lee asked if the offer of dedication for ROW is accepted but maintenance is rejected and they double layer chip seal then they would be responsible for maintenance of the road until the road is developed to county standards.

Mr. McKee stated even when dedication is accepted double layer chip seal isn't an option.

Mr. Waggoner stated one of the conditions is that it is required to go through site development so it can be addressed at that time.

Commissioner Tyler motioned to recommend approval of ZC-2019-00039 to BOCC and approve WV-2019-000100 based on staff findings and subject to the conditions of approval. Seconded by Commissioner Curtis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Beth Lee, Carol Curtis, Leah-Ann DeAnda, Pamela Tyler, Robert Blackstock, Tom Duryea, Walt Turner.

Meeting went into recess at 7:29 pm.

Meeting reconvened at 7:41 pm.

16. **For Possible Action:** Discussion and deliberation regarding a Bill proposing to repeal and replace in its entirety Nye County Code 17.04.770, the Signage Requirements applicable to the Pahrump Regional Planning District. **(The Pahrump Regional Planning Commission makes a recommendation on this item. Final Action by the Board of County Commissioners date to be determined.)**

Mr. Waggoner stated he sent this out to the International Sign Association and received back their comments.

Commissioner Koenig stated on page 12 where it states to pull mobile signs pulled or attached to a vehicle, can we modify the language to state smaller than 4 x 8 or 3 x 5. He doesn't want trucks like in Vegas with huge signs that light up at night.

Commissioner Duryea stated it could say under prohibited: mobile signs pulled or attached to a vehicle larger than 48 sq. ft. and/or illuminated.

Commissioner Turner asked if there is a requirement that would limit the time it is in circulation.

Commissioner Koenig stated if it is for a business he doesn't care, if it is for an election it will go away on election day.

Mr. Waggoner asked for clarification that they want less than 48 sq. ft. and no illumination what so ever.

Commissioner Duryea stated yes.

Commissioner Turner asked if reflectors are allowed on signs, is there a section on it.

Mr. Waggoner stated no there isn't.

Commissioner Turner asked if it should be required for corner signs in the sight triangle.

Mr. Waggoner stated no.

Commissioner Lee stated on page 10, under paragraph F temporary directional signs, #1 says temporary directional signs pointing people towards a residential subdivision with a TUP, then under #3 it says temporary directional signs for a subdivision under construction can be placed after 5 pm Friday but removed by 7am the next business day. And asked what the difference is.

Mr. Waggoner stated neither can be placed without a TUP and it is a condition for weekend directional traffic only.

Commissioner Lee stated on 16 and 17 under signs permitted in a commercial zone, they only touch on NC, MU and GC. Do they want to include CM in the ordinance? We have had waivers come up because they want to put signs up in CM.

Mr. Waggoner stated yes, they did discuss it and they can add that in.
Commissioner Lee stated on page 20, paragraph K they identify GC, LI and HI for electronic message centers. Do we want to consider CM there as well?

Mr. Waggoner stated yes.

Commissioner Lee asked if there is anything that gives a penalty to the sign manufacturing companies. Now the business owners and property owners get a notice.

Mr. Waggoner stated that would be hard to enforce. Our only leverage is on the property owner or business owner. They are responsible to comply, it is a due diligence of the owner before they lease the property.

Public comment opened and closed at 7:56 pm with no comments.

Commissioner Tyler motioned to recommend approval to the BOCC including changes. Seconded by Commissioner Turner.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Beth Lee, Carol Curtis, Leah-Ann DeAnda, Pamela Tyler, Robert Blackstock, Tom Duryea, Walt Turner.

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

The next meeting is August 14th at 6:00 PM. If we have an update on the CIP we will sit as the Joint Meeting of the CIP, and Chapter 5 and 6 of the Master Plan.

Commissioner Koenig stated we need Tim to come with the list of CIP roads so we can review it and suggest changing priority's or adding roads. Money can't be spent unless the project is on the list.

Mr. McKee stated he needs to add clarification to Item #15A, with regards to request for constructing a chip seal road, he used the word variance and they would actually need a waiver which would need to come to this board. The applicant's discussion with the director would be for his support of that waiver.

Public Comment:


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 8:02 and closed with no comments.

18. **Adjournment.**

Meeting adjourned at 8:03 pm.


Elizabeth Lee, Chairman
Pahrump Regional Planning Commission


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