

REGIONAL PLANNING COMMISSION MINUTES

The Humboldt County Regional Planning Commission Meeting was held on July 8, 2010 at 5:30 p.m. in the County Meeting room of the Humboldt County Courthouse located at Fifty West Fifth Street, Winnemucca, Nevada.

COMMISSIONERS PRESENT

Ray Olsen
Walter Lee
Giovette Cassinelli

Bob Edwards
Pam Wickkiser

COMMISSIONERS ABSENT

none

STAFF PRESENT

Betty Lawrence
Dana Toth

LEGAL COUNSEL

Angie Elquist

PUBLIC PRESENT

John Milton
John J. Himbert Jr.

Michael P. Liberatore
Jan P. Schade

Dustin Boomhower

Ray called the meeting to order at 5:30 p.m. Ray asked if there were any corrections or concerns with the June 3, 2010 minutes. Bob motioned to approve the minutes of June 3rd; second by Walter. Motion passed with an abstention from Pam. Ray announced the resignation of Richard Brown and suggested writing a letter thanking him for his service and dedication. Ray asked if there were any postponements to the agenda items. Betty reported there were no postponements.

II. CONSENT AGENDA/DISCUSSION & ACTION

Ray read the Consent Agenda description and process. He then read the following agenda items:

- A. **PW-10-12** A parcel map application submitted by Desert Mountain Surveying on behalf of B.V.K. Inc., Jan Schade and Hal Smith utilizing merger and resubdivision to create four (4) lots. Subject property is located at 309, 311, 317, 319, 321, 325 & 333 Ross Street; assessor's parcel #'s 015-041-01, 015-041-02, 015-041-03, 015-041-04, 015-041-05, 015-041-06, & 015-041-07.
- B. **PW-10-13** A parcel map application submitted by Desert Mountain Surveying on behalf of B.V.K. Inc., Jan Schade and Hal Smith to create four (4) lots. Subject property is located at 309, 311, 317, 319, 321, 325 & 333 Ross Street; assessor's parcel #'s 015-041-01, 015-041-02, 015-041-03, 015-041-04, 015-041-05, 015-041-06, & 015-041-07.
(Please note this application is in conjunction with PW-10-12)
- C. **PW-10-14** A parcel map application submitted by Desert Mountain Surveying on behalf of B.V.K. Inc., Jan Schade and Hal Smith to create four (3) lots. Subject property is located at 309, 311, 317, 319, 321, 325 & 333 Ross Street; assessor's parcel #'s 015-041-01, 015-041-02, 015-041-03, 015-041-04, 015-041-05, 015-041-06, & 015-041-07.
(Please note this application is in conjunction with PW-10-12 & PW-10-13)

- D. **LP-10-06** A large parcel map application submitted by Desert Mountain Surveying on behalf of Blue Sky Acquisitions, LLC to divide property located approximately 6.5 miles southwest of Valmy, section 9, T.33N., R.42E. into 15 lots; assessor's parcel #007-451-09.

Ray asked if the board had any concerns regarding the consent agenda. There were none. Ray asked if the public wanted to pull any consent agenda item down. There was no request. Ray called for a motion on the consent agenda. Giovette motioned per staff recommendation to approve PW-10-12, PW-10-13, PW-10-14 and LP-10-06; second by Pam. Motion carried unanimously. Betty explained to the applicant that a letter would be sent out.

III. PUBLIC HEARING/DISCUSSION & ACTION

Ray then read the following agenda item:

- A. **RW-10-06** A rezone application submitted by Evelyn Marcuerquiaga to change the G-C zoning district (General Commercial District) to the R-3 zoning district (Multiple-Family Residential District) on property located at 126 W. 6th St; assessor's parcel #015-394-07.

Ray asked the board if they had any questions for staff. There were none. Ray asked Betty if it would be better to go to a residential-commercial. Betty replied it probably wouldn't as there are already two residences located on the property and any perspective buyer would have trouble obtaining a loan on a house with commercial zoning. Ray asked for further comments or questions from the board. There were none. Ray asked the public for comments or questions regarding the application. There were none. Ray asked if a representative for Evelyn Marcuerquiaga was present. There was not a representative present. Ray asked for a motion. Pam motioned to approve RW-10-06; second by Bob. Motion passed unanimously.

Ray read the following agenda item:

- B. **RW-10-07** A rezone application submitted by West Wind, LLC to change the R-2 zoning district (Multiple-Family Residential District) to the G-C zoning district (General Commercial District) property located at 451 W 2nd St.; assessor's parcel #015-423-01.

Ray asked the board if they had any questions or concerns with the item. There were none. Ray asked the public for comments or concerns regarding the item. There were none. Ray called for a motion. Bob motioned to approve RW-10-07; second by Giovette. Motion passed unanimously.

IV. PUBLIC COMMENTARY

Ray read the public commentary guidelines and asked if anyone present wished to address the board. Dustin Boomhower, an AmeriCorps volunteer serving the Humboldt

Development Authority came before the board to formally invite the RPC to the Winnemucca Futures Project being held July 20th & 21st. He gave a brief overview of the project's purpose and handed out fliers for the event.

Ray asked the public for further comments. There were none.

V. COMMISSION/STAFF/LEGAL COMMENTS/COMMITTEE REPORTS-Discussion

Ray asked if there were any comments from staff or legal. There were none.

Ray read the following item:

- A. Review of proposed fee changes- Humboldt County Code 17.78.010; Winnemucca Municipal Code 17.12.050.

There was some discussion regarding the raises in fees. Ray asked the board members if they approved the changes. There was a general consensus of the board to move along with the approval process. Pam noted she did not like raising fees. Betty explained the proposed change would be noticed in the paper for possible approval at the August meeting.

Ray read the following item:

- B. Review of progress for the creation of Humboldt County Code Chapter 16.18- Large Parcel Ordinance.

Ray asked if anyone had any problems with 16.18.010. There were none. He asked if anyone had any issues with 16.18.020. (5:49:44) Betty left to make copies for the board. John Milton approached the table. Angie asked Milton about the 30' easements on large parcel maps. Bob clarified that the problem lies not with sections abutting or bisected by county roads, but rather with sections that are several miles away from the nearest county road. Milton passed around the definition of a public road per NRS. There was discussion regarding minor county roads and the process of declaring them. Bob acknowledged the application of declaring minor county roads on public lands but questioned the private land aspect. Milton replied it doesn't say; that all it says is you mark it on a map and record it. Bob felt it could be considered a taking by allowing people to create roads over other's private lands. There was discussion regarding the utilization of private ground to access properties. Milton was concerned that the creation of this ordinance would bring attention to the issues; that NRS 278 does not even address it. There was discussion regarding the creation and sale of parcels without access. Milton felt that if a division of large parcels is done there must be some sort of road to it. There was discussion regarding the definition for roads/access for the ordinance. Milton explained that he was representing some of his clients as they are concerned with the creation of the ordinance adding that they retain existing roads as easements on division into large parcel maps. Milton asked the board if they intended to have tentative and final approvals of the maps at the RPC level as it is stated in the draft of the Large Parcel Ordinance. Ray felt some changes should be made to the draft to have the County Commissioners grant the final approval. Milton stated that it would make the appeals process as stated in 16.18.100 work better. Betty covered some of the map requirements for the final map verses the tentative map as stated in the draft of the ordinance. It was decided

that reference to any CUP on the property along with a reference to the recording information regarding mineral leases should be on the final map. Milton stated he felt the ordinance is intended to stop the division of land into large parcels. Bob recommended that it be a requirement to obtain easements over private lands in order to divide property. There was discussion regarding the county getting in the middle of private issues. Milton felt there should be a jurat on the maps regarding the access issue. Bob asked Milton to write up a jurat and give it to Betty so it could be reviewed. Milton stated he could do that. (6:19) There was discussion regarding access and the possibility of private land owners closing off access. Betty explained that the public does not see the jurats unless they pull a map from the recorder's office or the seller discloses the information to them. Angie questioned whether a jurat would satisfy the board. Ray and Bob replied that it would depend upon the jurat language and public input. There was discussion regarding how far off track the ordinance had gone from its original drafts. Betty noted that the filing time requirements and extensions need to be added to the ordinance. Bob recommended cleaning up the document; stated he would work with staff to add the stuff that has been omitted regarding extensions and such and hopefully by the next meeting there would be some language for the jurat to look at. There was discussion regarding listing map requirements vs. sighting NRS. Ray asked if the board was in agreement with Bob's recommendations. All members agreed.

C. Review of proposed changes to Humboldt County Code Chapter 16.50- Standards for Development of Dedicated Roads.

Bob explained that Chapter 16.50 would have to be modified to reflect the creation of Chapter 16.18. Milton gave some history on the creation of Chapter 16.50. He felt that division into large parcels is a different situation than parcel maps or subdivision maps. There was discussion regarding whether or not it pertained to large parcel maps and the difference between being dedicated and accepted.

D. Review of proposed changes to the Rules, Policies and Procedures of the Humboldt County Regional Planning Commission

Betty asked if everyone had time to review the Rules, Policies and Procedures. Angie asked if she was supposed to have made changes to it. Betty replied that everyone was supposed to review it and come back for discussion. Angie suggested she review it once more and the board do another discussion. Betty stated staff could print off more copies. Bob asked if email could be used to transmit the document. Angie replied that it could be sent by staff to the board members but it could not be discussed between board members.

VI. CORRESPONDENCE/BUDGET/PERSONNEL-Discussion & Action

Bob stated he will not be at the August 12th meeting. Betty asked the board members to consider attending the Futures Project. Ray asked if there was any other business. There was none. Ray adjourned the meeting at 6:57 pm until August 12, 2010.



Ray Olsen, Chairman