

REGIONAL PLANNING COMMISSION MINUTES

The Humboldt County Regional Planning Commission Meeting was held on Thursday, December 13, 2012 at 5:30PM in the County Meeting room of the Humboldt County Courthouse located at 50 West Fifth Street, Winnemucca, Nevada.

COMMISSIONERS PRESENT

Ray Olsen
Pam Wickkiser
Theresa Mavity
Lewis Trout
Stephen Nye
Vickie Rock
Giovette Cassinelli

COMMISSIONERS ABSENT

STAFF PRESENT

Betty Lawrence Jennifer Wright

LEGAL COUNSEL

Mike Macdonald

PUBLIC PRESENT

Michelle Borchert

Debra Giordano

I. OPENING

Giovette called the meeting to order at 5:30PM.

Giovette asked if there was anyone who wanted to make public comment. None was offered.

Giovette asked if there were any concerns or corrections for the minutes of November 8, 2012. Ray motioned to approve the minutes as written for November 8, 2012; second by Stephen. Pam abstained, motion passed.

Giovette asked if there were any requests for postponement of agenda items. Betty indicated that no requests had been received.

Giovette read the following:

II. CONSENT AGENDA/DISCUSSION & ACTION

- A. **PW-12-34** A parcel map application submitted by Desert Mountain Surveying as agent for Elko Wire Rope & Mining Supply, Inc. and Michael and Michelle Sheppard Family Trust. The application is to divide property located on Construction Way into 2 parcels; assessor's parcel #015-334-07.
- B. **LP-12-01** A Division of Land Into Large Parcels application submitted by Jeran Fraser on behalf of Reserve Land Management, Inc. to divide property into 16

parcels. Subject property is located northeast of the Valmy Power Plant, Section 23, T35N, R43E, M.D.B.&M.

Giovette asked if the board had any questions. Lewis stated that he would like to pull down item 2B and motioned to approve item 2A on the consent agenda; second by Theresa. Motion passed unanimously. Giovette stated that we were pulling down item B. Lewis said that he was looking at the staff report and the copy of the application that was included is not legible. He stated that the maps included with the application do not include a land status map showing the relative location of section 23 in relation to other properties in the checkerboard. The report does discuss access but it says it appears or seems that the road comes off a particular road to the southwest portion of the section. It looks like there is a road that goes up into the southeast portion of the section. There may be two roads that provide physical access. Lewis stated that he thought there should be an amendment to the staff report. Item 4H contains some text regarding any road shown on this map may not guarantee legal access to the parcels shown. Humboldt County is not obligated to build and maintain any roads to the property from the nearest county maintained road. Lewis suggested that the RPC add to item 4H and to staff recommendation additional language. Two sentences: "It would be helpful to alert the potential buyers that a right of way grant for legal access may need to be obtained from the Winnemucca District of the BLM." Second sentence: "An environmental document may need to be completed before a right of way grant is issued." Mr. Macdonald said that he understands Commissioner Trout in this regard and stated that our ordinance indicates the final map requirements shall include the statement that the county has not accepted for maintenance any roads shown on the map and the county is not required to accept any roads for maintenance unless the road meets the legal requirements established by the county. It also indicates that the notice shall also state that the county does not make any representations as to whether there is legal access to the property and that the county assumes no legal responsibility for such access. The ordinance and the suggested language does state any roads shown may or may not guarantee legal access to the parcels shown. This is an accurate statement and indicates that Humboldt County is not obligated to build and maintain any roads from the nearest county maintained road. If we were to make any statement that says you may have to obtain rights of way or easement from BLM, it makes sense to indicate that there may be other property owners. The question and issue as it relates to this proposed division of land into large parcels is; when you refer to their tentative map, the map shows the 16 parcels. It shows the 30 foot easement for roadway and utility purposes which would be dedicated to the county as well as the 60 that are in between the lots and then note 2 refers to the existing road. The road that cuts through parcels 9 and 16 in the southeast corner of this property. Note 2 also says that it's being offered for dedication to Humboldt County. The question that I asked the assessor is the fact that there's an existing road through the middle of the parcels creating two parcels. That does not conform with the applicants' intent to make only 16 lots and more importantly to comply with the law for and our ordinance for division of large parcels. If this were to go through, the assessor would apply a separate parcel number for each side of the existing road on parcel 9

and 16. Mr. Macdonald said that he did not have a chance to talk to the assessor until the last hour or the applicant to see if they were interested in continuing this matter. He suggested a motion to table this until the staff and he could discuss this topic with the applicant/agent. Mr. Nye pointed out that this application shows the need for regulation within our county for easements. Mr. Macdonald said he didn't disagree on these areas that are checkerboard and it is a topic that the County Commission has discussed in the past. Mr. Macdonald stated that he would like to discuss this application with the applicant and then bring this back to the board at our next meeting. Lewis motioned to table LP-12-01 until the January 10, 2013 RPC meeting; second by Vickie. Motion passed unanimously.

III. PUBLIC HEARING/Discussion & Possible Action

Giovette read the following agenda items:

- A. **RH-12-14** A zone change application submitted by Michelle Borchert on behalf of Washoe Fuel, Inc. The request is to change the zoning designation from C (Commercial) to M-1 (Industrial). Subject property is located at 4135 West Winnemucca Boulevard; assessor's parcel #013-042-29.

Giovette asked the applicant to come to the table. Michelle Borchert approached the table. Giovette asked the board if they had any questions. Ray asked Ms. Borchert to explain the activities that she is planning on for this property. Ms. Borchert stated that they are a fuel and lubricants distributor and currently there are three buildings on the property and they are using an office trailer. The larger of the two shop/warehouse buildings are used to warehouse lubricants and our plans are to put fuel storage tanks above ground and underground. Giovette asked the board if they had any questions. Seeing none; she asked if the public had any comments. No comments were offered and she asked for a motion. Ray motioned to approve RH-12-14 as written; second by Pam. Motion passed unanimously.

IV. COMMISSION/STAFF/LEGAL COMMENTS/COMMITTEE REPORTS-Discussion & Possible Action

- A. Review of the amendment to Chapter 17.58 of the Humboldt County Code Airport Compatible Land Use Overlay Zoning Ordinance. This is after the review of the Humboldt County Commissioners at their December 10, 2012 meeting.

Betty stated that the County Commissioners had no questions so we're going to move forward with notifying people and putting this on our agenda for our January 10 meeting.

- B. Review of Master Plan Committee meeting held November 14, 2012 regarding the updating of the Master Plan document.

Ray said that a committee meeting was conducted with Mr. Trout, Chairman Cassinelli, Mr. Olsen and Mrs. Rock. We discussed how we were going to make the changes to the

Master Plan. We re-reviewed most of it and staff was going to complete the ground work and have it ready for us to look over again and recommend for public hearing.

V. CORRESPONDENCE/BUDGET/PERSONNEL-Discussion & Possible Action

VI. PUBLIC COMMENTARY

Giovette asked if the public had any comments. None were offered.

Giovette adjourned the meeting at 6:10 PM until 5:30 PM January 10, 2013.



Giovette Cassinelli, Chairperson

UNOFFICIAL