

REGIONAL PLANNING COMMISSION MINUTES

The Humboldt County Regional Planning Commission Meeting was held on Thursday, February 14, 2013 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

COMMISSIONERS ABSENT

Giovette Cassinelli

STAFF PRESENT

Betty Lawrence Jennifer Wright

LEGAL COUNSEL

Mike Macdonald

PUBLIC PRESENT

Alan Means

I. OPENING

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

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

Theresa asked if there were any concerns or corrections for the minutes of January 10, 2013. Lewis stated that in the minutes on page 2 it references an e-mail from Mr. Fraser that Betty received and if copies of the e-mail were available. Betty stated that she made copies of the e-mail and passed them around the table. Betty said that this application is in reference to an application from the January meeting that was approved. Ray motioned to approve the minutes for January 10, 2013; second by Lewis. Motion passed unanimously.

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

Theresa read the following:

II. CONSENT AGENDA/DISCUSSION & ACTION

- A. **SN-10-02** A street naming request from John and Joyce Sherrill. The request is to name an existing 30' wide easement road which runs along the west boundary, south to north, of Section 25, T36N, R36E, M.D.B.&M. from Jungo Road; an existing 60' wide easement which runs along the east boundary, south to north, of APN: 005-366-16 and 005-366-17 within Section 23, T36N, R36E, M.D.B.&M. The RSNC recommends approval of the name **OCEAN ROAD**.

- B. **LP-13-01** A Division of Land Into Large Parcels application submitted by Bigby & Associates as agent for Geovada, LLC to divide property into 15 parcels. The site is located approximately 1 mile east of the Valmy Power Plant; Section 27, T35N, R43E, M.D.B.&M in Humboldt County, Nevada. Assessor's parcel #007-351-29.
- C. **LP-13-02** A Division of Land Into Large Parcels application submitted by Bigby & Associates as agent for Reserve Land Management, Inc. The site is located approximately 4 miles northeast of the Valmy Power Plant; Section 3, T35N, R43E, M.D.B.&M. in Humboldt County, Nevada. Assessor's parcel #07-351-04.

Lewis stated that he had questions on both of these items and would like to pull them down as items 3C, 3D and 3E. Theresa stated that these items will be moved to the Public Hearing section 3 as items C, D and E.

III. PUBLIC HEARING/Discussion & Possible Action

Theresa read the following agenda items:

- A. **SP-13-01** A site plan application submitted by New Vision Development, LLC to construct the New Frontier RV Park and temporary construction worker housing on 24.47 acres of land. Subject property is located on East Winnemucca Boulevard; assessor's parcel #016-361-10.

Ray stated that on page two there is a typo error. In the statement from Ellen Kunz, State Health Department, the word "andy" should be "any." Mr. Means approached the table. Theresa asked if the commission had any questions. Betty stated that Mr. Means has submitted an application for a variance to reduce the rear setback from 20' to 18'. It will go before the City Council on their March 4th meeting and has submitted the street naming request for the whole project. Theresa asked if there were more questions or comments from the commission. Lewis asked about phasing of the development of the temporary worker housing. If Mr. Means receives approval tonight what would be the target for occupancy. Mr. Means stated that they have a contract where they are supposed to be open May 1. Theresa asked if there was anything else and asked for a motion. Ray motioned to approve SP-13-01 as per staff recommendation; second by Vickie. Motion passed unanimously.

- B. **UW-13-01** A special use permit application submitted by Leo Poggione for Craftsman Homes to allow a watchman's quarters to be placed on property in the M-1 zoning district. Subject property is located at 3245 Fountain Way; assessor's parcel #015-252-04.

Theresa asked if there were any questions or discussion from the commission. Ray stated that the application is straight forward for a night watchman's quarters' which has been allowed in this particular type of business and location under the current zoning. Theresa asked for a motion. Lewis motioned to approve staff report UW-

13-01; second by Ray. Motion passed unanimously.

Theresa said that what has become item C from the Consent Agenda will be read:

- C. **SN-10-02** A street naming request from John and Joyce Sherrill. The request is to name an existing 30' wide easement road which runs along the west boundary, south to north, of Section 25, T36N, R36E, M.D.B.&M. from Jungo Road; an existing 60' wide easement which runs along the east boundary, south to north, of APN: 005-366-16 and 005-366-17 within Section 23, T36N, R36E, M.D.B.&M. The RSNC recommends approval of the name **OCEAN ROAD**.

Lewis asked if either of the adjacent property owners, to the east or west, were to dedicate an additional 30' to make it 60' would the name Ocean Road also be automatically applicable to that addition. Betty stated yes it would. Theresa asked if there was anything else. Seeing none, she asked for a motion. Ray motioned to approve SN-10-02 as per staff recommendation; second by Vickie. Motion passed unanimously.

- D. **LP-13-01** A Division of Land Into Large Parcels application submitted by Bigby & Associates as agent for Geovada, LLC to divide property into 15 parcels. The site is located approximately 1 mile east of the Valmy Power Plant, Section 27, T35N, R43E, M.D.B.&M in Humboldt County, Nevada. Assessor's parcel #007-351-29.

Theresa asked if there were any questions. Lewis stated that he had a disclosure to make. He stated that he is aware of James Kingzett who is involved with Geovada LLC and who is the applicant on this action. Mr. Trout said that he was an advocate of Mr. Kingzett's geothermal lease project in the vicinity of this particular property. He said he worked with Mr. Kingzett and with his assignee Oski Energy with whom he is in partnership for the geothermal development project. He said that he didn't think that precludes him from discussion or voting on this action. Lewis said that he doesn't see in the staff report any reference to contact with the adjacent geo-thermal lessee Oski. He said it would be appropriate to ask Oski whether or not these subdivisions have any kind of impact on their proposed project. Mr. Macdonald said that the issue is not use it's the parceling of the property. Lewis stated that his concern is that Oski who has interest in nearby property should be consulted as part of our due diligence to make sure this subdivision would not adversely affect their proposed development. Betty said we have no knowledge of this information, it's not part of our findings process. We don't know what they're going to use the property for except for what Mr. Fraser said. She also stated that she doesn't know if there are leases or recorded leases. Mr. Macdonald suggested that even if there are leases there the parceling is occurring. The owner of the property has the ability to parcel their property. That is the issue before us tonight. Betty said that we don't know what they're going to use it for that they can change their mind or not have the financial means to proceed with what they want to do. Theresa questioned that we can not apply information that we have not been given in the findings. Lewis said that we have constructive notice of certain information. He said the document history of this parcel and the

second parcel under consideration and the parcel we approved last month you'll discover that Geovada attempted to convey title on all three parcels and succeeded in two by quick claim deed to Reserve Land Management. Betty explained that we do not search titles. Lewis said that that indicates Reserve is primarily a land marketing company. His concern is that he wants to make sure that whenever one of these forty acre parcels would be suitable for potential geo-thermal development in the future in accordance with the existing leases that the lessee is at least contacted. He thinks we should continue these two items until we know whether or not Oski would be adversely affected. Betty said that that is not the process of us approving a large parcel map. We don't look at recordings we look at applications. There have been no previous applications on this parcel. The legal owner is Geovada LLC. Mr. Macdonald stated that if there is an existing lease affecting any of this property the lease would still apply to the same property. This division of land would not affect the lease. This is strictly a review of the proposal to divide into large parcels and our authority rests in looking to see if the ordinance and the statutes for division of large parcels have been met. Ray asked Lewis if he disagreed with the findings of the staff. Lewis said he is not an advocate for or against this subdivision of these particular parcels and that he agreed with counsel providing we have the courtesy to notify the impacted party who has an interest in these parcels. Theresa asked if she was hearing correctly from staff that if it was part of our procedure that that was an impacted party they would have been contacted in this process. Theresa asked Mr. Trout if he wanted a continuance of this item. He said that is correct. Lewis motioned to continue this item to the March meeting to allow staff to verify with the lessee that this proposed division will not adversely affect their geothermal development. Mr. Macdonald said that prior to proceeding on the motion, this application was received January 18 and is questioning the relevance of the information because the parceling does not change any obligations that the property owner or applicant has as it relates to third parties. He said his concern is the purpose of the delay. We're delaying it for information that has no bearing on our decision to approve or disapprove this division into large parcels. Betty asked Lewis when Shooting the West is taking place as she is concerned that we would not have a quorum for the March meeting. Lewis stated that March 14 would not be a conflict. Mr. Macdonald said that he didn't feel we have sufficient grounds to deny the application because it satisfies the zoning and the county has no issue regarding the division. Any concern that the parties would have would be between them and Humboldt County would not be a party. Theresa asked if Mr. Nye had a comment. Stephen said that he would like to second Mr. Trout's motion. Theresa stated that Lewis made a motion to continue and then Mr. Macdonald provided further comment; second from Mr. Nye for the continuance. Motion did not pass. Those voting aye were: Lewis, Vickie and Stephen. Those voting nay were Ray, Theresa and Pam. Mr. Macdonald said no action had been taken.

- E. **LP-13-02** A Division of Land Into Large Parcels application submitted by Bigby & Associates as agent for Reserve Land Management, Inc. The site is located approximately 4 miles northeast of the Valmy Power Plant; Section 3, T35N, R43E, M.D.B.&M. in Humboldt County, Nevada. Assessor's parcel #07-351-04.

Lewis motioned to continue this item to our meeting on March 14; second by Stephen. Motion did not pass with Lewis, Stephen and Vickie voting nay. Those voting aye were Ray, Pam and Theresa. Mr. Macdonald said that NRS.278.4725 talks about final maps and action by Planning Commissions. It indicates that the governing body has authorized the Planning Commission to take final action on the map within sixty days. Mr. Macdonalds recommendation is that these items will be included on the next agenda and should we come to no action as we did today by default they will be approved unconditionally. Theresa asked if everyone heard the comments from Mr. Macdonald. There was discussion between Mr. Trout and Mr. Macdonald and Mr. Macdonald said that he doesn't see that we have the ability to deny based on the criteria. Vickie asked how leases work for minerals, steam and resources that are below ground. Betty explained mineral leases for mining.

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

A. FY 2013/2014 Budget review- Theresa asked if the commission had questions or comments on the budget. Lewis said staff has under budgeted four items on the agenda and he would like to see these amounts increased. Salaries and overtime should be \$3000 because of the expected additional work next year with the airport ordinance. Printing and advertising should be increased to \$3000 and postage should be increased to \$7000 and copies should be increased to \$2500. Ray agreed that we should increase printing and advertising and agreed that the postage amount was light. Vickie asked about software for the office. Betty explained that software is part of the county budget. Theresa asked for a motion. Lewis motioned to approve the budget with the changes as follows: overtime salaries be increased to \$3000, printing and advertising be increased to \$3000, postage increased to \$7000 and copies increased to \$2500; second by Ray. Motion passed unanimously.

B. County Commission retreat direction to Planning-Betty stated that the top part of the memo is what the commissioners discussed. The bottom part is what they adopted and the first and last item are actually the same thing. Theresa asked if there were any questions regarding this memo. There was discussion amongst the commission regarding the Code of the West and rezoning.

C. Review of Master Plan document update-Betty stated that she had copies of the update and explained that she did change the table of contents. She said there are two new maps of the flood zone. One that is specific to the Winnemucca area and the other shows the entire county. Betty explained other information in the updated document and the summary. Ray said that this document needs to be reviewed page by page. Betty suggested that this be presented to the City Council and County Commissioners on March 4th and 5th and if they have any suggestions bring it back to the committee. Vickie motioned to present the revised master plan document to the City Council and the County Commissioners for their review at their March meetings; second by Ray. Motion passed unanimously.

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

VI. PUBLIC COMMENTARY

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

Theresa adjourned the meeting at 6:44 PM until 5:30 PM March 14, 2013.



Theresa Mavity, Co-Chairperson

UNOFFICIAL